
LAW OF THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA ON THE INSPECTION OF EXPORT AND IMPORT COMMODITIES

Adopted by Decree No.66 of the Standing Committee of the Supreme Assembly on January 10, 1996, amended by Decree No.483 of the Presidium of the Supreme People's Assembly on February 26, 1999, amended by Decree No.955 of the Presidium of the Supreme People's Assembly on August 19, 1999, amended by Decree No.482 of the Presidium of the Supreme People's Assembly on December 8, 2009 and amended by Decree No.1360 of the Presidium of the Supreme People's Assembly on January 25, 2011

Chapter 1 Fundamentals

Article 1 (Objective)

This Law is enacted for the purpose of providing strict guidelines for the inspection of export and import commodities, thereby contributing to guaranteeing the quality and quantity thereof and ensuring stability of trade transactions.

Article 2 (Items subject to inspection)

Inspection shall cover the goods that are being taken out to foreign countries or brought into the DPRK in accordance with a contract, or manufactured goods that, though not to be taken out to foreign countries, are included in the output of export and import commodities.

The entrepot and transit cargoes may also be inspected upon request by the owner or the agent.

Article 3 (Principle of applying for inspection)

Making an application for the inspection of export and import commodities is obligatory upon the institutions, enterprises and organizations that export or import goods.

The State shall ensure that procedures for the application for the inspection of export and import commodities are properly set and strictly observed.

Article 4 (Principle of ensuring objectivity and accuracy of inspection)

Inspection of export and import commodities is an important work of certifying the quality and quantity of goods.

The State shall ensure that objectivity and accuracy is guaranteed in the inspection of export and import commodities.

Article 5 (Inspection institution)

Inspection of export and import commodities in the DPRK shall be conducted by the inspection institution of export and import commodities.

The State shall ensure that inspection institution of export and import commodities is sufficiently staffed and its role enhanced.

Article 6 (Observance of inspection standard)

Observance of the inspection standard of export and import commodities is an important requirement for carrying out the inspection on a scientific, expedient and accurate basis.

The State shall ensure that inspection is carried out in strict compliance with the standard.

Article 7 (Exchange and cooperation)

The State shall promote exchange and cooperation with foreign countries and international organizations in the field of export and import commodities inspection.

Chapter 2 Application for the Inspection of Export and Import Commodities

Article 8 (Basic requirements of applying for inspection of export and import commodities)

Proper application for export and import commodities is an essential requirement for carrying out the inspection of export and import commodities with precision.

Institutions, enterprises and organizations concerned shall timely submit an application for the inspection of export and import commodities.

Article 9 (Applicant for inspection)

Application for the inspection of export and import commodities shall be made by a trade agency that has entered into a contract with a foreign country.

Institutions, enterprises and organizations that produce exports or bring in imports shall file an application for the inspection thereof.

Article 10 (Submission of application for inspection of export and import commodities, review thereof)

Institutions, enterprises and organizations concerned shall submit an application for inspection of export and import commodities to the inspection institution. The application shall specify the description of the exports or imports, seller, buyer, quantity, quality, packing condition, period of quality guaranty and the like.

The inspection institution shall accurately review the application.

Article 11 (Fees)

Institutions, enterprises and organizations shall pay prescribed fees for filing application.

Fees shall also be paid when having the ship's hold inspected.

The ship's hold shall be inspected only upon submission of an application.

Article 12 (Application for inspection by foreign corporate bodies, citizens, and overseas Koreans)

Foreign corporate bodies and citizens, and overseas Koreans may, in case of need, also make an application for the inspection of goods and holds.

Chapter 3 Inspection Method of Export and Import Commodities

Article 13 (Basic requirements of inspection method)

Improving the method of inspection of export and import commodities is an important way of tightening the inspection thereof.

The inspection institution of export and import commodities shall comply with the requirements of the prescribed inspection method.

Article 14 (Place of inspection)

Inspection of export and import commodities shall be conducted at the institutions, enterprises and organizations that produce exports, or supply or use imports, or railway stations where export and import commodities are loaded or unloaded.

The export and import commodities that must undergo the inspection shall be inspected at the points through which the export and import commodities pass like the trade ports, border railway stations, international airports and border receipt and delivery points.

Article 15 (Inspection of exports at production units)

Inspection at the institutions, enterprises and organizations that produce exports shall be conducted in the form of the inspection of finished goods and of forwarding. In this case the quality, quantity and state of packing shall be verified.

Goods that have not been inspected by the inspection institution shall not be included in the output of export and import commodities nor forwarded.

Article 16 (Inspection of imports)

Inspection at the institutions, enterprises and organizations that supply or use imports shall be conducted by verifying the state of packing, quality and quantity of the goods in question.

Article 17 (Inspection of export and import commodities at railway stations)

Inspection of imports at the institutions, enterprises and organizations that load or unload imports shall be conducted in the form of confirming the state of sanitation and seal of the wagon.

The state of loading and packing, and the quantity of the goods shall also be confirmed.

Article 18 (Inspection of export and import commodities at trade ports)

Inspection of export and import commodities at trade ports shall be conducted in the form of arrival inspection and shipment inspection.

Inspection of arrival shall be conducted by inspecting the state of loading and packing of the goods, and the quality and quantity of the goods separately designated; inspection of shipment by inspecting the state of quality of the exports whose term of validity of inspection expired or those that may cause accident; inspection of hold upon application for inspection thereof.

Confirmation of quantity of export and import commodities that are packed, or countable by units shall be based on the inspection results of the inspection institution of export and import commodities.

Article 19 (Inspection of export and import commodities at border railway stations)

Inspection of export and import commodities at border railway stations shall be conducted in the form of arrival inspection and transit inspection.

Inspection of arrival shall be conducted by inspecting the state of sealing, loading and packing, and the quality of perishables, of goods that are acknowledged to have been involved in an accident, or cargoes imported in bulk, the quantity of the packed goods that are transhipped or unloaded, while inspection of transit shall be conducted by inspecting the state of sealing and the exterior of a freight car.

Inspection of the quantity and quality of a bulk cargo shall be based on the inspection results of an international joint transport agency organized in the field of railway transport.

Article 20 (Inspection of export and import commodities at international airport, point of receipt and delivery on border)

Inspection of export and import commodities at international airports or points of receipt and delivery on the border shall be conducted by inspecting the state of packing and the quantity of the goods concerned.

The quality of perishables or those that have been involved in an accident shall also be checked.

Article 21 (Monitoring of packing and sealing)

Institutions, enterprise and organizations concerned shall, if they wish to, pack exports or unpack the imports at the place of inspection with the monitoring of the export and import commodities inspection institution.

A seal shall not be put on or taken off freight cars and holds without the monitoring of export and import commodities inspection institution.

Article 22 (Issuance of inspection certificate, verification of inspection)

Upon completion of the inspection of export and import commodities an inspection certificate shall be issued or verification thereof shall be provided.

Bills of export and import commodities shall not be settled unless they are accompanied by inspection certificates.

Article 23 (Examination of accident caused to imports)

Export and import commodities inspection institution shall examine an accident occurred to an import in question and issue a written confirmation to an institution, enterprise and organization concerned.

The institution, enterprise and organization that have received the confirmation shall have the loss compensated in accordance with the certificate.

Article 24 (Disposal of examined goods)

The institution, enterprise and organization concerned shall preserve in tact the export goods to which an accident occurred before disposing of it subject to the agreement of the export and import inspection institution and a trade agency.

An import that is unusable for not satisfying the stipulated terms of the contract shall be sent back.

Article 25 (Request for technical examination, experimental analysis)

The export and import inspection institution may, if need be, make a request to a specialized institution concerned for technical examination and experimental analysis.

The institution shall complete the requested technical examination and experimental analysis within the prescribed time.

Article 26 (Summary of accident, notice of compensation)

A trade agency shall inform the export and import commodities inspection institution of the summary of an accident occurred to export goods and of compensation received due to the accident.

The export and import commodities inspection institution shall clarify in good time the cause of the accident occurred to the goods that was exported.

Article 27 (Cooperation with the customs)

The export and import inspection institution shall work in close cooperation with the customs in carrying out the inspection of export and import commodities.

The customs shall not give a passage to the goods that have not gone through inspection.

Chapter 4 Guidance and Control of Inspection of Export and Import Commodities

Article 28 (Basic requirements of guidance and control)

Guidance and control of inspection of export and import commodities constitute an essential guarantee for the improvement of the work related thereto.

The State shall ensure that guidance and control of export and import commodities inspection is strengthened as required by the developing realities.

Article 29 (Guidance of export and import commodities inspection)

The export and import commodities inspection shall be placed under the unified control of the guidance institution of export and import commodities inspection.

The guidance institution of export and import commodities inspection shall provide regular control and guidance of the export and import commodities inspection.

Article 30 (Provision of conditions for export and import commodities inspection)

The institutions, enterprises and organizations concerned shall provide time, place, measuring instruments, analytical sample and the like that are required for the export and import commodities inspection.

Article 31 (Supervision and control of export and import commodities inspection)

Supervision and control of the export and import commodities inspection shall be undertaken by the guidance institution of export and import commodities inspection and the supervisory and control institution concerned.

The guidance institution of export and import commodities inspection and the supervisory and control institution concerned shall responsibly supervise and control the inspection of the export and import commodities.

Article 32 (Suspension, confiscation)

Where the bill of an export or import commodity that did not undergo inspection is settled, or it is transported, supplied or used, such act or goods shall be suspended or confiscated.

Article 33 (Administrative or penal liability)

Officials of the institutions, enterprises and organizations, and individual citizens that hindered the export and import commodities inspection, impaired business honour or inflicted losses on the State shall, depending on the seriousness of the offence, be liable to administrative or penal liability.