

Practical Legal Guidebook for foreigners

Legal Guide for everyday life



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English

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Table of Contents

PART 1	Law and order in daily life	02
	What is law? Criminal law and law and order Traffic accident & law and order Other social order issues	
PART 2	Guideline on actual cases	04
	Monetary transaction Financial fraud Preventing other types of crime	
PART 3	Public institutions that may be helpful to you	09

What is law?

- Law is the system of principles and rules which a particular country or community recognizes and regulates the actions of its members.
- Law is a set of legally binding promises that shall be kept.

Criminal law and law and order

- The criminal law sets out the definitions of criminal offences and the rules in order to maintain social order.
 - Crimes such as assault, murder, burglary, fraud and forcible sexual offense are under the criminal law.
 - ※ **Most crimes punishable by law in other countries will also be punishable by the Korean law.**
- Violating the criminal law will result in a jail sentence or fine.



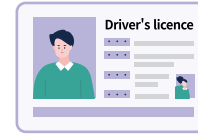
Learn more

Carrying a dangerous weapon is NOT allowed!



Both carrying and provision of a dangerous weapon are punishable according to the Punishment of Violences Act

Traffic accident and law and order



Type 1 Unlicensed driving

- Unlicensed driving means driving a motor vehicle without a valid driver's license or while driver license is canceled and/or suspended.
- In order to drive a vehicle in Korea, a valid Korean driver's license or an international driver's license is mandatory



Type 2 Driving under influence (DUI)

- DUI means the act of driving a vehicle while intoxicated.
- DUI is punishable by law and may result in cancellation or suspension of the driver's license or criminal penalty such as prison labor or fine.



Type 3 Hit and run

- Hit and run accident is an accident in which the driver hits someone and leaves the scene.
- If you caused a traffic accident, you shall report to the police (Phone: 112) and take necessary actions such as rescuing the people involved. You are also required to provide contact information to the victim, such as name, phone number, and address.
- Hit and run offenses may result in severe punishments.

Other social order issues



Type 1

Illegal Dumping

Dumping waste in the street, Throwing cigarette butts in the street, Throwing chewing gum



Type 2

Free rider problem

Using public transport or taxis without paying fare



Type 3

Public Intoxication

Shouting and screaming in a public space under the influence of alcohol



Type 4

Other Misdemeanors

Cutting in line in public space such as at a bus station, Pulling prank calls



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You must use volume-rate waste bags!



Any act of dumping waste without using the standard plastic garbage bag will be subject to penalty fees.

- Fine: vary by area (KRW 100,000 ~ 300,000)

 Monetary transaction

Promissory note (IOU)

- Be sure to write a promissory note (IOU) that proves the existence of the loan.
 - The promissory note (IOU) is a financial instrument that contains a written promise by one party proving the fact that you have lent money to the other person.
 - Be sure to include in the note the names of the lender (you) and the other party(debtor), date of lending, exact amount (or details of the item, if not money), the repayment schedule

차 용 증

채 권 자 (빌려준 사람) 김 ○ ○

채 무 자 (빌린 사람) 이 ○ ○

일 금 (금 액) 원(₩)

채무자는 채권자로부터 위 돈을 차용하고, 아래 조항을 이행하겠습니다.

- 이자는 ()원으로 정하고 매월 ()일에 채권자의 계좌에 입금하기로 함.
- 채무자는 ()년 ()월 ()일까지 갚기로 함.
- 이자의 지급을 ()회라도 연체할 때에는 채무자는 채권자가 이자 및 원금을 청구 하여도 이의 없이 변제하기로 함.
- 연대보증인은 채무자와 연대로 채무이행의 책임을 부담하기로 함.

위 계약을 확실히 하기 위하여 이 증서를 작성하고 서명 날인하여 각자 1부씩 보관한다.

년 월 일

채 권 자 김 ○ ○ (인)

채 무 자 이 ○ ○ (인)

Contents-certified

- Send a contents-certified mail if a debtor does not repay the amount on the due date indicated on the promissory note.
 - The contents-certified mail is a kind of registered mail which the post office shall certify who, when and to whom a certain document has been mailed.
 - It is not legally-binding but may be used as evidence in court.

내 용 증 명

발 신 인(채권자) 김 ○ ○
서울특별시수 신 인(채무자) 이 ○ ○
서울특별시

- 귀하의 무궁한 발전을 기원합니다.
- 본인은 ()년 ()월, 귀하로부터 생활비가 필요하니 돈을 빌려달라는 요청을 받고 귀하의 계좌에 ()원을 입금하였습니다.
- 귀하는 위 돈을 매월 ()원 씩 본인에게 변제하기로 하였음에도, 변제하지 않고 있는바, 금 ()원을 ()년 ()월 ()일까지 “○○은행, 김○○, 계좌번호 ○○○-○○○-○○○”으로 변제하여 줄 것을 최고하며, 만약 귀하가 이행치 아니하면 법적 조치를 취할 것임을 알려드립니다.

년 월 일

발 신 인 김 ○ ○ (인)



Learn more

What can I do if the debtor does not repay the amount even after receiving the content certificate?

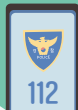
- Civil suit: You may bring the case to the court to recover your money.
- Criminal suit: If the debtor deliberately deceive you to gain unlawful gains, you may report to the police (Phone: 112) to have the debtor punished for fraud.
- Seek help from law institutions such as Korea Legal Aid Corporation!

 **Financial fraud****Borrowed name bank account**

- A borrowed name bank account is a fictitious bank account opened by one person but actually used by another.
 - Using a borrowed name bank account or giving access to your bank account to someone else is illegal.
 - Cases of fake bank accounts
 - Buying another person's bank account online
 - When a person impersonates a staff of a financial company such as banks and loan companies and asks you to submit your bank account information or debit card number by phone or text message to use it as a fake account
- Example** "You are qualified for a low interest rate loan. We will grant you a loan after you submit the required documents, bank account information, and debit card number."
- When someone impersonates an employer and asks for your bank account information and password under the name of hiring process.
- Example** "Congratulations! You're hired. Please submit the following information; bank account number, password"

How to avoid

- If someone asks for your bank account and the password for reasons such as loan or employment, DO NOT COMPLY as it is a bait.
- Keep in mind that selling a bank account to someone else or purchasing one is subject to civil and criminal responsibility, including disadvantages in financial activity such as suspension of transaction.
- If you are a victim of a fictitious borrowed name bank account incident, immediately reach out to the police (Phone: 112) or Financial Supervisory Service (Phone: 1332). Likewise, request a stop payment to halt a payment to your financial institution.

**Voice phishing**

- Voice phishing is a form of criminal phone fraud, using the telephone system to gain access to private personal and financial information such as foreign or resident registration number, bank account number and password for the purpose of a criminal activity.
- Cases of voice phishing
 - If a scammer impersonates a staff of a financial/public institution such as police, or Financial Supervisory Service
 - ※ **A scammer may manipulate the communication system to spoof a legitimate phone number of a financial or public institution. Always be suspicious and hang up the phone and call the institution directly to make sure.**
 - If a scammer withdraws money from the victim's account after gaining his or her financial information (bank account, credit card number, passwords) of someone else to withdraw money

**How to avoid**

- NEVER provide your bank information or debit (credit) card number to anyone else.
- NEVER provide your financial transaction information when a stranger asks for it. In particular, keep your bank account number and card password from being exposed.
- Even if the scammer knows your personal data including financial information, hang up first and check it out.
- If you were scammed by a voice phisher, report the case immediately to the police or other law enforcement authorities. Also request a stop payment to your financial institution. If you fell victim to a voice phishing incident, immediately reach out to the police (Phone: 112) or Financial Supervisory Service (Phone: 1332). Likewise, request your bank to halt the payment.



 Preventing other types of crime

Identity Theft

- Identity theft occurs when someone uses another's personally identifying information, like their name, without their permission, to commit crimes
- Cases of Identity Theft
 - Opening cell phone accounts in your name without your consent
 - Using a phone registered in your name without your consent

How to avoid 

- If a stranger asks for your personal data such as foreigner registration number or address, NEVER provide such information.
- Always keep the foreigner/resident registration certificate to yourself and NEVER let someone else to keep it.

Fraud

- Fraud is an intentional deception to secure unlawful gains.
- Cases of fraud
 - Deceiving you to transfer cash in exchange for goods
 - Selling a product by using deceptive advertising tactics

How to avoid 

- Be sure to keep a receipt or a warranty agreement when you make a purchase.
- Be sure to check out an expensive item in person, instead of purchasing online.
- Think twice if a seller refuses to take credit card but only accept cash.
- It is best not to purchase anything from door-to-door salespersons as they seldomly give a refund or let you exchange.

 National Police Agency (☎112, www.police.go.kr)

- Provides services such as maintenance of public order, crime investigation, traffic control, and national security
- Receives reports of crime and damages or those related to national security and conducts crime investigation
- Business hours: 24/365, (telephone counseling service available)

 Financial Supervisory Service (☎1332, www.fss.go.kr)

- Receives reports of financial damage and provides related counseling, financial regulation information, and transaction-related data
- Business hours: 09:00~18:00 on weekdays (telephone counseling service available)
09:00~17:00 on weekdays for online real-time chat counseling

 Comprehensive Foreigner Help Center (Hi Korea)(☎1345)

- Provides information about entry, status of sojourn, and daily life to foreign residents in their native languages
- Supported languages: 20 languages including Korean, Chinese, English, Vietnamese, Thai, Japanese, Mongolian, Indonesian, French, Bengali (language of Bangladesh), Urdu, Russian, Nepalese, Khmer, Burmese, German, Spanish, Filipino, Arabic, Sinhala, etc.
- Business hours: 09:00~22:00 on weekdays, (telephone counseling service available) (Korean, English, and Chinese language supported available only from 18:00 to 22:00)

 Korea Legal Aid Corporation (☎132, www.klac.or.kr)

- For information on legal aid, related forms and documents, precedents, and online reservation and in-person counseling
- Business hours: 09:00~11:50 AM, 13:00~17:50 on weekdays, (telephone counseling service available)