

- The rule of law for every judicial decision must be derived from legislative provisions.
- The quest for the well of the legislature is the main function of judicial interpretation.
- To interpret the text of the codes and other legal provisions is an important part of Korea legal study and judicial decision-making.
- Statute is the most important of the formal sources of law.
- Article 1 of the Civil Code provides to the effect that in civil matters a judge shall, in the absence of written laws, decide according to customary law.
- In the usual cases the judge finds a statute to apply because all important matters likely to cause legal disputes are now regulated by statute.

Other forms of written laws are...

- 1) statutes passed by the National Assembly
- 2) the Presidential (or Enforcement) Decrees
- 3) Ministerial Ordinances-supplement general statutes with implementing details
- 4) Directives, notices, and rules promulgated by Government Ministries are not law but regulate activities of public servants to whom they are issued
- 5) The rules made by the National Assembly
- 6) The rules made by the Supreme Court
- 7) The treaties – ratified by the National Assembly has the same force as a statute

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Six basic codes and other laws:

The constitution, the Civil Code, the Commercial Code, the Code of Civil Procedure, the Criminal Code, and the Code of Criminal Procedure

- 1)Constitution- established by the National Assembly and the national referendum.
 - peculiar character and a supreme norm distinct from other legislation
 - first promulgated on July 17, 1948 after controversy over government structure and then the ninth Amendment present Constitution promulgated on Oct. 27, 1987.

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