



## Seong Ik Hwang

Partner

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Mr. Seong Ik Hwang is a partner at Shin & Kim. Mr. Hwang's practice focuses on foreign direct investment, environment, mergers & acquisitions, corporate governance and general advice.

Mr. Hwang is an automotive industry specialist focusing on Korean type approval of emission and noise, Korean self-certification of safety standards, regulatory compliance and permitting of car sharing, autonomous driving and liability, connected car, recently enacted Korean lemon law implementation and arbitration program, and fair trade issues related to vehicle sales and A/S including false representation and advertisements.

Mr. Hwang advises clients on numerous aspects of Korean law relating to environment(including homologation certification), auto-safety(including self-certification), autonomous driving and liability, connected car, broadcasting and telecommunication(including location based service), construction, energy, pharmacy, multi-level marketing and fair trade laws.

Mr. Hwang has received his LL.M. from University of San Diego Law School in 2013, master's degree in law from Seoul National University in 2006.

## Professional Career

2024-Present	Representative, Korean Society of Law
2023-Present	Member, Marine Pollution Control Technology Support Council, Korea Coast Guard
2022-Present	Planning Director, Korea Electric Ship Council
2021-Present	Co-Chair, Amcham Energy & Environment Committee
2019-Present	Shin & Kim LLC
2017	Seconded Attorney, GM Korea

2015-Present	Panel Member, Asbestos Damage Assessment Committee
2015	Advisory Attorney to Korean green washing regulation
2014-2015	Advisory Attorney to K-REACH pilot registration program
2013-2014	Visiting Attorney, Gibson, Dunn & Crutcher LA Office
2011-2012	Advisory Attorney, 2012 World Conservation Congress
2011-2012	Seconded Attorney, Siemens Korea
2007-2019	Kim & Chang
2004-2007	Judge Advocate, Korean Army
2002-2004	Judicial Research & Training Institute of the Supreme Court of Korea

## Key Experience

### Environmental Regulation

- Advice to a petrochemical company on location regulations of an industrial complex developed 30 years ago
- Advice on environmental/real-estate regulations on factory locations
- Advice for compliance with environmental regulations relating to factory lockout
- Advice on the scope of subjects of the environmental impact assessment
- Practices on the installation and operation of air-pollutant/wastewater discharge facilities as point sources
  - Advice/request for the government's authoritative interpretation on the subject of installation/authorization of discharge facilities, adequate operation of prevention facilities, joint prevention facilities, permitted discharge levels, discharge charges
  - Handling of administrative trials/lawsuits responding to administrative dispositions of operation suspension, etc. and related criminal lawsuits
- Advice on soil contamination under the Soil Environment Conservation Act
  - Advice on reports of leakage of contaminants
  - Handling of administrative dispositions and criminal lawsuits relating to purification order
  - Comprehensive advice on the identification of contamination relating to housing development on a brown-field site as a project, legal relationships with the transferor, responses to administrative dispositions and criminal lawsuits, etc.
- Advice on legal treatment of wastes/authorization of recycling and waste-treatment business under the Wastes

Control Act/Act on the Promotion of Saving and Recycling of Resources/Act on Resource Circulation of Electrical and Electronic Equipment and Vehicles

- Application for authoritative interpretation on the classification of wastes of by-products re-used in processes and recyclable resources
- Advice on legal treatment and recycling methods of wastes by type
- Handling of administrative litigation on the disposition of refusal to install waste landfill facilities
- Handling of administrative trials on the disposition of refusal to authorize the change of waste landfill facilities
- Advice on cross-border movement of wastes under the Transboundary Movement and Treatment of Electronic-Product Wastes
- Advice on the Environmental Technology and Industry Support Act
  - Provision of services relating to the establishment of laws under amended laws on products' environmental factors
  - Advice for compliance with regulations on illegitimate advertising/labeling on products' environmental factors

**Industrial safety/health regulations, etc.(Act on the Safety Control of Hazardous Substances, High-Pressure Gas Safety Control Act, Act on Fire Prevention and Installation, Maintenance and Safety Control of Fire-Fighting Systems, etc.**

- Advice on the appointment of the safety and health manager and various safety managers following corporate demerger and establishment
- Advice on safety/health measures of workplaces under the rules on industry safety/health standards
- Advice on work-suspension disposition
- Advice on the scope of subjects of safety health measures in contracted business and required actions
- Advice on the manufacturing and import of substances prohibited to be produced and those subject to authorization/investigation into harmfulness/dangers of new chemicals
- Advice on the measurement of working environment, harmful factors and exposure criteria
- MSDS-related advice
  - Advice on legal relationships concerning required statements in MSDS of the supply chain
  - Advice on measures to protect business secrets
- Advice on compliance with standards for permit/authorization of facilities under various laws/regulations following corporate demerger
- Advice on procedures required to increase the capacity of helium storage facilities under the National Land

## Climate Change

- Handling of administrative litigation on the disposition of emissions allocation of members of the Korea Petrochemical Industry Association during the 1st commitment period
- Handling of administrative litigation on the disposition of emissions allocation of cement companies during the 1st commitment period
- Handling of administrative litigation on the disposition of emissions allocation of nonferrous-metal companies during the 1st commitment period
- Advice on EU emission trading to a landfill operator
- Advice on the first application for objection on emissions allocation

## Regulation on Chemicals

- Advice on reports of manufacturing, etc., declaration of products containing hazardous chemicals, registration of new substances, joint registration, registration by a person appointed by a foreign manufacturer and household chemical products subject to safety examination under the Act on Registration, Evaluation, Etc. of Chemicals(the “AREC”)
  - Advice on the scope of application of regulations on chemicals, including Article Exemption
  - Advice on, and practices concerning recall of, household chemical products subject to safety examination
  - Advice on the joint registration agreement of joint registration consultative groups
  - Responses to administrative dispositions and criminal cases on violations of the AREC
- Advice on statistical surveys under the Chemical Substances Control Act(the “CSCA”), application for objection to information disclosure to protect business secrets, satisfaction of standards for chemical handling facilities and permission to conduct hazardous-chemical business
  - Advice on the scope of business places subject to statistical survey and application for objection to information disclosure to protect business secrets of information submitted for statistical survey
  - On-site due diligence and advice for the satisfaction of standards for chemical handling facilities
  - Advice on the obtaining of permission to conduct hazardous-chemical business, off-site consequence analysis, etc.
  - Responses to administrative dispositions and criminal cases on violations of the CSCA

- Advice on responses to chemical accidents under various laws, including the CSCA, and preparation of manuals thereon
- Advice on the Safety Control Act of Household Chemical/Biocidal Products
- Advice on strategic considerations for each supply chain of biocidal substances/products/treatment products

## Foreign Investment

- Advice on foreign-investment requirements and various tax credits, cash subsidies, incentives, etc. under the Foreign Investment Promotion Act
- Incorporation by foreign investment
- Education of employees in charge of foreign investment of local municipalities under the Ministry of Commerce, Industry and Energy
- Advice on requirements for new growth engines and for related tax credits

## Car Industry

- Handling of recalls, administrative fines, administrative/criminal cases relating to car emissions and noise authentication under the Clean Air Conservation Act and Noise and Vibration Control Act
- Advice on compliance with safety standards under the Motor Vehicle Management Act, car sharing-related permission/authorization and the car replacement/refund system
- Advice on car dealer agreements, management of car maintenance networks and labelling/advertising under the Monopoly Regulation and Fair Trade Act

## Education

2012-2013	University of San Diego, School of Law (LL.M.)
2006-2011	Seoul National University, Graduate School of Law (Ph.D. Coursework Completion)
2002-2006	Seoul National University, Graduate School of Law (LL.M.)
1997-2002	Seoul National University, College of Law (LL.B.)

## Bar Admissions

2004	Korea
2014	New York

## Memberships

Korean Bar Association

New York State Bar Association

## Languages

Korean, English

## Professional Activities

- Country Q&A: South Korea - Business Crime and Investigations in South Korea: Overview, Thomson Reuter Practical Law, 2022 (Co-authored)
- Electric vehicles are environmentally friendly and pollution-free vehicles, Monthly "EV Magazine" Vol. 01, July 2020
- Getting the Deal Through - Foreign Investment Review: Korea Chapter, Law Business Research, 2016 (Co-authored)
- Getting the Deal Through - Environment: Korea Chapter, Law Business Research, 2010 (Co-authored)
- Research on the Protection of the Right to Receive the Benefits Under Social Insurances as the Property Right, Master's Thesis, 2006

## Professional Accolades

- "Leading Lawyer" for Environment & Climate Change, Who's Who Legal, 2017-2019, 2021, 2023-2024
- "Best Lawyer" for Antitrust and Competition, Compliance, Hankyung Business, 2022