

ENFORCEMENT DECREE OF THE FISHING VILLAGES AND FISHERY HARBORS ACT

Presidential Decree No. 34550, Jun. 4, 2024

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Fishing Villages and Fishery Harbors Act and matters necessary for the enforcement thereof. *<Amended on Oct. 29, 2008>*

Article 2 (Scope of facilities for residents' convenience)

“Facilities for residents' convenience prescribed by Presidential Decree” in subparagraph 5 c 7) of Article 2 of the Fishing Villages and Fishery Harbors Act (hereinafter referred to as the “Act”) means mooring facilities for vessels, such as passenger ships, daily necessities transport vessels, and ferries, as well as convenience facilities for residents, such as waiting rooms. *<Amended on Sep. 24, 2014; Jan. 5, 2021>*

CHAPTER II MASTER PLANS FOR DEVELOPMENT OF FISHING VILLAGES AND FISHERY HARBORS

Article 3 (Details of basic surveys and detailed surveys)

(1) A basic survey under Article 3 (1) of the Act shall include the following: *<Amended on Apr. 10, 2012; Oct. 2, 2018; Jun. 8, 2021>*

1. Matters regarding the distribution of fishing villages and trends in population changes;
2. Matters regarding the placement of each industry, including fishery business, as well as producers, workers, other relevant personnel;
3. Matters regarding the relationship of rights, etc. in coastal fisheries;
4. Matters regarding the current utilization of coastal waters;
5. Matters regarding the demand for maintenance of production infrastructure for the fisheries industry;
6. Matters regarding infrastructure, such as water supply and sewerage systems and roads;
7. Matters regarding welfare facilities, such as medical facilities and educational facilities;

8. Matters regarding the utilization of land, such as urban or gun planning under the National Land Planning and Utilization Act;
 9. Matters regarding tourism resources;
 10. Matters regarding the traffic conditions of fishing villages, such as the passage of passenger ships in island areas;
 11. Other matters deemed necessary for formulating a master plan for the development of fishing villages and fishery harbors (hereinafter referred to as "master plan") under Article 4 (1) of the Act.
- (2) A detailed survey under Article 3 (2) of the Act shall include the following: *<Amended on Oct. 2, 2018>*
1. Matters regarding the depth and seabed geology of the waters within a fishery harbor district;
 2. Matters regarding the tides and currents in and around a fishery harbor district;
 3. Other matters deemed necessary for formulating a master plan.
- (3) The scope of a basic survey related to coastal waters under paragraph (1) 4 shall include waters with a depth of 10 meters or less at the lowest low tide (or 15 meters or less for Gangwon Special Self-Governing Province, Gyeongsangbuk-do, and Jeju Special Self-Governing Province); provided, in cases of a project to improve and expand production infrastructure for the fisheries industry under subparagraph 2 a of Article 2 of the Act, the scope may extend to the territorial sea. *<Amended on Oct. 29, 2008; Jun. 4, 2024>*
- (4) A basic survey and a detailed survey under paragraphs (1) and (2) shall be conducted through direct investigation methods, such as surveying of fishing villages and fishery harbors, sampling, and remote sensing using aircraft, survey vessels, underwater imaging equipment, and other tools, as well as indirect investigation methods, such as literature review. *<Amended on Oct. 2, 2018>*
- (5) Upon completion of a basic or detailed survey under Article 3 (1) or (2) of the Act, the Minister of Oceans and Fisheries shall publicly announce the survey results that include the following, on the website of the Ministry of Oceans and Fisheries and the Korea Fisheries Infrastructure Public Agency established under Article 57 of the Act (hereinafter referred to as the "Korea Fisheries Infrastructure Public Agency") for at least 30 days, so that interested parties, such as relevant central administrative agencies, local governments, and residents of the relevant area, can peruse the results: *<Amended on Feb. 29, 2008; Mar. 23, 2013; Oct. 2, 2018>*
1. The entity that has conducted the survey and the survey period;
 2. The results of the basic or detailed survey.
- (6) If the Minister of Oceans and Fisheries conducts a basic or detailed survey under paragraph (1) or (2), the Minister may request the cooperation of the heads of relevant central administrative agencies or local governments for the perusal of materials related to the survey, access to areas subject to the survey, or any other relevant activities. In such cases, the heads of the relevant agencies shall comply with such request unless there is a compelling reason not to do so. *<Amended on Feb. 29, 2008; Mar. 23, 2013; Oct. 2, 2018>*

Article 4 (Public notice of formulation and modification of master plans)

The public notice of the formulation or modification of a master plan under Article 4 (4) of the Act shall include the following: *<Amended on Feb. 25, 2020>*

1. The major details of the mid- to long-term development and investment plan for the development of fishing villages and fishery harbors, as well as any modifications thereto;
2. The major details of a comprehensive fishing village development plan under Article 6 of the Act (hereinafter referred to as "comprehensive fishing village development plan"), a fishery harbor development plan under Article 19 of the Act (hereinafter referred to as "fishery harbor development plan"), and a fishing village and fishery harbor regeneration and development plan under Article 47-2 of the Act, as well as any modifications thereto;
3. Other matters deemed necessary for the formulation or modification of a master plan.

CHAPTER III COMPREHENSIVE DEVELOPMENT OF FISHING VILLAGES

Article 5 (Modification of minor matters in comprehensive fishing village development plans)

"Minor matters prescribed by Presidential Decree" in the proviso of Article 6 (3) of the Act means any of the following cases: *<Amended on Oct. 2, 2018>*

1. Where any matter specified in Article 6 (2) 4 through 6 of the Act is modified;
2. Where the total investment amount for a comprehensive fishing village development project by area under Article 7 (1) of the Act is modified within a range of less than 10/100.

Article 6 (Details of plans for comprehensive fishing village development projects)

A plan for a comprehensive fishing village development project by area under Article 7 (1) of the Act (hereinafter referred to as "plan for a comprehensive fishing village development project") shall include the following:

1. An overview of the project plan, such as the background and objectives of formulating the plan, and the scope of the plan;
2. The location and administrative district of the relevant area; the characteristics of the area; the natural environment; the status of related industries, such as fisheries; and the general conditions, including transportation and living conditions;
3. The basic concept of the plan and detailed development plans by sector;
4. An investment plan, including investment directions, evaluation of investment priorities, and required project costs;
5. The effects and prospects of the development.

Article 7 (Public notice of formulation and modification of plans for comprehensive fishing village development projects)

The public notice of formulation or modification of a plan for a comprehensive fishing village development project under Article 7 (5) of the Act shall include the following:

1. The name and location of the area;
2. The period and scale of the project;
3. A plan for installing facilities by sector and the details of a plan for modification thereof;
4. Other matters deemed necessary in relation to a plan for a comprehensive fishing village development project.

Article 8 (Implementers of comprehensive fishing village development projects)

"Persons prescribed by Presidential Decree" in Article 9 (1) 5 of the Act means any of the following persons within an area subject to a plan for a comprehensive fishing village development project: <Amended on Oct. 31, 2007; Apr. 20, 2010; Oct. 2, 2018; Aug. 26, 2020; Jan. 10, 2023>

1. A landowner;
2. A person who has obtained a fishery business license under Article 7 (1) of the Fisheries Act, a person who has obtained an aquaculture business license under the subparagraphs (excluding subparagraph 7) of Article 10 (1) of the Aquaculture Industry Development Act, or a person who has obtained permission for aquaculture business under Article 43 (1) 1 of that Act.

Article 9 (Details of implementation plans)

An implementation plan for a comprehensive fishing village development project under Article 9 (2) of the Act (hereinafter referred to as "implementation plan") shall include the following:

1. The name of the project;
2. The objectives of the project;
3. An overview of the project, including the project implementer and the project implementation period;
4. Details of major facilities and project costs;
5. A funding plan for project costs;
6. The effects of the project;
7. A plan for the maintenance and management of facilities to be installed;
8. Detailed drawings and specifications.

Article 10 (Reporting on modification of implementation plans for minor matters)

"Minor matters prescribed by Presidential Decree" in the proviso of Article 9 (3) of the Act means any of the following cases: <Amended on Feb. 29, 2008; Mar. 23, 2013; Oct. 2, 2018>

1. Where the name of the project is modified;
2. Where the scale of a facility to be installed or the project cost is modified within a range of less than 10/100;

3. Where a project for the repair or improvement of a facility prescribed by Decree of the Ministry of Oceans and Fisheries is modified, among the production infrastructure for the fisheries industry under subparagraph 2 a of Article 2 of the Act.

Article 11 (Public announcement of implementation plans)

The implementer of a comprehensive fishing village development project under the proviso of Article 9 (1) of the Act (hereinafter referred to as "comprehensive fishing village development project implementer") shall publicly announce the matters specified in subparagraphs 1 through 4 of Article 9 and make the matters available for perusal by the residents of the relevant project area for at least 20 days, under the main clause of Article 9 (4) of the Act.

Article 12 (Special cases regarding confirmation of completion)

"Ground prescribed by Presidential Decree ... such as undergoing supervision, etc. under other statutes or regulations" in the proviso, with the exception of the subparagraphs, of Article 10 (1) of the Act means where a comprehensive fishing village development project implementer completes a comprehensive fishing village development project that is classified as construction works subject to construction project management specified in the subparagraphs of Article 55 (1) of the Enforcement Decree of the Construction Technology Promotion Act and subsequently submits a completion report under the main clause, with the exception of the subparagraphs, of Article 10 (1) of the Act to the approval authority for the implementation plan under the main clause of Article 9 (3) of the Act, along with a construction project management report and a report on completion inspection by a construction engineering business entity for the relevant project. *<Amended on Dec. 13, 2010; May 22, 2014; Oct. 2, 2018; Jun. 4, 2019; Jan. 7, 2020; Sep. 14, 2021>*

Article 13 (Permission for use before completion)

(1) If a comprehensive fishing village development project implementer intends to use land or a facility developed or installed under a comprehensive fishing village development project (hereinafter referred to as "facility developed under a comprehensive fishing village development project") before obtaining confirmation of completion under the proviso of Article 10 (3) of the Act, the implementer shall file a report on use before completion or obtain permission for such use according to the following classifications; provided, in cases of application mutatis mutandis under Article 47-7 of the Act, permission for use before completion shall be obtained, notwithstanding the following classifications: *<Amended on Feb. 25, 2020>*

1. Where it is required to file a report on use before completion: When the implementer intends to use a comprehensive fishing village development facility under subparagraph 2 b of Article 2 of the Act before completion;

2. Where it is required to obtain permission for use before completion: When the implementer intends to use a comprehensive fishing village development facility under subparagraph 2 a or c of Article 2 of the Act before completion.

(2) Matters necessary for the procedures, etc. for report on, and permission for, use before completion under paragraph (1) shall be prescribed by Decree of the Ministry of Oceans and Fisheries. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 14 (Persons to be entrusted with survey, measurement, design, and construction supervision)

"Person prescribed by Presidential Decree" in Article 11 (1) of the Act means any of the following persons: <Amended on Oct. 29, 2008; Jun. 26, 2009; Jan. 17, 2011; Oct. 2, 2018>

1. The Korea Fisheries Infrastructure Public Agency;
2. The Korea Rural Community Corporation established under Article 3 of the Korea Rural Community Corporation and Farmland Management Fund Act;
3. An engineering business entity that has filed a report under Article 21 of the Engineering Industry Promotion Act.

Article 15 (Donation of facilities developed under comprehensive fishing village development projects)

(1) If a landowner in an area where a comprehensive fishing village development project is implemented or a comprehensive fishing village development project implementer intends to donate a facility developed under the comprehensive fishing village development project to the State or a local government under Article 12 (1) of the Act, he or she shall submit an application, along with the documents prescribed by Decree of the Ministry of Oceans and Fisheries, to the Minister of Oceans and Fisheries or the head of the relevant local government. <Amended on Feb. 29, 2008; Mar. 23, 2013>

(2) If a landowner in an area where a comprehensive fishing village development project is implemented or a comprehensive fishing village development project implementer intends to receive State-owned or public land by gratuitous transfer under Article 12 (2) of the Act, he or she shall submit an application for the gratuitous transfer of State-owned or public land, along with the documents prescribed by Decree of the Ministry of Oceans and Fisheries, to the Minister of Oceans and Fisheries or the head of the relevant local government, after the completion of the comprehensive fishing village development project. <Amended on Feb. 29, 2008; Mar. 23, 2013>

Article 16 (Approval for use of facilities developed under comprehensive fishing village development projects for purposes other than originally intended purpose)

(1) If a comprehensive fishing village development project implementer intends to use a facility developed under the comprehensive fishing village development project for any purpose other than the originally intended purpose or to transfer, lease, or allow its use by another party under the main clause of Article 14 (1) of the Act, the implementer shall submit an application for approval stating the following to the

approval authority for the relevant project (referring to the approval authority for projects under the main clause of Article 9 (3) of the Act):

1. The address or name of a user for purposes other than the originally intended purpose (in cases of a corporation, its name);
 2. A facility developed under the comprehensive fishing village development project subject to use for purposes other than the originally intended purpose;
 3. The period, details, and methods of use for purposes other than the originally intended purpose;
 4. The reasons for using the relevant facility for purposes other than the originally intended purpose;
 5. The accounting details of the comprehensive fishing village development project implementer related to use for purposes other than the originally intended purpose.
- (2) The period of approval for the use of a facility developed under a comprehensive fishing village development project for purposes other than the originally intended purpose under Article 14 (1) of the Act shall not exceed the following periods:

1. In cases of using land:
2. In cases of using a facility:

CHAPTER IV FISHERY HARBOR DEVELOPMENT

SECTION 1 Designation of Fishery Harbors and Fishery Harbor Development Plans

Article 17 (Public notice of designation of fishery harbors)

The public notice of designation, etc. of a fishery harbor or a fishery harbor facility outside a fishery harbor district under Article 17 (7) of the Act shall include the following:

1. The name, type, location, and designated area of the fishery harbor;
2. Other matters deemed necessary for the designation of the fishery harbor, etc.

Article 18 (Establishment of zones for fishing village tourism)

If the Minister of Oceans and Fisheries, a Metropolitan City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), or the head of a Si/Gun/Gu (the head of a Gu refers to the head of an autonomous Gu; hereinafter the same shall apply) intends to designate a zone for fishing village tourism within a fishery harbor district under Article 18 (1) of the Act, the relevant authority shall determine the name, location, designated area, purpose, layout plan, and other relevant matters for the zone and shall incorporate such determination in advance into a master plan for fishery harbors under Article 20 (3). <Amended on Jan. 31, 2008; Feb. 29, 2008; Mar. 23, 2013>

Article 19 (Scope of facilities for fishing village tourism)

“Facilities prescribed by Presidential Decree, such as vessel mooring facilities for the purposes of marine tourism or leisure and tourist convenience facilities” in Article 18 (2) of the Act means any of the following facilities: *<Amended on Feb. 29, 2008; Mar. 23, 2013; Oct. 2, 2018>*

1. Mooring facilities for vessels, etc. used in marine tourism or leisure, such as cruise ships (including motorboats), fishing vessels, yachts, and windsurfing boards, as well as their auxiliary facilities;
2. Sea fishing facilities and their auxiliary facilities;
3. Tourist convenience facilities, such as fishing village tourist information centers and parking lots;
4. Facilities for the increase of fishing village income or for tourist use, such as local specialty product shops and raw fish restaurants;
5. Rest facilities for tourists, such as accommodation facilities, bathing facilities, and recreational facilities;
6. Other facilities determined and publicly notified by the Minister of Oceans and Fisheries as deemed necessary for fishing village tourism.

Article 20 (Formulation of fishery harbor development plans)

(1) If the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu (hereinafter referred to as "designating authority") intends to formulate a fishery harbor development plan under the main clause of Article 19 (1) of the Act, the designating authority shall investigate the following in advance: *<Amended on Feb. 29, 2008; Mar. 23, 2013; Jan. 5, 2021>*

1. The current status of fishery harbor facilities;
2. The current status of fishery harbor usage and fishery business;
3. Natural conditions, such as tidal levels (referring to the height of the sea surface due to tides) and wave heights;
4. The current status and outlook of related industries and tourism resources in adjacent areas;
5. Other matters deemed necessary for formulating a fishery harbor development plan.

(2) When formulating a fishery harbor development plan under the main clause of Article 19 (1) of the Act, if the Minister of Oceans and Fisheries deems it necessary for safety management associated with the plan, the Minister shall conduct the following safety inspections in advance for the facilities specified in subparagraph 5 a of Article 2 of the Act: *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

1. Deformation, cracks, and subsidence of land-based structures;
2. Deformation, cracks, and subsidence of underwater structures;
3. Other matters necessary for safety management related to the formulation of a fishery harbor development.

(3) A master plan for fishery harbor facilities under Article 19 (2) 1 of the Act shall include the following: *<Amended on Apr. 22, 2013>*

1. The types and scale of fishery harbor facilities;

2. A layout plan for fishery harbor facilities;
 3. The standard cross-section of each basic facility;
 4. The designation of fishing village tourism zones and a layout plan for facilities;
 5. An investment plan and effects of fishery harbor facilities.
- (4) A fishery harbor maintenance plan under Article 19 (2) 2 of the Act shall include the following:
1. The necessity of the maintenance plan;
 2. The types and scale of facilities requiring maintenance;
 3. A layout plan for fishery harbor facilities requiring maintenance;
 4. The standard cross-section of basic facilities requiring maintenance;
 5. A dredging plan for earth and sand buried within a fishery harbor, associated with maintenance;
 6. An investment plan and effects of fishery harbor facilities requiring maintenance.
- (5) A fishery harbor environmental improvement plan under Article 19 (2) 3 of the Act shall include the following:
1. The necessity of fishery harbor cleanup and environmental improvement;
 2. The types and scale of cleanup and environmental improvement facilities for fishery harbors;
 3. A layout plan for cleanup and environmental improvement facilities for fishery harbors;
 4. The standard cross-section of cleanup and environmental improvement facilities for fishery harbors requiring cleanup and improvement;
 5. An investment plan and effects of cleanup and environmental improvement facilities for fishery harbors;
 6. An operation plan for fishery harbor cleaning vessels to clean fishery harbors.
- (6) A development plan for leisure and tourism under Article 19 (2) 4 of the Act shall include the following: *<Added on Apr. 22, 2013>*
1. The necessity for the development of leisure and tourism;
 2. The types and scale of infrastructure for leisure activities under subparagraph 5 c 4) of Article 2 of the Act (hereafter in this paragraph referred to as "infrastructure for leisure activities");
 3. A layout plan for infrastructure for leisure activities;
 4. The standard cross-section of infrastructure for leisure activities;
 5. An investment plan and effects of infrastructure for leisure activities.
- (7) A transportation accessibility improvement plan under Article 19 (2) 5 of the Act shall include the following: *<Added on Jun. 8, 2021>*
1. The necessity of improving transportation accessibility;
 2. The types and scale of transportation facilities;
 3. A plan for the connection and layout of transportation facilities;
 4. An investment plan and effects of transportation facilities.
- (8) If a designating authority intends to modify a fishery harbor development plan under Article 19 (5) of the Act, the authority shall conduct a prior investigation into the details of the modification of fishery

harbor conditions, the types and scale of fishery harbor facilities requiring modification, the required project cost, and other relevant factors. <Amended on Apr. 22, 2013; Jun. 8, 2021>

Article 21 (Public notice of formulation and modification of fishery harbor development plans)

The public notice of the formulation and modification of a fishery harbor development plan under the main clause of Article 19 (6) of the Act shall include the following:

1. The name, type, location, and designated area of the fishery harbor;
2. Major details or modifications of the fishery harbor development plan;
3. Other matters deemed necessary for the formulation or modification of the fishery harbor development plan.

Article 22 (Modification of minor matters)

“Modification of minor matters prescribed by Presidential Decree” in the proviso of Article 19 (6) of the Act and in the provisos of Article 21 (1) and (2) of the Act means any of the following: <Amended on Oct. 29, 2008; Oct. 2, 2018>

1. An increase or decrease by less than 10/100 in an outer wall facility (excluding bulkheads);
- 1-2. Modification of a bulkhead among outer wall facilities;
2. An increase or decrease by 1,000 square meters or less in the area of reclaimed land;
3. A change in the location of a fishery harbor facility due to changes in topographical conditions or in fishery harbor conditions;
4. Modification of the cross-section of basic facility structures;
5. Modification of the designation of a zone for fishery harbor tourism;
6. Maintenance and repair of a fishery harbor facility.

Article 23 (Consultation on formulation of fishery harbor development plans)

(1) If a designating authority intends to seek the opinions of residents and interested parties in the relevant area under the main clause of Article 21 (1) of the Act, the authority shall notify a Special Self-Governing Province Governor or the head of a Si/Gun/Gu having jurisdiction over the relevant fishery harbor, of the following: <Amended on Jan. 31, 2008; Oct. 2, 2018>

1. The purpose of seeking opinions;
2. An overview of the relevant fishery harbor development plan;
3. Other matters for which it is necessary to seek opinions for the formulation of the relevant fishery harbor development plan.

(2) Upon receipt of notification under paragraph (1), a Special Self-Governing Province Governor or the head of a Si/Gun/Gu shall seek the opinions of local residents and interested parties, as well as fisheries cooperatives established under the Fisheries Cooperatives Act (hereinafter referred to as "fisheries cooperatives") and fishing village associations (hereinafter referred to as "fishing village associations")

located in the relevant fishery harbor. *<Amended on Jan. 31, 2008; Oct. 2, 2018>*

(3) If a Special Self-Governing Province Governor or the head of a Si/Gun/Gu has sought opinions under paragraph (2), the authority shall submit a written opinion that includes the following, to the relevant designating authority within 20 days from the date of receipt of notice under paragraph (1): *<Amended on Jan. 31, 2008; Oct. 2, 2018>*

1. The name, address, and occupation of a person who has provided opinions (in cases of a corporation, its name and address and the name of its representative);
2. The details of the provided opinions.

(4) "Period prescribed by Presidential Decree" in Article 21 (3) of the Act means 20 days. *<Amended on Oct. 2, 2018>*

SECTION 2 Fishery Harbor Development Projects

Article 24 (Permission for implementation of fishery harbor development projects)

(1) A person who intends to obtain permission for the implementation of a fishery harbor development project under the main clause of Article 23 (2) of the Act shall file an application for permission stating the following with the relevant designating authority:

1. The address and name of the applicant (in cases of a corporation, its name);
2. The name of the fishery harbor and the type of the construction works;
3. The objectives of the construction works;
4. The location, scale, period, and method of the construction works.

(2) An application under paragraph (1) shall be accompanied by the following documents and drawings: *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

1. A project plan for the implementation of the construction works and the drawings and specifications prescribed by Decree of the Ministry of Oceans and Fisheries;
2. The total project cost required for the construction works and the details of calculation thereof;
3. A financing plan required for the construction works (in cases of a corporation, financial statements shall be additionally attached thereto);
4. A topographical map at a scale of at least 1:5,000 or a general floor plan equivalent thereto, as well as a cadastral map and a layout plan including adjacent areas.

(3) If at least 2 applicants compete in relation to an application for permission for the implementation of a fishery harbor development project under paragraph (1), the Minister of Oceans and Fisheries shall establish the selection criteria to ensure fairness in selecting an excellent project developer, considering factors such as project implementation capability, financing ability, and contribution to harbor development. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(4) Deleted. *<Jan. 31, 2008>*

Article 25 (Consultation for implementation of fishery harbor development projects)

If the State or a local government intends to consult with a designating authority to implement a fishery harbor development project under Article 23 (3) of the Act, it shall submit a project plan that includes the following:

1. The name of the project and the project implementer;
2. The location, scale, and structure of the facilities;
3. A layout plan, a floor plan, and a cross-sectional view of the facilities;
4. A statement of the total project cost and a project funding plan.

Article 26 (Fishery harbor facilities not subject to vesting)

“Fishery harbor facilities prescribed by Presidential Decree, such as passenger escalators and fishery harbor decontamination facilities” in the proviso of Article 23 (4) of the Act means the following facilities: *<Amended on Sep. 24, 2014; Dec. 9, 2014>*

1. Fishery harbor facilities to be installed on land owned by a person who has obtained permission for the implementation of a fishery harbor development project under the main clause of Article 23 (2) of the Act (hereinafter referred to as "non-designating authority");
2. The following facilities to be installed on land owned by a designating authority or in water facilities specified in subparagraph 5 a 3) of Article 2 of the Act:
 - 1) Equipment warehouses, fishery products auction houses, temporary live fish storage facilities, and fishery communication facilities;
 - 2) Welfare centers, sports facilities, exhibition halls, and performance venues;
3. Fishery harbor convenience facilities under subparagraph 5 c of Article 2 of the Act, which are established in a zone for fishing village tourism designated under Article 18 (1) of the Act.

Article 27 (Public organizations subject to preferential permission)

"Public organizations prescribed by Presidential Decree" in Article 23 (6) of the Act means the following organizations: *<Amended on May 22, 2012; Sep. 24, 2014; Dec. 22, 2015; Oct. 2, 2018>*

1. Fisheries cooperatives or fishing village associations;
2. The Korea Fisheries Infrastructure Public Agency;
3. An association of fisheries business operators consisting of full-time fishery personnel under Article 17 of the Framework Act on Fisheries and Fishing Villages Development and fisheries business successors under Article 10 (1) of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities.

Article 27-2 (Fishery harbor facilities subject to technical standards)

"Fishery harbor facilities prescribed by Presidential Decree" in Article 24 (2) of the Act means any of the following fishery harbor facilities:

1. A transportation facility under subparagraph 5 b 1) of Article 2 of the Act;
2. A beacon among navigational aids under subparagraph 5 b 2) of Article 2 of the Act;
3. A fishery harbor cleanup facility under subparagraph 5 b 9) of Article 2 of the Act;
4. A site under subparagraph 5 d of Article 2 of the Act.

Article 27-3 (Special cases regarding confirmation of completion)

"Ground prescribed by Presidential Decree ... such as undergoing supervision, etc. under other statutes or regulations" in the proviso of Article 25-3 (1) of the Act means where a non-designating authority or the head of a State agency or local government who has consulted with a designating authority under Article 23 (3) of the Act completes a fishery harbor development project that is classified as construction works subject to construction project management under the subparagraphs of Article 55 (1) of the Enforcement Decree of the Construction Technology Promotion Act and subsequently submits a completion report under the main clause of Article 25-3 (1) of the Act, along with a construction project management report and a completion inspection report of a construction engineering business entity for the relevant project, to the designating authority. <Amended on Jan. 7, 2020; Sep. 14, 2021>

Article 27-4 (Permission for use before completion of construction)

(1) If the head of a State agency or local government who has consulted with a non-designating authority under the proviso of Article 25-3 (3) of the Act or with a designating authority under Article 23 (3) of the Act intends to use land or a facility developed or installed under a fishery harbor development project before obtaining confirmation of completion, the head shall file a report on, or obtain permission for, use before completion, as follows:

1. Where it is required to file a report on use before completion: When a fishery harbor facility specified in the subparagraphs of Article 26 is to be used before completion of construction;
2. Where it is required to obtain permission for use before completion: When a facility not specified in subparagraph 1 or land developed through a fishery harbor development project is to be used before completion of construction.

(2) Matters necessary for the procedures, etc. for a report on, and permission for, use before completion of construction under paragraph (1) shall be prescribed by Decree of the Ministry of Oceans and Fisheries.

Article 28 (Land subject to ownership acquisition by non-designating authority)

"Site for facilities prescribed by Presidential Decree" in Article 26 (2) 1 of the Act means the following sites: <Amended on Oct. 2, 2018>

1. A site for fishing vessel construction and repair yards, as well as for equipment warehouses;

2. A site for water or ice supply facilities or refueling facilities, as well as for warehouses for supplying ship necessities;
3. A site for fishery product markets, fishery product direct sale places, fishery product collection centers, and temporary live fish storage facilities;
4. A site for ice-making, freezing, or refrigeration facilities, as well as for fish processing plants.

Article 29 (Sale of vested land)

If a designating authority intends to preferentially sell the vested land to a non-designating authority under Article 26 (3) of the Act, the authority shall impose conditions, such as the use of the relevant land and the deadline for filing an application for permission for a fishery harbor development project, in compliance with the fishery harbor development plan.

Article 30 (Period of gratuitous use and profit-making of vested fishery harbor facilities)

The period during which a non-designating authority may gratuitously use or profit from land or a fishery harbor facility vested in the State or a local government under Article 26 (4) and (7) of the Act shall be the number of years calculated by dividing the amount obtained by subtracting the value of land for which the non-designating authority acquired ownership under Article 26 (2) of the Act from the total project cost calculated under Article 31 (1), by the annual usage fee for the relevant land or facility if used for consideration. In such cases, if the non-designating authority uses the relevant land or facility after obtaining permission for use before completion under the proviso of Article 25-3 (3) of the Act, the amount corresponding to the usage fee shall be deducted from the total project cost. <Amended on Jun. 4, 2019>

Article 31 (Methods for calculating total project costs and land values)

(1) The total project cost under Article 26 (8) of the Act shall be the aggregate of the following expenses related to the relevant fishery harbor development project, calculated based on the date of the confirmation of the completion of the project: <Amended on Feb. 29, 2008; Dec. 24, 2008; Jan. 17, 2011; Mar. 23, 2013; Jun. 28, 2013; Sep. 24, 2014; Jun. 4, 2019; Aug. 26, 2020>

1. Survey costs: The surveying costs for the implementation of the fishery harbor development project and other survey costs for the design of the harbor, which are not included in the net construction costs, and are based on the criteria under Article 31 of the Engineering Industry Promotion Act;
2. Design costs: The costs incurred for the design for the implementation of the fishery harbor development project, which are based on the criteria under Article 31 of the Engineering Industry Promotion Act;
3. Net construction costs: The total amount of material costs, labor costs, expenses, general administrative costs, and profits under Article 9 of the Enforcement Decree of the Act on Contracts to Which the State Is a Party;

4. Compensation costs: The land acquisition costs (including the costs for purchasing buildings, standing trees, and other relevant assets) paid for the implementation of the fishery harbor development project; resident relocation costs; costs for relocating facilities within the fishery harbor district, if relocation occurs; and compensation costs for rights such as business rights, fishing rights, aquaculture rights, and mining rights;
5. Incidental costs: All costs incurred in fulfilling the conditions for permission for the implementation of the fishery harbor development project, including environmental impact assessment expenses under the Environmental Impact Assessment Act, construction supervision fees, and construction damage insurance premiums;
6. Construction interest: The construction interest on the costs specified in subparagraphs 1 through 5 (the interest rate shall be the average one-year fixed deposit rate of the top 6 commercial banks, based on the amount of deposits); provided, if the construction period for the fishery harbor development project has been extended due to any of the following circumstances, no construction interest shall be recognized for the extended period:
7. Value-added tax: The amount of tax payable under Article 37 of the Value-Added Tax Act, when land and facilities are vested in the State or a local government under the main clause of Article 26 (1) of the Act.
- (2) The calculation of land value under Article 26 (8) of the Act shall be the arithmetic average of the amounts appraised by at least 2 appraisal corporations, etc. under the Act on Appraisal and Certified Appraisers, which reflect the value of the land at the time of acquisition. <Amended on Aug. 31, 2016; Jun. 4, 2019; Jan. 21, 2022>

Article 32 Deleted. <Jan. 31, 2008>

Article 33 (Registration of rights to manage and operate fishery harbor facilities)

The Decree on Registration of Port Facility Management Rights shall apply mutatis mutandis to the establishment, modification, extinguishment, and restrictions on the disposition of rights to manage and operate fishery harbor facilities, or of mortgages aimed at securing such rights under Article 31 of the Act. In such cases, “port facility management rights”, “Ministry of Oceans and Fisheries”, “Minister of Oceans and Fisheries” and “register of port facility management rights” under the Decree on Registration of Port Facility Management Rights shall be construed as “rights to manage and operate fishery harbor facilities”, “Ministry of Oceans and Fisheries, a Metropolitan City, a Do, a Special Self-Governing Province, and a Si/Gun/autonomous Gu”, “designating authority” and “register of rights to manage and operate fishery harbor facilities”, respectively. <Amended on Jan. 31, 2008; Feb. 29, 2008; Mar. 23, 2013>

Article 34 Deleted. <Jun. 4, 2019>

SECTION 3 Management and Use of Fishery Harbor Facilities

Article 35 (Permission for use or occupancy of fishery harbor facilities)

If a fishery harbor management authority under Article 35 of the Act (hereinafter referred to as "fishery harbor management authority") intends to grant permission for the use or occupancy of a fishery harbor facility under the main clause, with the exception of the subparagraphs, of Article 38 (1) of the Act, the authority shall consider the following: *<Amended on Oct. 29, 2008; Jun. 4, 2019>*

1. The following general standards shall be met:
2. In cases of involving the installation of the facility, the following requirements shall be met to enable the movement or relocation of the facility, or the restoration to the original state upon the expiration of the usage period:
3. If the fishery harbor facility is a building for a functional facility or fishery harbor convenience facility (referring to a building directly constructed by a designating authority or a building vested in the State or a local government for which the period of gratuitous use or profit-making under Article 30 has expired), there shall be no modification to the building service and the main structural member defined in Article 2 (1) 4 and 7 of the Building Act.

Article 36 (Scope of repair of fishery harbor facilities)

The scope of the repair and reinforcement of fishery harbor facilities and the expenses required therefor under Article 40 of the Act means the complete repair and reinforcement necessary to maintain the functionality of the fishery harbor facilities and the total amount of expenses incurred for such activities.

Article 37 (Reduction of, or exemption from, usage fees)

(1) The usage fees or occupancy fees for fishery harbor facilities shall be exempted under the proviso of Article 42 (1) of the Act, in any of the following cases: *<Amended on Oct. 2, 2018; Jun. 4, 2019>*

1. When the State or a local government uses the facilities for administrative purposes;
2. When a fisheries cooperative or fishing village association uses the facilities for the performance of its business;
3. When the facilities are used for military purposes;
4. When the facilities are used to prevent environmental pollution of fishery harbors and fishing grounds, such as for the disposal of abandoned vessels or waste oil;
5. When a person entrusted with a fishery harbor development project implemented by a designating authority under Article 23 (1) of the Act, or a person granted permission for a fishery harbor development project under Article 23 (2) of the Act (limited to fishery harbor development projects to be vested in the State or a local government) uses the facilities for the implementation of the relevant fishery harbor development project;

6. When a vessel owned by an organization related to maritime affairs and fisheries uses the facilities under Article 38 (4) 3 of the Act;
 7. When the Korea Fisheries Infrastructure Public Agency uses the facilities for the performance of its business.
- (2) Usage fees or occupancy fees shall be reduced by 50/100 under the proviso of Article 42 (1) of the Act, in any of the following cases: <Amended on Feb. 29, 2008; Mar. 23, 2013; Sep. 24, 2014; Dec. 9, 2014; Jun. 4, 2019>
1. Where the facilities are used for the welfare of workers engaged in cargo operations involving fishery products or other similar products within a fishery harbor district;
 2. When the facilities are used for passengers' convenience on a passenger ship operating on a national subsidized service route as facilities for residents' convenience under subparagraph 5 c 7) of Article 2 of the Act;
 3. When the facilities are used by a non-profit organization granted establishment approval by the Minister of Oceans and Fisheries for its established purpose;
 4. When the facilities are used for the installation and operation of fishery harbor convenience facilities within a zone designated for fishing village tourism under subparagraph 5 c of Article 2 of the Act.

Article 38 (Collection of indemnities)

- (1) If a fishery harbor management authority intends to collect an indemnity under the main clause of Article 43 (1) of the Act, the authority shall investigate and verify the relevant violation and shall give written notice stating the type of the violation, the amount of indemnity, and other relevant details.
- (2) A person who has received notice under paragraph (1) shall pay the indemnity to a receiving agency designated by the fishery harbor management authority within 20 days from the date of receipt of the notice; provided, if the person is unable to pay the indemnification within such period due to a natural disaster or any other unavoidable cause, he or she shall pay it within 7 days from the date such cause ceases to exist.
- (3) Upon receipt of an indemnity under paragraph (2), a receiving agency shall issue a receipt to the payer and notify the relevant fishery harbor management authority of such fact without delay.

Article 39 (Management costs of fishery harbor facilities)

- (1) A fishery harbor management authority shall use at least 80/100 of the revenue from harbor facility user fees, occupancy fees, and indemnities to cover the management costs of fishery harbor facilities under Article 44 (2) of the Act. In such cases, the revenue collected from State-owned fishery harbors shall be used to cover the management costs of the facilities of State-owned fishery harbors.
- (2) The management costs of fishery harbor facilities under paragraph (1) shall include the following: <Amended on Feb. 29, 2008, Mar. 23, 2013>

1. The costs incurred for the removal of abandoned vessels, obstacles, and waste, as well as other relevant activities, under Article 46 (2) of the Act;
2. The costs incurred for environmental cleanup within a fishery harbor district;
3. The costs incurred in enhancing the functions of a fishery harbor and maintaining safety and order of use;
4. Other costs prescribed by Decree of the Ministry of Oceans and Fisheries as necessary for the maintenance and management of fishery harbor facilities.

Article 40 (Prohibited acts)

"Acts prescribed by Presidential Decree" in subparagraph 8 of Article 45 of the Act means the following acts: <Amended on Apr. 22, 2013; Aug. 26, 2020; Jan. 10, 2023>

1. Extracting soil, stone, gravel, sand, and other similar materials without legitimate authorization;
2. Installing fishing gear and other similar devices to catch or harvest aquatic animals and plants (excluding conducting fishery business for experiment, research, or training under Article 46 of the Fisheries Act, or aquaculture business for experiment, research, or training under Article 53 of the Aquaculture Industry Development Act, to the extent not interfering with the functions of a fishery harbor);
3. Damaging facilities or other similar structures for maintaining the environment and order of use of a fishery harbor.

Article 41 (Measures for removal of obstacles)

(1) If a fishery harbor management authority intends to take measures, such as the removal of abandoned vessels, obstacles, and waste, under Article 46 (2) of the Act, the authority shall publicly announce the following within a fixed period of at least 7 days:

1. The name and details of an object subject to removal or other similar measures;
2. The location of an object subject to removal or other similar measures;
3. The scheduled date and time for measures, such as removal.

(2) If a fishery harbor management authority intends to dispose of an object publicly announced under paragraph (1), the authority shall conduct a public auction for the object; provided, this shall not apply where the value of such object is expected to fall short of the cost of the auction.

(3) If a public auction is to be conducted under the main clause of paragraph (2), the following matters shall be publicly announced:

1. The name and details of an object to be sold at the public auction;
2. The place, date, and time of the public auction;
3. The amount of a bid deposit, if received.

(4) Upon the disposal of an object through public auction under the main clause of paragraph (2), a fishery harbor management authority shall deposit any remaining amount, after subtracting the costs incurred for

the removal and other measures related to the object and the auction, from the amount acquired through the auction, in accordance with the Deposit Act, if there is any remaining balance.

Article 42 (Use of standardized forms and electronic documents)

(1) In cases of handling a civil petition under Article 47 (2) of the Act, a standardized form available in the integrated fishery harbor information system and a standard electronic document, through which electronic information can be processed between computers, shall be used. *<Amended on May 28, 2018>*

(2) Deleted. *<Mar. 23, 2013>*

CHAPTER IV-2 REGENERATION OF FISHING VILLAGES AND FISHERY HARBORS

Article 42-2 (Modification of minor matters in fishing village and fishery harbor regeneration and development plans)

"Modification of minor matters prescribed by Presidential Decree" in the proviso of Article 47-2 (2) of the Act means any of the following cases:

1. Where any modification is made to less than 10/100 of the total investment amount under an annual investment plan under Article 47-2 (1) 3 of the Act (hereinafter referred to as "annual investment plan");
2. Where the details of a plan for promoting cooperation projects among relevant ministries and agencies under Article 47-2 (1) 6 of the Act are modified, and the modifications are reflected;
3. Where matters that do not affect an annual investment plan are modified, among matters deemed necessary by the Minister of Oceans and Fisheries under Article 47-2 (1) 7 of the Act.

Article 42-3 (Details of plans for fishing village and fishery harbor regeneration projects)

A plan for a fishing village and fishery harbor regeneration project under Article 47-3 (1) of the Act (hereinafter referred to as "plan for a fishing village and fishery harbor regeneration project") shall include the following:

1. An overview of the fishing village and fishery harbor regeneration project, including its objectives, background, and basic directions for implementation;
2. The location of the fishing village and fishery harbor regeneration project site; the natural environment; the status of related industries, such as fisheries; and the local conditions, including transportation and living standards;
3. A detailed development plan for each sector of the fishing village and fishery harbor regeneration project;
4. An investment plan, including the total project cost and matters related to the evaluation of investment priorities for the fishing village and fishery harbor regeneration project;

5. The effects and prospects of the fishing village and fishery harbor regeneration project.

Article 42-4 (Modification of minor matters in plans for fishing village and fishery harbor regeneration projects)

"Modification of minor matters prescribed by Presidential Decree" in the proviso of Article 47-3 (2) of the Act means any of the following cases:

1. Where any modification is made to less than 10/100 of the total project cost under subparagraph 4 of Article 42-3;
2. Where the location of a facility or building to be installed as part of a fishing village or fishery harbor regeneration project is modified;
3. Where any correction is made to minor miscalculations, misspellings, omissions, or other apparent errors equivalent thereto.

Article 42-5 (Public notice of formulation and modification of plans for fishing village and fishery harbor regeneration projects)

The public notice of formulation or modification of a plan for a fishing village and fishery harbor regeneration project under Article 47-3 (5) of the Act shall include the following:

1. The name and location of the fishing village and fishery harbor regeneration project site;
2. The period and scale of the project;
3. A plan for the installation of facilities or buildings according to the detailed development plan for each sector;
4. Other matters deemed necessary for the formulation or modification of the plan for the fishing village and fishery harbor regeneration project.

Article 42-6 (Designation of supporting entities to promote fishing village and fishery harbor regeneration projects)

(1) "Public institution prescribed by Presidential Decree" in the provisions, with the exception of the subparagraphs, of Article 47-4 (1) of the Act, means the following institutions: <Amended on Jan. 19, 2021>

1. The Korea Fisheries Infrastructure Public Agency established under Article 57 (1) of the Act;
2. The following government-funded research institutes established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes:
3. The Korea Social Enterprise Promotion Agency established under Article 20 (1) of the Social Enterprise Promotion Act.

(2) The head of a public institution designated as a supporting entity to promote a fishing village and fishery harbor regeneration project (hereinafter referred to as "supporting entity") under Article 47-4 (1) of the Act shall report to the Minister of Oceans and Fisheries the implementation performance of the previous year and the work plan for the relevant year regarding the matters specified in the subparagraphs

of that paragraph by January 31 of each year.

(3) Except as provided in paragraphs (1) and (2), matters necessary for the designation and operation of a supporting entity shall be determined by the Minister of Oceans and Fisheries.

Article 42-7 (Composition of regional consultative bodies for fishing village and fishery harbor regeneration)

(1) A regional consultative body for fishing village and fishery harbor regeneration under Article 47-5 (1) of the Act (hereinafter referred to as "consultative body") shall consist of up to 15 members, including 2 cochairpersons, in consideration of gender equality; the cochairpersons shall be commissioned or appointed by the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu (hereafter in this Article referred to as "person with the authority to formulate a project plan") with 1 cochairperson being a resident from the fishing village and fishery harbor regeneration project site, and the other a public official from the relevant local government; provided, a Mayor/Do Governor or the head of a Si/Gun/Gu may determine a different composition after consultation with the Minister of Oceans and Fisheries.

(2) When a person with the authority to formulate a project plan organizes a consultative body, the person shall prioritize commissioning or appointing the following persons as members:

1. Residents of the fishing village and fishery harbor regeneration project site;
2. Public officials of the relevant local government responsible for the fishing village and fishery harbor regeneration project;
3. Experts with extensive knowledge of and experience in fishing village and fishery harbor regeneration.

(3) In principle, a consultative body shall be held once a month, but the frequency of meetings may be adjusted through consultation among the members.

(4) Except as provided in paragraphs (1) through (3), matters necessary for the composition and operation of a consultative body shall be determined by the Minister of Oceans and Fisheries after seeking the opinions of a Mayor/Do Governor and the head of a Si/Gun/Gu.

Article 42-8 (Implementers of fishing village and fishery harbor regeneration projects)

"Persons prescribed by Presidential Decree" in Article 47-6 (1) 5 of the Act means any of the following persons who conduct business at a fishing village and fishery harbor regeneration project site: <Amended on Jan. 19, 2021; Oct. 4, 2022>

1. A fisheries partnership established under Article 16 (2) of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities;
2. A community enterprise defined in Article 2 (1) 9 of the Special Act on Promotion of and Support for Urban Regeneration;

3. A social enterprise defined in subparagraph 1 of Article 2 of the Social Enterprise Promotion Act;
- 3-2. A cooperative defined in subparagraph 1 of Article 2 of the Framework Act on Cooperatives;
4. A social cooperative defined in subparagraph 3 of Article 2 of the Framework Act on Cooperatives;
5. A fishing village specialization support center designated under Article 28-2 (1) of the Special Act on Support for Specialized Development of Fishing Villages;
6. A corporation established under the Civil Act or the Commercial Act.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 43 (Application for adjudication)

(1) An adjudication under Article 53 (3) of the Act (including cases to which the aforesaid provisions shall apply mutatis mutandis under Article 51 (2) of the Act) shall be filed with the Central Land Tribunal under the Act on Acquisition of and Compensation for Land for Public Works Projects if it arises from a disposition, the implementation of construction works, or other relevant measures by the Minister of Oceans and Fisheries, and with the competent local Land Tribunal under that Act if it arises from other dispositions, the implementation of construction works, or other relevant measures by the head of a local government. *<Amended on Feb. 29, 2008; Mar. 23, 2013>*

(2) A person who intends to file an application for adjudication with a Land Tribunal under paragraph (1) shall submit an application stating the following to the relevant Land Tribunal:

1. The names and addresses of the applicant for adjudication and the other party;
2. The occurrence of loss;
3. The details of the amount of compensation for loss determined by the disposing authority and the amount of loss calculated by the applicant;
4. The progress of consultation.

Article 44 (Delegation and entrustment of authority)

(1) The Minister of Oceans and Fisheries shall delegate the authority over the following affairs to the administrators of regional offices of oceans and fisheries under Article 56 (1) of the Act: *<Amended on Mar. 23, 2013; Sep. 24, 2014; Jan. 6, 2015; Jun. 4, 2019>*

1. Modification to a fishery harbor development plan under Article 19 (5) of the Act, excluding modification to a plan for outer wall facilities (excluding bulkheads);
2. Public notice of modification to a fishery harbor development plan under Article 19 (6) of the Act (excluding public notice of modification to plans for outer wall facilities);
3. Implementation of a fishery harbor development project under Article 23 (1) of the Act;
4. Permission for, and consultation on, a fishery harbor development project under Article 23 (2) and (3) of the Act;

5. Provision of agency services for a fishery harbor development project implemented by a non-designating authority under Article 25 of the Act;
 - 5-2. Confirmation of the completion of a fishery harbor development project and issuance of a certificate of confirmation of completion under Article 25-3 (1) and (2) of the Act;
 - 5-3. Permission for use before completion or acceptance of a report on use before completion under the proviso of Article 25-3 (3) of the Act;
 6. Sale of vested land under Article 26 (3) of the Act;
 7. Measures regarding the gratuitous use of, and profit-making from, the vested land and facilities under Article 26 (4) of the Act;
 8. Sale of land and transfer of fishery harbor facilities under Article 27 of the Act;
 9. Establishment of rights to manage and operate fishery harbor facilities under Article 29 of the Act;
 10. Registration of rights to manage and operate fishery harbor facilities under Article 31 of the Act;
 11. Deleted; <Jun. 4, 2019>
 12. Deleted; <Jun. 4, 2019>
 13. Disposition on violations of statutes or regulations under Article 50 of the Act;
 14. Dispositions for public interest under Article 51 of the Act;
 15. Countermeasures against emergencies and disasters under Article 52 of the Act;
 16. Measures for compensation for losses under Article 53 of the Act;
 17. Hearings on delegated authority among the authority under Article 54 of the Act;
 18. Acceptance of reports on the transfer of rights and obligations under Article 55 of the Act;
 19. Imposition and collection of administrative fines under delegated authority among the authority under Article 62 of the Act.
- (2) The Minister of Oceans and Fisheries shall entrust the following affairs to the Korea Fisheries Infrastructure Public Agency under Article 56 (3) of the Act: <Amended on Mar. 23, 2013; Sep. 24, 2014; May 28, 2018; Oct. 2, 2018>
1. Basic or detailed surveys under Article 3 of the Act;
 2. Survey, measurement, design, and construction supervision following the promotion of comprehensive fishing village development projects implemented by the Minister of Oceans and Fisheries under Article 9 of the Act;
 3. Feasibility study for the designation of national fishery harbors under Article 17 of the Act;
 4. Safety inspection of the basic facilities of national fishery harbors to formulate fishery harbor maintenance plans under Article 19 (2) 2 of the Act;
 5. Operation of fishery harbor management vessels to implement plans for improving the environment of fishery harbors under Article 19 (2) 3 of the Act;
 6. Repair works on fishery harbor facilities and dredging of fishery harbors of less than 10,000 cubic meters among the fishery harbor development projects under Article 23 (1) of the Act;

7. Safety inspection of fishery harbor facilities under Article 24 (4) of the Act;
- 7-2. Establishment and operation of the integrated fishery harbor information system under Article 47 (1) of the Act;
8. Invigoration of fishing villages and fishery harbor tourism, and assistance thereto under Article 49-2 of the Act;
9. Training and use of sea storytellers under Article 49-4 of the Act.

Article 44-2 (Incorporation registration)

- (1) The Korea Fisheries Infrastructure Public Agency shall complete its incorporation registration at the location of its principal office within 3 weeks from the date it obtains authorization of its articles of incorporation under Article 58-2 (2) of the Act.
- (2) The matters to be registered for incorporation under paragraph (1) shall be as follows:
 1. The objectives;
 2. The name;
 3. The location of the principal office, regional headquarters, and other relevant offices;
 4. The names and addresses of executive officers;
 5. The method of public announcement.

Article 44-3 (Payment of contributions by the Government)

- (1) If the Government intends to grant a contribution to the Korea Fisheries Infrastructure Public Agency under Article 58-5 (1) 1 of the Act, the Minister of Oceans and Fisheries shall appropriate the contribution in the relevant budget in advance.
- (2) When the budget for contributions under paragraph (1) is finalized, the Minister of Oceans and Fisheries shall notify the Korea Fisheries Infrastructure Public Agency thereof.
- (3) If the Korea Fisheries Infrastructure Public Agency intends to receive a contribution, it shall file a grant application with the Minister of Oceans and Fisheries, along with a quarterly business plan and a quarterly budget execution plan.
- (4) Upon receipt of a grant application under paragraph (3), the Minister of Oceans and Fisheries shall examine the feasibility of the submitted quarterly business plan and quarterly budget execution plan and shall grant the contribution in accordance with the plans, if the Minister finds them feasible.
- (5) When the Korea Fisheries Infrastructure Public Agency receives a contribution under paragraph (4), it shall establish and manage a separate account.

Article 44-4 (Application for approval of project operating plans)

- (1) If the Korea Fisheries Infrastructure Public Agency intends to obtain approval of a project operating plan and a budget under the former part of Article 58-6 of the Act, it shall prepare the plan and the budget bill for the following fiscal year and submit them to the Minister of Oceans and Fisheries by November 30

of each year.

(2) If the Korea Fisheries Infrastructure Public Agency intends to obtain approval for modification of its project operating plan and budget under the latter part of Article 58-6 of the Act, it shall submit to the Minister of Oceans and Fisheries the modified project operating plan and budget, along with the documents stating the details of, and the grounds for, such modifications.

(3) A budget bill under paragraphs (1) and (2) shall include the following and shall be accompanied by annexed documents substantiating the details thereof:

1. General provisions of the budget;
2. The statement of projected financial position;
3. The projected income statement;
4. A financial plan.

Article 45 Deleted. <Oct. 2, 2018>

Article 45-2 (Re-examination of regulation)

The Minister of Oceans and Fisheries shall examine the appropriateness of the procedures for approval for the use of facilities developed under comprehensive fishing village development projects for purposes other than the originally intended purpose under Article 16, every 3 years, counting from January 1, 2017 (referring to the period that ends on the day before January 1 of every third year) and shall take measures, such as making improvements.

Article 46 (Criteria for imposition of administrative fines)

The criteria for the imposition of administrative fines under Article 62 (1) through (3) of the Act shall be as specified in Appendix. <Amended on Apr. 4, 2011; Oct. 2, 2018>

ADDENDA <Presidential Decree No. 19162, Dec. 1, 2005>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Repealed statutes or regulations)

The Enforcement Decree of the Fishery Harbors Act shall be hereby repealed.

Article 3 (General transitional measures)

Dispositions made or acts conducted by an administrative agency or various applications filed with or other acts conducted toward such agency under the previous Enforcement Decree of the Harbor Act as at the time this Decree enters into force shall be deemed acts conducted by or toward an administrative agency under the corresponding provisions of this Decree.

Article 4 Omitted.

Article 5 (Relationship to other statutes or regulations)

A citation of the previous Enforcement Decree of the Fishery Harbors Act or any provision thereof by other statutes or regulations in force as at the time this Decree enters into force shall be deemed a citation of this Decree or the relevant provision hereof, if any, in lieu of the previous provision.

ADDENDA <Presidential Decree No. 20351, Oct. 31, 2007>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 9 Omitted.

ADDENDUM <Presidential Decree No. 20506, Dec. 31, 2007>

This Decree shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 20589, Jan. 31, 2008>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 20677, Feb. 29, 2008>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 7 Omitted.

ADDENDUM <Presidential Decree No. 21096, Oct. 29, 2008>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 21098, Oct. 29, 2008>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDA <Presidential Decree No. 21185, Dec. 24, 2008>

Article 1 (Enforcement date)

This Decree shall enter into force on January 1, 2009. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 21565, Jun. 26, 2009>

Article 1 (Enforcement date)

This Decree shall enter into force on June 30, 2009; provided, ... <omitted> ... *Article 3 of the Addenda shall enter into force on the date of the promulgation.*

Article 2 Omitted.

Article 3 Omitted.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 21698, Aug. 21, 2009>

Article 1 (Enforcement date)

This Decree shall enter into force on August 23, 2009.

Article 2 Omitted.

Article 3 Omitted.

Article 4 Omitted.

ADDENDA <Presidential Decree No. 22127, Apr. 20, 2010>

Article 1 (Enforcement date)

This Decree shall enter into force on April 23, 2010.

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 22525, Dec. 13, 2010>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 14 Omitted.

ADDENDA <Presidential Decree No. 22626, Jan. 17, 2011>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 22823, Apr. 4, 2011>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 (Transitional measures regarding administrative fines)

(1) Notwithstanding the amended provisions of the Appendix, the criteria for the imposition of administrative fines shall be governed by the previous provisions when applied to a violation committed before this Decree enters into force.

(2) The imposition of an administrative fine for a violation committed before this Decree enters into force shall not be included in the calculation of the number of violations under the amended provisions of the Appendix.

ADDENDA <Presidential Decree No. 23718, Apr. 10, 2012>

Article 1 (Enforcement date)

This Decree shall enter into force on April 15, 2012. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 23795, May 22, 2012>

Article 1 (Enforcement date)

This Decree shall enter into force on May 23, 2012.

Article 2 Omitted.

Article 3 Omitted.

ADDENDA <Presidential Decree No. 24455, Mar. 23, 2013>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 24466, Mar. 23, 2013>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 24515, Apr. 22, 2013>

This Decree shall enter into force on April 23, 2013.

ADDENDA <Presidential Decree No. 24638, Jun. 28, 2013>

Article 1 (Enforcement date)

This Decree shall enter into force on July 1, 2013. (Proviso Omitted.)

Articles 2 through 17 Omitted.

ADDENDA <Presidential Decree No. 25358, May 22, 2014>

Article 1 (Enforcement date)

This Decree shall enter into force on May 23, 2014.

Articles 2 through 13 Omitted.

ADDENDUM <Presidential Decree No. 25636, Sep. 24, 2014>

This Decree shall enter into force on September 25, 2014.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement date)

This Decree shall enter into force on January 1, 2015.

Articles 2 through 16 Omitted.

ADDENDA <Presidential Decree No. 25985, Jan. 6, 2015>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 26754, Dec. 22, 2015>

Article 1 (Enforcement date)

This Decree shall enter into force on December 23, 2015.

Article 2 Omitted.

Article 3 Omitted.

ADDENDA <Presidential Decree No. 27472, Aug. 31, 2016>

Article 1 (Enforcement date)

This Decree shall enter into force on September 1, 2016.

Articles 2 through 7 Omitted.

ADDENDA <Presidential Decree No. 27751, Dec. 30, 2016>

Article 1 (Enforcement date)

This Decree shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDUM <Presidential Decree No. 28916, May 28, 2018>

This Decree shall enter into force on May 29, 2018.

ADDENDA <Presidential Decree No. 29213, Oct. 2, 2018>

Article 1 (Enforcement date)

This Decree shall enter into force on October 18, 2018.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 29808, Jun. 4, 2019>

This Decree shall enter into force on June 12, 2019.

ADDENDA <Presidential Decree No. 30337, Jan. 7, 2020>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 30490, Feb. 25, 2020>

This Decree shall enter into force on February 28, 2020.

ADDENDUM <Presidential Decree No. 30509, Mar. 3, 2020>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 30977, Aug. 26, 2020>

Article 1 (Enforcement date)

This Decree shall enter into force on August 28, 2020.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 31380, Jan. 5, 2021>

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

ADDENDUM <Presidential Decree No. 31408, Jan. 19, 2021>

This Decree shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 31757, Jun. 8, 2021>

This Decree shall enter into force on June 23, 2021.

ADDENDA <Presidential Decree No. 31986, Sep. 14, 2021>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Article 2 Omitted.

Article 3 Omitted.

ADDENDA <Presidential Decree No. 32352, Jan. 21, 2022>

Article 1 (Enforcement date)

This Decree shall enter into force on January 21, 2022.

Articles 2 through 5 Omitted.

ADDENDUM <Presidential Decree No. 32943, Oct. 4, 2022>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 33225, Jan. 10, 2023>

Article 1 (Enforcement date)

This Decree shall enter into force on January 12, 2023.

Articles 2 through 11 Omitted.

ADDENDA <Presidential Decree No. 33434, Apr. 25, 2023>

Article 1 (Enforcement date)

This Decree shall enter into force on the date of its promulgation.

Article 2 (Applicability to administrative dispositions, penalty surcharges, or administrative fines)

The amended provisions of Articles 1 through 61 shall also apply to an administrative disposition, a penalty surcharge, or an administrative fine that is made or imposed after this Decree enters into force for a violation committed before this Decree enters into force.

ADDENDA <Presidential Decree No. 34550, Jun. 4, 2024>

Article 1 (Enforcement date)

This Decree shall enter into force on June 8, 2024.

Articles 2 through 5 Omitted.

Last updated : - -