

ENFORCEMENT DECREE OF THE SPECIAL ACT ON SUPPORT FOR SPECIALIZED DEVELOPMENT OF FISHING VILLAGES

Presidential Decree No. 33913, Dec. 12, 2023
Amended by Presidential Decree No. 34988, Nov. 12, 2024

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Special Act on Support for Specialized Development of Fishing Villages and matters necessary for the enforcement thereof.

Article 2 Deleted. <Sep. 15, 2015>

Article 3 (Public notice of formulation and modification of plans for specialized development of fishing villages)

When formulating or modifying a plan for the specialized development of fishing villages under Article 6 (1) of the Act (hereinafter referred to as "plan for the specialized development of fishing villages") pursuant to Article 6 (5) of the Special Act on Support for Specialized Development of Fishing Villages (hereinafter referred to as the "Act"), a Special Self-Governing Province Governor or the head of a Si/Gun/Gu (the head of a Gu refers to the head of an autonomous Gu; hereinafter referred to as the "head of a Si/Gun/Gu") shall publicly notify the details of the plan in the public gazette and on the website of the relevant Special Self-Governing Province or Si/Gun/Gu (Gu refers to an autonomous Gu; hereinafter referred to as "Si/Gun/Gu").

Article 4 (Details of plans for specialized development of fishing villages)

"Matters prescribed by Presidential Decree" in subparagraph 9 of Article 7 of the Act means the following:

1. Matters regarding the linkage between a plan for the specialized development of fishing villages and other development plans for the relevant area;
2. Other matters that the head of a Si/Gun/Gu deems necessary to implement a plan for the specialized development of fishing villages.

Article 4-2 (Application for planning zones for specialized development of fishing villages)

If the heads of at least two Sis/Guns/Gus jointly formulate or modify a plan for the specialized development of fishing villages pursuant to the proviso of Article 8 (2) of the Act, the head of the Si/Gun/Gu in charge determined through consultation among the heads of the relevant Sis/Guns/Gus shall file an application for the designation of a planning zone for the specialized development of fishing villages with the Minister of Oceans and Fisheries.

Article 5 (Modification of minor matters in plans for specialized development of fishing villages)

If a modification of a plan for the specialized development of fishing villages falls under any of the following categories, the head of a Si/Gun/Gu need not undergo deliberation by the relevant City/Do or Si/Gun/Gu fisheries and fishing village policy review committee under Article 8 of the Framework Act on Fisheries and Fishing Villages Development pursuant to Article 8 (3) of the Act: <Amended on Sep. 15, 2015; Dec. 22, 2015>

1. Change of the name of a planning zone for the specialized development of fishing villages under Article 9 (1) of the Act (hereinafter referred to as "planning zone for the specialized development of fishing villages");
2. Expansion or reduction of up to 10/100 of the area of a planning zone for the specialized development of fishing villages;
3. Change of a planning zone for the specialized development of fishing villages following compliance with the conditions for the designation of such zone;
4. Increase or decrease of up to 10/100 of the project cost for a fishing village specialization project (excluding the amount changed due to price fluctuations);
5. Modification of a plan for the specialized development of fishing villages to reflect the changes following the enactment, amendment, and repeal of other statutes;
6. Other modification of a plan for the specialized development of fishing villages to correct simple errors, omissions, or similar issues.

Article 5-2 (Public hearings on designation or modification of planning zones for specialized development of fishing villages)

(1) To hold a public hearing pursuant to the latter part of Article 9 (1) of the Act, the Minister of Oceans and Fisheries or a Metropolitan City Mayor or Do Governor (hereinafter referred to as "Mayor/Do Governor") shall publicly announce the following information at least once, no later than 14 days before the scheduled date for the public hearing, in at least 2 general daily newspapers defined in subparagraph 1 a of Article 2 of the Act on the Promotion of Newspapers, which are mainly distributed in a Metropolitan City, Do, or Special Self-Governing Province where the relevant planning zone for the specialized development of fishing villages, whether prospective or designated, is located, and on the website of the

Ministry of Oceans and Fisheries or the relevant Metropolitan City, Do, Special Self-Governing Province:

1. The objectives of the public hearing;
2. The scheduled date, time, and venue of the public hearing;
3. The planning zone for the specialized development of fishing villages, whether prospective or designated, subject to designation or modification;
4. Matters regarding applications for the presentation of opinions;
5. Other necessary matters.

(2) Paragraph (1) shall apply mutatis mutandis where the head of a Si/Gun/Gu intends to hold a public hearing pursuant to Article 13 (1) of the Act. In such cases, "the Minister of Oceans and Fisheries or a Metropolitan City Mayor or Do Governor" shall be construed as "the head of a Si/Gun/Gu".

Article 6 (Public notice of planning zones for specialized development of fishing villages)

"Matters prescribed by Presidential Decree" in Article 9 (2) of the Act means the following:

1. The name, location, and area of the planning zone for the specialized development of fishing villages;
2. The outline of the fishing village specialization project to be implemented in the planning zone for the specialized development of fishing villages (including the scheduled period and implementation method of the project);
3. The implementer of the fishing village specialization project (including a prospective implementer);
4. Matters regarding land use plans for the planning zone for the specialized development of fishing villages;
5. In cases where land or other similar property to be expropriated or used is located within the planning zone for the specialized development of fishing villages following the implementation of the fishing village specialization project, the detailed land items and their owners, as well as the names and addresses of the relevant persons defined in subparagraph 5 of Article 2 of the Act on Acquisition of and Compensation for Land for Public Works Projects.

Article 7 (Special cases regarding the National Land Planning and Utilization Act)

"Matters prescribed by Presidential Decree" in the former part of Article 10 (3) of the Act means the details of the formulation and modification of an urban or Gun management plan defined in subparagraph 4 of Article 2 of the National Land Planning and Utilization Act, other than the necessity for applying special exceptions and the details thereof prescribed in Article 10 (1) and (2) of the Act, if such formulation or modification is necessary to implement the relevant plan for the specialized development of fishing villages.

Article 8 (Application of the Act on the Improvement of Urban Areas and Residential Environments)

(1) "Requirements prescribed by Presidential Decree" in Article 11 (1) of the Act means the condition that the relevant area meets all of the following requirements:

1. The relevant area shall be designated as a planning zone for the specialized development of fishing villages;
 2. The relevant area shall fall under the category specified in Appendix 1 of the Enforcement Decree of the Act on the Improvement of Urban Areas and Residential Environments.
- (2) When formulating an improvement plan and designating an improvement zone pursuant to Article 11 (1) of the Act, the head of a Si/Gun/Gu shall report the relevant details in accordance with the following classifications:
1. A Special Self-Governing Province Governor: The Minister of Land, Infrastructure and Transport;
 2. The head of a Si/Gun/Gu who is not a Special Self-Governing Province Governor: The competent Metropolitan City Mayor or Do Governor.

Article 9 (Implementers of fishing village specialization projects)

- (1) If a fishing village specialization project spans the jurisdictions of at least 2 Sis/Guns/Gus, the head of a Si/Gun/Gu who has formulated the relevant plan for the specialized development of fishing villages shall designate any person specified in the subparagraphs of Article 12 (1) of the Act as the implementer of the project, in consultation with the head of the other Si/Gun/Gu over whose jurisdictions the project extends.
- (2) “Corporation prescribed by Presidential Decree” in Article 12 (1) 6 of the Act means a specialized fishing village committee under Article 27 (1) of the Act. In such cases, such committee may conduct only those projects included in a plan for the specialized development of fishing villages that have been agreed upon for implementation either among local residents or with other private investors.
- (3) When designating the implementer of a fishing village specialization project or modifying such designation pursuant to Article 12 (1) or (2) of the Act, the head of a Si/Gun/Gu shall publicly announce the details in the public gazette and on the website of the relevant Si/Gun/Gu.

Article 9-2 (Hearings)

The Administrative Procedures Act shall apply to hearings under Article 12 (3) of the Act.

Article 10 (Restrictions on activities)

- (1) “Activities prescribed by Presidential Decree, such as constructing a building, installing a structure, altering land shape and quality, gathering soil and stone, partitioning or merging parcels of land, stockpiling articles, and felling or planting bamboos or trees” in the former part of Article 18 (1) of the Act means any of the following activities: *<Amended on Jan. 5, 2021>*
 1. Constructing a building: Construction (including substantial repairs and changes in use) of a building defined in Article 2 (1) 2 of the Building Act (including temporary buildings);
 2. Installing a structure: Installation of an artificially manufactured structure (excluding buildings defined in Article 2 (1) 2 of the Building Act);

3. Altering land shape and quality: Activities of altering the shape of a parcel land by methods such as cutting, filling, leveling, or paving, as well as land excavation or reclamation of public waters;
4. Gathering soil and stone: Activities of gathering earth, sand, gravel, rocks, and other soil and stone; provided, those for the purpose of altering land shape and quality shall be governed by subparagraph 3;
5. Partitioning or merging parcels of land;
6. Stockpiling articles: Activities of stockpiling articles that are difficult to move for at least 1 month;
7. Felling or planting bamboos or trees.

(2) If an implementer of a fishing village specialization project is designated pursuant to Article 12 (1) of the Act, the head of a Si/Gun/Gu shall, in advance, seek the opinions of the implementer of the relevant fishing village specialization project before granting permission for the activities specified in the subparagraphs of paragraph (1).

(3) “Activities prescribed by Presidential Decree” in Article 18 (2) 2 of the Act means any of the following activities which are not subject to permission for development activities under Article 56 (1) of the National Land Planning and Utilization Act:

1. Installation of simple structures prescribed by Decree of the Ministry of Oceans and Fisheries that are directly used for the production of agricultural and fishery products;
2. Alteration of land shape and quality for cultivation;
3. Gathering soil and stone within a scope that neither hinders the development of a planning zone for the specialized development of fishing villages nor damages the natural landscape;
4. Activities of temporarily stocking articles within a planning zone for the specialized development of fishing villages to implement a fishing village specialization project;
5. Temporary planting of ornamental bamboos or trees (excluding temporary planting on farmland).

(4) A person required to file a report pursuant to Article 18 (3) of the Act shall file a report with the head of a Si/Gun/Gu, along with the progress of the relevant construction or project and an implementation plan.

Article 11 (Transfer of State-owned or public land)

(1) A person who intends to donate a facility or land to the State or a local government pursuant to Article 20 (1) of the Act shall submit an application for donation of facilities or land to the office of general administration defined in subparagraph 10 of Article 2 of the State Property Act, the head of a central government agency, etc. defined in subparagraph 11 of that Article, or the head of a local government, as prescribed by Decree of the Ministry of Oceans and Fisheries.

(2) A person who intends to receive a gratuitous transfer of all or part of a State-owned or public road, drainage, ditch, fishery harbor site, etc. pursuant to Article 20 (2) of the Act shall submit an application for the gratuitous transfer of State-owned or public property to the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu after the completion of the relevant fishing village specialization project, as prescribed by Decree of the Ministry of Oceans and Fisheries.

(3) Upon receipt of an application for the gratuitous transfer of State-owned or public property pursuant to paragraph (2), the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu shall determine whether to gratuitously transfer the relevant State-owned or public property and notify the applicant of the determination.

Article 12 (Completion inspections)

(1) If the implementer of a fishing village specialization project designated pursuant to Article 12 (1) of the Act (hereinafter referred to as "implementer of a fishing village specialization project") intends to undergo a completion inspection pursuant to Article 21 (1) of the Act, the implementer shall submit the following documents and drawings to the head of the competent Si/Gun/Gu:

1. Documents regarding the name and scale of the fishing village specialization project;
2. A project cost statement for the fishing village specialization project;
3. A facility layout and current status map of the fishing village specialization project;
4. A plan for the maintenance and management of major facilities;
5. Completion drawings and documents (including completion photographs);
6. An area report before and after the implementation of the fishing village specialization project;
7. A statement of the property to be acquired by the implementer of the fishing village specialization project and the property to be reverted to the State or a local government after the implementation of the project.

(2) Pursuant to Article 21 (3) of the Act, the head of a Si/Gun/Gu may fully or partially entrust the completion inspection of a fishing village specialization project to any of the following persons: *<Amended on May 22, 2014; Oct. 2, 2018; Jan. 7, 2020; Sep. 14, 2021>*

1. Korea Rural Community Corporation established under the Korea Rural Community Corporation and Farmland Management Fund Act;
2. Korea Fisheries Infrastructure Public Agency established under Article 57 of the Fishing Villages and Fishery Harbors Act;
3. A construction engineering business entity under Article 26 of the Construction Technology Promotion Act.

Article 13 (Designation and public notice of specialized fishing village facilities)

“Facilities prescribed by Presidential Decree” in Article 22 of the Act means any of the following facilities:

1. Facilities for producing, processing, or distributing fishery products;
2. Facilities for managing fishing village ecology and landscape;
3. Marine tourism facilities, such as marine leisure facilities and fishing parks;
4. Fishing village experience, education, or training facilities.

Article 14 (Management or disposal of land)

(1) If the head of a Si/Gun/Gu or the implementer of a fishing village specialization project specified in Article 12 (1) 1 of the Act intends to manage or dispose of land, other articles, etc. (hereinafter referred to as "land, etc.") not provided for specialized fishing village facilities among the property developed through the implementation of the project pursuant to Article 23 (1) of the Act, the head or the implementer shall comply with the provisions of the Public Property and Commodity Management Act.

(2) The implementer of a fishing village specialization project (excluding a person specified in Article 12 (1) 1 of the Act; hereafter in this Article, the same shall apply) shall formulate a plan that includes the following:

1. An overview of the land, etc.;
2. A plan for the management or disposal of land, etc.;
3. The estimated profits from the management or disposal.

(3) If the implementer of a fishing village specialization project intends to sell land, etc., the implementer shall formulate a plan for selling land, etc., that includes the following, in advance, and publicly announce such plan on the bulletin board and website of the relevant Si/Gun/Gu: *<Amended on Dec. 9, 2014; Aug. 31, 2016; Jan. 21, 2022>*

1. An overview of the land, etc. subject to sale;
2. The methods of determining a purchaser of the land, etc.;
3. The estimated sale price (referring to the arithmetic average of the amounts appraised by at least 2 appraisal corporations, etc. under the Act on Appraisal and Certified Appraisers for the relevant land, etc.).

(4) When managing or disposing of land, etc. by means of lease or use, the implementer of a fishing village specialization project shall formulate a plan for the lease or use of such land, etc. that includes the following:

1. An overview of the land, etc. subject to lease or use;
2. The methods of determining a prospective lessee or user;
3. The period of lease or use.

(5) If the implementer of a fishing village specialization project concludes a lease or use contract for land, etc. in accordance with a plan for the lease or use of the land, etc. under paragraph (4), the implementer shall notify the head of the competent Si/Gun/Gu of such fact.

Article 15 (Management or disposal of land under negotiated contracts)

If at least 2 persons file an application for the management or disposal of a single parcel of land, etc. under a negotiated contract pursuant to Article 23 (2) of the Act, the head of a Si/Gun/Gu or the implementer of a fishing village specialization project shall select the recipient of the negotiated contract in accordance with the ranking specified in Appendix 1 and if the rankings are the same, the recipient shall be selected

through a public drawing.

Article 16 (Management or disposal of specialized fishing village facilities)

(1) A manager of specialized fishing village facilities under Article 24 (1) of the Act (hereinafter referred to as "manager of specialized fishing village facilities") may manage or dispose of specialized fishing village facilities under a negotiated contract pursuant to paragraph (2) of that Article, where the property of such manager may be managed or disposed of under a negotiated contract in accordance with the relevant statutes or regulations.

(2) Pursuant to Article 24 (3) of the Act, a manager of specialized fishing village facilities shall formulate and implement a plan for the safety, maintenance, and management of specialized fishing village facilities that includes the following (hereinafter referred to as "facility management plan"):

1. The name and an overview of the specialized fishing village facilities;
2. Matters regarding the maintenance, management, and repair of the specialized fishing village facilities;
3. Matters regarding the implementation of safety inspections and precise safety diagnoses for the specialized fishing village facilities.

(3) If improvement or repairs of specialized fishing village facilities are necessary based on the results of safety inspections and precise safety diagnoses for such facilities under paragraph (2) 3, the manager of the facilities shall improve or repair the facilities accordingly.

(4) Except as provided in paragraphs (2) and (3), matters necessary for the formulation of a facility management plan, safety inspections of specialized fishing village facilities, inspections and maintenance of facilities, etc. shall be determined and publicly notified by the Minister of Oceans and Fisheries.

Article 17 (Use of specialized fishing village facilities)

“Good cause prescribed by Presidential Decree, such as where urgent measures are required to prevent damage caused by a natural disaster and to save lives” in Article 24 (4) of the Act means any of the following cases: *<Amended on Jan. 22, 2016>*

1. Where urgent measures are required to prevent damage caused by a natural disaster and to save lives;
2. Where necessary measures are taken in response to a disaster or calamity in accordance with relevant statutes, such as the Act on the Prevention of and Countermeasures against Agricultural and Fishery Disasters, the Framework Act on Firefighting Services, the Act on the Search and Rescue in Waters, the Countermeasures against Natural Disasters Act, and the Framework Act on the Management of Disasters and Safety;
3. Where urgent measures are required to prevent potential damage to specialized fishing village facilities due to the inflow of seawater or pollutants.

Article 18 (Use of specialized fishing village facilities for other purposes)

(1) If a manager of specialized fishing village facilities intends to use any such facility for a purpose other than its original purpose or allow another person to use it pursuant to the main clause of Article 25 (1) of the Act, the manager shall submit an application for approval for the use of a specialized fishing village facility to the head of the competent Si/Gun/Gu, stating the following information; provided, if the user of the facility is determined through competitive bidding, the information specified in subparagraph 1 need not be provided:

1. The address or name of the user (in cases of a corporation, its name);
2. The specialized fishing village facility subject to use;
3. The period, details, and methods of use;
4. The reasons for use other than the original purpose;
5. The estimated amount of expenses incurred for use other than the original purpose and the basis for the calculation.

(2) “Minor matters prescribed by Presidential Decree” in the proviso of Article 25 (1) of the Act means the use of a specialized fishing village facility for a purpose other than its original purpose, with the area used not exceeding 10/100 of the total area of such facility (referring to the total floor area, if the facility is a building).

(3) The period of use of a specialized fishing village facility for a purpose other than its original purpose under Article 25 (1) of the Act shall not exceed the following periods:

1. In cases of common use or use for public purposes: 3 years;
2. In cases of use for a purpose other than those specified in subparagraph 1: 1 year.

Article 19 (Collection of expenses incurred for use of specialized fishing village facilities for other purposes)

(1) If a person who uses a specialized fishing village facility for any purpose other than the original purpose accrues earnings from such use, the manager of the specialized fishing village facility may collect an amount equivalent to 10/100 of the total earnings as expenses incurred in maintaining or repairing the facility pursuant to Article 25 (3) of the Act; provided, if the manager selects a user of the facility for any purpose other than the original purpose through competitive bidding, the successful bid price shall be deemed expenses.

(2) Expenses collected by a manager of specialized fishing village facilities pursuant to paragraph (1) may be used for the following purposes: <Amended on Dec. 9, 2014>

1. Expenses for the maintenance and management of specialized fishing village facilities;
2. Expenses incurred in improving and repairing specialized fishing village facilities;
3. Accumulation of reserves for damage to specialized fishing village facilities;
4. Other expenses that the manager of specialized fishing village facilities deems necessary for a fishing village specialization project.

Article 20 (Functions of specialized fishing village committees)

"Matters prescribed by Presidential Decree" in Article 27 (2) 5 of the Act means the following:

1. Installation and operation of fishing village community facilities;
2. Welfare services for members;
3. Exchange and cooperation with other organizations.

Article 21 (Preparatory committees for establishment of specialized fishing village committees)

(1) A person who intends to establish a specialized fishing village committee under Article 27 (1) of the Act (hereinafter referred to as "specialized fishing village committee") shall organize a preparatory committee for the establishment of a specialized fishing village committee (hereinafter referred to as "establishment preparatory committee") with at least 10 residents registered as residents in the relevant fishing village (referring to a fishing village defined in subparagraph 6 of Article 3 of the Framework Act on Fisheries and Fishing Villages Development; hereinafter the same shall apply) as promoters. *<Amended on Dec. 22, 2015>*

(2) Deleted. *<Dec. 9, 2014>*

(3) Deleted. *<Dec. 9, 2014>*

(4) Any resolution of an establishment preparatory committee shall require the concurring vote of a majority of the promoters.

Article 22 (Inaugural general meetings)

(1) An establishment preparatory committee shall hold an inaugural general meeting. In such cases, a person who intends to consent to the establishment of a specialized fishing village committee and become a member thereof shall submit a written consent to such establishment to the establishment preparatory committee by the day before the inaugural general meeting. *<Amended on Dec. 9, 2014>*

(2) Deleted. *<Dec. 9, 2014>*

(3) An inaugural general meeting shall resolve the following matters for the establishment of a specialized fishing village committee:

1. The articles of incorporation of the specialized fishing village committee;
2. The business plan and income and expenditure budget of the specialized fishing village committee;
3. Other matters necessary for the establishment of the specialized fishing village committee.

(4) The resolution of an inaugural general meeting shall require the concurring vote of a majority of those who have submitted a written consent to the establishment of the specialized fishing village committee to the establishment preparatory committee pursuant to paragraph (1).

Article 23 (Application for authorization to establish specialized fishing village committees)

(1) An establishment preparatory committee shall file an application for authorization to establish a specialized fishing village committee with the head of a Si/Gun/Gu under the joint signature of promoters who have participated in the preparatory committee after adopting a resolution at the inaugural general meeting. If the jurisdiction of the specialized fishing village committee spans at least 2 Sis/Guns/Gus, the preparatory committee shall file an application for such authorization with the head of a Si/Gun/Gu having jurisdiction over the planned location of the principal office of the specialized fishing village committee.

(2) An application for authorization to establish a specialized fishing village committee under paragraph (1) shall be accompanied by the following documents:

1. The articles of incorporation of the specialized fishing village committee;
2. The minutes of the inaugural general meeting;
3. The business plan and income and expenditure budget of the specialized fishing village committee;
4. The list of executive officers and members of the specialized fishing village committee;
5. A written consent from a member of the specialized fishing village committee for its establishment.

Article 24 Deleted. <Dec. 9, 2014>

Article 25 (Articles of incorporation of specialized fishing village committees)

(1) The articles of incorporation of a specialized fishing village committee shall include the following:

1. The objectives;
2. The name;
3. The area of the committee;
4. The location of the principal office;
5. Matters regarding the qualifications, rights, and obligations of members;
6. Matters regarding membership registration, withdrawal, and expulsion;
7. General meetings and other decision-making bodies;
8. Matters regarding the fixed number, election, term of office, and dismissal of executive officers;
9. Matters regarding the types of projects and the execution thereof;
10. Matters regarding the imposition of membership fees, fees, and user fees;
11. Matters regarding the amount and methods of accumulation of reserves;
12. Matters regarding the disposal of surplus funds and the treatment of deficits;
13. Matters regarding the fiscal year and accounting;
14. Matters regarding dissolution.

(2) If a specialized fishing village committee intends to amend its articles of incorporation, the committee shall obtain approval from the head of the competent Si/Gun/Gu, following the concurring vote of a majority of its members at a general meeting.

Article 26 (Registration of specialized fishing village committees)

The registration details of a specialized fishing village committee shall be as follows:

1. The objectives of establishment;
2. The name of the specialized fishing village committee;
3. The location of the principal office;
4. The date of authorization for establishment;
5. The names and addresses of executive officers;
6. The details of restrictions, if any, on the representative authority of the chairperson of the specialized fishing village committee (hereinafter referred to as the "chairperson").

Article 27 (Organizations of specialized fishing village committees)

(1) A general meeting of a specialized fishing village committee shall be composed of all committee members, and except as provided in statutes, regulations, or the articles of incorporation, any resolution of the committee shall require the attendance of a majority of its members and the concurring vote of a majority of those present.

(2) A specialized fishing village committee shall have a chairperson and a board of directors.

(3) The board of directors shall consist of the chairperson and board members.

(4) The board of directors shall resolve matters regarding the major affairs of a specialized fishing village committee prescribed by the articles of incorporation.

(5) Except as provided in paragraphs (1) through (4), matters necessary for the organization and operation of a specialized fishing village committee shall be prescribed by the articles of incorporation.

Article 28 (Executive officers of specialized fishing village committee)

(1) A specialized fishing village committee shall have 1 chairperson, a fixed number of director members prescribed by the articles of incorporation, and up to 3 auditors, as its executive officers; provided, if cochairpersons are appointed pursuant to the proviso of paragraph (2), the number of chairpersons shall correspond to the number of cochairpersons, and the number of director members shall not exceed 10 percent of the number of members of the committee as at the time of their appointment.

(2) An executive officer of a specialized fishing village committee shall be appointed from among the members of the committee or dismissed, after resolution at a general meeting of the committee; provided, if residents of adjacent villages (referring to a unit in which the livelihood and economic activities of residents are distinct, including a natural village among agricultural and fishing villages or fishing villages, a Dong or Ri under Article 3 (3) of the Local Autonomy Act, or an administrative Dong or Ri under Article 4-2 (4) of that Act; hereinafter the same shall apply) jointly establish a single specialized fishing village committee in collaboration with one another pursuant to the latter part of Article 27 (1) of the Act, the representative member for each village elected by the members shall serve as the cochairperson of the committee. <Amended on Jun. 5, 2018>

- (3) Each executive officer of a specialized fishing village committee shall hold office for a term of 3 years.
- (4) The chairperson shall represent the relevant specialized fishing village committee and exercise general supervision over its affairs. In cases of co-chairpersons, they shall jointly represent the committee and exercise general supervision over its affairs.
- (5) An auditor member of a specialized fishing village committee shall audit and inspect the affairs and accounting of the committee.
- (6) Except as provided in paragraphs (1) through (5), matters necessary for the appointment, duties, etc. of executive officers of a specialized fishing village committee shall be prescribed by the articles of incorporation.

Article 29 (Dissolution of specialized fishing village committee)

- (1) If a specialized fishing village committee is to be dissolved, the committee shall repay its debts and dispose of residual property, if any, as prescribed by the articles of incorporation.
- (2) Articles 79, 81, 87, 88 (1) and (2), 89 through 92, and 93 (1) and (2) of the Civil Act and Article 121 of the Noncontentious Case Procedure Act shall apply mutatis mutandis to the dissolution and liquidation of a specialized fishing village committee.

Article 30 (Procedures for social agreements on fishing villages)

The procedures for concluding a social agreement on fishing villages under Article 28 (3) of the Act (hereinafter referred to as "social agreement on fishing villages") shall be as follows:

- 1.1. The head of a Si/Gun/Gu and a specialized fishing village committee shall organize a basic committee for a social agreement on fishing villages, consisting of at least 5 but not more than 15 members, and prepare a draft social agreement on fishing villages; in such cases, separate villages jointly organize a single specialized fishing village committee pursuant to Article 28 (4) of the Act, the representative member of each village from among the members of the specialized fishing village committee shall be appointed, and those representative members shall participate in the basic committee;
- 2. The basic committee for a social agreement on fishing villages shall make the draft social agreement on fishing villages under subparagraph 1 available for public inspection by the residents of the relevant zone for at least 14 days, seek their opinions, and submit the results to the head of the competent Si/Gun/Gu and the specialized fishing village committee;
- 3. The head of the competent Si/Gun/Gu and the specialized fishing village committee shall review the opinions of residents submitted pursuant to subparagraph 2 and may modify the draft social agreement on fishing villages, if necessary;
- 4. If the specialized fishing village committee intends to conclude a social agreement on fishing villages, the committee shall adopt a resolution at a general meeting in advance.

Article 30-2 (Criteria for designation of fishing village specialization support center)

(1) A specialized institution or organization seeking designation as a fishing village specialization support center under Article 28-2 (1) of the Act (hereinafter referred to as "support center") shall meet all of the following requirements:

1. It shall be any of the following specialized institutions or organizations:
2. It shall be equipped with professional human resources and facilities specified in Appendix 1-2.

(2) A specialized institution or organization seeking designation as a support center shall submit an application for designation as a support center in the form prescribed by Decree of the Ministry of Oceans and Fisheries to the Minister of Oceans and Fisheries, along with the following documents:

1. The articles of incorporation or business operating rules equivalent thereto;
2. A business plan;
3. The current status of professional human resources and a dedicated organization;
4. The current status of facilities;
5. Performance related to support for fishing village specialization projects or similar projects.

(3) When designating a support center or revoking its designation, the Minister of Oceans and Fisheries shall publish such fact on the website of the Ministry of Oceans and Fisheries.

Article 31 (Conducting tourism and recreation business)

If a specialized fishing village committee or a village resident intends to conduct tourism and recreation business pursuant to Article 30 (3) of the Act, Articles 5, 7, and 11 of the Promotion of Mutual Exchange between Cities and Agricultural or Fishing Villages Act shall apply mutatis mutandis. In such cases, "community experiential and recreational business in an agricultural or fishing village" shall be construed as "tourism and recreation business"; "community council or fishing village association" as "specialized fishing village committee or village resident"; "head of an autonomous Gu" as "head of a Gu of a Metropolitan City"; "entity for community experiential and recreational business in an agricultural or fishing village" as "tourism and recreation business entity"; "fishing village association" as "specialized fishing village committee"; and "experiential and recreational community in an agricultural or fishing village" as "tourism and recreation village"; respectively.

Article 32 (Management of contributions)

(1) The appropriation of contributions made by a corporation or individual to a specialized fishing village committee pursuant to Article 31 (2) of the Act (hereinafter referred to as "contributions") shall prioritize covering the expenses necessary for the installation and operation of facilities related to the increase of residents' income, as prescribed by the committee's articles of incorporation.

(2) Contributions shall be managed in accordance with the following guidelines:

1. A specialized fishing village committee shall prepare a plan for the use of contributions upon receiving them and a report on the results of their use upon completing the use and shall make such plan or report available for perusal by the corporation or individual who contributed the contributions;
 2. A specialized fishing village committee that receives contributions shall create and manage a separate account.
- (3) If a specialized fishing village committee receives contributions, the committee may provide the contributing corporation or individual with benefits, such as preferential treatment in projects performed by the contributions, after resolution at a general meeting or a board of directors meeting, as prescribed by its articles of incorporation.

Article 32-2 (Subsidization or financing)

(1) “Projects prescribed by Presidential Decree” in Article 32-2 (1) 4 of the Act means the following projects:

1. Projects related to ingredient analysis, quality inspection, and commercialization of products produced through fishing village specialization projects;
2. Projects related to the establishment and operation of information networks for the promotion of products produced through fishing village specialization projects.

(2) A person who intends to receive a subsidy or financing pursuant to Article 32-2 (1) of the Act shall submit an application for a subsidy or financing stating the following information to the Minister of Oceans and Fisheries or the head of the competent local government:

1. The objectives and necessity of the project;
2. The period and scale of the project;
3. The total project cost and the funds required for the relevant year;
4. Other materials explaining the feasibility of the project.

(3) Upon receipt of an application under paragraph (2), the Minister of Oceans and Fisheries or the head of the competent local government shall examine the following, determine whether to provide a subsidy or financing for the relevant expenses, and notify the applicant of the details thereof:

1. The appropriateness of the details of the project;
2. The appropriateness of the subsidy or financing amount applied for;
3. The appropriateness of the repayment plan for the financed amount.

(4) The terms and conditions and period of financing under Article 32-2 (1) of the Act shall be determined by the Minister of Oceans and Fisheries in consultation with the Minister of Economy and Finance.

Article 33 (Entrustment of projects)

(1) If the head of a Si/Gun/Gu intends to fully or partially entrust a project pursuant to Article 34 (1) of the Act, the relevant project shall meet the following requirements:

1. The project must not be prohibited from being entrusted by other statutes or regulations;
 2. Specialized knowledge and skills shall be required to handle the project;
 3. It is substantially necessary to entrust the project to ensure its efficient implementation.
- (2) If the head of a Si/Gun/Gu intends to fully or partially entrust a fishing village specialization project pursuant to Article 34 (1) of the Act, the head shall conclude an entrustment contract with the trustee, which includes the following information:
1. The scope of the fishing village specialization project to be entrusted;
 2. Matters regarding the management of the fishing village specialization project to be entrusted;
 3. The period of the entrustment contract;
 4. Matters regarding the payment of the entrustment fees;
 5. Matters regarding the management of, and supervision over, entrusted affairs.

Article 34 (Enactment of municipal ordinances)

If a local government intends to enact or amend a municipal ordinance pursuant to Article 36 (1) of the Act, and the relevant planning zone for the specialized development of fishing villages spans the areas under the jurisdiction of at least 2 local governments, the local government shall consult with the other local governments having jurisdiction over the zone before enacting or amending the ordinance.

Article 35 (Penalty surcharges)

- (1) The criteria for imposing penalty surcharges under Article 38 (1) of the Act shall be as specified in Appendix 2.
- (2) If the head of a Si/Gun/Gu intends to impose a penalty surcharge pursuant to Article 38 (1) of the Act, the head shall notify a person subject to such surcharge in writing to pay the penalty surcharge, specifying the details of the relevant violation, the criteria for the imposition and amount of the penalty surcharge, the collecting agency, the deadline for the payment, and other relevant information.
- (3) A person in receipt of a notice under paragraph (2) shall pay the penalty surcharge to a collecting agency designated by the head of the competent Si/Gun/Gu within 90 days from the date of receipt of the notice. <Amended on Dec. 12, 2023>
- (4) A collecting agency in receipt of a penalty surcharge under paragraph (3) shall issue a receipt to a person who paid the surcharge and notify the head of the competent Si/Gun/Gu of such fact without delay.

Article 35-2 (Re-examination of regulation)

The Minister of Oceans and Fisheries shall examine the appropriateness of the following matters every 3 years from the following base dates (referring to periods that end on the day before every third anniversary from the base dates) and shall take measures for improvement, etc.: <Amended on Dec. 30, 2016>

1. The implementer of a fishing village specialization project under Article 9: January 1, 2017;

2. Restrictions on activities, etc. under Article 10: January 1, 2017;
3. Deleted; <Mar. 3, 2020>
4. Deleted; <Mar. 3, 2020>
5. Deleted. <Mar. 3, 2020>

ADDENDUM <Presidential Decree No. 24571, May 31, 2013>

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

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.

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.

ADDENDUM <Presidential Decree No. 26529, Sep. 15, 2015>

This Decree shall enter into force on September 28, 2015.

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. 26930, Jan. 22, 2016>

Article 1 (Enforcement date)

This Decree shall enter into force on January 25, 2016.

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. 28946, Jun. 5, 2018>

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

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.

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. 30509, Mar. 3, 2020>

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

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

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

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. 33913, Dec. 12, 2023>

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

ADDENDA <Presidential Decree No. 34988, Nov. 12, 2024>

Article 1 (Enforcement date)

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

Articles 2 through 6 Omitted.

Last updated : - -