

# FISHING VILLAGES AND FISHERY HARBORS ACT

Act No. 7571, May 31, 2005  
Amended by Act No. 8338, Apr. 6, 2007  
Act No. 8352, Apr. 11, 2007  
Act No. 8370, Apr. 11, 2007  
Act No. 8377, Apr. 11, 2007  
Act No. 8733, Dec. 21, 2007  
Act No. 8791, Dec. 21, 2007  
Act No. 8791, Dec. 21, 2007  
Act No. 8819, Dec. 27, 2007  
Act No. 8852, Feb. 29, 2008  
Act No. 8974, Mar. 21, 2008  
Act No. 8976, Mar. 21, 2008  
Act No. 9276, Dec. 29, 2008  
Act No. 9401, Jan. 30, 2009  
Act No. 9626, Apr. 22, 2009  
Act No. 9763, Jun. 9, 2009  
Act No. 10124, Mar. 17, 2010  
Act No. 10272, Apr. 15, 2010  
Act No. 10331, May 31, 2010  
Act No. 10848, Jul. 14, 2011  
Act No. 11432, May 23, 2012  
Act No. 11503, Oct. 22, 2012  
Act No. 11690, Mar. 23, 2013  
Act No. 12248, Jan. 14, 2014  
Act No. 12543, Mar. 24, 2014

## Article 1 (Purpose)

The purpose of this Act is to prescribe matters concerning the comprehensive and systematic maintenance and development of fishing villages and matters concerning the designation, development, and management of fishery harbors, thereby strengthening the competitiveness of the fisheries industry and contributing to building pleasant fishing villages by improving the quality of life for residents of fishing

villages and to enhancing the balanced development of the nation.

## **Article 2 (Definitions)**

The terms used in this Act shall be defined as follows: <Amended by Act No.11432, May 23, 2012; Act No. 11503, Oct. 22, 2012; Act No. 11690, Mar. 23, 2013; Act No. 12543, Mar. 24, 2014>

1. The term "fishing village" means any area adjacent to a river, lake, or sea, or any area in which most of the residents make a living by fishing in areas at the rear of the fishery harbor and which falls under any of the following items:

(a) Entire area of an Eup or Myeon;

(b) Areas, other than commercial areas and industrial areas designated under Article 36 (1) 1 of the National Land Planning and Utilization Act, among Dong areas;

2. The term "comprehensive fishing village development project" means any of the following projects for a fishing village:

(a) Improvement and expansion of production infrastructure for the fisheries industry, such as repair of coastal facilities, creation of fishery resources, and expansion of facilities for distributing or processing fishery products;

(b) Improvement of the habitate necessary to improve the quality of life for residents in a fishing village and to promote their welfare and relevant projects incidental thereto;

(c) Any project implemented by optimizing the natural landscape of a fishing village, its specialty, or the unique customs of the region, in order to increase the income of residents of fishing villages and strengthen the local economy;

3. The term "fishery harbor" means any harbor with natural or artificial fishery facilities which serves as a major base for the fisheries industry and is designated and publicly announced under Article 17, and the types of fishery harbors shall be as follows:

(a) State-owned fishery harbor: A nationwide fishery harbor or fishery harbor required for the development of fishery grounds (referring to fishing grounds falling under subparagraph 1 of Article 2 of the Fishing Ground Management Act; hereinafter the same shall apply) and evacuation of fishing vessels, as it is located on an insular area or remote area;

(b) Local fishery harbor: A local fishery harbor which serves as a main base for assistance for the coastal fishery;

(c) Fishery harbor located in a fishing village: A small-scale fishery harbor which serves as the main base for the livelihoods of people in a fishing village;

(d) Village joint-use fishery harbor: A small-scale fishery harbor or port used jointly by fishermen, which is not classified as a fishery harbor located in a fishing village;

4. The term "harbor district" means any waters and land area in a fishery harbor;

5. The term "fishery harbor facility" means any of the following facilities inside a harbor district and any facility falling under item (a) or (b) outside a harbor district, designated and publicly announced by the Minister of Oceans and Fisheries, a Metropolitan City Mayor, a Do Governor, the Governor of a

Special Self-Governing Province (hereinafter referred to as "Mayor/Do Governor") or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) pursuant to Article 17:

(a) Basic facilities:

(b) Functional facilities:

(c) Fishery harbor convenience facilities:

(d) Sites and waters to create facilities falling under items (a) through (c);

6. The term "fishery harbor development project" means any of the following projects under a fishery harbor development plan referred to in Article 19:

(a) Basic fishery harbor project: New installation of comprehensive and basic fishery harbor facilities and projects incidental thereto, such as dredging or reclamation;

(b) Fishery harbor maintenance project: Modification, repair, reinforcement, relocation, and expansion of fishery harbor facilities, and projects incidental thereto, such as dredging or reclamation;

(c) Fishery harbor environmental improvement project: Cleanup of fishery harbors and improvement of the fishery harbor environment to invigorate fishing village tourism;

(d) Leisure and tourism infrastructure project: Installation, repair, etc. of recreational infrastructure facilities prescribed in subparagraph 5 (c) (iv) to support marine tourism;

7. The term "computer network for the operation of fishery harbor" means any electronic and information-oriented communication system established to electronically deal with information management, civil complaints, etc. related to the operation of fishery harbors;

8. The term "waste" means scrapped fishing gear, garbage, combustible materials, sludge, used oil, waste acid, waste alkali, animal carcasses, etc., and any material ceasing to be useful in people's lives or business activities.

#### **Article 2-2 (Government Policies)**

The State and local governments shall formulate policies necessary for the development and management of fishing villages and fishery harbors, the development of related technologies, and the promotion of related industries.

#### **Article 3 (Basic Surveys, etc.)**

(1) The Minister of Oceans and Fisheries shall conduct a basic survey of fishing villages and fishery harbors, such as the distribution of fishing villages and development of demographic changes thereof, changes in living conditions in fishing villages, changes in fishery harbor facilities, etc., in order to facilitate the efficient implementation of policies designed for the development of fishing villages and fishery harbors. <Amended by Act No. 11690, Mar. 23, 2013>

(2) The Minister of Oceans and Fisheries may, if deemed necessary to formulate a basic plan on the development of fishing villages and fishery harbors under Article 4 or formulate policies for fishing villages and fishery harbors, conduct a detailed survey of any specific fishing village or fishery harbor.

*<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Necessary matters concerning the details of basic surveys and detailed surveys, the survey methods thereof, public announcement of the survey outcomes, etc. under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

#### **Article 4 (Formulation of Basic Plans on Development of Fishing Villages and Fishery Harbors)**

(1) The Minister of Oceans and Fisheries shall formulate a basic plan on the development of fishing villages and fishery harbors (hereinafter referred to as "basic plan") every five years based on the outcomes from basic surveys and detailed surveys under Article 3, in order to increase the income of fishing villages and enhance the rational development and use of fishing villages and fishery harbors.

*<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Each basic plan shall include the following: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Mid- to long-term policy direction-setting for the comprehensive and systematic development of fishing villages and fishery harbors;
2. Matters concerning the annual development, management, and operation of fishing villages and fishery harbors;
3. Matters concerning comprehensive fishing village development projects;
4. Matters concerning fishery harbor development projects;
5. Matters concerning development projects of fishing village areas, etc. under other Acts;
6. Other matters deemed necessary by the Minister of Oceans and Fisheries.

(3) Where the Minister of Oceans and Fisheries intends to formulate a basic plan, he/she shall consult in advance with the heads of the relevant central administrative agencies, after hearing the opinions of Mayors/Do Governors, the heads of Sis/Guns/Gus, and relevant experts. The same shall also apply to any proposed amendment to a basic plan. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) Where the Minister of Oceans and Fisheries formulates or amends a basic plan, he/she shall publicly announce such plan. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 5 (Relationships with other Plans, etc.)**

Where the Minister of Oceans and Fisheries formulates or amends a basic plan, as for fishing villages and fishery harbors for which any plan has been formulated or any specific-use area has been designated under other Acts and subordinate statutes, he/she shall formulate or amend the basic plan within the scope of the relevant plan or specific-use area: Provided, That if necessary to efficiently implement comprehensive fishing village development projects or enhance the comprehensive development of fishery harbors, he/she may request the head of any relevant administrative agency to amend the plan formulated or the specific-use area designated under other Acts and subordinate statutes. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 6 (Formulation of Comprehensive Plan for Fishing Village Development)**

(1) The Minister of Oceans and Fisheries shall formulate a comprehensive plan for fishing village development in accordance with a basic plan in order to comprehensively and systematically develop fishing villages. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) A comprehensive plan for fishing village development shall include the following: <Amended by Act No. 11690, Mar. 23, 2013>

1. Fundamental conception and development direction-settings for the comprehensive development of fishing villages;
2. Current state of the selection of regional areas subject to comprehensive fishing village development projects;
3. Comprehensive fishing village development projects by area and investment plans;
4. Effects and outlook of comprehensive fishing village development projects;
5. Plans for the assessment of comprehensive fishing village development projects;
6. Other matters deemed necessary by the Minister of Oceans and Fisheries, such as the procedures for implementation of comprehensive fishing village development projects, follow-up management, etc.

(3) Where the Minister of Oceans and Fisheries formulates or amends a comprehensive plan for fishing village development, he/she shall consult in advance with the heads of relevant central administrative agencies, Mayors/Do Governors, and the heads of Sis/Guns/Gus: Provided, That the foregoing shall not apply to any proposed amendment to insignificant matters prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 7 (Formulation of Plans for Comprehensive Fishing Village Development Projects)**

(1) The head of a Si/Gun/Gu shall formulate a plan for comprehensive development projects of fishing village areas within his/her jurisdiction in accordance with the comprehensive plan for fishing village development.

(2) If necessary for the efficient implementation of comprehensive fishing village development projects by reason of nationwide interests, etc., the Minister of Oceans and Fisheries may directly formulate a plan for comprehensive fishing village development projects of concerning the relevant matters, notwithstanding paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

(3) Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu intends to formulate or amend a plan for comprehensive fishing village development project, he/she shall in advance consult with Mayors/Do Governors and the heads of relevant administrative agencies after hearing the opinions of residents in the relevant project areas: Provided, That the foregoing shall not apply to any proposed amendment to insignificant matters prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu formulates a plan for comprehensive fishing village development projects, and a fishery harbor development plan under Article 19 includes matters concerning the development of the surrounding area of fishing villages, he/she shall preferentially reflect such matters in the plan for comprehensive fishing village development projects. <Amended by Act No. 11690, Mar. 23, 2013>

(5) Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu formulates or amends a plan for comprehensive fishing village development projects, he/she shall publicly announce such plan.

<Amended by Act No. 11690, Mar. 23, 2013>

**Article 8 (Authorization, Permits, etc. Deemed Granted)**

Where the formulation of or amendment to a plan for comprehensive fishing village development projects is publicly announced under Article 7 (5) and the details of the plan are consulted under Article 7 (3), the following permits, authorization, licenses, approval, agreement, consultation, etc. shall be deemed to have been granted, reached, or obtained, and any notification or public announcement of permits, authorization, license, approval, agreement, deliberation, etc. under the relevant Acts shall be deemed made: <Amended by Act No. 12248, Jan. 14, 2014; Act No. 12543, Mar. 24, 2014>

1. A permit for any development act under Article 56 of the National Land Planning and Utilization Act and authorization for an implementation plan regarding a project for urban/Gun planning facilities under Article 88 of the same Act;
2. A permit to occupy and use public waters under Article 8 of the Public Waters Management and Reclamation Act, consultation or approval under Article 10 of the same Act, approval of an implementation plan or reporting thereof under Article 17 of the same Act, reclamation license of public waters under Article 28 of the same Act, consultation or approval of reclamation implemented by the State, etc. under Article 35 of the same Act, and approval of an implementation plan for reclamation of public waters under Article 38 of the same Act;
3. Authorization for general waterworks business under Article 17 of the Water Supply and Waterworks Installation Act or authorization for the establishment of private-use waterworks under Article 52 of the same Act;
4. A permit to undertake construction works under Article 16 of the Sewerage Act, a permit to occupy and use under Article 24 of the same Act, and reporting on the establishment of drainage facilities under Article 27 of the same Act;
5. A permit to undertake river construction works under Article 30 of the River Act, a permit to occupy and use a river under Article 33 of the same Act, and a permit to use river water under Article 50 of the same Act;
6. Approval of construction works in protected waters under Article 47 (2) of the Fishery Resources Management Act;
7. A permit to undertake road construction works under Article 36 of the Road Act, and a permit to occupy and use roads under Article 61 of the same Act;
8. A permit for any act under Article 23 of the Natural Parks Act or consultation with a park management authority under Article 71 of the same Act;
9. A permit to convert farmland under Article 34 of the Farmland Act or consultation thereon;
10. Consultation on permits, etc. to be granted by any administrative agency under Article 13 of the Protection of Military Bases and Installations Act;
11. A building permit under Article 11 of the Building Act, a building permit for any temporary structure or reporting thereof under Article 20 of the same Act, and consultation on construction under

Article 29 of the same Act;

12. A permit to change the form and quality, etc. under Article 21-2 of the Grassland Act, and a permit to convert grassland under Article 23 of the same Act;

13. A permit to convert mountainous districts or reporting thereof under Article 14 or 15 of the Management of Mountainous Districts Act and a permit to temporarily use mountainous districts or reporting thereof under Article 15-2 of the same Act;

14. A permit for any act within a forest conservation zone (excluding conservation zones for forest gene resources) under Article 9 (1) or (2) 1 of the Forest Protection Act, consent or approval of the management plan for State forests under Article 9 of the State Forest Administration and Management Act, and a permit to cut standing timber, etc. of State forest under Article 36 of the Forest Resources Creation and Management Act;

15. A permit for any act within an erosion control region under Article 14 of the Work against Land Erosion or Collapse Act and cancellation of the designation of an erosion control region under Article 20 of the same Act;

16. A permit for the establishment, etc. of private roads under Article 4 of the Private Road Act;

17. Authorization for a construction work plan of the electric utility for electronic business use or reporting thereof under Article 61 of the Electric Utility Act and authorization for a construction work plan of the private-use electronic utility or reporting thereof under Article 62 of the same Act.

#### **Article 9 (Implementation of Comprehensive Fishing Village Development Projects)**

(1) A comprehensive fishing village development project shall be implemented by the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu: Provided, That if necessary for the efficient implementation of a comprehensive fishing village development project, the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu may entrust a fisheries cooperative under Article 2 of the Fisheries Cooperatives Act (hereinafter referred to as "fisheries cooperative"), a fishing village society under Article 15 of the same Act, or any person prescribed by Presidential Decree to develop some facilities. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Minister of Oceans and Fisheries, the head of a Si/Gun/Gu, or any person who implements a comprehensive fishing village development project under the proviso to paragraph (1) (hereinafter referred to as "implementer of a comprehensive fishing village development project") shall formulate an implementation plan for a comprehensive fishing village development project (hereinafter referred to as "implementation plan") and implement it within the scope of a plan for comprehensive fishing village development projects, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) Where a person who implements a comprehensive fishing village development project under the proviso to paragraph (1) intends to formulate an implementation plan under paragraph (2), he/she shall obtain prior approval of the Minister of Oceans and Fisheries or the head of the relevant Si/Gun/Gu, and the same shall also apply to any proposed amendment to the approved matters: Provided, That where he/she intends to amend insignificant matters prescribed by Presidential Decree, he/she shall report it to

the Minister of Oceans and Fisheries or the head of the relevant Si/Gun/Gu. <Amended by Act No. 11690, Mar. 23, 2013>

(4) Where an implementer of a comprehensive fishing village development project formulates or amends an implementation plan under paragraph (2) or (3), he/she shall publicly announce it as prescribed by Presidential Decree and make it accessible by residents in the relevant project area: Provided, That the foregoing shall not apply to any proposed amendment to insignificant matters under the proviso to paragraph (3).

#### **Article 10 (Confirmation of Project Completion)**

(1) Where an implementer of a comprehensive fishing village development project under the proviso to Article 9 (1) completes such project in accordance with the implementation plan, he/she shall immediately submit a project completion report as prescribed by Ordinance of the Ministry of Oceans and Fisheries and obtain the confirmation of project completion according to the following classifications: Provided, That the foregoing shall not apply where any ground prescribed by Presidential Decree arises such as supervision, etc. under other Acts and subordinate statutes: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where the Minister of Oceans and Fisheries approves the implementation plan under the main sentence of Article 9 (3): The Minister of Oceans and Fisheries;

2. Where the head of the relevant Si/Gun/Gu approves the implementation plan under the main sentence of Article 9 (3): The head of the relevant Si/Gun/Gu.

(2) Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu deems that the relevant comprehensive fishing village development project has been implemented as approved as a result of the confirmation of project completion under paragraph (1), or where any ground prescribed in the proviso to paragraph (1) arises, he/she shall immediately issue a certificate of confirmation of project completion to such applicant. <Amended by Act No. 11690, Mar. 23, 2013>

(3) No implementer of a comprehensive fishing village development project under the proviso to Article 9 (1) shall use land created or facilities established by the project, before he/she obtains a certificate of confirmation of project completion under paragraph (2): Provided, That the foregoing shall not apply where a permit for use prior to project completion has been granted or a report on use prior to project completion has been filed as prescribed by Presidential Decree.

(4) Where the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu intends to permit the use of land created or facilities established through a comprehensive fishing village development project before the project is completed under the proviso to paragraph (3), he/she shall consider the following: <Amended by Act No. 11690, Mar. 23, 2013>

1. Whether it is likely to impede the comprehensive fishing village development project to be implemented afterwards due to the use prior to project completion;

2. Whether it is likely to harm the safety of land or facilities to be used prior to project completion.

(5) Where an implementer of a comprehensive fishing village development project under the proviso to Article 9 (1) has obtained a certificate of project completion under paragraph (2), he/she shall be deemed

obtained the following authorization for construction completion or approval of use:

1. Inspection of construction completion under Article 45 of the Public Waters Management and Reclamation Act;
2. Authorization for construction completion under Article 30 (7) of the River Act;
3. Approval of use under Article 22 (2) of the Building Act.

**Article 11 (Entrustment of Survey, Measurement, Design, and Construction Supervision)**

(1) An implementer of a comprehensive fishing village development project may, if necessary to implement such project, commission a person prescribed by Presidential Decree, from among those related to the comprehensive development of fishing villages and the development of fishery harbors, such as the Korea Fisheries Infrastructure Promotion Association under Article 57, to conduct surveys, measurement, design, and supervision of construction works.

(2) An implementer of a comprehensive fishing village development project may request any person commissioned to conduct surveys, measurement, design, and supervision of construction works under paragraph (1) to file a necessary report thereon or submit necessary data.

**Article 12 (Transfer, etc. of State-Owned Land and Co-owned Land)**

(1) Where facilities or land newly created by the implementation of a comprehensive fishing village development project have been replaced with an existing road, drain, dyke, ditch, river, site for a fishery harbor, etc., any owner of land within the region in which such project is implemented or any implementer of such project under the proviso to Article 9 (1) may donate such facilities or land to the State or a local government.

(2) The Minister of Oceans and Fisheries or the head of a Si/Gun/Gu may fully or partially transfer, free of charge, a State-owned or co-owned road, drain, dyke, ditch, river, site for a fishery harbor, etc., the disuse of which is deemed necessary as its function has been replaced, to the donator of facilities or land under paragraph (1), as prescribed by Presidential Decree, notwithstanding the provisions of relevant Acts, such as the State Property Act, the Public Property and Commodity Management Act, and the Road Act.  
<Amended by Act No. 11690, Mar. 23, 2013>

(3) The Minister of Oceans and Fisheries or the head of a Si/Gun/Gu may sell State-owned or co-owned general property within the region in which a comprehensive fishing village development project is implemented to the implementer of such project under the proviso to Article 9 (1) by means of an optional contract, notwithstanding Article 43 of the State Property Act, Article 29 of the Public Property and Commodity Management Act, or Article 27 of the Sate Forest Administration and Management Act.  
<Amended by Act No. 11690, Mar. 23, 2013>

**Article 13 (Management of Facilities Created by Comprehensive Development of Fishing Villages)**

(1) Facilities or land created by a comprehensive development project of fishing villages (hereinafter referred to as "facilities created by the comprehensive development of fishing villages") shall be managed by the implementer of such project.

(2) Necessary matters concerning the protection and management of facilities created by comprehensive development of fishing villages shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.  
<Amended by Act No. 11690, Mar. 23, 2013>

**Article 14 (Use of Facilities Created by Comprehensive Development of Fishing Villages for Purposes other than its Original Purpose)**

(1) Where an implementer of a comprehensive fishing village development project under the proviso to Article 9 (1) intends to use facilities created by the comprehensive development of fishing villages for purposes other than its original purpose, or transfer or rent them to a third party or have him/her use the facilities, he/she shall obtain prior approval of the Minister of Oceans and Fisheries or the head of the relevant Si/Gun/Gu as prescribed by Presidential Decree: Provided, That the foregoing shall not apply to insignificant matters prescribed by Ordinance of the Ministry of Oceans and Fisheries, to the extent that it does not hamper the maintenance and management of the facilities created by the comprehensive development of fishing villages. <Amended by Act No. 11690, Mar. 23, 2013>

(2) Facilities shall be used, transferred, or rented for purposes other than its original purpose under paragraph (1), to the extent that it does not hamper its original purposes or use.

**Article 15 (Disuse of Facilities Created by Comprehensive Development of Fishing Villages)**

Where any of the following grounds occurs, an implementer of a comprehensive fishing village development project may disuse facilities created by the comprehensive development of fishing villages. In such cases, the implementer of such project under the proviso to Article 9 (1) shall obtain approval of the Minister of Oceans and Fisheries or the head of the relevant Si/Gun/Gu: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where a fishery business, etc. that benefits from the facilities created by the comprehensive development of fishing villages subject to disuse is closed, or facilities substituted in lieu thereof are fully equipped;
2. Where repair of the facilities becomes economically infeasible, because the facilities created by the comprehensive development of fishing villages have been damaged or buried due to a natural disaster or other force majeure events;
3. Where maintenance of the facilities created by the comprehensive development of fishing villages becomes unprofitable, as the sea has been polluted over a long period of time or is likely to be polluted as a result of the consistent inflow of pollutants or other inevitable circumstances.

**Article 16 (Authority to Designate Fishery Harbors)**

The Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu (hereinafter referred to as "designating authority") shall designate a fishery harbor according to the following classifications: <Amended by Act No. 11432, May 23, 2012; Act No. 11690, Mar. 23, 2013>

1. State-owned fishery harbors: The Minister of Oceans and Fisheries;
2. Local fishery harbors: A Mayor/Do Governor;

3. Fishery harbors located in fishing villages and village joint-use fishery harbors: The head of a Si/Gun/Gu.

**Article 17 (Designation, Change, and Cancellation of Fishery Harbors, etc.)**

(1) A designating authority shall, in cases of a fishery harbor, designate it by prescribing its name, type, location, and, in cases of fishery harbor facilities outside a harbor district, designate them by prescribing the fishery harbor they belong to, and the name, type, and location of the facilities.

(2) Necessary matters concerning the designation of fishery harbors and fishery harbor facilities under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(3) Where a Mayor/Do Governor intends to designate a local fishery harbor or the head of a Si/Gun/Gu intends to designate a fishery harbor located in a fishing village or a village joint-use fishery harbor under paragraph (1), he/she shall have prior consultations with the Minister of Oceans and Fisheries or the relevant Mayor/Do Governor, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11432, May 23, 2012; Act No. 11690, Mar. 23, 2013>

(4) Where the conditions of any fishery harbor are changed or other special cause arises, a designating authority may amend the details of designation under paragraph (1) or cancel such designation.

(5) Where the Minister of Oceans and Fisheries or a Mayor/Do Governor intends to designate any fishery harbor, or change or cancel designation under paragraphs (1) and (4), he/she shall, in cases of a State-owned fishery harbor, hear the opinions of the Mayor/Do Governor having jurisdiction over the location of the relevant fishery harbor, and in cases of a local fishery harbor, hear the opinions of the head of the Si/Gun/Gu having jurisdiction over the location of the fishery harbor. <Amended by Act No. 11690, Mar. 23, 2013>

(6) Where the zone a designating authority intends to designate as a fishery harbor has been already designated as a district, area, zone, etc., the use of land or waters of which are prescribed by other Acts, he/she shall have prior consultations with the heads of relevant administrative agencies.

(7) Where a designating authority designates any fishery harbor or any fishery harbor facilities outside a harbor district, or change or cancel such designation, he/she shall publicly announce it.

**Article 18 (Establishment, etc. of Zones for Fishing Village Tourism)**

(1) If necessary to boost fishing village tourism, a designating authority may establish zones for fishing village tourism inside a harbor district, as prescribed by Presidential Decree.

(2) Facilities prescribed by Presidential Decree, such as vessel mooring facilities for the purposes of marine tourism or leisure, tourist convenience facilities, etc., may be established inside a zone for fishing village tourism created under paragraph (1).

(3) Except as provided for in paragraphs (1) and (2), other necessary matters concerning the operation, etc. of zones for fishing village tourism shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

## **Article 19 (Formulation, etc. of Fishery Harbor Development Plans)**

(1) A designating authority shall inspect and check the facilities of the relevant fishery harbor and the current status of the use thereof, status of the safety of the fishery harbor facilities, etc. in advance and formulate a fishery harbor development plan based on the outcomes therefrom as prescribed by Presidential Decree, in order to facilitate the development of the fishery harbor and enhance the efficiency of the operation thereof: Provided, That if necessary to facilitate the growth of the fisheries industry and enhance the development of fishing villages, the Minister of Oceans and Fisheries may consult with the relevant Mayor/Do Governor or the head of the relevant Si/Gun/Gu and formulate a fishery harbor development plan covering two or more local fishery harbors, fishery harbors located in fishing villages, or village joint-use fishery harbors. *<Amended by Act No. 11432, May 23, 2012; Act No. 11690, Mar. 23, 2013>*

(2) A fishery harbor development plan under paragraph (1) shall be formulated as classified as follows, and the major details thereof shall be prescribed by Presidential Decree: *<Amended by Act No. 11503, Oct. 22, 2012>*

1. A comprehensive and basic fishery harbor plan concerning fishery harbor facilities;
2. A fishery harbor maintenance plan, such as modification, repair, reinforcement, relocation, and expansion of fishery harbor facilities;
3. A plan for improving the environment of the fishery harbor with the aim of facilitating the purification of the fishery harbor and boosting fishing village tourism;
4. A plan for developing leisure and tourism with the aim of boosting marine tourism, such as the installation of recreational infrastructure facilities prescribed in subparagraph 5 (c) (iv) of Article 2.

(3) A designating authority (including where the Minister of Oceans and Fisheries formulates a fishery harbor development plan under the proviso to paragraph (1); hereafter the same shall apply in this Article, and Articles 20 and 21) shall formulate a fishery harbor development plan within the extent of a basic plan, and if deemed necessary to carry out a comprehensive fishing village development project at the surrounding area of the fishery harbor aimed to be developed, formulate the plan in consideration thereof. *<Amended by Act No. 11690, Mar. 23, 2013>*

(4) With regard to a region expected to have a huge economic impact, such as invigoration of local development and fishing village tourism through fishery harbor development, a designating authority shall reflect it in a fishery harbor development plan ensuring that the relevant fishery harbor can be developed to perform various functions, such as fisheries, transportation logistics, disaster prevention, fishing village tourism and leisure, and management of sea areas.

(5) If deemed necessary to modify a fishery harbor development plan due to changes in the conditions of a fishery harbor, a designating authority may modify such plan, as prescribed by Presidential Decree.

(6) Where a designating authority formulates or modifies a fishery harbor development plan, he/she shall publicly announce it: Provided, That the foregoing shall not apply to any amendment to insignificant matters prescribed by Presidential Decree.

## **Article 20 (Details of Fishery Harbor Development Plans)**

A fishery harbor development plan shall include the following:

1. Basic direction-setting for the development and operation of a fishery harbor;
2. A plan for the location, type, scale, and arrangement of fishery harbor facilities;
3. The standard cross section of basic facilities;
4. An annual investment plan and the effects thereof;
5. Other matters deemed necessary by a designating authority.

## **Article 21 (Consultation on Formulation, etc. of Fishery Harbor Development Plans)**

(1) Where a designating authority intends to formulate or modify a fishery harbor development plan, it shall have prior consultations with the heads of relevant administrative agencies and the relevant Mayors/Do Governors and hear the opinions of residents in the relevant region and interested parties as prescribed by Presidential Decree: Provided, That the foregoing shall not apply to any amendment to insignificant matters prescribed by Presidential Decree.

(2) Where a Mayor/Do Governor intends to formulate or modify a local fishery harbor development plan, he/she shall have prior consultations with the Minister of Oceans and Fisheries: Provided, That the foregoing shall not apply to any amendment to insignificant matters prescribed by Presidential Decree.

*<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12543, Mar. 24, 2014>*

(3) The head of a relevant administrative agency and a Mayor/Do Governor shall, upon receipt of a request for consultation under the main sentence of paragraph (1), submit his/her opinions within the period set by Presidential Decree from the date of receipt of such request.

## **Article 22 (Relationships with other Acts)**

Where notification is made in relation to the formulation or modification of a fishery harbor development plan under Article 19 (6), with regard to matters that have undergone consultations with the heads of relevant administrative agencies and the relevant Mayors/Do Governors under Article 21 (1), a basic plan for public waters reclamation under Articles 22 and 27 of the Public Waters Management and Reclamation Act shall be deemed formulated or modified within the extent thereof and publicly notified under Article 26 of the same Act.

## **Article 23 (Implementation of Fishery Harbor Development Projects)**

(1) A designating authority shall implement a fishery harbor development project, except as otherwise expressly provided for in this Act or other Acts.

(2) Where any person, other than a designating authority, (excluding the head of a State organ or local government) intends to implement a fishery harbor development project, he/she shall formulate a plan for a fishery harbor development project as prescribed by Presidential Decree and obtain permission from the designating authority, to implement the fishery harbor development project: Provided, That the foregoing shall not apply where he/she intends to undertake any of the following construction works, such as repair and reinforcement of fishery harbor facilities: *<Amended by Act No. 12543, Mar. 24, 2014>*

1. Construction works for fishery harbor facilities under the proviso to paragraph (4);
2. Construction works that do not compromise the safety and use of fishery harbor facilities, such as repair or reinforcement of mosquito net materials or concrete paving.
- (3) Where the State or a local government that is not a designating authority intends to implement a fishery harbor development project (excluding construction works falling under the proviso to paragraph (2)), it shall formulate a plan for a fishery harbor development project and have consultation thereon with the relevant designating authority, as prescribed by Presidential Decree. *<Amended by Act No. 12543, Mar. 24, 2014>*
- (4) Where a designating authority grants permission under the main sentence of paragraph (2), he/she may attach a condition that the land created or the facilities established by the relevant project devolve on the State or the local government: Provided, That the foregoing shall not apply to fishery harbor facilities prescribed by Presidential Decree, such as passenger escalators and facilities for decontamination of fishery harbors.
- (5) A fishery harbor development project shall correspond with a fishery harbor development plan.
- (6) Where a designating authority intends to grant a permit to implement a fishery harbor development project under the main sentence of paragraph (2), he/she may preferentially grant such permit to a public organization using fishery harbor facilities or having any direct interest in the relevant fishery harbor, as prescribed by Presidential Decree.

**Article 24 (Standards, etc. for Seismic Design of Fishery Harbor Facilities)**

- (1) The Minister of Oceans and Fisheries shall determine and publicly announce the standards for seismic design, etc. of fishery harbor facilities.
- (2) The Minister of Oceans and Fisheries may, in addition to the standards for seismic design referred to in paragraph (1), determine and publicly announce technological standards for the basic facilities under subparagraph 5 (a) of Article 2 among the fishery harbor facilities and other fishery harbor facilities prescribed by Presidential Decree.
- (3) A person who designs a fishery harbor facility or implements a fishery harbor development project (hereinafter referred to as "implementer of a fishery harbor development project") shall design the fishery harbor facility or implement the fishery harbor development project in accordance with the standards for seismic design determined under paragraph (1) and technological standards determined under paragraph (2).
- (4) For the appropriate management of fishery harbor facilities in accordance with the standards for seismic design under paragraph (1) and technological standards under paragraph (2), the Minister of Oceans and Fisheries shall conduct safety inspections on fishery harbor facilities and notify the results thereof to relevant designating authorities.
- (5) Each designating authority notified of the result of a safety inspection under paragraph (4) shall reflect the results in the fishery harbor development project referred to in Article 19.

### **Article 25 (Vicarious Execution of Business)**

Any person, other than a designating authority, who obtains permit to implement a fishery harbor development project under the main sentence of Article 23 (2) (hereinafter referred to as "non-designating authority") and the head of a State organ or local government who has consulted with a designating authority under Article 23 (3) may have the designating authority or any third person vicariously execute the fishery harbor development project. *<Amended by Act No. 12543, Mar. 24, 2014>*

### **Article 25-2 (Expropriation or Use of Land, etc.)**

(1) Where necessary to implement a development project of land in a fishery harbor, the implementer of a fishery harbor development project may expropriate or use land, goods, or rights under Article 3 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects (hereinafter referred to as "land, etc."): Provided, That the implementer of a fishery harbor development project who has obtained permit under Article 23 (2) shall own land equivalent to at least two-thirds of the area of the land subject to the harbor development project and obtain the consent of at least half of the total number of land owners.

(2) If any public announcement is made under Article 19 (6) on the formulation of a fishery harbor development plan (limited to the plans which include the details of land, etc. to be expropriated or used) or on the modification thereto, the project approval and the public announcement on the project approval shall be deemed made under Article 20 (1) and 22 of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(3) Notwithstanding Articles 23 (1) and 28 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects, an application for adjudication on the expropriation or use of land, etc. under paragraph (1) may be filed within the period for implementation of a fishery harbor development project set in the fishery harbor development plan.

(4) Except as otherwise expressly provided for in this Act, the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects shall apply mutatis mutandis to the expropriation or use of land, etc. under paragraph (1).

### **Article 26 (Devolvement, etc. of Fishery Harbor Facilities)**

(1) Any land created or facility established by a non-designating authority through a fishery harbor development project shall devolve on the State or the relevant local government upon completion of such project under the conditions of permission imposed under Article 23 (4): Provided, That the foregoing shall not apply to fishery harbor facilities prescribed by Presidential Decree under the proviso to Article 23 (4).

(2) A non-designating authority may acquire the ownership of the following land out of land created through a fishery harbor development project, notwithstanding the main sentence of paragraph (1), within the limit of the total project expenses invested:

1. A site for facilities prescribed by Presidential Decree, among functional facilities provided for in subparagraph 5 (b) of Article 2;

2. A site for facilities for welfare and culture provided for in subparagraph 5 (c) (i) and (ii) of Article 2;
3. A site for infrastructure facilities for leisure purposes, tourist facilities, and resting facilities provided for in subparagraph 5 (c) (iv) through (vi) of Article 2;
4. Land other than the sites provided for in subparagraph 5 (d) of Article 2.

(3) Notwithstanding Article 43 of the State Property Act and Article 29 (1) of the Public Property and Commodity Management Act, a designating authority may preferentially sell land devolved under paragraph (1) and falling under any subparagraph of paragraph (2) to a non-designating authority, as prescribed by Presidential Decree.

(4) To the extent that it does not hamper the use or purpose of land or facilities devolved on the State or a local government under paragraph (1), a designating authority may allow a non-designating authority to use such land or facilities or to benefit therefrom free of charge, within the limit of amount obtained by subtracting the value of land acquired by the non-designating authority under paragraph (2) from the total project expenses. In such cases, the non-designating authority shall report it to the designating authority in advance, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) The period during which a designating authority allows a non-designating authority to use land or facilities devolved on the State or a local government or to benefit therefrom free of charge under paragraph (4) shall be prescribed by Presidential Decree, to the extent not exceeding 30 years.

(6) The method of calculating the total project expenses referred to in paragraph (2) and the value of land acquired by a non-designating authority shall be prescribed by Presidential Decree.

(7) A non-designating authority who uses land or facilities devolved on the State or a local government under paragraph (4) or benefits therefrom free of charge may, notwithstanding Article 30 (2) of the State Property Act, allow a third party to use some of such land or facilities or to benefit therefrom according to the terms prescribed by the designating authority. In such cases, the period for using such land or facilities or benefiting therefrom shall not exceed the period for using such land or facilities or benefiting therefrom free of charge.

(8) Any land which is general property out of local government-owned public property under paragraph (2) may be sold as prescribed by municipal ordinance of the relevant local government: Provided, That alternative land for the site being used or occupied by existing fishery harbor facilities may be sold to persons who have business interest resulting from the implementation of a fishery harbor development project or public organizations under Article 23 (6), by means of an optional contract.

#### **Article 27 (Sale or Transfer of Fishery Harbor Facilities)**

(1) Notwithstanding Article 8 (3) of the State Property Act, a designating authority may sell land referred to in Article 26 (2), out of land created by the designating authority through a fishery harbor development project.

(2) In cases falling under paragraph (1), notwithstanding Article 43 of the State Property Act or Article 29 (1) of the Public Property and Commodity Management Act, a designating authority may preferentially

sell the relevant land (excluding land in the zones for fishing village tourism established by a designating authority under Article 18 (1)) to a public organization under Article 23 (6). In such cases, necessary conditions concerning the use of the relevant land, the time limit for application for permission, etc. shall be attached in a manner consistent with a fishery harbor development plan. <Amended by Act No. 12543, Mar. 24, 2014>

(3) In any of the following cases, notwithstanding Article 55 of the State Property Act and Article 40 (1) of the Public Property and Commodity Management Act, a designating authority may transfer fishery harbor facilities to a new designating authority:

1. Where the designation of a State-owned fishery harbor has been cancelled and the relevant fishery harbor has been designated as a local fishery harbor or fishery harbor located in a fishing village;
2. Where the designation of a local fishery harbor has been cancelled and the relevant fishery harbor has been designated as a State-owned fishery harbor or fishery harbor located in a fishing village;
3. Where the designation of a fishery harbor located in a fishing village has been cancelled and the relevant fishery harbor has been designated as a State-owned fishery harbor or local fishery harbor.

(4) The Minister of Oceans and Fisheries shall pay the proceeds from the sale of land of a State-owned fishery harbor, out of the proceeds from the sale of land under paragraph (1) to the Fisheries Development Fund referred to in Article 76 of the Fisheries Act. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 28 (Registration of Property)**

A designating authority shall register land and facilities, other than fishery harbor facilities under the proviso to Article 23 (4), out of the land created and facilities established through a fishery harbor development project, within two years from the date of completion of such project.

#### **Article 29 (Right to Manage and Operate Fishery Harbor Facilities)**

A designating authority shall maintain and manage fishery harbor facilities for a period during which a non-designating authority can use such fishery harbor facilities or benefit therefrom free of charge under Article 26 (4), and may grant the right to collect fees from the users of the relevant fishery harbor facilities (hereinafter referred to as "right to manage and operate fishery harbor facilities") to the relevant non-designating authority.

#### **Article 30 (Nature of Right to Manage and Operate Fishery Harbor Facilities)**

The right to manage and operate fishery harbor facilities shall be deemed a real right, and the provisions concerning real estate of the Civil Act shall apply mutatis mutandis thereto, except as otherwise expressly provided for in this Act.

#### **Article 31 (Registration, etc. of Right to Manage and Operate Fishery Harbor Facilities)**

(1) The right to manage and operate fishery harbor facilities or the creation, modification, or nullification of mortgage, the subject matter of which is the right to manage and operate fishery harbor facilities, and restriction on the disposition thereof shall become valid by filing registration thereon in the original registry of the right to manage and operate fishery harbor facilities prepared by the designating authority.

(2) Necessary matters concerning registration of the rights to manage and operate fishery harbor facilities under paragraph (1) shall be prescribed by Presidential Decree.

**Article 32 (Special Cases concerning Disposition of Right to Manage and Operate Fishery Harbor Facilities)**

No right to manage and operate fishery harbor facilities over which a mortgage has been created shall be disposed of without the consent of the mortgagee.

**Article 33 (Consultation)**

(1) Where the State or a local government intends to conduct any of the following acts in a harbor district, it shall have prior consultation with the relevant designating authority: <Amended by Act No. 12543, Mar. 24, 2014>

1. Where it formulates a basic reclamation plan under Article 22 of the Public Waters Management and Reclamation Act;
2. Where it determines an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act;
3. Where it designates an industrial site under Articles 6, 7, 7-2, and 8 of the Industrial Sites and Development Act.

(2) Where the State or a local government intends to establish a mining right, fishing right, etc. or grant a license or permit in a harbor district pursuant to the Mining Industry Act, the Fisheries Act, the Public Waters Management and Reclamation Act or other Acts and subordinate statutes, it shall have prior consultation with the relevant designating authority.

**Article 34 (Application Mutatis Mutandis, etc.)**

The provisions of Articles 8, 10, and 11 shall apply mutatis mutandis to the implementation of a fishery harbor development project. In such cases, "Article 7 (5)" in Article 8 shall be construed as "Article 19 (6)", "plan for a comprehensive fishing village development project" as "plan for a fishery harbor development project", "Article 7 (3)" as "Article 21 (1)", and "implementer of a comprehensive fishing village development project" in Article 10 as "non-designating authority or the head of a State organ or local government who has consulted with a designating authority pursuant to Article 23 (3)", "implementation plan" as "plan for a fishery harbor development project under Article 23", "comprehensive fishing village development project" as "fishery harbor development project", "according to the following classifications" as "by a designating authority", "Minister of Oceans and Fisheries or the head of a Si/Gun/Gu" as "designating authority", and "implementer of a comprehensive fishing village development project" in Article 11 as "implementer of a fishery harbor development project", and "comprehensive fishing village development project" as "fishery harbor development project". <Amended by Act No. 11690, Mar. 23, 2013; Act No. 12543, Mar. 24, 2014>

**Article 35 (Fishery Harbor Management Authority and Duty to Maintain Clean Fishery Harbors)**

(1) A fishery harbor management authority shall be as follows: <Amended by Act No. 11432, May 23, 2012>

1. State-owned fishery harbors and local fishery harbors: Metropolitan City Mayor, Governor of a Self-Governing Province, or the head of a Si/Gun.;
  2. Fishery harbors located in fishing villages and village joint-use fishery harbors: Governor of a Self-Governing Province, or the head of a Si/Gun/Gu.
- (2) A fishery harbor management authority shall efficiently maintain, manage and operate fishery harbors, carry out research and surveys necessary for the development of fishery harbors, and manage statistical data.
- (3) Notwithstanding paragraph (1), the Minister of Oceans and Fisheries may directly perform duty to maintain clean fishery harbors by removing scrap materials from the waters in the districts of State-owned fishery harbors and local fishery harbors (hereinafter referred to as "duty to maintain clean fishery harbors") or provide assistance thereto, within budgetary limits. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12543, Mar. 24, 2014>*
- (4) The Minister of Oceans and Fisheries may operate a fishery harbor management ship to ensure the efficient performance of the duty to maintain clean fishery harbors. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12543, Mar. 24, 2014>*

#### **Article 36 (Regulations for Fishery Harbor Management)**

A Metropolitan City, Special Self-Governing Province or Si/Gun/Gu (referring to an autonomous Gu; hereinafter the same shall apply) shall prescribe the regulations for fishery harbor management as prescribed by Municipal Ordinance, including matters determined by Ordinance of the Ministry of Oceans and Fisheries, in order to efficiently manage fishery harbors. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 37 (Committee for Deliberation on Fishery Harbor Management)**

- (1) There is hereby established a committee for deliberation on fishery harbor management in each fishery harbor to respond to requests for advice by the fishery harbor management authority with regard to significant matters concerning the maintenance, management, and use of the fishery harbor.
- (2) Necessary matters concerning the composition and operation of committees for deliberation on fishery harbor management shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 38 (Permit to Use Fishery Harbor Facilities, etc.)**

- (1) Any person who intends to use or occupy a fishery harbor facility shall obtain a permit from a fishery harbor management authority: Provided, That in any of the following cases, he/she shall report it to the fishery harbor management authority, and in such cases, the period for using or occupying the fishery harbor facility shall be prescribed by Municipal Ordinance of the relevant Metropolitan City, Special Self-Governing Province, or Si/Gun/Gu: *<Amended by Act No. 12543, Mar. 24, 2014>*
  1. Where a vessel is poised to berth or moor at a basic facility, such as a quaywall, wharf, groin, landing stage, or bulkhead;
  2. Where a vessel is poised to dock or anchor at an inner harbor of the counter facilities (excluding a berthing area), such as a breakwater;

3. Where goods, etc. are stored or any temporary structure is established at a basic facility or a site in the harbor district allowing open-air storage;
  4. Where a non-designating authority uses land or facilities devolved to the State or a local government or benefits therefrom free of charge under Article 26 (4).
- (2) Notwithstanding the proviso to paragraph (1), in any of the following cases, fishery harbor facilities may be used or occupied without filing a report: *<Amended by Act No. 11690, Mar. 23, 2013>*
1. Where any fishing vessel uses fishery harbor facilities;
  2. Where any vessel owned by the State or a local government uses fishery harbor facilities;
  3. Where any vessel owned by an organization relevant to maritime affairs and fisheries prescribed by Ordinance of the Ministry of Oceans and Fisheries uses the fishery harbor facilities;
  4. Where any designating authority uses the fishery harbor facilities for the development of the relevant fishery harbor.
- (3) Where a fishery harbor management authority grants a permit to use or occupy a fishery harbor facility under paragraph (1), it shall ensure that such permission is consistent with a fishery harbor development plan and grant such permission to the extent that it does not impede the functions of the relevant fishery harbor and the public use thereof.
- (4) Where a fishery harbor management authority intends to grant a permit to use or occupy a fishery harbor facility under the main sentence of paragraph (1), it may preferentially grant such permit to a public organization under Article 23 (6).
- (5) Notwithstanding the main sentence of paragraph (1), where the State or a local government intends to use or occupy a fishery harbor facility, it shall consult with the relevant fishery harbor management authority.
- (6) A fishery harbor management authority shall, in cases of permit under the main sentence of paragraph (1), set the period for use or occupation not exceeding three years and, in cases of consultation under paragraph (5), set the period for use or occupation not exceeding ten years; and if such period expires, may extend it as prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (7) Where a fishery harbor management authority grants a permit under the main sentence of paragraph (1), it may attach conditions as deemed necessary to protect the functions of the relevant fishery harbor.
- (8) Where a fishery harbor management authority grants permission to use or occupy a facility of a State-owned fishery harbor or local fishery harbor, it shall notify the relevant designating authority as to whether a permit to use or occupy is granted.
- (9) Criteria for granting a permit to use or occupy fishery harbor facilities shall be prescribed by Presidential Decree.

**Article 39 (Maintenance, Management, etc. of Fishery Harbor Facilities)**

A person who uses or occupies fishery harbor facilities under Article 26 (4) or 38 (1) shall maintain and manage such facilities in a manner that would not damage the relevant fishery harbor facilities.

#### **Article 40 (Cost-Sharing on Damage, etc. to Fishery Harbor Facilities)**

(1) Where fishery harbor facilities need to be repaired or reinforced as a result of construction works, other than a fishery harbor development project, or any act that causes destruction or transformation of the fishery harbor facilities, the fishery harbor management authority may require the implementer of the construction works or the person who has performed such act to repair or reinforce the fishery harbor facilities. In such cases, expenses incurred shall be borne by the implementer of the construction works or the said person.

(2) Where a public organization under Article 23 (6) uses fishery harbor facilities, the fishery harbor management authority may require the public organization to repair or reinforce the relevant fishery harbor facilities. In such cases, expenses incurred in repairing and managing the fishery harbor facilities shall be borne by the public organization.

#### **Article 41 (Cancellation of Permit to Use, etc.)**

(1) Where any person who obtains a permit to use or occupy fishery harbor facilities under Article 38 (1) or files a report thereon falls under any of the following cases, the fishery harbor management authority may cancel such permit or issue an order to suspend the use or occupation within a prescribed period not exceeding six months: Provided, That where he/she falls under subparagraph 1, the fishery harbor management authority shall cancel such permit or issue an order to suspend the use or occupation:

1. Where he/she obtains a permit by deceit or other fraudulent means or files a false report;
2. Where he/she damages fishery harbor facilities, in violation of Article 39;
3. Where any public organization that uses fishery harbor facilities under Article 40 (2) neglects its duty to repair and manage such fishery harbor facilities or refuses to bear the expenses incurred therein;
4. Where he/she fails to comply with an order for reinstatement or removal under Article 46;
5. Where he/she falls under any of the subparagraphs of Article 51 (1);
6. Where he/she refuses to take, obstructs, or impedes any countermeasure against emergency or disaster under Article 52, without justifiable grounds.

(2) Article 53 shall apply mutatis mutandis to compensation for losses incurred as a result of cancellation of permit, etc. under paragraph (1) 5.

#### **Article 42 (Collection of Fees for Use, etc.)**

(1) A fishery harbor management authority may collect fees for use or occupation from persons who use or occupy fishery harbor facilities under Article 38 as prescribed by municipal ordinance: Provided, That persons prescribed by Presidential Decree, such as the State and local governments, may be exempt from the fees for use or occupation as prescribed by Presidential Decree.

(2) If any person fails to pay a fee for use or occupation under paragraph (1) by the payment deadline, the said fee shall be collected from him/her in the same manner as delinquent local taxes are collected.

(3) Where a non-designating authority allows a third party to use some of fishery harbor facilities or benefit therefrom under Article 26 (7), he/she may collect the fee for use or occupation from the third party as prescribed by municipal ordinance under paragraph (1).

#### **Article 43 (Collection of Indemnities)**

(1) A fishery harbor management authority may collect an indemnity corresponding to 100/100 to 150/100 of the fee for use or occupation under Article 42 (1) as prescribed by municipal ordinance from any person who uses or occupies fishery harbor facilities without obtaining a permit or filing a report under Article 38 (1): Provided, That any person who uses or occupies fishery harbor facilities under Article 26 (4) shall be excluded.

(2) Article 42 (2) shall apply mutatis mutandis to the collection of indemnities under paragraph (1).

#### **Article 44 (Devolvement of Fees for Use, etc.)**

(1) Fees for use or occupation and indemnities regarding fishery harbor facilities shall be deemed revenues earned by the relevant Metropolitan City, Special Self-Governing Province or Si/Gun/Gu. *<Amended by Act No. 12543, Mar. 24, 2014>*

(2) Revenues under paragraph (1) shall be used to cover the expenses incurred in the management of fishery harbor facilities, as prescribed by Presidential Decree.

#### **Article 45 (Prohibited Acts)**

No person shall engage in any of the following prohibited acts for fishery harbor facilities or in the districts of fishery harbors without justifiable grounds: *<Amended by Act No. 11503, Oct. 22, 2012>*

1. Hampering the functions of fishery harbors by destroying fishery harbor facilities;
2. Remodeling the structure of fishery harbor facilities or relocating them;
3. Abandoning a scrapped vessel;
4. Land reclamation and the excavation in the districts of fishery harbors;
5. Leaving any obstacle unattended in the districts of fishery harbors or occupying and using the districts of fishery harbors without a permit;
6. Dumping wastes into any place, other than a designated place;
7. Culturing marine flora and fauna in fishery harbors and their contiguous waters (excluding operation of fisheries for experiment, research or training as provided for in Article 45 of the Fisheries Act to the extent that they do not impede the functions of the fishery harbors);
8. Other activities prescribed by Presidential Decree that are likely to hamper the conservation of fishery harbors or the use thereof.

#### **Article 46 (Reinstatement, etc.)**

(1) In order to protect the functions of a fishery harbor, a fishery harbor management authority may issue an order to reinstate the fishery harbor or remove the relevant goods to any person who violates Article 45 within a prescribed period.

(2) Notwithstanding paragraph (1), in any of the following cases, a fishery harbor management authority may take any necessary measure, such as removal of scrapped vessels, obstacles, and wastes:

1. Where it is impossible to issue an order under paragraph (1) on the ground that the person who violates Article 45 is unknown or his/her whereabouts is unknown;

2. Where a public emergency exists for the protection of the functions of the fishery harbor.
- (3) Necessary matters concerning measures under paragraph (2) shall be prescribed by Presidential Decree.

#### **Article 47 (Establishment and Operation of Computer Networks for Operation of Fishery Harbors)**

- (1) Where it is necessary to manage information related to the operation of fishery harbors and deal with civil affairs, the Minister of Oceans and Fisheries may establish and operate computer networks for the operation of fishery harbors. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) Where a designating authority, a fishery harbor management authority, or a user of the computer networks for the operation of fishery harbors deals with civil affairs, such as reporting, approval, permission, issuance, and notification under this Act using the computer networks for the operation of fishery harbors as prescribed by Presidential Decree, they shall be deemed dealt with under this Act.
- (3) Necessary matters concerning the establishment, operation, use, etc. of the computer networks for the operation of fishery harbors shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 48 (Reporting and Submission of Data)**

The Minister of Oceans and Fisheries may require a Mayor/Do Governor or the head of a Si/Gun/Gu to file a necessary report regarding the performance of duties under this Act or submit data thereof. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 49 (Subsidization of Project Expenses)**

- (1) The Minister of Oceans and Fisheries and the heads of local governments shall appropriate, in the budget, project expenses necessary to efficiently implement projects for the development, management and operation of fishing villages and fishery harbors under this Act. *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12543, Mar. 24, 2014>*
- (2) The Minister of Oceans and Fisheries or the heads of local governments may fully or partially subsidize necessary project expenses to be incurred in the implementation of comprehensive fishing village development projects or fishery harbor development projects for the implementers of such projects or provide loans thereto: Provided, That subsidization for the fishery harbor development projects by a Mayor/Do Governor or the head of a Si/Gun/Gu shall be limited to basic facility improvement projects. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 49-2 (Invigoration of Fishing Villages and Fishery Harbor Tourism, and Assistance thereto)**

- (1) The Minister of Oceans and Fisheries or the heads of local governments shall formulate and implement policies necessary for the development, etc. of tourism and resort resources capitalizing on the unique characteristics of fishing villages and fishery harbors, in order to increase the income of residents in fishing villages, boost the local economy of fishing villages, and foster sound emotional development of citizens. *<Amended by Act No. 11690, Mar. 23, 2013>*
- (2) The Minister of Oceans and Fisheries or the heads of local governments shall endeavor to invigorate tourism for fishing villages and fishery harbors, such as development and promotion of the natural

landscape, ecology, specialty, indigenous customs, etc. of fishing villages and fishery harbors, urban residents' experience of the culture of fishing villages, development of facilities and programs designed to facilitate exchanges between cities and fishing villages, etc., in order to achieve the purposes prescribed in paragraph (1). <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 49-3 (Education and Training of Persons related to Fishing Villages and Fishery Harbors)**

(1) Where necessary to improve the capabilities of related persons responsible for the development and management of fishing villages and fishery harbors and to enhance the usefulness and efficiency of facilities of fishing villages and fishery harbors, the Minister of Oceans and Fisheries may operate education and training courses.

(2) Matters concerning the formulation of education and training plans and the contents, etc. of education and training courses for the operation of education and training courses under paragraph (1) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

#### **Article 50 (Dispositions Imposed on Violation, etc. of Acts and Subordinate Statutes)**

Where any implementer of a comprehensive fishing village development project under the proviso to Article 9 (1), a non-designating authority or any third party commissioned to undertake a project under Article 25 falls under any of the following, the Minister of Oceans and Fisheries or the head of the relevant local government may cancel approval or permission under this Act or issue an order to suspend the project or take any measure to remodel, change, relocate and remove the facilities: Provided, That in cases falling under subparagraph 1, he/she shall cancel such approval or permission: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where he/she obtains such approval or permission under this Act by deceit or other fraudulent means;
2. Where he/she implements a project without obtaining approval for the implementation plan thereof, in violation of Article 9 (3);
3. Where it is deemed impossible to continue to implement the project, on the ground that he/she fails to commence the construction works by the designated date without justifiable grounds or he/she is deemed incapable of completing the construction works;
4. Where the continued implementation of the project is deemed clearly likely to harm the environment.

#### **Article 51 (Dispositions for Public Interest)**

(1) In any of the following cases, the Minister of Oceans and Fisheries or the heads of local governments may cancel approval or permission under this Act or issue an order to amend or abolish a project plan, suspend a project, or remodel facilities: <Amended by Act No. 11690, Mar. 23, 2013>

1. Where it is necessary to cope with changes in the relevant project area or promote the efficient management of fishing villages and fishery harbors;
2. Where the collapse of the facilities caused by a natural disaster or any other emergency is deemed likely to cause damage to many people.

(2) Article 53 shall apply mutatis mutandis to compensation for losses incurred in relation to dispositions under paragraph (1).

## **Article 52 (Countermeasures against Emergencies and Disasters)**

If necessary to implement a fishing village or fishery harbor development project or to manage fishery harbors due to a natural disaster or any other emergency, an implementer of a comprehensive fishing village development project, implementer of a fishery harbor development project, or fishery harbor management authority may temporarily use other person's land, house, vessel, soil and stone, bamboo and timber, carrier, and any other structure, or change or remove obstacles.

## **Article 53 (Compensation for Losses, etc.)**

(1) If any person suffers a loss as a result of a measure taken under Article 52, an implementer of a comprehensive fishing village development project, implementer of a fishery harbor development project, or fishery harbor management authority shall consult with the sufferer and compensate for the relevant loss.

(2) If no agreement under paragraph (1) is reached, the amount decided by the implementer of the comprehensive fishing village development project, implementer of the fishery harbor development project, or fishery harbor management authority shall be paid to the sufferer: Provided, That in cases where the sufferer refuses to receive the payment or the payment is impossible otherwise, it shall be publicly deposited at the competent court and the counter party shall be notified of such fact.

(3) Any person who objects to compensation under paragraph (2) may file an application for adjudication to the competent committee on land expropriation within 30 days from the date the payment of compensation or deposit is notified, as prescribed by Presidential Decree.

## **Article 54 (Hearings)**

Where the Minister of Oceans and Fisheries or the head of a local government intends to cancel approval or permission under Article 41 (1), 50, or 51 (1), he/she shall hold a hearing. *<Amended by Act No. 11690, Mar. 23, 2013>*

## **Article 55 (Transfer of Rights and Duties)**

(1) Where any person who has rights and duties created as a result of approval or permission under this Act has deceased or his/her rights and duties have been transferred, or where a corporation having such rights and duties has merged with another company, the relevant successor, the person who has acquired such rights and duties or the surviving corporation after merger or the corporation newly established by the merger shall succeed to such status.

(2) Any person who succeeds to the status under paragraph (1) shall report to the Minister of Oceans and Fisheries or the head of the relevant local government, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 11690, Mar. 23, 2013>*

## **Article 56 (Delegation and Entrustment of Authority)**

(1) The Minister of Oceans and Fisheries may delegate part of his/her authority under this Act to Mayors/Do Governors or the heads of its affiliate agencies, as prescribed by Presidential Decree. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) The Mayors/Do Governors to which authority is delegated under paragraph (1) may re-delegate part of such authority to the heads of Sis/Guns/Gus after obtaining approval from the Minister of Oceans and Fisheries. <Amended by Act No. 11690, Mar. 23, 2013>

(3) The duties of the Minister of Oceans and Fisheries prescribed in this Act may entrust some of his/her duties to the Korea Fisheries Infrastructure Promotion Association referred to in Article 57, the fisheries cooperatives, or the Korea Rural Community Corporation under Article 3 of the Korea Rural Community Corporation and Farmland Management Fund Act, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

#### **Article 57 (Establishment of Korea Fisheries Infrastructure Promotion Association)**

(1) The Korea Fisheries Infrastructure Promotion Association (hereinafter referred to as the "Association") shall be established to efficiently develop and manage fishing villages and fishery harbors, preserve and use fishing grounds, conduct research into and development of related technologies, invigorate tourism, etc. <Amended by Act No. 12543, Mar. 24, 2014>

(2) The Association shall be a corporation.

(3) Necessary matters concerning the details to be stated in the articles of incorporation of the Association and its projects shall be prescribed by Presidential Decree.

(4) The provisions concerning incorporated associations of the Civil Act shall apply mutatis mutandis to the Association, except as otherwise expressly provided for in this Act.

#### **Article 58 (Projects of Association)**

(1) The Association shall perform the following projects in order to achieve the objectives of incorporation under Article 57 (1): <Amended by Act No. 12543, Mar. 24, 2014>

1. Surveys, research, and informatization regarding fishing villages, fishery harbors and fishing grounds;
2. Development and management of fishing villages and fishery harbors, and development of technologies and international cooperation related thereto;
3. Education and training for persons related to fishing villages and fishery harbors;
4. Service duties concerning surveys, measurement, design, supervision, and technology incidental to comprehensive fishing village development projects and fishery harbor development projects, or consigned duties regarding safety checks, maintenance and repair of facilities and the dredge;
5. Projects commissioned by the State, local governments, or public organizations;
6. Projects related to the purification, maintenance, and surveys of fishing villages, fishery harbors, and coastal waters;
7. Publishing, distribution, and publication of books related to fishing villages and fishery harbors;
8. Projects for the development and management of tourist attractions related to fishing villages, fishery harbors, and fishing grounds, and for the revitalization of tourism;
9. Other projects necessary to achieve the objectives of incorporation of the Association.

(2) The Minister of Oceans and Fisheries may provide assistance to the Association to ensure its efficient undertaking of projects listed in paragraph (1). *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 58-2 (Authorization, etc. of Amendments to Articles of Incorporation)**

(1) The Association shall obtain authorization or approval of the Minister of Oceans and Fisheries with regard to the following matters: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Matters concerning the formulation of and amendments to the articles of incorporation;
2. Matters concerning the dissolution of the Association;
3. Matters concerning the appointment of the head of the Association.

(2) The Minister of Oceans and Fisheries may require the head of the Association to file a report on the following matters: *<Amended by Act No. 11690, Mar. 23, 2013>*

1. Matters concerning the business outcomes and settlement of accounts of the previous year;
2. Matters concerning the business plan and budget of each fiscal year.

(3) Where a resolution, etc. of the Association is deemed contrary to the public interest or the objectives of incorporation, the Minister of Oceans and Fisheries may request the rectification thereof. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 59 (Legal Fiction of Public Officials in Application of Penal Provisions)**

For the purpose of Articles 129 through 132 of the Criminal Act, any executive or employee of the Association, any executive or employee of a fisheries cooperative, and any executive or employee of the Korea Rural Community Corporation who performs the duties commissioned by the Minister of Oceans and Fisheries under Article 56 (3) shall be deemed a public official. *<Amended by Act No. 11690, Mar. 23, 2013>*

#### **Article 60 (Penal Provisions)**

(1) Any of the following persons shall be punished by imprisonment for not more than five years or by a fine not exceeding 20 million won:

1. Any person who conducts a prohibited act under subparagraph 1 of Article 45 without justifiable grounds;
2. Any person who conducts a prohibited act under subparagraph 2 of Article 45 without justifiable grounds.

(2) Any of the following persons shall be punished by imprisonment for not more than two years or a fine not exceeding seven million won:

1. Any person who obtains a permit under the main sentence of Article 23 (2) or under the main sentence of Article 38 (1) by deceit or other fraudulent means;
2. Any person who implements a fishery harbor development project without obtaining a permit under the main sentence of Article 23 (2);
3. Any person who uses or occupies fishery harbor facilities without obtaining a permit under the main sentence of Article 38 (1);

4. Any person who conducts a prohibited act listed in subparagraphs 3 through 8 of Article 45 without justifiable grounds and who fails to comply with an order for reinstatement or removal under Article 46 (1);
5. Any person who violates an order under Article 50;
6. Any person who refuses, obstructs, or impedes to take any countermeasure against any emergency or disaster under Article 52 without justifiable grounds.

#### **Article 61 (Joint Penal Provisions)**

If a representative of a corporation or an agent, employee, or a serviceman of the corporation or an individual commits an offense under Article 60 in relation to the business of the corporation or the individual, not only shall such offender be punished accordingly, but the corporation or the individual shall also be punished by a fine prescribed in the relevant Article: Provided, That the foregoing shall not apply where the corporation or the individual has not been negligent in paying due attention and supervision in relation to the relevant business in order to prevent such offense.

#### **Article 62 (Fines for Negligence)**

(1) Any person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding two million won:

1. Where he/she fails to make public announcement of an implementation plan or to take a measure for public inspection, in violation of Article 9 (4);
2. Where he/she uses land or facilities prior to project completion without obtaining permission or filing a report, in violation of the proviso to Article 10 (3) (including cases where applied mutatis mutandis in Article 34);
3. Where he/she uses or occupies fishery harbor facilities without filing a report under the proviso to Article 38 (1).

(2) Any person who allows a third party to use land or facilities in violation of the conditions imposed by a designating authority under the former part of Article 26 (7) and any person who allows a third party to use land or facilities or benefit therefrom in excess of the period for using it or benefiting therefrom free of charge in violation of the latter part of the same paragraph shall be punished by a fine for negligence not exceeding one million won.

(3) Fines for negligence under paragraphs (1) and (2) shall be imposed or collected by the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu, as prescribed by Presidential Decree. <Amended by Act No. 11690, Mar. 23, 2013>

#### ADDENDA

#### **Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

#### **Article 2 (Repeal of Act)**

The Fishery Harbors Act is hereby repealed.

**Article 3 (Transitional Measures concerning Designation, etc. of Fishery Harbors)**

(1) Fishery harbors and fishery harbor facilities designated or developed under the former Fishery Harbors Act as at the time this Act enters into force shall be deemed fishery harbors and fishery harbor facilities designated or developed under this Act.

(2) A fishery harbor development plan or fishery harbor facility project formulated or implemented under the former Fishery Harbors Act as at the time this Act enters into force shall be deemed a fishery harbor development plan or fishery harbor development project formulated or implemented under this Act.

**Article 4 (General Transitional Measures)**

Any disposition imposed by an administrative agency under the former Fishery Harbors Act as at the time this Act enters into force or any other act, or various applications made to an administrative agency or any other act shall be deemed an act by the administrative agency or act in relation to the administrative agency under this Act.

**Article 5 (Transitional Measures concerning Korea Fishing Port Association)**

(1) The Korea Fishing Port Association established under the former Fishery Harbors Act as at the time this Act enters into force shall be deemed the Korea Fisheries Infrastructure Promotion Association established under this Act.

(2) Any act or any other legal act conducted by the Korea Fishing Port Association as at the time this Act enters into force shall be deemed conducted by the Korea Fisheries Infrastructure Promotion Association.

(3) The name of the Korea Fishing Port Association in the register or any other public record as at the time this Act enters into force shall be deemed the name of the Korea Fisheries Infrastructure Promotion Association.

(4) A citation of the Korea Fishing Port Association by any other Act or subordinate statute as at the time this Act enters into force shall be deemed a citation of the Korea Fisheries Infrastructure Promotion Association in lieu of the former provision.

**Article 6 (Transitional Measure concerning Penal Provisions and Fines for Negligence)**

The application of penal provisions and fines for negligence to any offence committed before this Act enters into force shall be governed by the former Fishery Harbors Act.

**Article 7 Omitted.**

**Article 8 (Relationship with other Acts and Subordinate Statutes)**

A citation of the former Fishery Harbors Act or any provision thereof by any other Act or subordinate statute as at the time this Act enters into force shall be deemed a citation of this Act or the corresponding provision hereof in lieu of the former provision, if such corresponding provision exists in this Act.

ADDENDA <Act No. 8338, Apr. 6, 2007>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Articles 2 through 17 Omitted.**

ADDENDA <Act No. 8352, Apr. 11, 2007>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 16 Omitted.**

ADDENDA <Act No. 8370, Apr. 11, 2007>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 20 Omitted.**

ADDENDA <Act No. 8377, Apr. 11, 2007>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 16 Omitted.**

ADDENDA <Act No. 8733, Dec. 21, 2007>

**Article 1 (Enforcement Date)**

This Act shall enter into force nine months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 11 Omitted.**

ADDENDA <Act No. 8791, Dec. 21, 2007>

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Articles of Incorporation) The articles of incorporation of the Association as at the time this Act enters into force shall be deemed to have obtained authorization of the Minister of Maritime Affairs and Fisheries under the amended provisions of Article 58-2 (1) 1.

(3) (Transitional Measures concerning Head of Association) The head of the Association as at the time this Act enters into force shall be deemed to have obtained the approval of the Minister of Maritime Affairs and Fisheries under the amended provisions of Article 58-2 (1) 3.

ADDENDA <Act No. 8819, Dec. 27, 2007>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 9 Omitted.**

ADDENDA <Act No. 8820, Dec. 27, 2007>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 9 Omitted.**

ADDENDA <Act No. 8852, Feb. 29, 2008>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 8974, Mar. 21, 2008>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 14 Omitted.**

ADDENDA <Act No. 8976, Mar. 21, 2008>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 10 Omitted.**

ADDENDA <Act No. 9276, Dec. 29, 2008>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

ADDENDA <Act No. 9401, Jan. 30, 2009>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 11 Omitted.**

ADDENDA <Act No. 9626, Apr. 22, 2009>

**Article 1 (Enforcement Date)**

This Act shall enter into force one year after the date of its promulgation.

**Articles 2 through 12 Omitted.**

ADDENDA <Act No. 9763, Jun. 9, 2009>

**Article 1 (Enforcement Date)**

This Act shall enter into force nine months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 8 Omitted.**

ADDENDUM <Act No. 10124, Mar. 17, 2010>

This Act shall enter into force three months after the date of its promulgation.

ADDENDA <Act No. 10272, Apr. 15, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Articles 2 through 14 Omitted.**

ADDENDA <Act No. 10331, May 31, 2010>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

**Articles 2 through 13 Omitted.**

ADDENDUM <Act No. 10848, Jul. 14, 2011>

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

ADDENDUM <Act No. 11432, May 23, 2012>

This Act shall enter into force six months after the date of its promulgation.

ADDENDUM <Act No. 11503, Oct. 22, 2012>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 11690, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

(1) This Act shall enter into force on the date of its promulgation.

(2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDA <Act No. 12248, Jan. 14, 2014>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Articles 2 through 25 Omitted.**

ADDENDA <Act No. 12543, Mar. 24, 2014>

**Article 1 (Enforcement Date)**

This Act shall enter into force six months after the date of its promulgation.

**Article 2 (Applicability to Formulation, etc. of Fishery Harbor Development Plans)**

The amended provisions of the main sentence of Article 21 (2) shall apply to fishery harbor development plans the heads of Sis/Guns/Gus formulate or modify after this Act enters into force.

**Article 3 (Applicability to Compliance with Standards, etc. of Seismic Design of Fishery Harbors)**

The amended provisions of Article 24 (3) shall apply to fishery harbor facilities designed in accordance with fishery harbor development plans formulated or modified after this Act enters into force.

**Article 4 (Applicability to Expropriation, etc. of Land, etc.)**

The amended provisions of Article 25-2 shall apply to development projects of land area in fishery harbors implemented in accordance with fishery harbor development plans formulated or modified after this Act enters into force.

**Article 5 (Applicability to Non-Designating Authorities' Reports on Use or Occupancy of Fishery Harbor Facilities)**

The amended provisions of Article 38 (1) 4 shall apply to reports non-designating authorities file with designating authorities on the use of land and facilities or profits accrued therefrom under Article 26 (4) after this Act enters into force.

**Article 6 (Transitional Measures concerning Sale of Land)**

Notwithstanding the amended provisions of the former part of Article 27 (2), the sale of land created or being created by designating authorities through fishery harbor development projects as at the time this Act enters into force shall be governed by the former provisions.