

FRAMEWORK ACT ON FISHERIES AND FISHING VILLAGES DEVELOPMENT

Act No. 13383, jun. 22, 2015
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Act No. 15517, Mar. 20, 2018
Act No. 16210, Jan. 8, 2019
Act No. 16568, Aug. 27, 2019
Act No. 17037, Feb. 18, 2020
Act No. 17748, Dec. 22, 2020

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to promote sustainable development of the fisheries and fishing villages and contribute to improving the life quality of the people and economic development by prescribing directions for fisheries and fishing villages and fundamental matters necessary for direction-setting for the State's policy.

Article 2 (Basic Ideology)

The basic idea of this Act shall be as follows:

1. The fisheries is a key industry that performs economic and public functions, such as stably supplying safe fishery products and contributing to preservation of nation's environment, serving as the basis of development of the national economy, society, and culture;
2. Fisheries resources and fishing ground serve as the foundation of stable supply of fishery products and environmental preservation for the people including future generations, thus shall be used and preserved with care as valuable resources contributing to harmonious development of the fisheries and national economy;
3. Fisheries personnel shall be encouraged to grow as a major economic player to realize a balanced income with participants in other industries, based on autonomy and creativity;
4. A fishing village is a repository rich in inherent tradition and culture and shall be developed as a place of pleasant environment for the people to be bestowed upon future generations.

Article 3 (Definitions)

The terms used in this Act are defined as follows: <Amended on Aug. 27, 2019>

1. The term “fisheries” means any of the following industries, as prescribed by Presidential Decree:
 - (a) Fishery industry: industries of catching or gathering aquatic animals or plants, and producing salt by naturally evaporating sea water at salt farms;
 - (b) Fish transport services: industry of transporting catches or fish products from the field of fishing to a designated landing place;
 - (c) Fish processing industry: industry of manufacturing or processing base and raw materials for other industries such as foodstuffs, feed, fertilizer, cohesive paste, oil and fat or consumer goods by using aquatic animals or plants as base or raw materials;
 - (d) Fishery products distribution industry: business with the purposes of storing, shipping, and packing for conducting wholesale or retail sale of fishery products and providing information and services related thereto;
 - (e) Aquaculture business: An industry that raises aquatic animals and plants pursuant to subparagraph 2 of Article 2 of the Aquaculture Industry Development Act;
2. The term “fishery personnel” means fishery business owners or the persons engaging in a fishery business who can satisfy the standards prescribed by Presidential Decree;
3. The term "Fishers" means those who capture and gather fishery resources for fishermen or run fisheries, aquaculture businessperson under subparagraph 12 of Article 2 of the Aquaculture Industry Development Act or those who engage in the business of cultivating fishers under subparagraph 13 of the same Article, or the business of producing salt by naturally evaporating sea water in salt pans, who fall under the standards prescribed by Presidential Decree;
4. The term “fishery enterprise” means a fisher and a fishing corporation as prescribed in subparagraph 5 of Article 2 of the Act on Fostering and Supporting Agricultural and Fisheries Enterprises;
5. The term “producers' association” means the fishery personnel’s independent association aiming to improve productivity of fisheries and protect fishery personnel’s rights and interests, as prescribed by Presidential Decree;
6. The term “fishing village” means any of the following areas adjacent to river, lakes or seas or the area of fishery harbors’ hinterland, which falls under any of the following areas where fisheries are conducted as a job:
 - (a) Entire area of Eup/Myeon;
 - (b) Area of Dong excluding the commercial and industrial zones designated in accordance with Article 36 (1) 1 of the National Land Planning and Utilization Act;
7. The term “fishery product” means the products produced as a result of engaging in fisheries;
8. The term “fishery resources” means the resources of aquatic animals and plants inhabiting the water that are useful for the national economy and life;

9. The term “fishing ground” means the areas useful for conducting a fishery business or aquaculture business, such as inland waters, sea levels and mud flats inhabited by fishery resources.

Article 4 (Responsibilities of the State and Local Governments and Fishery Personnel and Consumers)

(1) The State and local governments shall enhance sustainable development and public interests of fisheries and fishing village, stably supply safe fishery products and formulate and implement a comprehensive policy in order to foster personnel of fisheries, stabilize income of fishery personnel and residents of a fishing village and improve quality of life.

(2) Fishery personnel and residents of a fishing village shall, as agents for development of fisheries and fishing villages, stably produce and supply safe and quality fishery products and endeavor to contribute to national development through improving productivity and innovating management of fisheries.

(3) A producers’ association shall endeavor for sustainable development of fisheries and fishing villages and for extension of interest of fishery personnel through stabilizing supply and demand and improving distribution channels of fishery products, achieving efficiency in management of fisheries and enhancing public interests of fisheries and fishing villages, etc.

(4) Consumers shall enhance their understanding of the public functions of fisheries and fishing villages and proactively endeavor for sound consumption of fishery products.

Article 5 (Fishery Personnel Day)

(1) April 1st of each year shall be designated as the Fishery Personnel Day to publicly signify the importance of fisheries and fishing villages and to heighten fishery personnel’s pride and self-confidence.

(2) The State and local governments shall may hold a ceremonial event suitable for the object of the fishery personnel’s day.

(3) Matters necessary for holding the ceremonial event of the Fishery Personnel Day in accordance with paragraph (2) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 6 (Relationship to Other Statutes)

To enact or amend a statute, other than this Act, concerning fisheries and fishing villages, the statute shall be in line with this Act.

CHAPTER II FORMULATION OF POLICY ON FISHERIES AND FISHING VILLAGES

Article 7 (Formulation of Master Plans for Development of Fisheries and Fishing Villages)

(1) The Minister of Oceans and Fisheries shall formulate every five years a master plan for development of fisheries and fishing villages (hereinafter referred to as “Master Plan”) for sustainable development of fisheries and balanced development and preservation of fishing villages, following consultation with the

head of a relevant central administrative agency. <Amended on Jan. 8, 2019>

(2) A master plan shall include the following: <Amended on Dec. 22, 2020>

1. Developmental goals and fundamental policy direction-setting for fisheries and fishing villages;
2. Goals for sustainable use and self-sufficiency of fishery resources;
3. Policies concerning fisheries and fishing villages;
4. Measures to raise funds to promote the policies concerning fisheries and fishing villages;
5. Reorganization and reinforcement and preservation of a production basis of fisheries, based on the environment of fishing grounds, areas of sea for fishing ground management, etc.;
6. Matters concerning the enhancement of traffic convenience of fishing villages;
7. Other matters necessary for promoting comprehensive and planned development of fisheries and fishing villages.

(3) When the Minister of Oceans and Fisheries establishes a goal for sustainable use and self-sufficiency of fishery resources pursuant to paragraph (2) 2, he/she shall publicly notify the goal and utilize it as a mid-and long-term policy on fisheries and fishing villages.

(4) When the Minister of Oceans and Fisheries formulates or amends the Master Plan, he/she shall notify such Plan formulated or amended to the head of a relevant central administrative agency, a Metropolitan City Mayor, the Special Self-Governing City Mayor, a Do Governor, and the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor") and submit it to the National Assembly without delay. <Amended on Jan. 8, 2019>

(5) When the Minister of Oceans and Fisheries formulates or amends the Master Plan, he/she shall publish such Plan formulated or amended, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

<Newly Inserted on Jan. 8, 2019>

(6) Where necessary for formulating the Mater Plan, the Minister of Oceans and Fisheries may request the head of a relevant central administrative agency or a Mayor/Do Governor to submit related materials. In such cases, the head of the relevant agency, in receipt of a request for submitting materials, shall comply therewith, unless there is good cause. <Newly Inserted on Jan. 8, 2019>

(7) A Mayor/Do Governor shall formulate and implement a fishery and fishing village developmental plan of a Metropolitan City, the Special Self-Governing City, a Do or the Special Self-Governing Province (hereinafter referred to as "City/Do Plan"), based upon the Master Plan and the characteristics of his/her jurisdictional area. <Amended on Jan. 8, 2019>

(8) The heads of a Si/Gun and an autonomous Gu (excluding an autonomous Gu of the Special Metropolitan City; hereinafter the same shall apply) (hereinafter referred to as "heads of a Si/Gun/ Gu") shall formulate and implement a fishery and fishing village development plan of Si and Gun and autonomous Gu (hereinafter referred to as "Si and Gun and Gu Plan"), based upon the City and Do Plan and the characteristics of jurisdictional areas. <Amended on Jan. 8, 2019>

(9) Other matters necessary for formulating and implementing the Master Plan, City and Do Plan and Si and Gun and Gu Plan shall be prescribed by Presidential Decree. <Amended on Jan. 8, 2019>

Article 8 (Fisheries and Fishing Village Policy Review Committee)

(1) A central fisheries and fishing village policy review committee (hereinafter referred to as “Central Review Committee”) shall be established within the Ministry of Oceans and Fisheries, and a City and Do fisheries and fishing village policy review committee (hereinafter referred to as “City and Do Review Committee”) shall be established within the Metropolitan City, Special Self-Governing City, Do and Special Self-Governing Province, and a Si and Gun and Gu fisheries and fishing village policy review committee (hereinafter referred to as “Si and Gun and Gu Review Committee”) shall be established within Si and Gun and autonomous Gu.

(2) A local deliberative committee shall deliberate on the following: <Amended on Aug. 27, 2019; Feb. 18, 2020>

1. Matters concerning formulation and alteration of the Master Plan, City and Do Plan, Si and Gun and Gu Plan;
2. Matters concerning the formulation and alteration of a master plan for development of aquaculture industry and an implementation plan for development of aquaculture industry under the Aquaculture Industry Development Act;
3. Matters concerning the establishment of, and amendment to, master plans for fostering the fisheries and food industry under the Act on Fostering and Supporting the Fisheries and Food Industry, establishment of comprehensive plans for supporting and fostering fisheries food clusters, and designation and revocation of Korean food masters;
4. The annual report on fisheries and fishing villages prescribed in Article 10;
5. Matters concerning important policies, etc. on fisheries.

(3) Matters necessary for establishment and operation, etc. of the Central Review Committee, City and Do Review Committee and Si and Gun and Gu Review Committee shall be prescribed by Presidential Decree.

Article 9 (Promotion of Master Plans)

(1) For efficient promotion of the Master Plan, City and Do Plan and Si and Gun and Gu Plan, the State and local governments shall endeavor to preferentially reflect in each year’s budget the project costs to be incurred in implementing the Master Plan, City and Do Plan, Si and Gun and Gu Plan.

(2) With respect to the City and Do Plan and Si and Gun and Gu Plan, the Minister of Oceans and Fisheries may evaluate the relevancy between the plans and the Master Plan and the performance and results, etc. of implementation of the plans, and allocate particular budget funds, depending on results of the aforementioned evaluations.

Article 10 (Annual Reports on Fisheries and Fishing Village)

(1) The Government shall prepare its annual report on the status and policy trends, etc. of fisheries and fishing villages and submit it to the National Assembly.

(2) Mayor and Do Governor and the head of a Si and Gun and Gu shall prepare an annual report on status and policy trends, etc. of fisheries and fishing villages within their jurisdiction and submit it to the relevant local council.

(3) The annual report prescribed in paragraphs (1) and (2) shall include evaluation on fisheries and fishing villages, etc. and a supplemental plan prepared in accordance with the evaluation.

Article 11 (Overhaul of Relevant Administrative Organizations)

The State and local governments shall endeavor to improve and reorganize the administrative bodies necessary for efficiently promoting the policies on fisheries and fishing villages.

Article 12 (Management of Safety of Fishery Products at its Production Phase)

The State and local governments shall, for safe and sound production of fishery products, formulate and implement the policies, such as those necessary for tracking production history of fishery products, certifying quality control of fishery products and conducting focused control of harmful elements of fishery products.

Article 13 (Quality Control of Fishery Products)

(1) The State and local governments shall formulate and implement policies, such as those concerning management skills, indication of origin and quality control of fishery products, after production of the fishery products, in order to upgrade quality of fishery products and protect consumers.

(2) The State and local governments shall formulate and implement policies necessary for preventing disease and insect pest of fishery animals and plants and taking measures for hygiene of fishery products.

(3) To protect health of the public and environment of fisheries, the Government shall formulate and implement the policies necessary for quarantine, etc. of the fishery products and animals and plants to be imported or exported.

Article 14 (Stable Supply of Fishery Products)

(1) For stabilized supply and pricing of fishery products, the Government shall formulate and implement the policies necessary to reserve fishery products or procure them from abroad.

(2) For smooth supply and stabilized pricing of fishery products, the State and local governments may formulate and implement the policies necessary for observation of fisheries, adjustment of production, reservation of purchase and raising self-help funds by the producer's association.

(3) The State and local governments may provide support necessary for those such as a fishery enterprise, a producer's association and a person engaging in management of fishery products distribution to efficiently implement the policies prescribed in paragraph (2).

CHAPTER III ESTABLISHMENT OF FOUNDATION AND ENVIRONMENT FOR DEVELOPMENT OF FISHERIES

Article 15 (Stabilization of Management of Fishery Households and Fostering the Personnel Engaging in Fisheries)

(1) To maintain a local community and stabilize fishing villages, the State and local governments shall formulate and implement the policies necessary for improvement of productivity and stabilized management of family labor-focused fishery households, and for expansion, specialization and cooperation, etc. of fishing villages, taking their characteristics into account.

(2) The State and local governments shall establish and implement the policies necessary to secure appropriate number of the personnel engaging in fisheries and bring them up to be professionals.

Article 16 (Fostering of Future Fishery Managers)

To continuously secure future personnel engaging in fisheries, the Minister of Oceans and Fisheries shall formulate and implement the policies necessary to foster and support future fishery managers.

Article 17 (Fostering of Full-Time Fishery Personnel)

(1) The State and local governments shall formulate and implement the policies necessary to foster full-time fishery personnel who can assume pivotal and leading roles in development of fisheries using their professional fishery skills and ability as a manager.

(2) Mayor and Do Governor and the head of a Si and Gun and Gu may select the full-time fishery personnel prescribed in paragraph (1) and provide them with necessary support, as prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 18 (Fostering of Female Fishery Personnel)

(1) Upon formulating and implementing any policies on fisheries, the State and local governments shall expand participation of female fishery personnel and formulate and implement policies necessary for improving status of female fishery personnel and professionalizing them.

(2) The government shall formulate and implement the policies necessary for female fishery personnel to participate in management, etc. of fisheries or receive credit for their socio-economic status equivalent to the degree of their contribution thereto.

Article 19 (Fostering of Fisheries-Related Corporation and Association Corporation)

To improve productivity of fisheries and for efficiency in shipping, distributing, processing, selling, exporting, etc. fishery products, the State and local governments shall formulate and implement the policies necessary to foster fishery partnerships and fishing village corporations, etc. which cooperatively

or enterprisingly conduct management of fisheries.

Article 20 (Fostering of Venture Fisheries)

(1) The State and local governments shall, in order to raise added value of fisheries, develop state-of-the-art scientific technologies and fishery management skills in the field of fisheries and formulate and implement the policies necessary for supporting and fostering venture fisheries and fisheries-related corporations, etc.

(2) Scope of the venture fisheries and fisheries-related corporations prescribed in paragraph (1) and other detailed matters necessary for supporting and fostering them shall be prescribed by Presidential Decree.

Article 21 (Fostering of Persons Who Become Fishers)

The State and local governments shall, for successful settlement and creation of business foundation of those persons who have become fishers (referring to the residents living in the areas, other than a fishing village who have relocated to a fishing village to become fishers), formulate and implement the policies necessary for education, provision of information, assistance in establishing business, etc. for the aforementioned persons.

Article 22 (Fostering of Fisheries-Related Organizations)

(1) The State and local governments may, in order to protect interests of fishery personnel and consumers and promote their economic activities, support establishment and operation of any associations related to fisheries.

(2) Where the associations prescribed in paragraph (1) intend to establish and operate a social consultative body to realize their common goals or establish and operate a facility necessary for educational training, management guidance, consultation, etc. for members of the associations and fishery personnel, etc., the State and local governments may subsidize the associations for the cost necessary therefor.

(3) Matters necessary for the provision of support prescribed in paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 23 (Reorganization of Production Basis of Fisheries)

In order to promote development of environment-friendly fisheries and secure stabilized production capacity in fisheries, the State and local governments shall formulate and implement the policies necessary for reorganization, reinforcement, preservation of the production basis of fisheries.

Article 24 (Fostering the Industry of Fishery Apparatus and Materials and Promoting Mechanization and Facility Modernization)

To minimize the cost incurred in managing fisheries and improving the productivity of fisheries, the State and local governments shall formulate and implement the policies necessary for fostering the industry of

fishery apparatus and materials, etc. and promoting mechanization and facility modernization, etc.

Article 25 (Promotion of Environment-Friendly Fisheries)

In order to help the fisheries and fishing villages preserve the environment and promote production and consumption of safe fishery products, the State and local governments shall formulate and implement policies necessary to establish a production basis of environment-friendly fisheries, etc., to develop production technologies and methods, fishing skills and gears, and aquafarming skills, and to establish a certification system of environment-friendly fishery products and a resource recovery system of by-products of fish and shellfish.

Article 26 (Support of Management Stabilization and Structural Improvement of Fishery Enterprises)

(1) For a fishery enterprise to increase its income through continuous management innovation, the State and local governments shall formulate and implement the policies necessary to consult on management of fisheries, educational training and to provide information, etc.

(2) The State and local governments may provide a fishery enterprise with financial support, based upon its business plan, technology level and management capability, etc.

(3) The State and local governments may provide a fishery enterprise with each of the following support, if the support is deemed necessary for stabilizing income and management of the fishery enterprise or improvement, etc. of management structure of fisheries:

1. Support for preservation of fishing villages and other environments or for reduction of greenhouse gases;
2. Support for recovery from man-made disasters, etc. caused by a disaster or an activity associated with fisheries;
3. Support for expanding, etc. management of fisheries;
4. Support for areas with underdeveloped fisheries;
5. Support for the income support which is not directly related to production in fisheries and for the cost reduction of fishery apparatus and materials;
6. Income support for each fishery household, which is not directly related to a particular item or fishery resource.

(4) The State and local governments may support any fishery personnel falling under the requirements as prescribed by Presidential Decree, among the fishery personnel intending to transfer into another industry or be re-employed (referring to returning back to fisheries: Provided, That this shall not apply to any person who has received the support on expanding, etc. management of fisheries pursuant to paragraph (3) 3; the same shall apply hereinafter) so that their industry transfer or re-employment is securely achieved.

(5) Supporting industry transfer or re-employment as prescribed in paragraph (4) shall be as follows:

1. Providing a job training and referral of employment;

2. Provision of grants for the change of industry or re-employment;
3. Supporting unemployed fishery personnel in their stabilization of living;
4. Other matters specified by Presidential Decree.

(6) Matters necessary for industry transfer or re-employment prescribed in paragraphs (4) and (5) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 27 (Registration of Managerial Information on Fishery Enterprises)

The Government shall require a fishery enterprise which receives or intends to receive financing and subsidy, etc. related to fisheries and fishing villages, to register the information on the fisheries management including means of production methods such as fishing ships, fishing gear, fishing grounds, aquafarms, fishery products the enterprise produces, methods of production, and fishing skills and gear in use, the scale of catching, harvesting, and aquafarming, and shall formulate and implement policies necessary for utilizing the aforementioned information.

Article 28 (Prevention and Restoration of Fisheries Industrial Disaster)

The State and local governments shall formulate and implement the policies necessary to prevent disasters, take emergency measures, restore and operate, etc. fishery disaster insurance, in order to promote stabilized management of fisheries, apart from various disasters.

Article 29 (Improvement of Distribution Channels of Fishery Products)

(1) The State and local governments shall formulate and implement the policies necessary for expansion, in the areas of fishery products production and consumption, of a wholesale market and other various distribution facilities, fishing port, and fish transport facilities and for improvement of operation of the aforementioned facilities.

(2) The State and local governments shall formulate and implement the policies necessary to promote standardization of fishery products, and to collect and provide, etc. various information on distribution of fishery products.

(3) The State and local governments shall formulate and implement the policies necessary to create brand power which systematically performs production, distribution, sale, etc. of fishery products to be jointly or federally conducted by fishery enterprises, producer's associations, fishing village promotion agencies and the schools, etc. prescribed in Article 2 of the Higher Education Act.

Article 30 (Promotion of Fishery-Related Research and Technology Development)

(1) The State and local governments shall promote a project necessary to encourage development of the research and technology related to fisheries.

(2) The State and local governments may fully or partially subsidize or lend the costs incurred in implementing the project prescribed in paragraph (1).

Article 31 (Protection of Intellectual Property Rights)

(1) The Government shall formulate and implement the policies necessary to protect the intellectual property related to fisheries and fishing villages.

(2) The State and local governments shall formulate and implement the policies necessary to protect and foster fisheries, rural industries related to fishing villages, specialized industries in fishing villages, etc.

Article 32 (Statistical Survey of Fisheries and Fishing Villages and Establishment of Database)

(1) The Minister of Oceans and Fisheries may conduct a statistical survey necessary for development of fisheries and fishing villages.

(2) The Minister of Oceans and Fisheries shall establish a fishery database and maintain and manage it after entering in the database, the results of the statistical survey prescribed in paragraph (1) and the results of surveying the operation status, the total fish catches and the status, etc. of distributed fishery resources for each sea and business type in the coastal and inshore fishery business, aquaculture industry, deep-sea fishery.

(3) The Minister of Oceans and Fisheries may entrust to a professional agency such affairs as the statistical survey conducted under paragraph (1) and the establishment of fishery database pursuant to paragraph (2).

(4) Matters necessary for the entrustment prescribed in paragraph (3) shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 33 (Designation and Operation of Dedicated Institutions)

(1) The Minister of Oceans and Fisheries may designate and operate an agency which exclusively performs the affairs required for promotion and development of fisheries (hereinafter referred to as “dedicated agency”).

(2) The Minister of Oceans and Fisheries may provide the dedicated agency with its cost incurred in performing its affairs, within budgetary limits.

(3) Necessary matters concerning the designation, operation, etc. of an exclusively responsible institution shall be prescribed by Presidential Decree.

CHAPTER IV DEVELOPMENT OF FISHING VILLAGES AND IMPROVEMENT OF QUALITY OF LIFE

Article 34 (Continuous Use and Preservation of Fishery Resources and Fishing Ground)

(1) For fishery resources and fishing ground to be continuously used for balanced development of fisheries and the national economy, the State and local governments shall formulate and implement policies necessary to encourage use of fishery resources and fishing villages.

(2) For fishery resources and fishing ground to be maintained at an appropriate scale, the State and local governments shall formulate and implement the policies necessary to preserve fishery resources and fishing grounds.

Article 35 (Preservation of Natural Environment and Landscape of Fishing Villages)

The State and local governments shall formulate and implement the policies necessary to preserve and maintain, etc. the natural environment and landscape of fishing villages, coastal areas and the fishery ecological system.

Article 36 (Succession to Traditional Fishing Culture)

The State and local governments shall formulate and implement the policies necessary for maintaining and succeeding to traditional fishing cultures, fishing antiquities, traditional fishing methods, native fishery biological resources and fishing village communities and for exhibiting, educating, advertising and designating and managing, etc. of heritage of fisheries that are related to the aforementioned efforts of maintaining and succeeding.

Article 37 (Research and Advertisement of Public Functions of Fisheries and Fishing Villages)

The State and local governments shall formulate and implement the policies necessary for the research, survey, education and advertisement, etc. required for maximum enhancement of public functions of fisheries and fishing villages and utilization thereof by general public.

Article 38 (Improvement of Fishing Village's Quality of Life)

(1) The State and local governments shall formulate and implement the policies which include each of the following matters, in order to improve the quality of life of residents in fishing villages:

1. Increasing residents' income of fishing villages which is necessary for the balanced development between urban and fishing villages, such as narrowing the income gap between urban and fishing villages;
2. Improving, etc. such factors as residential environment, production and sale of the principal products of the areas poor in fishery production conditions due to geographic limitations;
3. Expanding fishing village students' opportunity to learn, exemption or reduction of educational spendings of fishing village residents, and improvement of educational environment in fishing villages, etc.;
4. Fishing villages' improvement of residential environment, expansion of medical services, enhancement of civilized living, income stabilization, settlement of multi-cultural families and enhancement of senior fishery personnel's fishery management activities and welfare, etc.

(2) Where the policies are formulated pursuant to paragraph (1), the State and local governments shall preferentially consider the public functions of fisheries and fishing villages and the deteriorated areas poor

in fishery production and living conditions, etc. and shall endeavor to harmonize the efforts for development and preservation.

Article 39 (Promotion and Development of Industries of Fishing Villages)

(1) In order to increase the income of fishing village residents and vitalize production of fisheries, the State and local governments shall formulate and implement the policies necessary for establishing a fishing village industrial complex, fostering a local specialty production complex and fostering, etc. fishery-related industries, such as fish processing industry industry, traditional game industry and fishery leisure industry.

(2) For sustainable development of fishing villages and increase of fishing village residents' income, the State and local governments shall formulate and implement the policies necessary for education, training and consulting, etc. of the residents, public officers in local governments and community development specialists, etc. who participate in local development.

Article 40 (Promotion of Exchanges Between Cities and Fishing Villages)

(1) For balanced development between cities and fishing villages and increasing fishing village residents' income and enhancing their quality of life through improving fishing villages' social and economical vitality and satisfying urban residents' need for experiencing and recreational demand for lives in a fishing village, the State and local governments shall formulate and implement the policies necessary to vitalize mutual exchange between cities and fishing villages, such programs as a fishing-village tour which features distinct local characteristics, a fishing-village experience program and a program for developing fishery-related natural learning and resort resources, etc.

(2) The State and local governments may provide support necessary for the installation and operation of facilities, such as local cultural facilities, holding of cultural events, etc. in order to promote the policies referred to in paragraph (1).

Article 41 (Promoting Informatization of Fisheries and Fishing Villages)

(1) The State and local governments shall formulate and implement the policies necessary for development and operation, etc. of information communication devices and programs to promote informatization of fisheries and fishing villages.

(2) The State and local governments may provide the support necessary for those persons, etc. who provide the information relevant to fisheries and fishing villages, as prescribed by Presidential Decree, to effectively promote the policies prescribed in paragraph (1).

**CHAPTER V FISHERIES AND FISHING VILLAGE POLICY
AND INTERNATIONAL CORPORATION IN
PREPARATION OF UNIFICATION**

Article 42 (Examination and Research of Production of Fisheries of North Korea)

(1) The Government shall conduct a research and study on the production system, fishery business system, distribution system of fishery products, production basis, scientific technology, consultation on management, education for fishery personnel and statistics, etc. of North Korean fisheries, to prepare for unification of South and North Korea.

(2) The Government shall formulate and implement the policies necessary for co-operative development of fisheries and fishing villages of South and North Korea.

Article 43 (Trade Policy of Fisheries and Fishing Villages)

(1) The Government shall formulate and implement a comprehensive trade policy concerning fisheries and fishing villages in order to secure rights and interests of the people; and shall formulate and implement supplemental measures where the public functions of fisheries and fishing villages are weakened following changes in major trade circumstances.

(2) Where the Government formulates and implements a trade policy or formulates supplemental measures in the area of fisheries pursuant to paragraph (1), the Government shall cause professionals in private sector or relevant institutions, etc. to participate therein and the opinions of fishery personnel and other interested persons to be heard.

(3) Where development of domestic fisheries and fishing villages, etc. is deemed to be substantially affected by increasing importation of foreign fishery products, the Government shall formulate necessary countermeasures, such as the restrictions on importation pursuant to the Foreign Trade Act and other relevant statutes.

Article 44 (International Corporation in the Area of Fisheries and Fishing Villages)

(1) In order to promote international cooperation in the areas of fisheries and fishing villages, the Government shall formulate and implement the policies necessary for exchanging information and fisheries personnel and technologies and participating in the international activities concerning fisheries, etc.

(2) The Government shall formulate and implement the policies necessary for expanding the basis required to stably secure fishery resources and overseas fishing grounds and to provide developing countries with personal, material, and technical support.

(3) The Government shall promote the policies necessary for supporting fishery enterprises' overseas investment, etc. and research and study on overseas investment in the areas of fisheries and related industries and for securing foreign fishing grounds.

Article 45 (Promoting Exportation of Fishery Products)

(1) The State and local governments shall formulate and implement the policies necessary for developing overseas markets and collecting and providing, etc. trade information, to promote exportation of fishery products.

(2) In order to effectively implement the policies prescribed in paragraph (1), the State and local governments may provide necessary support to fishery enterprises, producer's associations and fishery-product exporters, etc.

CHAPTER VI FISHERIES DEVELOPMENT FUND

Article 46 (Establishment of Funds)

In order to raise funds necessary for supporting management of fisheries, improving fishery products distribution system, stabilizing price and fostering competitive fisheries, the Government shall establish a fisheries development fund (hereinafter referred to as "Fund").

Article 47 (Raising Fund)

(1) The Fund shall be raised from the following financial resources: *<Amended on Mar. 21, 2017>*

1. Contributions from the Government;
2. Amount of money transferred from other accounts or funds and deposit received;
3. Contribution or donation from those persons, other than the Government;
4. Deposits received from the Public Capital Management Fund established under the Public Capital Management Fund Act;
5. Proceeds from sale of the fishing ships, fishing gear, equipment and facilities of a fishing ship prescribed in Articles 13 (1) 1 and 17 (1) 1 of the Act on the Restructuring of and Support for Coastal and Inshore Fisheries. Where the purchaser of the aforementioned sale is the Mayor/Do Governor, however, the sale price shall be prescribed by Presidential Decree within the scope not exceeding 70/100;
6. Proceeds from sale of the land of the State fishing ports, among the proceeds from sale of lands pursuant to Article 27 (1) of the Fishing Villages and Fishery Harbors Act;
7. Alloted marine environment improvement charges and additional charges pursuant to Articles 19 and 20 of the Marine Environment Management Act;
8. Occupation and usage fees for collecting soil, stone, sand, gravel, etc. at the dedicated economic zone prescribed in Article 2 of the Act on the Exclusive Economic Zone and Continental Shelf or extracting minerals pursuant to the Mining Industry Act, among the occupation and usage fees under the jurisdiction of the Minister of Oceans and Fisheries pursuant to Article 13 (2) of the Public Waters Management and Reclamation Act;
9. Cooperative charges for preservation of the marine ecosystem and additional charges pursuant to Articles 49 and 51 of the Conservation and Management of Marine Ecosystems Act;

10. Payment for public sale or income gains directly charged by or the payment of which is ordered by the Minister of Oceans and Fisheries pursuant to Article 22 (1) of the Special Act on Assistance to Farmers, Fishers, etc. Following the Conclusion of Free Trade Agreements;
 11. Charges for using deep sea water under Article 40 of the Development and Management of Deep Sea Water Act;
 12. Debt or loan pursuant to paragraph (2);
 13. Profits, etc. from management of the Fund;
 14. Amount paid pursuant to Article 40 (3) of the Fishery Products Distribution Management and Support Act;
 15. Amount paid pursuant to Article 41 (5) of the Fishery Products Distribution Management and Support Act;
 16. Amount paid pursuant to Article 45 (2) of the Fishery Products Distribution Management and Support Act.
- (2) The Government may grant a loan to the Fund from the money borrowed from domestic market or abroad.

Article 48 (Operation and Management of Fund)

- (1) The Fund shall be managed and administered by the Minister of Oceans and Fisheries.
- (2) The Minister of Oceans and Fisheries may entrust all or part of the affairs concerning management and administration of the Fund to the National Federation of Fisheries Cooperatives established pursuant to the Fisheries Cooperatives Act, as prescribed by Presidential Decree.
- (3) The Minister of Oceans and Fisheries shall conduct accounting of the Fund in accordance with the enterprise accounting principles.
- (4) The Minister of Oceans and Fisheries may conduct an accounting after establishing a separate account, if necessary for efficient management and administration of the Fund, as prescribed by Presidential Decree.
- (5) Matters necessary for management and administration, etc. of the Fund shall be prescribed by Presidential Decree.

Article 49 (Use of Fund)

- (1) Where necessary for implementing each of the following projects, the Fund may support them by granting a loan, subsidy and other methods: *<Amended on Jun. 22, 2015; Mar. 20, 2018>*
 1. Improving the structure of an inshore fishery industry, a coastal fishery industry and a fishery industry within a demarcated zone;
 2. Fostering aquaculture;
 3. Providing loan necessary for management of fisheries;

4. Improving the distribution structure of fishery products, such as producers' consignment sale business;
5. Stabilizing the price of fishery products through the control, etc. of their production and shipment pursuant to Articles 4, 8, 10 through 12 of the Act on Distribution and Price Stabilization of Agricultural and Fishery Products and Articles 38 through 43 of the Fishery Products Distribution Management and Support Act;
6. Storing and managing fishery products;
7. Improving the marine environment to protect fishery resources;
8. Providing support for the quality control of deep sea water, the development of the deep sea water industry, and the research and development of deep sea water and other fishery resources;
9. Developing new fishing grounds (including subsidizing expenses for going out fishing into a new fishing ground by the fishery personnel of the fishery industry whose areas of operation and amount of catches are limited due to delayed implementation of fisheries agreements to which the Republic of Korea is a signatory or member);
10. Fostering the fish processing industry;
11. Providing support for fishers, etc. pursuant to Articles 4 through 9 of the Special Act on Assistance to Farmers and Fishers Following the Conclusion of Free Trade Agreements;
12. Conducting business activities necessary to conserve and manage marine ecosystems prescribed in the Conservation and Management of Marine Ecosystems Act;
13. Incurring expenses in levying and collecting the payment for public sale or the revenue gains prescribed in Article 47 (1) 10;
14. Conducting business activities necessary to promote the welfare of the crew members of fishing vessels and develop fisheries, as determined by the Minister for Oceans and Fisheries;
15. Business of vitalizing direct dealing of fishery products pursuant to Article 47 (2) of the Fishery Products Distribution Management and Support Act.

(2) The Fund may be used to subsidize expenses incurred in installing, acquiring and operating facilities necessary to perform the affairs relating to the distribution and price stabilization of fishery products, including a producers' consignment sale business, as well as to serve such purposes prescribed by Presidential Decree.

(3) The application procedures and payment methods of the subsidy pursuant to paragraph (1) and other necessary matters shall be prescribed by Presidential Decree. <Amended on Mar. 20, 2018>

(4) With respect to the provision of support referred to in paragraph (1) 11, Articles 5 through 12, 16 and 17 of the Special Act on Assistance to Farmers and Fishers Following the Conclusion of Free Trade Agreements shall apply mutatis mutandis.

Article 50 (Accounting Personnel of Fund)

(1) The Minister for Oceans and Fisheries shall appoint a Fund revenue collection officer, a Fund financial officer, a Fund disbursement officer and a Fund accounting official from among public officials under his/her jurisdiction to take charge of the affairs of revenue and expenditure of the Fund.

(2) The Minister for Oceans and Fisheries shall, upon fully or partially entrusting the affairs of operation and management of the Fund pursuant to Article 48 (2), appoint a director taking charge of the Fund revenue and a director in charge of encumbrance of the Fund from among the directors of the National Federation of Fisheries Cooperatives so entrusted, and a Fund disbursing employee and a Fund accounting employee from among the employees thereof, respectively.

(3) The Minister for Oceans and Fisheries shall notify the Board of Audit and Inspection, the Minister of Economy and Finance and the Governor of the Bank of Korea of such appointment, upon appointment of a Fund revenue collection officer, a Fund financial officer, a Fund disbursing officer, a Fund accounting official, a director taking charge of the Fund revenue, a director in charge of encumbrance of the Fund, a Fund disbursing employee and a Fund accounting employee pursuant to paragraphs (1) and (2).

CHAPTER VII SUPPLEMENTARY RULES

Article 51 (Support and Administration of Fisheries Policy Funds)

(1) The Government shall formulate and implement the policies necessary for operation and support of fisheries policy funds, such as its provision of loans and subsidies to fishery personnel, etc. to enhance competitiveness of fisheries.

(2) The Minister of Oceans and Fisheries shall formulate a policy to efficiently promote operation and management and supervision, etc. of fisheries policy funds and implement projects necessary therefor.

(3) The Minister of Oceans and Fisheries may entrust operation and management and supervision of fisheries policy funds and other affairs as prescribed by Presidential Decree to the persons prescribed by Presidential Decree, to efficiently implement the projects prescribed in paragraph (2).

(4) Where the Minister of Oceans and Fisheries entrusts affairs in accordance with paragraph (3), he/she may provide necessary support to the trustee.

Article 52 (Persons Deemed to be Public Officials for Purposes of Penalty Provisions)

Any of the following persons shall be deemed public officials in applying Articles 127 through 129 and 132 of the Criminal Act:

1. A member of fisheries and fishing village policy review committees prescribed in Article 8 who is not a public official;
2. An executive officer and employee of the dedicated agency that performs affairs prescribed in Article 33;
3. An executive officer and employee of the National Federation of Fisheries Cooperatives that performs affairs entrusted under Article 48.

ADDENDA <Act No. 13383, Jun. 22, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Articles 6 (2) and 12 (1) of the Addenda (respectively referring to the provision amended pursuant to Article 9 (1) of the Addenda to the Fishery Products Distribution Management and Support Act, Act No. 13268), among Article 4 (58) of the Addenda shall enter into force on March 28, 2016.

Article 2 (Transitional Measures concerning Fishery Industry and Fishing Village Development Plans, Etc.)

The fishery industry development plan formulated by the Minister of Oceans and Fisheries, the City/Do Plan formulated by the Mayor/Do Governor and the Si/Gun/Gu Plan formulated by the head of a Si/Gun/Gu pursuant to Article 14 of the former Framework Act on Agriculture and Fisheries, Rural Community and Food Industry as at the time this Act enters into force, shall be deemed, until a new Master Plan, etc. is formulated pursuant to Article 7 of this Act, to be the Master Plan, City/Do Plan and Si/Gun/Gu Plan under this Act, respectively.

Article 3 (Transitional Measures concerning the Policy Review Committees)

The central fishery industry and fishing village policy review committee established within the Ministry of Oceans and Fisheries, the City/Do fishery industry and fishing village policy review committee established in a City/Do and the Si/Gun/Gu fishery industry and fishing village policy review committee established in a Si/Gun/Gu pursuant to Article 15 of the former Framework Act on Agriculture and Fisheries, Rural Community and Food Industry as at the time this Act enters into force, shall be deemed, until a policy review committee is newly established pursuant to Article 8 of this Act, to be the central fisheries and fishing village policy review committee, City/Do fisheries and fishing village policy review committee and Si/Gun/Gu fisheries and fishing village policy review committee established pursuant to this Act, respectively.

Article 4 Omitted.

ADDENDA <Act No. 14605, Mar. 21, 2017>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDUM <Act No. 15517, Mar. 20, 2018>

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

ADDENDUM <Act No. 16210, Jan. 8, 2019>

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

ADDENDA <Act No. 16568, Aug. 27, 2019>

Article 1 (Enforcement Date)

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

Articles 2 through 16 Omitted.

ADDENDA <Act No. 17037, Feb. 18, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 10 Omitted.

ADDENDUM <Act No. 17748, Dec. 22, 2020>

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