

FRAMEWORK ACT ON MARINE DEVELOPMENT

Act No. 3983, Dec. 4, 1987

Amended by Act No. 5153, Aug. 8, 1996

Article 1 (Purpose)

The purpose of this Act is to contribute to the development of the national economy and the improvement of the national welfare by providing the direction of the Government's basic policy necessary for rational development, utilization and preservation of the sea and marine resources (hereinafter referred to as "marine development").

Article 2 (Definitions)

For the purpose of this Act,

1. the term "sea" means the sea area such as internal waters, territorial sea, continental shelf, etc. of the Republic of Korea, to which the sovereignty or jurisdiction of the Republic of Korea extends, and the sea area beyond the limits of the jurisdiction of the Republic of Korea, in the development, utilization and preservation of which the Government or citizens of the Republic of Korea may participate under international conventions or with the consent of foreign countries; and

2. the term "marine resources" means marine living resources, marine mineral resources, marine energy resources, marine space resources and other useful resources which are to be developed and used from the sea.

Article 3 (Establishment of Marine Development Plan)

1. The Government shall establish a comprehensive and basic plan for the marine development (hereinafter referred to as "basic plan"), and implement and enforce each year the execution plan for the marine development (hereinafter referred to as "execution plan") according to the basic plan.

2. The basic plan as referred to in paragraph 1 shall include the following matters, and the execution plan shall include concrete matters to enforce the basic plan:

- A. The fundamental conception of the Government concerning the marine development;
- B. The target toward which the marine development is carried;
- C. The research on science and technology for the marine development;
- D. The preservation and management of the marine environment;
- E. The rational coordination and control of the marine development;
- F. The construction and management of the marine technology complex;
- G. The support of the marine institutes and training of technical manpower;
- H. The proficient and efficient transfer of information for promoting the marine development;
- I. The international cooperation pertaining to the marine development; and

J. Other matters necessary for promoting synthetically and systematically the marine development.

3. The Government shall establish the basic plan as referred to in paragraph 1 through the deliberation of the Marine Development Committee as prescribed in Article 13, and the State Council, and announce it publicly.

Article 4 (Submission of Report)

The Government shall prepare each year a report on the basic and execution plans and submit it to the National Assembly.

Article 5 (Scientific Research on Sea and Development of Technology)

The Government shall adopt policies necessary for scientific research and technical development of the sea for the marine development.

Article 6 (Development of Marine Living Resources)

In order to explore, develop, preserve and manage marine living resources, the Government shall adopt policies necessary for the exploitation of fishing grounds, improvement of fishing and processing technology, development of breeding scientific culture techniques and continuous extension reproduction of marine living resources.

Article 7 (Development of Marine Mineral Resources)

The Government shall adopt policies necessary for exploring and developing useful mineral resources which exist in the marine environment in various forms including minerals dissolved in the seawater.

Article 8 (Development of Marine Energy)

The Government shall adopt policies necessary for generating electric power from potential energy resources, from ebb and flow, waves, tidal current, etc..

Article 9 (Utilization of Marine Space Resources)

The Government shall adopt policies necessary for utilizing marine space resources, such as creating land by reclamation and in-filling, development of sea routes and harbors, installation of marine structures and facilities, construction of artificial islands, etc..

Article 10 (Preservation of Marine Environment)

In order to preserve and manage comfortable marine environment, the Government shall adopt policies necessary for analysis and evaluation of effects caused by the marine development projects; for prevention and elimination of factors aggravating the marine environment; and for restoration of polluted marine areas.

Article 11 (Rational Coordination of Marine Development)

The Government shall, for a harmonious sea development, adopt policies necessary for a prudent and judicious marine development through rational coordination between the sea utilization and analysis, and between marine environment and the marine development projects.

Article 12 (Construction of Marine Technology Complex)

The Government shall adopt policies necessary for construction and management of a well organized and coordinated marine technology complex concentrating on organic research, education, technical information management system and related industry necessary for effectively promoting marine development.

Article 13 (Marine Development Committee)

1. In order to implement the basic plan and other established important policies concerning the marine development, the Marine Development Committee (hereinafter referred to as "Committee") shall be established under the jurisdiction of the Prime Minister.
2. The Committee shall be composed of twenty members, or less including a chairman.
3. The chairman shall be the Prime Minister, and members shall be appointed or commissioned by the Prime Minister among heads of the central administrative agencies and those of rich learning and, experience on the marine development.

Article 14 (Request for Presentation of Materials, etc.)

1. If it is deemed necessary for performing duties, the Committee may request the heads of the administrative agencies concerned to present related materials or state opinions.
2. The head of the administrative agency shall, upon receiving a request under paragraph 1, comply with the request unless he has any justifiable reason.

Article 15 (Working Committee)

In order to prepare matters to be deliberated by the Committee and to settle matters to be delegated to the Committee, the Marine Development Working Committee (hereinafter referred to as "Working Committee") shall be established under the jurisdiction of the Minister of Maritime Affairs and Fisheries. <Amended by Act No. 5153, Aug. 8, 1996>

Article 16 (Provisions of Delegation)

The organization and operation of the Committee, and the Working Committee and other essential matters shall be determined by the Presidential Decree.

Article 17 (Establishment and Support of Institute)

The Government shall establish an institute for research and development of scientific technology for the marine development, and adopt policies necessary for supporting the institute.

Article 18 (Strengthening of Marine Sciences Education)

1. The Government shall adopt policies necessary for training and effective utilization of technical manpower required for the marine development.
2. The Government shall adopt policies necessary for promoting the citizens' understanding of marine development through encouragement of public participation and public education.

Article 19 (Efficient Management of Information System Technology)

The Government shall adopt policies necessary for obtaining highly advanced and innovative data processing technology and efficient data transfer technology circulation on the marine development.

Article 20 (Encouragement of Joint Research)

The Government shall adopt policies necessary for establishing an organic joint research system among academics, research institutes and industries.

Article 21 (Promotion of International Cooperation)

The Government shall adopt policies necessary for promoting international cooperation, in the areas of technical cooperation, exchange of information, joint investigation and analysis, etc. on the marine development with international communities and international organizations.

Article 22 (Legal Measures, etc.)

The Government and local governments shall establish and implement legal and financial obligation necessary for accomplishing the purpose of this Act.

Article 23 (Readjustment, etc. of Administrative Organization)

In order to forward effectively the marine development, the Government shall take necessary measures, such as readjustment of administrative organizations, improvement of administrative operation, etc..

Article 24 (Enforcement Decree)

Matters necessary for the enforcement of this Act shall be determined by the Presidential Decree.

ADDENDUM

This Act shall come into force six months after its promulgation.

ADDENDA<Act No. 5153, Aug. 8, 1996>

Article 1 (Enforcement Date)

This Act shall come into force on the enforcement date of the Presidential Decree relating to the organization of the Ministry of Maritime Affairs and Fisheries and of the National Maritime Police Agency pursuant to the provision amended in Article 41 of this Act within 30 days from the promulgation of this Act.

Articles 2 through 4 Omitted.