

SPECIAL ACT ON SUPPORT FOR SPECIALIZED DEVELOPMENT OF FISHING VILLAGES

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Act No. 11998, Aug. 6, 2013
Act No. 12248, Jan. 14, 2014
Act No. 12329, Jan. 21, 2014
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Act No. 13271, Mar. 27, 2015
Act No. 13383, jun. 22, 2015
Act No. 13805, Jan. 19, 2016
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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to assist fishing village residents by autonomously promoting sustainable development based on trust and cooperation.

Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on Mar. 27, 2015; Jun. 22, 2015>

1. The term "fishing village" means a fishing village as defined in subparagraph 6 of Article 3 of the Framework Act on Fisheries and Fishing Villages Development;
2. The term "specialized fishing village" means an area where residents promote sustainable development by voluntarily establishing a specialized fishing village committee under Article 27 (1), among fishing villages;

3. The term "specialization of a fishing village" means a specialized fishing village community's activities to create or add value to goods and services produced or supplied in the specialized fishing village, by combining or linking any tangible or intangible resources of the specialized fishing village, such as fishery products, nature and culture, with the manufacturing business, such as producing or processing seafood; the service business, such as distribution or tourism; or with relevant goods and services;
4. The term "fishing village specialization project" means a project executed under a plan for the specialized development of fishing villages formulated pursuant to Article 6 to promote the specialization of fishing villages;
5. The term "community" means a group which serves as the pivotal point for the local community in everyday life, industrial activities, etc.; the members of which can be specified internally; and the entity of which is recognized;
6. The term "specialized fishing village facility" means a structure or facility designated as such pursuant to Article 22, which is built to implement a fishing village specialization project or used for such project;
7. The term "social agreement on fishing villages" means a social agreement that a specialized fishing village committee established under Article 27 (1) enters into with the competent local government, by encouraging participation by interested parties, such as local residents and landowners inside and outside the relevant villages, nongovernmental organizations, enterprises, etc. to promote the specialization of fishing villages.

Article 3 (Principles Promoted by Specialized Fishing Villages)

- (1) A specialized fishing village shall develop into a special hub connecting oceans and land.
- (2) A specialized fishing village shall develop into a supplier of fishery products and into a marine tourism destination with a pleasant environment, beautiful scenery, and safe housing.
- (3) A specialized fishing village shall promote autonomous development based on spontaneous will and capabilities of its residents.

Article 4 (Duties of State and Local Governments)

- (1) Each year, the State may appropriate expenses incurred in developing specialized fishing villages, for the relevant budget, within national fiscal constraints.
- (2) Local governments shall have the responsibility to support sustainable development of specialized fishing villages.

Article 5 (Responsibilities of Specialized Fishing Villages)

Specialized fishing villages shall have the responsibility to cooperate in promoting autonomous development of communities; facilitating the use of public waters, land, and facilities; and conserving,

creating, and managing the ecosystem and scenery (hereinafter referred to as "conservation, etc. of scenery").

CHAPTER II FORMULATION, ETC. OF PLANS FOR SPECIALIZED DEVELOPMENT OF FISHING VILLAGES

Article 6 (Formulation, etc. of Plans for Specialized Development of Fishing Villages)

(1) A Special Self-Governing Province Governor or the head of a Si/Gun/Gu (the head of a Gu means the head of an autonomous Gu; hereinafter referred to as the "head of a Si/Gun/ Gu") who intends to implement a fishing village specialization project, shall formulate or amend a plan for the specialized development of fishing villages, after analyzing the status of resources and competitiveness of industries and identifying future growth potential in fishing villages in his/her jurisdiction: Provided, That where a specialized fishing village development planning zone provided for in Article 8 spans at least two of Sis, Guns and Gus, the heads of the relevant Sis/Guns/Gus shall jointly formulate or amend an integrated plan for the specialized development of fishing villages through consultation. *<Amended on Mar. 27, 2015>*

(2) The head of a Si/Gun/Gu shall formulate or amend a plan for the specialized development of fishing villages (hereinafter referred to as "plan for the specialized development of fishing villages") pursuant to paragraph (1) according to the plans specified in the attached Table. *<Amended on Mar. 27, 2015>*

(3) To formulate or amend a plan for the specialized development of fishing villages, the head of a Si/Gun/Gu shall submit the plan for deliberation to the relevant Si/Do fisheries/fishing village policy review committee (hereinafter referred to as "Si/Do fisheries/fishing village policy review committee") or to the relevant Si/Gun/Gu fisheries/fishing village policy review committee (hereinafter referred to as "Si/Gun/Gu fisheries/fishing village policy review committee") established pursuant to Article 8 of the Framework Act on Fisheries and Fishing Villages Development. In such cases, where the heads of Sis/Guns/Gus have jointly formulated or amended an integrated plan for the specialized development of fishing villages under the proviso to Article 6 (1), they shall submit the integrated plan for further deliberation to the relevant Si/Gun/Gu fisheries/fishing village policy review committee. *<Amended on Mar. 27, 2015; Jun. 22, 2015>*

(4) Deleted. *<Mar. 27, 2015>*

(5) Upon formulating or amending a plan for the specialized development of fishing villages, the head of a Si/Gun/Gu shall give public notice thereof.

Article 7 (Contents of Plans for Specialized Development of Fishing Villages)

(1) A plan for the specialized development of fishing villages shall contain the following: *<Amended on Mar. 27, 2015>*

1. Objectives of, and basic direction-setting for, specialization of the fishing villages;
- 1-2. The name, location, and area of a specialized fishing village development planning zone designated under Article 9 (1);
2. The status of resources in, and characteristics of, the specialized fishing villages;
3. A development model for the specialized fishing villages, which relates to exchanges, tourism, fine views, recreation, leisure, activity-based programs, etc.;
4. Specialized fishing village facilities to be established based on the development model for the specialized fishing villages;
5. Measures to fund the execution of the plan for the specialized development of fishing villages, as well as financial management schemes;
6. Entities participating in the plan for the specialized development of fishing villages, their roles, and relevant agreements;
7. Measures to enhance mutual trust and cooperation between specialized fishing village members;
8. Diversifying fishing village industries, upgrading their structures, and making them high value-added industries through specialization of the fishing villages;
- 8-2. Connecting a fishing village specialization project with other projects;
9. Any other matters prescribed by Presidential Decree regarding specialization of fishing villages.

Article 8 (Application for Designation of Specialized Fishing Village Development Planning Zones)

(1) Upon formulating or amending a plan for the specialized development of fishing villages, the head of a Si/Gun/Gu shall apply for the designation or alteration of a specialized fishing village development planning zone to the competent Metropolitan City Mayor or Do Governor (hereinafter referred to as the "Mayor/Do Governor"): Provided, That a Special Self-Governing Province Governor or the heads of Sis/Guns/Gus, who have jointly formulated or amended an integrated plan for the specialized development of fishing villages through consultation under the proviso to Article 6 (1), shall apply for such designation or alteration to the Minister of Oceans and Fisheries. <Amended on Mar. 27, 2015>

(2) To apply for the designation of a specialized fishing village development planning zone pursuant to paragraph (1), the head of a Si/Gun/Gu shall file an application with the competent Mayor/Do Governor, subject to deliberation by the relevant Si/Gun/Gu fisheries/fishing village policy review committee: Provided, That where the heads of Sis/Guns/Gus have jointly formulated or amended an integrated plan for the specialized development of fishing villages under the proviso to Article 6 (1), they shall file an application with the Minister of Oceans and Fisheries, subject to further deliberation by the relevant Si/Gun/Gu fisheries/fishing village policy review committee, as prescribed by Presidential Decree; and a Special Self-Governing Province Governor who has formulated or amended a plan for the specialized development of fishing villages shall submit the plan for deliberation to the relevant Si/Do fisheries/fishing village policy review committee. <Amended on Mar. 23, 2013; Mar. 27, 2015; Jun. 22, 2015>

(3) Where a plan for the specialized development of fishing villages meets the requirements prescribed by Presidential Decree in terms of the type, period, scale, etc., deliberation of the plan by the relevant Si/Do fisheries/fishing village policy review committee or Si/Gun/Gu fisheries/fishing village policy review committee may be omitted, notwithstanding paragraph (2). *<Amended on Mar. 27, 2015; Jun. 22, 2015>*

Article 9 (Designation, etc. of Specialized Fishing Village Development Planning Zones)

(1) Upon receipt of an application for designation or alteration under Article 8, the Minister of Oceans and Fisheries or the competent Mayor/Do Governor may designate or alter a specialized fishing village development planning zone. In such cases, the Minister of Oceans and Fisheries or the Mayor/Do Governor shall hold a public hearing in advance to hear opinions of local residents and interested parties before designating or altering the specialized fishing village development planning zone, as prescribed by Presidential Decree. *<Amended on Mar. 23, 2013; Mar. 27, 2015>*

(2) Upon designating or altering a specialized fishing village development planning zone pursuant to paragraph (1), the Minister of Oceans and Fisheries or the competent Mayor/Do Governor shall give public notice of matters prescribed by Presidential Decree in the Official Gazette or bulletin; and forward copies of relevant documents to the head of the competent Si/Gun/Gu. *<Amended on Mar. 23, 2013; Mar. 27, 2015>*

(3) Upon receipt of copies of relevant documents under paragraph (2), the head of the competent Si/Gun/Gu shall make such copies available for public inspection.

(4) Article 8 of the Framework Act on the Regulation of Land Use shall apply mutatis mutandis to giving public notice of topographical drawings of specialized fishing village development planning zones designated or altered pursuant to paragraph (1), as well as to hearing opinions of local residents. *<Amended on Mar. 27, 2015>*

Article 10 (Special Cases concerning the National Land Planning and Utilization Act)

(1) Where necessary to implement a plan for the specialized development of fishing villages, the head of a Si/Gun/Gu may set the maximum limits on the building-to-land ratio by ordinance, within the limits specified in Article 77 of the National Land Planning and Utilization Act.

(2) Where necessary to implement a plan for the specialized development of fishing villages, the head of a Si/Gun/Gu may set the maximum limits on the floor area ratio by municipal ordinances, within the limits specified in Article 78 of the National Land Planning and Utilization Act.

(3) The necessity for applying special exceptions under paragraphs (1) and (2), details thereof, and matters prescribed by Presidential Decree shall be included in the relevant plan for the specialized development of fishing villages. In such cases, the plan for the specialized development of fishing villages shall be formulated, subject to deliberation by the relevant Si/Gun/Gu Urban Planning Committee established pursuant to Article 113 of the National Land Planning and Utilization Act.

Article 11 (Application of the Act on the Improvement of Urban Areas and Residential Environments)

- (1) Where the contents of a plan for the specialized development of fishing villages formulated or amended pursuant to Articles 6 through 8 satisfy the requirements for improvement projects defined in subparagraph 2 of Article 2 of the Act on the Improvement of Urban Areas and Residential Environments and the relevant area meets the criteria prescribed by Presidential Decree, the head of the competent Si/Gun/Gu may formulate an improvement plan and designate an improvement zone pursuant to Article 8 or 9 of the Act on the Improvement of Urban Areas and Residential Environments, as prescribed by Presidential Decree, even though the scale of the area to be improved fails to meet the district-unit planning scale specified in the National Land Planning and Utilization Act. *<Amended on Feb. 8, 2017>*
- (2) Where the head of a Si/Gun/Gu formulates or amends an improvement plan and designates an improvement zone pursuant to paragraph (1), an implementer provided for in Articles 24 through 27 of the Act on the Improvement of Urban Areas and Residential Environments may commence an improvement project pursuant to Article 12 or Articles 23 through 30 of the same Act. *<Amended on Feb. 8, 2017; Feb. 18, 2020>*
- (3) Where the head of a Si/Gun/Gu commences an improvement project pursuant to paragraph (2), he/she may designate a project agent under Article 28 of the Act on the Improvement of Urban Areas and Residential Environments from among persons specified in Article 12 (1) of this Act. *<Amended on Feb. 8, 2017; Feb. 18, 2020>*
- (4) Where a specialized fishing village committee promotes an improvement project pursuant to the Act on the Improvement of Urban Areas and Residential Environments, the head of the competent Si/Gun/Gu may allow the committee to establish and operate an association comprised of the owners of plots of land or structures defined in subparagraph 9 of Article 2 of the same Act, pursuant to SECTION 2 (Articles 31 through 49) of CHAPTER III of the same Act. *<Amended on Feb. 8, 2017>*
- (5) The provisions of SECTIONS 3 through 6 of CHAPTER III and CHAPTERS IV through VIII of the Act on the Improvement of Urban Areas and Residential Environments shall apply to the implementation, authorization, management and disposal, cost-bearing, etc. for an improvement project implemented by a project implementer or a project agent pursuant to the same Act.

CHAPTER III IMPLEMENTATION OF PLANS FOR SPECIALIZED DEVELOPMENT OF FISHING VILLAGES

Article 12 (Implementers of Fishing Village Specialization Projects)

- (1) The head of a Si/Gun/Gu may directly implement a fishing village specialization project; or may designate any of the following persons to implement such project, as prescribed by Presidential Decree: *<Amended on Apr. 17, 2018>*

1. A local government;
2. The Korea Rural Community Corporation under the Korea Rural Community Corporation and Farmland Management Fund Act;
3. A fisheries cooperative or the National Federation of Fisheries Cooperatives established pursuant to the Fisheries Cooperatives Act;
4. The Korea Fisheries Infrastructure Public Agency established pursuant to the Fishing Villages and Fishery Harbors Act;
5. A local government-invested public corporation incorporated pursuant to the Local Public Enterprises Act;
6. Any other corporation prescribed by Presidential Decree.

(2) Where a project implementer designated pursuant to paragraph (1) (hereinafter referred to as "implementer of a fishing village specialization project") fails to commence a fishing village specialization project within two years after a specialized fishing village development planning zone has been designated pursuant to Article 9, the head of the competent Si/Gun/Gu may revoke the designation of the implementer of a fishing village specialization project, subject to deliberation by the relevant Si/Do fisheries/fishing village policy review committee or Si/Gun/Gu fisheries/fishing village policy review committee. In such cases, where the heads of Sis/Guns/Gus have jointly formulated or amended an integrated plan for the specialized development of fishing villages under the proviso to Article 6 (1), they shall be subject to further deliberation by the relevant Si/Gun/Gu fisheries/fishing village policy review committee. <Amended on Mar. 27, 2015; Jun. 22, 2015; Feb. 18, 2020>

(3) The head of a Si/Gun/Gu shall hold a hearing, as prescribed by Presidential Decree, to revoke the designation of an implementer of a fishing village specialization project pursuant to paragraph (2). <Newly Inserted on Mar. 27, 2015>

Article 13 (Hearing of Opinions from Residents)

(1) The head of a Si/Gun/Gu shall hold a hearing, as prescribed by Presidential Decree, to formulate or amend a plan for the specialized development of fishing villages. <Amended on Mar. 27, 2015>

(2) The head of a Si/Gun/Gu or an implementer of a fishing village specialization project shall hear opinions of local residents in an area affected by the project, relevant experts, etc. before implementing the project.

Article 14 (Entry to and Exit from Land, etc.)

(1) Where the head of a Si/Gun/Gu or an implementer of a fishing village specialization project intends to conduct an inspection or surveying to implement the project, he/she may enter another person's land or temporarily use it as a site for stockpiling materials or as a passage or temporary road; or may change or remove bamboo trees, earth or stone, or any other obstacles.

(2) Articles 130 (2) through (9), 131, 144 (1) 2 and 3, and 144 (3) of the National Land Planning and Utilization Act shall apply mutatis mutandis to entry, etc. to land under paragraph (1). In such cases, "implementer of an urban or Gun planning facility project" shall be construed as "head of a Si/Gun/Gu or an implementer of a fishing village specialization project".

Article 15 (Designation or Determination Deemed Made)

Where a specialized fishing village development planning zone has been designated or altered pursuant to Article 9, matters about which the heads of related central administrative agencies have pre-consulted regarding the following designation, determination, finalization, etc., shall be deemed to have obtained such designation, determination, finalization, etc. according to the details publicly notified:

1. Designation of a tourist site and tourism complex prescribed in Article 52 of the Tourism Promotion Act;
2. Determination of an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act (limited to where the requirements specified in Article 51 (3) of the National Land Planning and Utilization Act are satisfied, if a planned control area is designated or altered), by which any planned control area in an area other than an urban area, among special-purpose areas specified in Article 36 of the same Act, is designated or altered; or any settlement district, among special-purpose districts specified in Article 37 of the same Act, is designated or altered;
3. Determination of an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act, by which any fishery-resource protection zone is altered and its designation as such is cancelled accordingly pursuant to Article 40 of the same Act;
4. Determination of an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act, by which any district-unit planning zone is designated pursuant to Article 51 of the same Act;
5. Formulation of a project plan under Article 6 of the Islands Development Promotion Act; or finalization of a project plan under Article 7 of the same Act;
6. Designating a general logistics complex under Article 22 of the Act on the Development and Management of Logistics Facilities;
7. Designation of an agro-industrial complex prescribed in Article 8 of the Industrial Sites and Development Act.

Article 16 (Legal Fiction of Authorization, Permission, etc.)

Where the head of the competent Si/Gun/Gu has formulated or amended a plan for the specialized development of fishing villages, he/she shall be deemed to have obtained, held, or made the following permission, authorization, consultation, consent, licenses, cancellation, reports, approval, etc. (hereinafter referred to as "authorization, permission, etc.") if he/she has pre-consulted with the heads of related central administrative agencies about the details of the plan; and where he/she has given public notice of a plan

for the specialized development of fishing villages, he/she shall be deemed to have given public notice or public announcement of authorization, permission, etc. therefor: <Amended on Jan. 14, 2014; Jan. 21, 2014; Jun. 3, 2014; Jan. 19, 2016; Feb. 18, 2020; Mar. 31, 2020>

1. Permission to build under Article 11 of the Building Act; a building report under Article 14 of the same Act; or permission to build a temporary building or a report on construction thereof under Article 20 of the same Act;
2. Permission to extract aggregate under Article 22 of the Aggregate Extraction Act; or reporting on screening, washing, etc. of aggregate under Article 32 of the same Act;
3. Permission to occupy or use public waters under Article 8 of the Public Waters Management and Reclamation Act; approval for, or reporting on, an implementation plan for occupation or use under Article 17 of the same Act; a license to reclaim land from public waters under Article 28 of the same Act; public notice on a license to reclaim land from public waters under Article 33 of the same Act; consultation on, or approval for, reclamation conducted by the State, etc. under Article 35 of the same Act; or approval for, or public notice on, an implementation plan to reclaim land from public waters under Article 38 of the same Act;
4. Permission for usage or making profits pursuant to Article 20 of the Public Property and Commodity Management Act;
5. Approval for a business plan for resort condominium business under Article 15 of the Tourism Promotion Act;
6. Permission to use under Article 30 of the State Property Act;
7. Determination of an urban/Gun management plan under Article 30 of the National Land Planning and Utilization Act (excluding determination or alteration of a special-purpose area, special-purpose district, or special-purpose zone); determination of an urban/Gun management plan for installing urban or Gun planning facilities under Article 43 of the same Act; permission for development activities under Article 56 of the same Act; designation of an implementer of an urban/Gun planning facility project under Article 86 of the same Act; or authorization for an implementation plan under Article 88 of the same Act;
8. Permission to divert farmland prescribed in Article 34 (1) of the Farmland Act and reporting on diversion of farmland prescribed in Article 35 of that Act;
9. Permission granted to a person, other than the road management agency, to implement road works under Article 36 of the Road Act; permission to occupy and use a road under Article 61 of the same Act; or consultation with, or approval from, road management agencies under Article 107 of the same Act;
10. Permission for opening a private road prescribed in Article 4 of the Private Road Act;
11. A permission for lumbering under Article 14 of the Erosion Control Work Act and the cancellation of designation as land of erosion control area Article 20 of the aforesaid Act;

12. Permission for or reporting on felling standing timber under Article 36 (1) or (4) of the Creation and Management of Forest Resources Act and permission for or reporting on activities within a forest protection area (excluding forest genetic resources protection zone) under Article 9 (1) and (2) 1 or 2 of the Forest Protection Act;
13. Permission to change land shape, quality, etc. in an industrial complex prescribed in Article 12 of the Industrial Sites and Development Act;
14. Change and cancellation of preserved mountainous districts under Article 6 of the Mountainous Districts Management Act, cancellation of the designation of restricted areas for conversion or temporary use of mountainous districts under Article 11 of the same Act, permission for conversion of mountainous districts under Article 14 of the same Act, reporting on conversion of mountainous districts under Article 15 of the same Act, permission for and reporting on temporary use of mountainous districts under Article 15-2 of the same Act, and permission for collecting earth or stones under Article 25 of the same Act;
15. Consent to a building permit, etc. under Article 7 of the Installation, Maintenance, and Safety Control of Fire-Fighting Systems Act;
16. Permission to execute small river construction works under Article 10 of the Small River Maintenance Act; or permission to occupy and use small rivers, etc. under Article 14 of the same Act;
17. Authorization for general waterworks business under Article 17 of the Water Supply and Waterworks Installation Act; or authorization for private-use waterworks under Article 52 of the same Act;
18. Permit to engage in acts in a park area under Article 23 of the Natural Parks Act;
19. Permission to relocate an unknown person's grave prescribed in Article 27 of the Act on Funeral Services, Etc.;
20. Authorization of or reporting on a plan for electric facility installation works for electric business prescribed in Article 61 of the Electric Utility Act, and authorization for or reporting on a plan for private-use electric facility installation works prescribed in Article 8 of the Electrical Safety Management Act;
21. Approval of a project plan under Article 15 of the Housing Act;
22. Permission to establish or operate training facilities under Article 11 of the Youth Activity Promotion Act;
23. Approval for a business plan prescribed in Article 12 of the Installation and Utilization of Sports Facilities Act;
24. Permission to alter, etc. the form and quality of land under Article 21-2 of the Grassland Act; or permission for, or reporting or consultation on, conversion of the use of grassland under Article 23 of the same Act;
25. Examination of the publication of maps, etc. under Article 15 (3) of the Act on the Establishment, Management, etc. of Spatial Data; or reporting on the commencement, alteration, or completion of a

project under Article 86 (1) of the same Act;

26. Approval for, or reporting on, the installation of waste disposal facilities under Article 29 of the Wastes Control Act;

27. Consultation on, and approval for, a master plan for sewerage maintenance under Article 6 of the Sewerage Act; authorization for the installation of a public sewerage system under Article 11 of the same Act; permission for the execution of construction works under Article 16 of the same Act; permission for occupation and use under Article 24 of the same Act; reporting on the installation of a drainage system under Article 27 of the same Act; or reporting on the installation of a private sewage treatment facility under Article 34 of the same Act;

28. Permission to implement river works under Article 30 of the River Act; permission for occupation and use of rivers under Article 33 of the same Act; permission for activities in a flood control area under Article 38 of the same Act; or permission to use river water under Article 50 of the same Act.

Article 17 (Expropriation and Use of Land)

(1) Where necessary to implement a fishing village specialization project, the head of a Si/Gun/Gu or an implementer of the fishing village specialization project may expropriate or use land, etc.

(2) Where a specialized fishing village development planning zone has been designated and publicly notified, project approval under Article 20 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects or public notice of project approval under Article 22 of the same Act shall be deemed granted or given. In such cases, an application for adjudication may be filed within the implementation period of the relevant fishing village specialization project specified under the relevant plan for the specialized development of fishing villages, notwithstanding Article 23 (1) or 28 (1) of the Act on Acquisition of and Compensation for Land, etc. for Public Works Projects.

(3) A City/Do Land Tribunal shall be the competent Land Tribunal which renders adjudication on expropriation or use of land, etc. under paragraph (1): Provided, That where a specialized fishing village development planning zone spans at least two of Cities and Dots, the Central Land Tribunal shall be the competent Land Tribunal.

Article 18 (Restrictions on Acts, etc.)

(1) A person who intends to engage in any activities prescribed by Presidential Decree, such as constructing a building, building an artificial structure, altering the form and quality of land, gathering earth or stone, dividing or merging land, stockpiling articles, felling bamboo trees, or planting, in an area designated and publicly notified as a specialized fishing village development planning zone pursuant to Article 9, shall obtain permission from the head of the competent Si/Gun/Gu. The same shall also apply to any modification to permitted matters. <Amended on Feb. 18, 2020>

(2) The following activities do not require permission, notwithstanding paragraph (1):

1. The acts performed for emergency measures necessary for the restoration from disaster or control of calamity;

2. Other activities specified by Presidential Decree.

(3) Where a person has commenced any construction work or project regarding an activity requiring permission under paragraph (1) with permission granted pursuant to relevant statutes and regulations as at the time the designation of the relevant specialized fishing village development planning zone is publicly notified, or an activity which does not require permission, the person may continue to implement such construction work or project after reporting it to the head of the competent Si/Gun/Gu. *<Amended on Feb. 18, 2020>*

(4) The head of a Si/Gun/Gu may issue a reinstatement order to a person who has violated paragraph (1). In such cases, the head of the Si/Gun/Gu may perform vicarious execution under the Administrative Vicarious Execution Act, if the person in receipt of the order fails to perform such obligations.

Article 19 (Land Substitution, etc.)

Where land substitution or exchanges, division or merger of land, or any other activity is necessary to implement a plan for the specialized development of fishing villages under this Act, SECTION 3 (Articles 25 through 51) of CHAPTER III of the Agricultural and Fishing Villages Improvement Act shall apply *mutatis mutandis*.

Article 20 (Cession, etc. of State or Public-Owned Land)

(1) Where any facility or land newly created by a fishing village specialization project replaces the use of the existing road, drainage, ditch, fishery harbor site, etc., either a landowner in an area where such project is implemented or the implementer of the fishing village specialization project may donate the facility or land to the State or a local government.

(2) Notwithstanding the State Property Act, the Local Finance Act, the Road Act, or any other relevant statutes, the Minister of Oceans and Fisheries or the head of a Si/Gun/Gu may gratuitously cede a person who has donated any facility or land pursuant to paragraph (1) all or part of the national or public road, drainage, ditch, fishery harbor site, etc., as prescribed by Presidential Decree, if he/she deems it necessary to disuse them because their functions have been replaced by such facility or land. *<Amended on Mar. 23, 2013>*

(3) Any State or public-owned general property in a specialized fishing village development planning zone may be sold to an implementer of a fishing village specialization project under a negotiated contract, notwithstanding the State Property Act, the Public Property and Commodity Management Act, and the State Forest Administration and Management Act.

Article 21 (Completion Inspection)

(1) After the project implementer completes a fishing village specialization project, the project works shall undergo a final inspection from the head of the competent Si/Gun/Gu without delay, as prescribed by Presidential Decree: Provided, That only the completed portion may undergo a final inspection even before the fishing village specialization project is not fully completed, if necessary to efficiently implement the project.

(2) After conducting the final inspection under paragraph (1), the head of the competent Si/Gun/Gu shall notify the implementer of the relevant fishing village specialization project and the relevant specialized fishing village committee established under Article 27 (1) of the results thereof.

(3) Where necessary to efficiently conduct the final inspection, the head of a Si/Gun/Gu may outsource all or part of the final inspection under paragraph (1) to a person with professional inspection skills, as prescribed by Presidential Decree.

Article 22 (Designation of Specialized Fishing Village Facilities)

Upon completing a fishing village specialization project, the head of a Si/Gun/Gu may designate and give public notice of a facility prescribed by Presidential Decree, among facilities established by the fishing village specialization project, as a specialized fishing village facility.

Article 23 (Management and Disposal of Property Created by Projects)

(1) Land, other articles, etc. (hereinafter referred to as "land, etc.") not provided to any specialized fishing village facility, among property created by a fishing village specialization project, shall be managed or disposed of by the head of the competent Si/Gun/Gu or the implementer of the fishing village specialization project by any of the following methods, as prescribed by Presidential Decree:

1. Sale;
2. Lease;
3. Direct use;
4. Temporary use.

(2) Where a person who has resident registration or business registration in a specialized fishing village development planning zone intends to acquire or use land, etc. managed or disposed of pursuant to paragraph (1); or where a person who transfers resident registration or business registration outside of a specialized fishing village development planning zone due to a fishing village specialization project intends to acquire or use land, etc. managed or disposed of, the head of the competent Si/Gun/Gu or the implementer of the fishing village specialization project may manage or dispose of the land, etc. under a negotiated contract, as prescribed by Presidential Decree.

(3) An implementer of a fishing village specialization project shall obtain approval from the head of the competent Si/Gun/Gu to sell land, etc. pursuant to paragraph (1).

(4) Where land, etc. have been managed or disposed of pursuant to paragraph (1), proceeds from the sale or lease of the land, etc. shall be used for: <Amended on Mar. 23, 2013>

1. Repaying debts prescribed by Ordinance of the Ministry of Oceans and Fisheries, or funding for maintaining, managing, etc. of specialized fishing village facilities;
2. Formulating plans for the specialized development of fishing villages, or implementing fishing village specialization projects;
3. Purposes prescribed by other statutes and regulations;
4. Any other purpose prescribed by Ordinance of the Ministry of Oceans and Fisheries.

Article 24 (Management or Disposal of Specialized Fishing Village Facilities)

(1) Any specialized fishing village facility may be sold, leased, or outsourced for management thereof, to a person designated by the head of a Si/Gun/Gu (hereinafter referred to as "manager of specialized fishing village facilities") from among persons specified in the subparagraphs of Article 12 (1).

(2) A manager of specialized fishing village facilities may manage or dispose of such facilities under a negotiated contract, as prescribed by Presidential Decree.

(3) A manager of specialized fishing village facilities shall perform his/her duties with the due care of a good manager; take measures, such as maintaining the specialized fishing village facilities, and improving and repairing facilities; and conduct safety inspections and precise safety diagnosis for such facilities.

<Amended on Feb. 18, 2020>

(4) No person shall engage in any of the following activities unless just cause prescribed by Presidential Decree exists, such as where urgent measures are required to prevent damage by a natural disaster or to save lives:

1. Damaging a major structural part of a specialized fishing village facility, thereby impeding its original purpose or use;
2. Operating equipment, etc. without permission from the relevant manager of specialized fishing village facilities, thereby hindering the use and management of the facilities;
3. Illegally occupying or using any specialized fishing village facility.

(5) A manager of specialized fishing village facilities may directly issue an reinstatement order of a facility occupied or built without just cause; or may request the head of the relevant local government to issue the order.

(6) Where a person ordered under paragraph (5) fails to comply therewith, the head of the relevant local government may perform vicarious execution under the Administrative Vicarious Execution Act.

Article 25 (Out-of-Purpose Use of Specialized Fishing Village Facilities)

(1) A manager of specialized fishing village facilities shall obtain approval from the head of the competent Si/Gun/Gu to use any such facility for other than its original purpose or allow another person to use it: Provided, That this shall not apply where a manager of the specialized fishing village facilities intends to do so for any insignificant matters prescribed by Presidential Decree to the extent not impeding the maintenance and management of specialized fishing village facilities.

(2) Out-of-purpose use of any specialized fishing village facility under paragraph (1) shall be limited to the extent not hindering its original purpose or use.

(3) A manager of specialized fishing village facilities may collect all or some expenses incurred in maintaining or repairing any specialized fishing village facility from a person who uses it for other than its original purpose.

(4) Expenses incurred in relation to out-of-purpose use of any specialized fishing village facility pursuant to paragraph (3) may be collected in the same manner as delinquent local taxes are collected.

(5) The procedures and period for, and scope of, out-of-purpose use of specialized fishing village facilities, scope of collecting expenses and using the expenses collected, and other necessary matters shall be prescribed by Presidential Decree.

Article 26 (Withdrawal of Designation of Specialized Fishing Village Facilities)

The head of a Si/Gun/Gu may withdraw the designation of a specialized fishing village facility in any of the following cases; and in such cases, he/she shall give public notice of such fact:

1. Where land, a building, etc. which profit from the specialized fishing village facility are converted for other purposes;
2. Where a facility replacing the specialized fishing village facility is completed;
3. Where the specialized fishing village facility is not economically valuable even if it is repaired because the facility has been damaged due to a natural disaster, force majeure, etc.

CHAPTER IV SUPPORT FOR SPECIALIZED FISHING VILLAGES

Article 27 (Specialized Fishing Village Committees)

(1) Village residents may voluntarily establish a specialized fishing village committee by gathering consensus from many residents, centering around a fishing village fraternity, an autonomous resident committee, etc. In such cases, where it is impracticable for a single village to achieve an appropriate size, residents of villages in the same living zone or neighboring villages (including where different competent local governments are involved) may jointly or severally establish a single specialized fishing village committee.

(2) Functions of a specialized fishing village committee are:

1. Making suggestions for formulating or amending a plan for the specialized development of fishing villages;
2. Conducting, outsourcing, or supervising projects, activities, etc. agreed upon among local residents or between local residents and other private investors, among plans for the specialized development of fishing villages;

3. Hearing, delivering, and verifying residents' opinions on implementing fishing village specialization projects or on constructing, repairing, and operating specialized fishing village facilities;
 4. Increasing social capital necessary for implementing the specialized development of fishing villages, such as trust and cooperation, or concluding and executing a social agreement on fishing villages;
 5. Any other matters prescribed by Presidential Decree.
- (3) A specialized fishing village committee shall be a corporation and be community-oriented.
- (4) The head of a Si/Gun/Gu may partially subsidize expenses incurred in establishing and operating a specialized fishing village committee.
- (5) The establishment, organizational structure, registration, operation, dissolution, and articles of incorporation of a specialized fishing village committee, and other necessary matters shall be prescribed by Presidential Decree.

Article 28 (Resident Suggestions, etc.)

- (1) A specialized fishing village committee may submit opinions or ideas necessary for the specialized development of fishing villages or proposals for a plan for the specialized development of fishing villages, to the head of the competent Si/Gun/Gu in writing by gathering opinions of village leaders, external experts, persons related to nongovernmental organizations, etc.
- (2) The head of a Si/Gun/Gu may reflect the details included in the opinions or ideas on, or proposals for, the specialized development of fishing villages submitted pursuant to paragraph (1), in a plan over which he/she has jurisdiction, among plans specified in the attached Table. *<Amended on Mar. 27, 2015>*
- (3) A specialized fishing village committee may gather consensus from residents to conclude a social agreement on fishing villages, which is necessary for formulating or implementing a plan for the specialized development of fishing villages, with the head of the competent Si/Gun/Gu, as prescribed by Presidential Decree.
- (4) Where different villages jointly or severally organize a single specialized fishing village committee, the method and procedures for making resident suggestions, etc. shall be separately prescribed by Presidential Decree, notwithstanding paragraphs (1) through (3).
- (5) The head of a Si/Gun/Gu may partially subsidize expenses incurred in gathering consensus, preparing a proposal, etc. under paragraph (1).

Article 28-2 (Designation of Fishing Village Specialization Support Centers)

- (1) To facilitate affairs necessary for the specialization of fishing villages, the Minister of Oceans and Fisheries may designate a specialized institution or organization as a fishing village specialization support center (hereinafter referred to as "support center").
- (2) The support centers shall perform the following duties:
1. Supporting business start-ups and management consulting related to fishing village specialization projects;

2. Supporting research and development of technology related to fishing village specialization projects;
 3. Managing the status of project implementation, and the actual conditions of management, by implementers of fishing village specialization projects;
 4. Any other duties prescribed by Ordinance of the Ministry of Oceans and Fisheries to promote and support fishing village specialization projects.
- (3) The Minister of Oceans and Fisheries may subsidize support centers to cover expenses incurred in performing their duties.
- (4) The Minister of Oceans and Fisheries may revoke the designation of a support center if it falls under any of the following cases: Provided, That such designation shall be revoked if it falls under subparagraph 1:
1. Where the trading agency has obtained the designation by fraud or other improper means;
 2. Where the support center fails to perform the duties of promoting or supporting the specialization of fishing villages without just cause.
- (5) The standards for designating support centers, procedures for designating, or revoking the designation of, support centers, and other matters necessary for the operation, etc. thereof shall be prescribed by Presidential Decree.

Article 29 (Conservation of Ecosystem and Environment)

A plan for the specialized development of fishing villages formulated or amended pursuant to Article 6 shall be implemented based upon measures for conserving the ecosystem and environment and improving the residential environment, and shall include measures to use land and public waters rationally.

Article 30 (Inter-Regional Exchanges)

- (1) A specialized fishing village committee and the head of a Si/Gun/Gu may promote exchanges between cities and rural communities or between cities and fishing villages through leisure activities, amusement, activity-based learning, etc. at fishing villages, fishery harbors, etc. within the relevant region.
- (2) The head of a Si/Gun/Gu may establish activity, amusement or lodging facilities, distribution or consumption facilities for agricultural and fishery products, etc.; and may operate relevant programs jointly with a specialized fishing village committee.
- (3) A specialized fishing village committee or local residents participating in inter-regional exchange activities pursuant to paragraph (1) or (2), may run a tourism or recreation business (referring to a business providing education, activity programs, recreation, lodging, food, services, etc.), as prescribed by Presidential Decree.

CHAPTER V FINANCE AND FINANCING

Article 31 (Share of Expenses to be Borne, etc.)

(1) A specialized fishing village committee shall bear some expenses incurred in promoting fishing village specialization projects or activities (including providing labor) contained in plans for the specialized development of fishing villages, in accordance with the standards, ratios, methods, etc. prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013>

(2) A specialized fishing village committee may cover its share of expenses with contributions from a corporation, other than the State or a local government, or from individuals.

(3) The requirements for, and operating, contributions provided for in paragraph (2), relevant benefits, and other necessary matters shall be prescribed by Presidential Decree.

Article 32 (Fishing Village Credit Unions)

(1) A specialized fishing village committee may establish and operate a fishing village credit union to facilitate improving the residential environments of persons engaging in fisheries or any other industries or providing services, and to promoting, etc. of their economic activities, independently or jointly with specialized fishing village committees, etc. of other villages.

(2) A local government, individual, or enterprise may contribute funds to establish or operate a fishing village credit union pursuant to paragraph (1).

(3) Matters necessary for establishing a fishing village credit union under paragraph (1), organizing, operating or supervising it, securing finances or supporting the same, contributing thereto, eligibility to use it, and other necessary matters shall be prescribed by Presidential Decree.

Article 32-2 (Subsidization or Financing)

(1) The Minister of Oceans and Fisheries or the head of a local government may fully or partially subsidize or finance the expenses incurred in performing any of the following activities:

1. Business start-up related to a fishing village specialization project;
2. Research and development to promote a fishing village specialization project;
3. Exploring domestic and overseas markets and securing markets in relation to fishing village specialization projects;
4. Other projects prescribed by Presidential Decree.

(2) The details of subsidization and financing under paragraph (1), methods and procedures for payment, and other necessary matters shall be prescribed by Presidential Decree.

CHAPTER VI SUPPLEMENTARY PROVISIONS AND PENALTY PROVISIONS

Article 33 (Support through Connection)

The State and local governments may provide support and services corresponding to the degree of enthusiasm, capabilities, and cooperation of local residents.

Article 34 (Entrustment of Programs)

(1) The head of a Si/Gun/Gu who directly implements a fishing village specialization project may fully or partially outsource the project to a person specified in any subparagraph of Article 12 (1).

(2) A specialized fishing village committee may outsource any project or activities under its management, specified in this Act or a plan for the specialized development of fishing villages, to a person specified in any subparagraph of Article 12 (1).

(3) The requirements and procedures for outsourcing under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

Article 35 (Issuing Bonds)

A local government or an implementer of a fishing village specialization project may issue bonds with the approval of the Minister of Oceans and Fisheries within the limits prescribed by relevant statutes and regulations to raise funds necessary for implementing a plan for the specialized development of fishing villages, if the status of fund management, financial situation, etc. of the relevant institution permit.

<Amended on Mar. 23, 2013>

Article 36 (Enactment of Municipal Ordinances)

(1) A local government having jurisdiction over an area designated and publicly notified as a specialized fishing village development planning zone may determine, by ordinance, matters necessary for formulating, amending or implementing a plan for the specialized development of fishing villages or for projects or activities of a specialized fishing village committee, as prescribed by Presidential Decree.

(2) Where a local government having jurisdiction over specialized fishing villages enacts, amends, or repeals an ordinance provided for in paragraph (1), the head of the competent local government shall notify the heads of related central administrative agencies of such fact.

Article 37 (Penalty Provisions)

Any person who operates a facility without permission from a manager of specialized fishing village facilities, thereby hindering the use and management of the facilities in violation of Article 24 (4) 2, shall be punished by a fine not exceeding 10 million won.

Article 38 (Penalty Surcharges)

(1) The head of a Si/Gun/Gu may impose upon and collect from a person who illegally occupies or uses any specialized fishing village facility in violation of Article 24 (4) 3, a surcharge not exceeding the equivalent of 50/100 of profits from such occupation or use.

(2) When a business entity fails to pay a penalty surcharge imposed under paragraph (1) by the due date, the relevant permission-granting authority or registration authority shall collect such penalty surcharge pursuant to the Act on the Collection, etc. of Local Administrative Penalty Charges. <Amended on Aug. 6, 2013; Mar. 24, 2020>

(3) Matters necessary for imposing and collecting surcharges under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

Article 39 (Charges for Compelling Compliance)

(1) Where an illegal status continues even after a surcharge is imposed pursuant to Article 38, the head of the competent Si/Gun/Gu shall impose daily upon and collect from the relevant occupant or user, an enforcement fine equivalent to 1/100 of the relevant surcharge imposed.

(2) Article 38 (2) and (3) shall apply mutatis mutandis to imposing and collecting enforcement fines under paragraph (1).

Article 40 Deleted. <Mar. 27, 2015>

ADDENDA <Act No. 11433, Oct. 23, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

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. 11998, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDA <Act No. 12013, Aug. 6, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 10 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. 12329, Jan. 21, 2014>

Article 1 (Enforcement Date)

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

Articles 2 through 4 Omitted.

ADDENDA <Act No. 12738, Jun. 3, 2014>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 13271, Mar. 27, 2015>

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

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. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDA <Act No. 13805, Jan. 19, 2016>

Article 1 (Enforcement Date)

This Act shall enter into force on August 12, 2016.

Articles 2 through 22 Omitted.

ADDENDA <Act No. 14567, Feb. 8, 2017>

Article 1 (Enforcement Date)

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

Articles 2 through 40 Omitted.

ADDENDA <Act No. 15605, Apr. 17, 2018>

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM <Act No. 17045, Feb. 18, 2020>

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

ADDENDA <Act No. 17091, Mar. 24, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

ADDENDA <Act No. 17171, Mar. 31, 2020>

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

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