

ENFORCEMENT DECREE OF THE AQUATIC ORGANISM DISEASE CONTROL ACT

Presidential Decree No. 21174, Dec. 22, 2008
Amended by Presidential Decree No. 22727, Mar. 29, 2011
Presidential Decree No. 22962, Jun. 7, 2011
Presidential Decree No. 23488, Jan. 6, 2012
Presidential Decree No. 23965, Jul. 20, 2012
Presidential Decree No. 24455, Mar. 23, 2013
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 26565, Sep. 25, 2015
Presidential Decree No. 26814, Dec. 30, 2015
Presidential Decree No. 27299, Jun. 30, 2016
Presidential Decree No. 27751, Dec. 30, 2016
Presidential Decree No. 28913, May 28, 2018
Presidential Decree No. 31333, Dec. 29, 2020
Presidential Decree No. 31380, Jan. 5, 2021
Presidential Decree No. 31440, Feb. 9, 2021

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Aquatic Organism Disease Control Act and matters necessary for enforcing said Act. <Amended on Jul. 20, 2012>

Article 2 (Scope of Aquatic Organism)

(1) "Species specified by Presidential Decree" in subparagraph 2 of Article 2 of the Aquatic Organism Disease Control Act (hereinafter referred to as the "Act") means the following matters: <Amended on Jul. 20, 2012>

1. Cephalopods among mollusks;
2. Sea urchins and sea cucumbers among echinoderms;
3. Tunicates among chordates;
4. Lugworms, spoon worms, amphibians, terrapins, and cetaceans.

(2) "Species specified by Presidential Decree" in subparagraph 3 of Article 2 of the Act means marine seed plants. <Newly Inserted on Jul. 20, 2012>

Article 3 (Establishment and Implementation of Comprehensive Plan)

(1) A comprehensive plan to develop medicines for prevention, diagnosis, and treatment of aquatic organism diseases and to develop technology for the improvement of the sanitary environment for aquatic organisms pursuant to Article 5 (1) of the Act shall include the following matters:

1. Objectives and main directions for the development of technology related to aquatic organism diseases;
2. Development of technology and medicines for the prevention, diagnosis and treatment of aquatic organism diseases;
3. Development of technology for the improvement of the sanitary environment of aquatic organisms;
4. Joint research with domestic and foreign research institutes or organizations, etc. related to the development of technology;
5. Utilization plans for results of the development of technology;
6. Arrangement and spending of financial resources necessary for the development of technology;
7. Other matters necessary for the development of technology.

(2) When the Minister of Oceans and Fisheries establishes and implements a comprehensive plan pursuant to paragraph (1), he or she may consult with the related central administrative agencies, local governments, universities, research institutes, and organizations related to aquatic organisms on necessary matters for the joint research, the utilization of the research results, or the prevention of overlapped research, etc. <Amended on Jul. 20, 2012; Mar. 23, 2013>

Article 4 (Agencies to Which Aquatic Organism Disease Control Officers Are Assigned)

(1) "Administrative agencies specified by Presidential Decree" in Article 7 (1) of the Act means the National Fishery Products Quality Management Service and institutions which conduct the control of aquatic organism diseases under the jurisdiction of the Metropolitan City Mayor, the Special Self-Governing City Mayor, a Do Governor, or the Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"; hereinafter the same shall apply). <Amended on Jul. 20, 2012; Dec. 29, 2020; Feb. 9, 2021>

(2) The Minister of Oceans and Fisheries and a Mayor/Do Governor shall appoint an aquatic organism disease control officer provided in Article 7 (1) of the Act from among the public officials under their jurisdiction. <Amended on Jul. 20, 2012; Mar. 23, 2013>

(3) An aquatic organism disease control officer shall perform duties of investigation, research, planning, guidance, supervision, preventive measures, etc., as are related to the prevention of contagious aquatic organism disease under the orders of the heads of the agencies to which they belong. <Amended on Jul. 20, 2012>

Article 5 (Term of Office of, and Career or Educational Background Requirements for, Aquatic Organism Disease Control Officers)

(1) "Period specified by Presidential Decree" in the former part of Article 7 (3) of the Act means five years. *<Amended on Jul. 20, 2012>*

(2) Any of the following persons shall be commissioned or appointed as an aquatic organism disease control officer pursuant to Article 7 (3) of the Act: *<Amended on Jul. 20, 2012; Mar. 23, 2013; Feb. 9, 2021>*

1. A person who has conducted the affairs related to the aquatic organism disease control in the State or local governments for at least three years;
2. An aquatic organism disease inspector or veterinarian to whom the medical treatment for aquatic organisms are commissioned pursuant to Article 37-15 (1) of the Act;
3. A person who has engaged in the affairs related to the aquatic organism disease control in the organization related to aquatic organisms for at least five years;
4. A person who has served as an associate professor or in a higher position in aquatic organism pathology, aquatic biology, aquaculture or fields related to thereto from the universities under the provisions of subparagraphs 1 through 6 of Article 2 of the Higher Education Act or foreign universities approved by the Minister of Oceans and Fisheries;
5. A person who has conducted the affairs in the fields related to the aquatic organism disease for at least three years after acquiring a bachelor's or higher degree in the fields related to the aquatic organism disease, such as department of aquatic life medicine.

Article 6 (Aquatic Organism Disease Control Agencies)

"State agencies specified by Presidential Decree" in Article 10 (1) of the Act means the National Fishery Products Quality Management Service and its affiliated agencies. *<Amended on Dec. 29, 2020>*

Article 7 (Exemption from Disease Control by Certificate of Inspection or Medication)

Where an aquaculture business entity under Article 6 (2) of the Act (hereinafter referred to as "aquaculture business entity") or an aquatic organism transporter under Article 9 (2) of the Act (hereinafter referred to as "aquatic organism transporter") transports aquatic organisms with a certificate of the results of the inspection on aquaculture facilities or a certificate of the fact that medicines for aquatic organisms have been administered under Article 13 (1) of the Act (hereinafter referred to as "certificate of inspection or medication"), he or she shall be exempted from the blocking of the traffic, restrictions on the introduction, or disinfection under Article 15 (2) of the Act pursuant to the latter part of Article 14 (3) of the Act. *<Amended on Jul. 20, 2012>*

Article 8 (Orders to Close Aquaculture Facilities)

(1) The period for closing an aquaculture facility under the former part of Article 15 (3) of the Act and paragraph (4) of the same Article shall be six months. <Amended on Jul. 20, 2012; Feb. 9, 2021>

(2) Where a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter the same shall apply) intends to issue an order to close an aquaculture facility pursuant to Article 15 (3) of the Act, he or she shall inform in advance the aquaculture business entity of the relevant facility of the fact in writing, and notify the competent Mayor/Do Governor, the Director General of the National Fishery Products Quality Management Service and other Mayors/Do Governors of the name, location, owner of the relevant facility and the date of the order to close, etc. <Amended on Jul. 20, 2012; Dec. 29, 2020; Feb. 9, 2021>

(3) When a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu closes an aquaculture facility pursuant to Article 15 (4) of the Act, he or she shall notify the aquaculture business entity of the relevant facility of such fact in writing. <Amended on Jul. 20, 2012>

(4) A notice under Article 15 (4) 1 of the Act shall include the following matters:

1. Name of the relevant facility;
2. Period of closure;
3. Grounds for closure.

(5) Seals under Article 15 (4) 2 of the Act shall include the following matters:

1. Period of closure;
2. Details of an order to prohibit entry to the relevant facility.

Article 9 (Measures to Refrain from Farming)

(1) Where a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu issues an order to take measures to refrain from farming aquatic organisms pursuant to Article 15 (3) of the Act, he or she shall determine the period of refraining from farming and the kinds of aquatic organisms to be reduced (hereinafter referred to as “aquatic organisms subject to reduction”) during such period. <Amended on Jul. 20, 2012>

(2) The number or weight of aquatic organisms subject to reduction shall be determined within the limit of 50/100 of the total aquatic organisms cultivated in aquaculture facilities which are subject to measures to refraining from farming, and may be reduced by the following methods: <Amended on Jul. 20, 2012>

1. Reduction by the scope between 20/100 through 50/100 of aquatic organisms subject to reduction before the lapse of half of the period of refraining from farming;
2. Reduction of an aquatic organism subject to reduction other than the aquatic organisms reduced pursuant to subparagraph 1 from among the aquatic organisms subject to reduction until the expiration date of period of refraining from farming after the lapse of half of the period of refraining from farming.

(3) Where a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu intends to issue an order to take measures to refrain from farming aquatic organisms pursuant to paragraph (1), he or she shall inform in advance the aquaculture business entity of the relevant

facility of the fact in writing. <Amended on Jul. 20, 2012; Feb. 9, 2021>

(4) Except as provided in paragraphs (1) through (3), detailed matters concerning measures to refrain from farming shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Jul. 20, 2012; Mar. 23, 2013>

Article 10 (Business Suspension of Aquatic Organism Transporters)

(1) Period of which an aquatic organism transporter is ordered to suspend his or her business pursuant to Article 15 (5) of the Act shall be classified as follows: <Amended on Jul. 20, 2012>

1. An aquatic organism transporter who has aided an aquaculture business entity actively in the latter's violation of an order to isolate, or to refrain from transporting, aquatic organism cultivated in an aquaculture facility which it is found or believed, as a result of an epidemiological investigation or close examination or in view of clinical symptoms, that aquatic organisms are infected with a contagious aquatic organism disease: Within four months;

2. An aquatic organism transporter who has aided an aquaculture business entity actively in the latter's violation of an order to isolate, or to refrain from transporting, aquatic organism cultivated in an aquaculture facility is in the proximity of another aquaculture facility which it is found or believed, as a result of an epidemiological investigation or close examination or in view of clinical symptoms, that aquatic organisms are infected with a contagious aquatic organism disease and is within the area to which the contagious aquatic organism disease is likely to spread: Within two months.

(2) Where a violation under the subparagraphs of paragraph (1) is committed on at least two occasions in the last one year, period of suspension may be added by up to 1/2 of the period of business suspension determined under paragraph (1) 1 and 2.

(3) In adding the period of business suspension pursuant to paragraph (2), where at least two violations and a violation under paragraph (1) 1 or 2 are committed concurrently, an order to suspend business may be issued by deeming that the violation under paragraph (1) 1 has been committed at least two times.

(4) Except as provided in paragraphs (1) through (3), detailed matters concerning the orders to suspend business for an aquatic organism transporter shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Jul. 20, 2012; Mar. 23, 2013>

Article 11 (Recycling of Carcasses)

Where the carcasses of aquatic organisms are recycled pursuant to the proviso of Article 17 (2) of the Act, the carcass shall be used only as the raw material of the animal feed and the fertilizer by treating it with heat so as to prevent spread of the pathogens of the aquatic organism disease in a feed manufacturing facility meeting the standards for facilities prescribed in Article 8 (2) of the Control of Livestock and Fish Feed Act or in a heat treatment facility using meat, bones, etc. which is determined and publicly notified by the Minister of Oceans and Fisheries. <Amended on Jul. 20, 2012; Mar. 23, 2013>

Article 12 (Agency for Quarantine of Aquatic Organisms)

"State agencies specified by Presidential Decree" in Article 22 (1) of the Act means the National Fishery Products Quality Management Service and its affiliated agencies <Amended on Jun. 7, 2011; Jul. 20, 2012; Mar. 23, 2013>

Article 13 (Term of Office of, and Career or Educational Background Requirements for, Aquatic Organism Quarantine Officers)

(1) "Period prescribed by Presidential Decree" in the former part of Article 22 (3) of the Act means five years. <Amended on Jul. 20, 2012>

(2) Any of the following persons who has received education on the quarantine of aquatic organisms as prescribed by Ordinance of the Ministry of Oceans and Fisheries shall be commissioned or appointed as an aquatic organism quarantine officer pursuant to Article 22 (3) of the Act, from among persons who are not an aquatic organism disease inspector or veterinarian: <Amended on Jun. 7, 2011; Jul. 20, 2012; Mar. 23, 2013; Feb. 9, 2021>

1. A person who has conducted the affairs related to the quarantine of aquatic organisms in the National Fishery Products Quality Management Service for at least one year;
2. A person who has conducted the affairs in the fields related to the aquatic organism disease for at least one year after acquiring a bachelor's or higher degree in the fields related to the aquatic organism disease, such as department of aquatic life medicine;
3. A person who has conducted the affairs in the fields related to the aquatic organism disease for at least one year after acquiring a qualification for aquaculture engineer or aquaculture professional engineer under the National Technical Qualifications Act.

Article 14 (Exemption from Close Examination by Dispatched Quarantine Inspection)

Where things designated for a quarantine purpose which have completed a dispatched quarantine inspection in an exporting country among things designated for a quarantine purpose under Article 23 of the Act (hereinafter referred to as "things designated for a quarantine purpose") are accompanied by a quarantine certificate issued by an aquatic organism quarantine officer at the time of applying an import quarantine inspection under Article 27 (1), a close examination may be exempted pursuant to Article 28 (3) of the Act: Provided, That where deemed necessary to conduct a close examination due to the discovery of clinical symptom as a result of clinical examination conducted by an aquatic organism quarantine officer (referring to diagnosis which rules the result thereof by combining swimming behavior, movement, and opinions on external and anatomical features of things designated for a quarantine purpose), the close examination shall be conducted. <Amended on Jul. 20, 2012>

Article 15 (Duties of Quarantine Agents)

(1) Duties of a quarantine agent under Article 32 (3) of the Act (hereinafter referred to as "quarantine agent") shall be as follows: *<Amended on Jul. 20, 2012; Feb. 9, 2021>*

1. Matters concerning the warehousing and delivery, delivery, transportation and disinfection of things designated for a quarantine purpose;
 2. Matters concerning the actual confirmation of things designated for a quarantine purpose;
 3. Matter concerning the inspection and management of facilities of a quarantine area under the proviso, with the exception of the subparagraphs, of Article 32 (1);
 4. Matters concerning the cooperation in collection of testing samples of things designated for a quarantine purpose and delivery thereof;
 5. Matters concerning the education for employees of a quarantine area and interested persons as well as the control of visitors and other persons having access to a quarantine area under the proviso, with the exception of the subparagraphs, of Article 32 (1);
 6. Matters concerning the implementation of instructions issued by an aquatic organism quarantine officer.
- (2) A quarantine agent may have access to a bonded area designated as a quarantine area under the proviso, with the exception of the subparagraphs, of Article 32 (1) to perform duties under paragraph (1) and take necessary measures. *<Amended on Feb. 9, 2021>*

Article 15-2 (Administration of National Examination for License of Aquatic Organism Disease Inspector)

(1) The Minister of Oceans and Fisheries may entrust the administration of the national examination for the license of aquatic organism disease inspector to the Korea Institute of Maritime and Fisheries Technology under Article 2 of the Korea Institute of Maritime and Fisheries Technology Act or any of the following institutions or organizations designated and publicly notified by the Minister of Oceans and Fisheries (hereinafter referred to as "examination management institution") pursuant to Article 37-5 (3) of the Act: *<Amended on Mar. 23, 2013>*

1. A State agency equipped with organizations, human resources, and facilities for operating and managing the national examination for the license of aquatic organism disease inspector;
 2. A non-profit corporation established by the Government to which the Government has contributed all or part of the operating expenses;
 3. A non-profit corporation which conduct investigations and research on the diseases of aquatic organisms.
- (2) When entrusting the administration of the national examination pursuant to paragraph (1), the Minister of Oceans and Fisheries may subsidize the expenses necessary for such administration. *<Amended on Mar. 23, 2013>*

(3) The head of an examination management institution shall administer the national examination for the license of aquatic organism disease inspector and report on the results thereof to the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

(4) Except as provided in paragraphs (1) through (3), matters necessary for the administration of the national examination for the license of aquatic organism disease inspector shall be prescribed by the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 15-3 (Methods of Examination)

(1) The national examination for the license of aquatic organism disease inspector shall be conducted by method of written examination.

(2) Subjects and scope of the national examination for the license of aquatic organism disease inspector shall be as specified in attached Table 1.

Article 15-4 (Publication of Examination)

When the head of an examination management institution intends to conduct a national examination for the license of aquatic organism disease inspector, he/she shall publicly announce qualification for applying for the examination, subjects, date, time, and place of the examination, a period for the submission of applications and other matters necessary for conducting the examination by no later than 90 days before the date of examination by obtaining approval from the Minister of Oceans and Fisheries. *<Amended on Mar. 23, 2013>*

Article 15-5 (Preparation of Examination Papers)

(1) The head of an examination administration institution shall commission persons to be in charge of preparing and grading the examination papers (hereinafter referred to as "members preparing examination papers"), from among persons with specialized knowledge about each subject of the examination, whenever an examination is administered.

(2) Members preparing examination papers commissioned under paragraph (1) and persons engaged in the affairs of supervision of an examination may be reimbursed with allowances and travel expenses within budgetary limits.

Article 15-6 (Applications for Examination)

(1) A person who intends to apply for the national examination for the license of aquatic organism disease inspector shall file an application for examination prescribed by Ordinance of the Ministry of Oceans and Fisheries to the head of an examination administration institution, along with a certificate of graduation or a certificate of expected graduation certifying a bachelor's degree under Article 37-6 of the Act. *<Amended on Mar. 23, 2013>*

(2) A person who intends to file an application for examination pursuant to Article 1 shall pay fees, as prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013>

Article 15-7 (Decision on Successful Examinees and Announcement Thereof)

- (1) A person who scores at least 60 percent of the total score in all subjects and at least 40 percent of score in each subject shall pass the national examination for the license of aquatic organism disease inspector.
- (2) When successful examinees are determined, the head of an examination administration institution shall announce them.

Article 15-8 (Scope of Medical Treatment Conducted by Persons Other than Aquatic Organism Disease Inspectors)

“Medical treatment prescribed by Presidential Decree” in subparagraph 2 of Article 37-8 of the Act means the following:

1. Medical treatments provided by a student who majors in the aquatic organism disease-related department under Article 37-6 of the Act, in the course of practice related to his or her major under the instruction and supervision of his or her academic adviser;
2. Medical treatment provided by a student under subparagraph 1, in the course of volunteer activities for aquaculture households under the instruction and supervision of his or her academic adviser;
3. Medical treatment for aquatic organisms raised by oneself;
4. Gratuitous medical treatment provided by a public official in charge of guidance for a fishing village or fishery research in the area under his or her jurisdiction;
5. Gratuitous medical treatment for aquatic organisms cultivated by the neighbor aquaculture household in an island or a remote area determined and publicly notified by the Mayor/Do Governor, provided by other aquaculture households for non-business affairs.

Article 15-9 (Standards for Facilities of Aquatic Organism Disease Inspection Center)

Standards for facilities of an aquatic organism disease inspection center under Article 37-12 (3) of the Act shall be as specified in attached Table 2.

Article 16 (Standards for Compensation Payment)

- (1) Standards for the compensation payment under Article 42 (1) of the Act shall be as specified in attached Table 3. <Amended on Jul. 20, 2012>
- (2) Standards and methods for the appraisal of aquatic organisms, etc. pursuant to the standards for the compensation payment under paragraph (1), standards for the computation of appraised value of aquatic organisms by species, and other detailed matters concerning the appraisal of aquatic organisms, etc. shall be determined and publicly notified by the Minister of Oceans and Fisheries. <Amended on Jul. 20, 2012; Mar. 23, 2013>

(3) Standards for the reduction of compensation under Article 42 (2) of the Act shall be as specified in attached Table 3-2. <Amended on Jul. 20, 2012>

Article 17 (Subsidization for Expenses for Disease Control)

(1) With respect to expenses incurred in administering medicines for aquatic organisms, etc. under Article 43 (2) of the Act, the ratio of subsidization therefor the State and local governments are required to bear shall be as follows: <Amended on Jul. 20, 2012>

1. Expenses incurred in administering medicines under Article 13 (1) of the Act: The State shall subsidize at least 1/2 of the relevant expenses and local governments shall subsidize the remainder;
2. Expenses incurred in culling under Article 16 of the Act, expenses incurred in incineration or burial under Article 17 (2) of the Act, and expenses incurred in disinfection, incineration, or burial under Article 18 of the Act: Local governments shall subsidize the whole of the relevant expenses.

(2) Where the head of local governments subsidize expenses under paragraph (1), he or she shall pay such expenses after confirming whether the prescribed measures were taken.

Article 18 (Subsidization for Expenses for Stabilization of Livelihood)

(1) Expenses for the livelihood stabilization under Article 43 (3) of the Act shall be subsidized to fishery households which comply with culling orders issued under Article 16 (1): Provided, That expenses for the livelihood stabilization need not be subsidized to any of the following fishery households:

1. Where the relevant fishery household fails to comply an order to administer medicines under Article 13 (1) of the Act;
2. Where the relevant fishery household fails to comply an order to isolate or to refrain from transporting under Article 15 (1) of the Act.

(2) The maximum amount of expenses for the livelihood stabilization shall be the amount of the national average household expenses for six months indicated in the fishery household economy research statistics compiled and published by the statistics service agency defined in subparagraph 3 of Article 3 of the Statistics Act; and the amount of subsidies by species or by quantities of the culled aquatic organism and other necessary matters concerning the subsidization of expenses for the livelihood stabilization shall be determined and publicly notified by the Minister of Oceans and Fisheries. <Amended on Jul. 20, 2012; Mar. 23, 2013>

(3) The State shall subsidize at least 1/2 of expenses for the livelihood stabilization and local governments shall subsidize the remainder.

Article 18-2 (Guidance and Orders)

(1) The Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu may provide guidance or issue orders to an aquatic organism disease inspector or aquatic organism disease inspection center pursuant to Article 45-2 (1) of the Act as follows: <Amended on Mar. 23, 2013>

1. Mobilization and support of facilities, equipment, etc. where a contagious aquatic organism disease has broken out or is likely to break out;
 2. Improvement of facilities and business affairs necessary for the prevention, proper medical treatment, etc. of aquatic organism diseases;
 3. Other guidance and orders deemed necessary for the prevention of occurrence of serious danger or harm to public health, etc.
- (2) The Minister of Oceans and Fisheries may require a Mayor/Do Governor or the head of a Si/Gun/Gu to report cases, results, etc. of the guidance and orders under paragraph (1), if necessary. <Amended on Mar. 23, 2013>

Article 19 (Delegation and Entrustment of Authority)

- (1) The Minister of Oceans and Fisheries shall delegate his or her authority over the following affairs to the President of the National Institute of Fisheries Science pursuant to Article 52 (1) of the Act: <Amended on Feb. 9, 2021>
1. Establishment and implementation of a comprehensive plan under Article 5 (1) of the Act;
 2. Testing and analysis of technology for the prevention of aquatic organism diseases under Article 39 (1) of the Act.
- (2) The Minister of Oceans and Fisheries shall delegate his or her authority over the following affairs to the Director General of the National Fishery Products Quality Management Service pursuant to Article 52 (1) of the Act: <Amended on Feb. 9, 2021>
1. Establishment and operation of the national integrated information system under Article 5-2 (1) of the Act;
 2. Disclosure of information on the aquatic organism disease under Article 6-2 (1) of the Act;
 3. Appointment of an aquatic organism disease control officer under Article 7 (1) of the Act;
 4. Education on the control of aquatic organism diseases under Article 7 (2) and 8 (1) of the Act;
 5. Commission or appointment of aquatic organism disease control officer under Article 7 (3) of the Act;
 6. Designation and revocation of designation of an institution specializing in the disease identification of aquatic organism diseases and issuance of an order to suspend its business under Article 10 (4) and (5) of the Act;
 7. An epidemiological investigation under Article 11 (1) of the Act;
 8. An inspection of aquaculture facilities, an order to administer medicines, and issuance of certificate of inspection or medication under Article 13 of the Act;
 9. Inspection of aquatic organisms for stocking under Article 20 (1) of the Act;
 10. Permission for the import of aquatic organisms or things imported for test, research, surveys, or manufacturing of medicines for the treatment and prevention of an aquatic organism disease under the proviso to Article 24 (1) of the Act;

11. A dispatched quarantine inspection Article 28 of the Act;
 12. A re-inspection under Article 35 of the Act;
 13. Revocation of quarantine inspection ruling and re-inspection under Article 36 of the Act;
 14. An import risk analysis under Article 37 or 45 (4);
 15. Issuance of an order to suppress, or refrain from, the use of a medicine for aquatic organisms, etc. under Article 40 (2) of the Act;
 16. Instruction of taking emergency measures for the control of aquatic organism diseases under Article 45 (1) of the Act;
 17. Commission of an honorary observer for the control of aquatic organism diseases under Article 48 (1) of the Act.
- (3) A Mayor/Do Governor shall delegate his or her authority to commission an honorary observer for the control of aquatic organism diseases under Article 48 (1) of the Act to the head of a Si/Gun/Gu pursuant to Article 52 (1) of the Act. *<Amended on Jul. 20, 2012>*
- (4) Pursuant to Article 52 (2) of the Act, the Minister of Oceans and Fisheries, a Mayor/Do Governor, or the head of a Si/Gun/Gu shall entrust the National Federation of Fisheries Cooperatives established under the Fisheries Cooperatives Act, the Korean Aquatic Organism Disease Inspector Association established under Article 32 of the Civil Act, or the Korean Veterinarian Medical Association established under Article 23 of the Veterinarians Act, as determined and publicly notified by the Minister of Oceans and Fisheries, with affairs regarding the collection of samples under Article 7 (4) of the Act and affairs regarding disease control education under Article 38 (1) of the Act. *<Amended on Mar. 23, 2013; May 28, 2018>*
- (5) The Minister of Oceans and Fisheries shall entrust the following affairs to the relevant corporation or organization pursuant to Article 52 (3) of the Act: *<Amended on May 28, 2018>*
1. Affairs regarding the assessment and management of ratings of the control of diseases under Article 21: The Korean Aquatic Organism Disease Inspector Association established under Article 32 of the Civil Act or the Korean Veterinarian Medical Association established under Article 23 of the Veterinarians Act, as determined and publicly notified by the Minister of Oceans and Fisheries;
 2. Affairs regarding the training courses of aquatic organism disease inspector: The Korean Aquatic Organism Disease Inspector Association established under Article 32 of the Civil Act.
- (6) Where the President of the National Institute of Fisheries Science and the Director General of the National Fishery Products Quality Management Service re-delegates part of authority delegated pursuant to paragraphs (1) and (2) to the head of an agency under his or her jurisdiction pursuant to the latter part of Article 6 (1) of the Government Organization Act, he or she shall publicly notify the details thereof. *<Amended on Jun. 7, 2011; Mar. 23, 2013>*

Article 19-2 (Management of Sensitive Information and Personally Identifiable Information)

The Minister of Oceans and Fisheries (including a person to whom the authority of the Minister of Oceans and Fisheries is delegated pursuant to Article 52 (1) of the Act and Article 19 (2) of this Decree and a person to whom the affairs of the Minister of Oceans and Fisheries are commissioned pursuant to Article 37-5 (3) of the Act and Article 15-2 (1) of this Decree), the head of an agency for quarantine of aquatic organisms, a Mayor/Do Governor, or the head of a Si/Gun/Gu may manage data containing information on health under Article 23 of the Personal Information Protection Act and data containing resident registration numbers, passport numbers, or foreigner registration numbers under subparagraphs (1), (2), or (4) of Article 19 of the Enforcement Decree of the same Act, if inevitable to perform the following affairs:

<Amended on Mar. 23, 2013; Dec. 29, 2020>

1. Affairs regarding the collection and analysis of information about the control of aquatic organism diseases under Article 3 (2) 5 of the Act;
2. Affairs regarding the inspection of aquaculture facilities, medication under Article 13 of the Act;
3. Affairs regarding the isolation, refrainment from transporting of aquatic organisms under Article 15 of the Act;
4. Affairs regarding an culling order under Article 16 of the Act;
5. Affairs regarding the incineration of contaminated things under Article 18 of the Act;
6. Affairs regarding the inspection of aquatic organisms for stocking under Article 20 of the Act;
7. Affairs regarding an import quarantine inspection under Article 27 of the Act;
8. Affairs regarding the national examination for the license of aquatic organism disease inspector under Article 37-5 of the Act.

Article 19-3 (Re-examination of Regulation)

The Minister of Oceans and Fisheries shall examine the appropriateness of the criteria for imposing administrative fines under Article 20 and attached Table 5 every three years, counting from January 1, 2017 (referring to the period that ends on the day before January 1 of every third year) and shall take measures, such as making improvements. *<Amended on Dec. 30, 2016>*

Article 20 (Standards for Imposition of Administrative Fines)

Standards for imposition of administrative fines under Article 57 (1) through (4) of the Act shall be as specified in attached Table 5. *<Amended on Jul. 20, 2012>*

Article 21 (Disposition of Notice of Payment of Penalty)

(1) A notice of the payment of penalty issued under Article 59 (1) of the Act shall present personal information of the person who receives the disposition of notice, amount of penalty, details of violation, applicable provisions, place of payment, period of payment and date of disposition of notice. *<Amended on Jul. 20, 2012>*

(2) The amount of the payment of penalty notified under Article 59 (1) of the Act shall be as specified in attached Table 6. <Amended on Jul. 20, 2012>

(3) A receiving institution that has received a penalty pursuant to Article 60 (1) of the Act shall issue a receipt to the payer and send, without delay, a notification of confirmation of receipt to the Director General of the National Fishery Products Quality Management Service. <Amended on Jul. 20, 2012; Dec. 29, 2020>

(4) No penalty shall be paid in installments.

(5) Except as provided in paragraphs (1) through (4), procedures for payment of penalty and other necessary matters shall be prescribed by Ordinance of the Ministry of Oceans and Fisheries. <Amended on Mar. 23, 2013>

ADDENDUM <Presidential Decree No. 21174, Dec. 22, 2008>

This Decree shall enter into force on December 22, 2008.

ADDENDA <Presidential Decree No. 22727, Mar. 29, 2011>

Article 1 (Enforcement Date)

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

ADDENDA <Presidential Decree No. 22962, Jun. 7, 2011>

Article 1 (Enforcement Date)

This Decree shall enter into force on June 15, 2011.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Presidential Decree No. 23965, Jul. 20, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 22, 2012.

Article 2 (Repeal of Other Statutes or Regulations)

The Enforcement Decree of the Fish Farming Development Act shall be repealed.

Article 3 (Applicability to Term of Office of Aquatic Organism Disease Control Officers and Aquatic Organism Quarantine Officers)

The amended provisions of Article 5 (1) and 13 (1) shall apply to the term of office of aquatic organism disease control officers and aquatic organism quarantine officers under Article 7 (1) and 9 of the Addenda to the Aquatic Organism Disease Control Act (Act No. 10888).

Article 4 Omitted.

Article 5 (Relationship to Other Statutes or Regulations)

Where the previous Enforcement Decree of the Aquatic Organism Disease Control Act, the previous Enforcement Decree of the Fish Farming Development Act, or the previous Decree on the Quality Control of Fishery Products Act or any provision thereof has been cited by other statutes and regulations at the time this Decree enters into force, if provisions corresponding thereto exists in this Decree, this Decree or the relevant provision of this Decree shall be deemed cited, in lieu of the previous Enforcement Decree of the Aquatic Organism Disease Control Act, the previous Enforcement Decree of the Fish Farming Development Act, or the previous Decree on the Quality Control of Fishery Products Act, or the relevant provisions thereof.

ADDENDA <Presidential Decree No. 24455, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2015.

Articles 2 through 16 Omitted.

ADDENDUM <Presidential Decree No. 26565, Sep. 25, 2015>

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

ADDENDA <Presidential Decree No. 26814, Dec. 30, 2015>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Administrative Fines)

Notwithstanding the amended provisions of subparagraph 2 of attached Table 5, the previous provisions shall apply when the criteria for imposing administrative fines are applied to any violations committed before this Decree enters into force.

ADDENDA <Presidential Decree No. 27299, Jun. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2016. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 27751, Dec. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDUM <Presidential Decree No. 28913, May 28, 2018>

This Decree shall enter into force on May 29, 2018.

ADDENDA <Presidential Decree No. 31333, Dec. 29, 2020>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 1, 2021.

Article 2 (Transitional Measures concerning Change of Aquatic Organism Disease Control Agencies)

An act done by or toward the President of the National Institute of Fisheries Science in relation to the control of aquatic organism diseases before this Decree enters into force shall be deemed an act done by or toward the Director General of the National Fishery Products Quality Management Service pursuant to this Decree.

Article 3 Omitted.

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

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

ADDENDUM <Presidential Decree No. 31440, Feb. 9, 2021>

This Decree shall enter into force on February 19, 2021: Provided, That the amended provisions of Article 19 of the Enforcement Decree of the Aquatic Organism Disease Control Act, as amended by Presidential Decree No. 31333, shall enter into force on March 1, 2021.

Last updated : 2022-01-19

