

# FRAMEWORK ACT ON JUVENILES

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Wholly Amended by Act No. 7162, Feb. 9, 2004

Amended by Act No. 7421, Mar. 24, 2005

Act No. 7428, Mar. 31, 2005

Act No. 7796, Dec. 29, 2005

Act No. 7799, Dec. 29, 2005

Act No. 8342, Apr. 11, 2007

Act No. 8344, Apr. 11, 2007

Act No. 8432, May 11, 2007

Act No. 8852, Feb. 29, 2008

Act No. 9932, Jan. 18, 2010

Act No. 10298, May 17, 2010

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to prescribe the rights and responsibilities of juveniles and the responsibilities of families, the society, the State and local governments for juveniles, and to formulate the fundamental matters concerning the policy of nurturing juveniles.

### Article 2 (Fundamental Ideals)

(1) The fundamental ideals of this Act are to ensure the fair treatment and rights and interests of juveniles as members of the society, to help them think for themselves, freely act and enjoy their better lives and to protect them from a harmful environment in order for them to grow up as sound and democratic citizens who are needed by the State and the society.

(2) The long-term and comprehensive policy of nurturing juveniles which aims to realize the fundamental ideals referred to in paragraph (1) shall be implemented in line with the implementation direction containing the following matters:

1. Guaranteeing juveniles' participation;
2. Leading active lives based on the creativity and autonomy of juveniles;
3. Improvements in the conditions for juveniles' growth and social environment of juveniles;

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4. Improvements in the quality of juveniles in order to prepare for a democratic, welfare and unified Korea.

### Article 3 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term “juvenile” means a young male and female older than 9 years old and younger than 24 years old: *Provided*, That in case other Acts require the different definition of juveniles, they may be defined separately;
2. The term “nurturing of juveniles” means supporting activities of juveniles, upgrading the welfare of juveniles, improving social conditions and environment in order for them to be beneficial to juveniles, and protecting juveniles, supplementing education for juveniles in order to ensure their balanced growth;
3. The term “juvenile activities” means activities necessary to ensure the balanced growth of juveniles and other various activities such as training activities, exchange activities and cultural activities, etc.;
4. The term “juvenile welfare” means creating fundamental conditions for juveniles to lead their normal lives and providing social and economic support for juveniles in order for them to grow up and develop harmoniously;
5. The term “juvenile protection” means regulating environment harmful to juveniles, which includes materials, goods and act, etc. harmful to the healthy growth of juveniles or restricting their contacts with and their access to juveniles;
6. The term “juvenile establishment” means any establishment used to facilitate activities, welfare and protection of juveniles;
7. The term “certified juvenile leaders” means certified juvenile guiders provided for in Article 21, certified juvenile counselors provided for in Article 22 and other persons who are involved in the nurturing of juveniles and guidance services for juveniles in juvenile establishments, juvenile organizations and other juvenile-related institutions, etc.;
8. The term “juvenile organizations” means any juristic person established mainly for the purpose of the nurturing of juveniles or any organizations designated by Presidential Decree.

### Article 4 (Relation with other Acts)

(1) This Act shall precede other Acts in the application to the nurturing of juveniles.

(2) When any Act concerning the nurturing of juveniles is enacted or amended, such enactment and amendment shall be made in conformity with this Act.

Article 5 (Rights and Responsibilities of Juveniles)

(1) The fundamental human rights of juveniles shall be respected in all spheres of juvenile activities, juvenile welfare, juvenile protection and the nurturing of juveniles.

(2) Juveniles shall hold the rights to pursue self development in a safe and pleasant environment and to protect them from all kinds of environment that are feared to harm mentally and physically their health.

(3) Juveniles shall endeavor to develop their abilities and establish a sound sense of values and also work to fulfill their responsibilities as members of the family, the society and the State.

Article 6 (Responsibilities of Families)

(1) All families shall recognize the primary responsibilities regarding nurturing juveniles, and work to help juveniles develop themselves based on their personalities and qualities and grow up as the next generation who will be able to fulfil their responsibilities as members of the society and the State with warm love and care.

(2) All families shall work positively to raise juveniles right by such activities as participating with them in education programs provided by schools and juvenile-related institutions, etc.

(3) All families shall work to take necessary steps to protect juveniles from harmful environment to juveniles such as contact with harmful media products using information and communication network, etc.

(4) Where a juvenile runs away from home or commits delinquencies due to indifference, negligence, suppression or violence of his family, a person with parental authority or a person who protects the juvenile on behalf of the person with parental authority shall bear the responsibility of protecting the juvenile.

*[This Article Wholly Amended by Act No. 7799, Dec. 29, 2005]*

Article 7 (Responsibilities of Society)

(1) All people shall help juveniles lead pleasant activities in their daily lives and enjoy the pleasure of living together with others.

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(2) All people shall recognize the characteristics of juveniles' thinking and behavior patterns and understand and instruct them with love and communication, and they shall not spare effort to properly guide juveniles by, for example, not neglecting the delinquencies of juveniles.

(3) No people shall perform any act that harms the mental and physical health of juveniles in any place used by juveniles or easily accessible to juveniles, and they shall endeavor to eliminate any harmful environmental factors and to create a desirable environment for juveniles.

(4) All people shall endeavor to pay special attention to economically, socially, culturally and mentally distressed juveniles and help them lead better lives.

### Article 8 (Responsibilities of State and Local Governments)

(1) The State and local governments shall develop and implement legal and institutional mechanisms necessary to support juvenile activities, facilitate juvenile welfare and protect juveniles.

(2) The State and local governments shall create conditions necessary for people to fulfill their responsibilities provided for in Articles 6 and 7.

(3) The State and local governments shall develop and implement policy steps necessary to stably secure financial resources needed to perform the work under paragraphs (1) and (2).

## CHAPTER II OVERALL CONTROL AND COORDINATION OF POLICIES OF NURTURING JUVENILES

### Article 9 (Overall Control and Coordination of Policies of Nurturing Juveniles)

The Minister of Gender Equality and Family shall exercise overall control over and coordinate the policies of nurturing juveniles after consulting thereabout with the heads of related administrative agencies. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*

### Article 10 (Council of Related Agencies on Juvenile Policies)

(1) The Council of Related Agencies on the Juvenile Policies (hereinafter referred to as the "Council") that is comprised of public officials, etc. of related agencies shall be established in the Ministry of Gender Equality and Family with the aim of facilitating the linkage, coordination and

mutual cooperation among agencies concerned for juvenile policies.  
 <Amended by Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The Council shall consult about the following matters:

1. Matters concerning the coordination of juvenile policies in which not less than two administrative agencies are involved;
2. Matters concerning juvenile policies that have to be implemented through the cooperation of several ministries.
- (3) The composition and organization of the Council and other matters necessary for its operation shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 7421, Mar. 24, 2005]

Article 11 (Establishment of Local Juvenile Nurture Committees)

(1) The Local Juvenile Nurture Committee mandated to deliberate on major policies of the relevant local government in regard to the nurture of juveniles shall be established under the jurisdiction of the Special Metropolitan City Mayor, the Metropolitan City Mayor, the *Do* Governor (hereinafter referred to as the "Mayor/*Do* Governor") and the head of a *Si/Gun/Gu* (limited to the head of an autonomous *Gu*; hereinafter the same shall apply).

(2) Article 10 (3) shall apply *mutatis mutandis* to the Local Juvenile Nurture Committees.

(3) The composition and organization of the Local Juvenile Nurture Committees and other matters necessary for its operation shall be prescribed by municipal ordinances.

Article 12 (Holding of Juvenile Special Meetings)

(1) The State shall hold juvenile special meetings (hereinafter referred to as "special meeting") each year with experts in the field of juveniles and juveniles attending for setting, implementing and inspecting policies of nurturing juveniles on a government-wide scale.

(2) Detailed matters, such as persons to attend special meetings, its operation methods, etc. shall be prescribed by Presidential Decree.

Article 13 (Formulation of Master Plans for Nurturing Juveniles)

(1) The State shall formulate a master plan for nurturing juveniles (hereinafter referred to as "master plan") every five years.

(2) Master plans shall contain the following matters falling under each of the following subparagraphs:

1. The analysis and evaluation of the previous basic policy;

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2. The basic direction of nurturing juveniles;
3. The goal of nurturing juveniles;
4. The coordination of the function of nurturing juveniles;
5. The major policy of nurturing juveniles by field;
6. Methods of securing financial resources needed to nurture juveniles;
7. Other matters that are recognized as being specially needed to nurture juveniles.

### Article 14 (Development of Annual Implementation Plan)

The State and local governments shall each develop and implement the annual implementation plan based on the basic policy.

### Article 15 (Cooperation with Developing Plan)

(1) The State and local governments may, when it is deemed necessary to develop and implement the basic policy and the annual implementation plan provided for in Articles 13 and 14, ask the heads of public institutions, civic organizations and private corporations to cooperate with them.

(2) Persons who are asked to cooperate in accordance with paragraph (1) shall go along with such request unless special grounds exist that make it impossible for them to do so.

### Article 16 (Juvenile Month)

The May of every year shall be designated as the juvenile month in order to inspire the spontaneous and independent master consciousness of juveniles and to create an atmosphere aimed for the people's active participation.

## CHAPTER III Deleted.

Articles 16-2 through 16-8 Deleted. *<by Act No. 8852, Feb. 29, 2008>*

## CHAPTER IV JUVENILE ESTABLISHMENTS

### Article 17 (Categories of Juvenile Establishments)

Matters concerning establishments used for juvenile activities (hereinafter referred to as "juvenile activity establishments"), establishments used for juvenile welfare (hereinafter referred to as "juvenile welfare establishments") and establishments used for the juvenile protection (hereinafter referred to as "juvenile protection establishments") shall be prescribed separately by the Act.

Article 18 (Installation and Operation of Juvenile Establishments)

- (1) The State and local governments shall install and operate juvenile establishments.
- (2) Anyone other than the State and local governments may install and operate juvenile establishments as separately prescribed by Acts.
- (3) The State and local governments may commission juvenile organizations to operate juvenile establishments installed in accordance with paragraph (1).

Article 19 (Instruction and Supervision of Juvenile Establishments)

The State and local governments may provide necessary instruction and supervision of juvenile establishments in order to ensure the people's trust in the appropriateness, public nature and safety of such juvenile establishments and to support their installation and operation.

## CHAPTER V CERTIFIED JUVENILE LEADERS

Article 20 (Training of Certified Juvenile Leaders)

- (1) The State and local governments shall take policy steps necessary to train certified juvenile leaders and upgrade their qualities.
- (2) The basic direction-setting of training certified juvenile leaders and of improving their qualities, and details of such basic direction-setting under paragraph (1) shall be prescribed by Presidential Decree.

Article 21 (Certified Juvenile Guiders)

- (1) The Minister of Gender Equality and Family shall grant the qualifications as certified juvenile guiders to persons who have passed the qualifying examination for certified juvenile guiders and completed the training courses conducted by any certified juvenile guider training institution. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*
- (2) If it is deemed necessary to train persons who have passed the qualifying examination for certified juvenile guiders, the Minister of Gender Equality and Family may designate a certified juvenile guider training institution, as prescribed by Presidential Decree. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*
- (3) Any of the following persons is not eligible to be a certified juvenile

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guider: <Amended by Act No. 7428, Mar. 31, 2005>

1. A person who is a minor, an incompetent or a quasi-incompetent;
2. A person who is not yet reinstated after having been declared bankrupt;
3. A person who was sentenced to imprisonment without prison labor or heavier punishment and for whom two years have not passed after the execution of such sentence was terminated or the non-execution of such sentence became definite;
4. A person who has been sentenced to imprisonment without prison labor or heavier punishment and for whom the period of the stay of the execution of such sentence is not expired;
5. A person whose qualifications are lost or suspended by the judgment made by any court or by Acts.

(4) Necessary matters concerning ranks of certified juvenile guiders, the qualifying examination for them, training, procedures for issuing certificates of qualifications, etc. under paragraph (1) shall be prescribed by Presidential Decree.

### Article 22 (Certified Juvenile Counselors)

(1) The Minister of Gender Equality and Family shall grant the qualifications as certified juvenile counselors to persons who have passed the qualifying examination for certified juvenile counselors and completed the training courses conducted by any certified juvenile counselor training institution. <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) Article 21 (2) through (4) shall apply *mutatis mutandis* to certified juvenile counselors under paragraph (1).

### Article 23 (Posting, etc. of Certified Juvenile Guiders and Certified Juvenile Counselors)

(1) Juvenile establishments and juvenile organizations shall post certified juvenile guiders and certified juvenile counselors in charge of nurturing juveniles, as prescribed by Presidential Decree.

(2) The State and local governments may subsidize expenses, in whole or in part, necessary for activities that are carried out by certified juvenile guiders and certified juvenile counselors who are posted to juvenile organizations or juvenile establishments in accordance with paragraph (1) within limits of budget.

### Article 24 (Employment of Certified Juvenile Guiders and Certified



Juvenile Counselors)

(1) Schools provided for in Article 9 of the Framework Act on Education may, if it is deemed necessary for them to perform the work involving the nurturing of juveniles, employ certified juvenile guiders and certified juvenile counselors. <Amended by Act No. 7421, Mar. 24, 2005>

(2) The State and local governments may subsidize remunerations and necessary expenses, in whole or in part, which are incurred by the employment of certified juvenile guiders and certified juvenile counselors referred to in paragraph (1).

Article 25 (Public Officials Exclusively in Charge of Nurturing Juveniles)

(1) Public officials exclusively in charge of nurturing juveniles may be posted to the Special Metropolitan City, the Metropolitan City, the *Do* (hereinafter referred to as the “City/*Do*”), the *Si/Gun/Gu* (referring to the autonomous *Gu*; hereinafter the same shall apply) and the *Eup/Myoen/Dong* or organizations that are exclusively in charge of nurturing juveniles provided for in Article 26.

(2) The public officials exclusively in charge of nurturing juveniles referred to in paragraph (1) shall have the qualifications of certified juvenile guiders or certified juvenile counselors.

(3) The public officials exclusively in charge of nurturing juveniles shall grasp the actual state of juveniles and certified juvenile leaders, etc. in their jurisdictional areas and render necessary guidance services.

(4) Administrative agencies concerned, juvenile organizations and persons who have built and operated juvenile establishments shall cooperate with public officials exclusively in charge of nurturing juveniles in performing their official business.

(5) Necessary matters concerning the appointments of public officials exclusively in charge of nurturing juveniles, etc. referred to in paragraph (1) shall be prescribed by the Municipal Ordinance.

Article 26 (Establishment of Organizations Exclusively in Charge of Nurturing Juveniles)

(1) Organizations exclusively in charge of nurturing juveniles may be established in the City/*Do* and the *Si/Gun/Gu* in order to efficiently perform the work of nurturing juveniles.

(2) The scope of administrative affairs and the composition of the organizations exclusively in charge of nurturing juveniles and other necessary matters shall be prescribed by municipal ordinance.

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### Article 27 (Juvenile Guidance Members)

- (1) The head of a *Si/Gun/Gu* may commission juvenile guidance members to take charge of nurturing juveniles.
- (2) Necessary matters concerning the qualifications of juvenile guidance members referred to in paragraph (1) and procedures for commissioning them, etc. shall be prescribed by municipal ordinance.

## CHAPTER VI JUVENILE ORGANIZATIONS

### Article 28 (Roles of Juvenile Organizations)

- (1) Juvenile organizations shall spare no effort to play the following roles:
  1. The cultivation of skills and characters of juveniles through juvenile activities complementary to school education;
  2. The improvement of juveniles' lives through the promotion of juvenile welfare;
  3. The performance of the juvenile-protection work to protect juveniles from a harmful environment.
- (2) Juvenile organizations shall actively reflect juveniles' opinions in carrying out the roles referred to in paragraph (1).

### Article 29 (Support, etc. for Juvenile Organizations)

- (1) The State and local governments may provide juvenile organizations with administrative support necessary to form them and carry out their activities and subsidize part of expenses incurred in operating them and carrying out their activities within budgetary limits.
- (2) Individuals, corporations or organizations may contribute money and other property to juvenile organizations in order to support the operation of their establishments.
- (3) Matters concerning the scope of the support and the subsidies referred to in paragraph (1) shall be prescribed by Presidential Decree.

### Article 30 (For-Profit Business)

- (1) A juvenile organization may run the for-profit business related to nurturing juveniles, as prescribed by the articles of association.
- (2) Matters concerning the scope of the for-profit business under paragraph (1), and the use of profits and other relevant matters shall be prescribed by Presidential Decree.

Articles 31 through 39 Deleted. <by Act No. 10298, May 17, 2010>

### Article 40 (National Council of Youth Organizations in Korea)

(1) Juvenile organizations may establish the National Council of Youth Organizations in Korea (hereinafter referred to as the “Council”) after obtaining authorization thereof from the Minister of Gender Equality and Family in order to carry out the following activities with the aim of nurturing juveniles: <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

1. Cooperation with and support for projects performed and activities carried out by member organizations;
  2. Training for juvenile leaders and the advancement of their rights and interests;
  3. Participation in activities carried out by international organizations in the field related to juveniles;
  4. Exchanges with and support for foreign juvenile organizations;
  5. Exchanges of and support for South-North Korean juveniles and overseas Korean juveniles;
  6. Survey and research of, and support for, juvenile activities;
  7. Publication of juvenile-related books and support for information thereon;
  8. Public relations and campaigns aimed at nurturing juveniles;
  9. Cooperation with and support for local juvenile organization councils;
  10. Other projects necessary to nurture juveniles.
- (2) The Council shall be a juristic person.
- (3) The Council shall come into existence by registration of incorporation at the seat of its head office.
- (4) The provisions governing incorporated associations of the Civil Act shall apply *mutatis mutandis* to the Council, except as otherwise provided for in this Act. <Amended by Act No. 7421, Mar. 24, 2005>
- (5) The State may subsidize expenses to be incurred in operating the Council and in carrying out activities thereof.
- (6) The Council may run any for-profit business to the extent it does not undermine the purposes of its establishment, and profits accruing from such for-profit business shall not be used for any purpose other than for the Council and establishments operated by the Council.
- (7) Corporations, individuals or organizations may contribute or donate money and other property to the Council in order to support the operation of the Council and projects, etc. performed by the Council.

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- (8) The Council may commission part of the activities under paragraph (1) to its member organizations, as prescribed by the articles of association.

### Article 41 (Local Juvenile Organization Councils)

- (1) Juvenile organizations that carry out activities in specific areas may establish a local juvenile organization council after obtaining authorization thereof from the Mayor/*Do* Governor, as prescribed by municipal ordinance of the City/*Do* having jurisdiction over such areas.
- (2) Local governments may support expenses, in whole or in part, necessary to operate local juvenile organization councils within budgetary limits.

### Article 42 (Establishment of Korea Youth Counseling Institute)

- (1) The Korea Youth Counseling Institute (hereinafter referred to as the "Counseling Institute") shall be established to perform the following work which aims to help juveniles form right characters and grow up in harmony: <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

1. The study and development of policies related to juvenile counseling;
  2. The study of counseling techniques for juveniles and the production and distribution of counseling materials;
  3. The operation of exemplary juvenile counseling services;
  4. The education and training of counseling human resources;
  5. The cooperation and mutual support among juvenile counseling institutions;
  6. The guidance and support for matters related to juvenile counseling and emergency management of the City/*Do* and the *Si/Gun/Gu* institutions under Articles 46 and 46-2;
  7. The establishment of the sound sense of values for juveniles and education for their parents;
  8. The guidance and support for projects designed for juveniles who drop out of school;
  9. Other projects designated by the Minister of Gender Equality and Family or necessary for the Counseling Institute to attain its objectives.
- (2) The Counseling Institute may establish a specialized educational institution in accordance with relevant Acts in order to perform the education and study under paragraph (1) 1 through 4 in a more scientific, empirical and systematic manner.

(3) Where it is deemed necessary, the Counseling Institute may open branch counseling institutes as prescribed by the articles of association.

(4) The Counseling Institute shall be a juristic person. *<Newly Inserted by Act No. 10298, May 17, 2010>*

(5) The Counseling Institute shall come into existence by registration of incorporation at the seat of its head office. *<Newly Inserted by Act No. 10298, May 17, 2010>*

Article 42-2 (Articles of Association)

Matters referred to in the following subparagraphs shall be stated in the articles of association of the Counseling Institute:

1. The purpose;
2. The name;
3. The seat of the head office;
4. Matters concerning the business;
5. Matters concerning executives and employees;
6. Matters concerning the board of directors;
7. Matters concerning assets and accounting;
8. Matters concerning the modification of the articles of association.

*[This Article Newly Inserted by Act No. 10298, May 17, 2010]*

Article 42-3 (Submission, etc. of Business Plans)

(1) The Counseling Institute shall prepare a business plan and a budget and submit them to the Minister of Gender Equality and Family and obtain his/her approval before the commencement of each business year, as prescribed by Presidential Decree.

(2) The Counseling Institute shall prepare a written settlement of accounts concerning revenue and expenditure for each business year and undergo an inspection and audit by a certified public accountant thereon, and submit it to the Minister of Gender Equality and Family by March 20 of the following business year.

*[This Article Newly Inserted by Act No. 10298, May 17, 2010]*

Article 42-4 (Subsidies, etc.)

(1) The Government may subsidize expenses incurred in the business and operation of the Counseling Institute within budgetary limits.

(2) Any individual, juristic person or organization may contribute or donate money or other property to support the operation or business or such of the Counseling Institute.

*[This Article Newly Inserted by Act No. 10298, May 17, 2010]*

Article 42-5 (Application *Mutatis Mutandis* of the Civil Act)

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Except the matters prescribed in this Act, the provisions concerning incorporated foundations under the Civil Act shall apply *mutatis mutandis* to the Counseling Institute.

[*This Article Newly Inserted by Act No. 10298, May 17, 2010*]

### Article 43 (Executives)

(1) The Counseling Institute shall have no more than 15 directors, including one chief director and one president, and one auditor.

(2) The chief director shall be selected and appointed by a resolution of the board of directors from among the directors, and his/her selection and appointment shall obtain approval therefor from the Minister of Gender Equality and Family. <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(3) The chief director, directors (excluding the president; hereafter the same shall apply in this Article) and the auditor shall be non-standing.

(4) Directors shall be appointed or dismissed by the Minister of Gender Equality and Family on the recommendation of the board of directors and their terms of office shall be three years. <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(5) The auditor shall be appointed or dismissed by the Minister of Gender Equality and Family and his/her term of office shall be three years. <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

### Article 44 (President)

(1) The president shall be appointed or dismissed by the Minister of Gender Equality and Family on the recommendation of the board of directors and his/her term of office shall be three years. <Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The president shall represent the Counseling Institute and exercise overall control over administrative affairs of the Counseling Institute.

Article 45 Deleted. <by Act No. 10298, May 17, 2010>

### Article 46 (Establishment of Institutions for Juvenile Counseling, Emergency Rescue, etc. in City/Do)

(1) The Mayor/Do Governor may establish and operate an institution which carries out such functions as counselling, emergency rescue, rehabilitation, treatment, etc. for juveniles.

(2) Detailed functions performed by an institution established under paragraph (1) shall be prescribed by Presidential Decree.

(3) The Mayor/*Do* Governor may delegate the operation of an institution established under paragraph (1) to a juvenile organization, etc.

(4) The Mayor/*Do* Governor may establish an institution established under paragraph (1) as a corporation.

(5) The State may subsidize part of expenses incurred in establishing and operating an institution established and operated by the Mayor/*Do* Governor under paragraph (1) within budgetary limits.

*[This Article Wholly Amended by Act No. 7799, Dec. 29, 2005]*

Article 46-2 (Establishment of Institutions for Juvenile Support, etc. in *Si/Gun/Gu*)

(1) The head of a *Si/Gun/Gu* may establish and operate institutions which perform the functions under Article 46 (1) and support functions such as juvenile activities, volunteer services, participation, human rights, etc.

(2) Article 46 (2) through (5) shall apply *mutatis mutandis* to juvenile support institutions of a *Si/Gun/Gu*.

*[This Article Newly Inserted by Act No. 7799, Dec. 29, 2005]*

## CHAPTER VII JUVENILE ACTIVITIES, WELFARE, ETC.

Article 47 (Support for Juvenile Activities)

(1) The State and local governments shall support activities carried out by juveniles.

(2) Matters concerning the support for activities carried out by juveniles under paragraph (1) shall be prescribed separately by another Act.

Article 48 (Linkage with School Education, etc.)

(1) The State and local governments shall develop and implement policy steps to link juvenile activities with school education and lifelong education in order to raise educational effects.

(2) Where the Minister of Gender Equality and Family develops policy steps under paragraph (1), he/she shall consult thereabout with related institutions and hear experts' opinions thereabout. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*

(3) Related institutions requested for consultations under paragraph (2) shall comply therewith unless special grounds exist.

Article 49 (Improvement of Juvenile Welfare)

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(1) The State shall periodically survey matters concerning the consciousness, attitudes, lives, etc. of juveniles and, for the improvement thereof, develop and implement policies to enhance the welfare of juveniles.

(2) Where the State and local governments implement policy steps focused on the guarantee of basic lives, the training for vocational rehabilitation, the support for juvenile activities, etc., they shall give preferential consideration to juveniles in need of special mental, physical, economic and social support.

(3) The State and local governments shall develop concrete policy steps to improve the quality of juveniles' lives.

(4) Matters referred to in paragraphs (1) through (3) shall be prescribed separately by another Act.

### Article 50 (Prevention of Juveniles from Running Away from Homes and Committing Delinquencies)

(1) The State and local governments shall prevent juveniles from running away from their homes and from committing delinquencies and provide them with welfare support necessary for their sound rehabilitation.

(2) All families shall endeavor to prevent juveniles from running away from their homes and from committing delinquencies prior to the State and local governments, and shall actively cooperate with the effort of the State and local governments, etc. for the smooth return to society of runaway or delinquent juveniles. *<Newly Inserted by Act No. 7799, Dec. 29, 2005>*

### Article 51 (Creation of Environment Beneficial to Juveniles)

(1) The State and local governments shall endeavor to create an environment in which juveniles are able to improve their informatization abilities.

(2) The State and local governments shall encourage the production and dissemination of media beneficial to juveniles and may provide anyone who produces or disseminates such media with support for covering expenses incurred in the production or dissemination thereof.

(3) The State and local governments shall endeavor to create a social and natural environment beneficial to juveniles, such as placing juvenile establishments in housing complexes.

### Article 52 (Regulation of Environment Harmful to Juveniles)

(1) The State and local governments shall prevent media, drugs, etc. harmful to juveniles from being distributed.

(2) The State and local governments shall prevent juveniles from frequenting business places harmful to them or from being employed by



such places of business.

(3) The State and local governments shall protect and relieve juveniles from harmful acts, such as violence, abuses, sexual traffic, etc.

(4) Matters concerning the regulation of media, drugs, places of business, acts, etc. harmful to juveniles referred to in paragraphs (1) through (3) shall be prescribed separately by another Act.

## CHAPTER VIII JUVENILE NURTURE FUND

### Article 53 (Establishment, etc. of Fund)

(1) The Juvenile Nurture Fund (hereinafter referred to as the "Fund") shall be set up in order to secure financial resources necessary to nurture juveniles.

(2) The Fund shall be managed and operated by the Minister of Gender Equality and Family. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*

(3) The Minister of Gender Equality and Family may commission the whole or part of the administrative affairs involving the management and operation of the Fund to the Council under Article 40, the Korea Youth Work Agency under Article 6 of the Juvenile Activity Promotion Act, the National Youth Policy Institute established under the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutions (hereinafter referred to as the "Youth Policy Institute"), or the Seoul Olympic Sports Promotion Foundation established under Article 36 of the National Sports Promotion Act. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8344, Apr. 11, 2007; Act No. 8432, May 11, 2007; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 10298, May 17, 2010>*

(4) Necessary matters concerning the management and operation of the Fund shall be prescribed by Presidential Decree.

### Article 54 (Raising of Fund)

(1) The Fund shall be raised from the following financial resources: *<Amended by Act No. 7421, Mar. 24, 2005; Act Nos. 8342 & 8344, Apr. 11, 2007>*

1. Contributions from the Government;
2. Contributions pursuant to Article 22 (3) 1 of the National Sports Promotion Act and those pursuant to Article 18 (1) 1 of the Bicycle and Motorboat Racing Act;
3. Money, goods and property contributed by individuals, corporations

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or organizations;

4. Profits accruing from the operation of the Fund;

5. Other revenues prescribed by Presidential Decree.

(2) Anyone who makes any contribution under paragraph (1) 3 may designate the use of his/her contribution: *Provided*, That he/she shall not be permitted to designate the use of his/her contribution for any specific organization or any specific individual.

### Article 55 (Use, etc. of Fund)

(1) The Fund shall be used for the following work:

1. Support for juvenile activities;

2. Support for establishing and operating juvenile establishments;

3. Support for training juvenile leaders;

4. Support for the operation and activities of juvenile organizations;

5. Support for improving the welfare of juveniles;

6. Support for protecting juveniles;

7. Support for the scientific research of the implementation process of policies of nurturing juveniles;

8. Support for the work of raising the Fund;

9. Other work prescribed by Presidential Decree as necessary for nurturing juveniles.

(2) In order to support the fund-raising of the institution in charge of managing the Fund under Article 53 (2) and (3) (hereinafter referred to as "institution in charge of managing the Fund"), the State and local governments may permit the institution to gratuitously use, profit from or rent national or public establishments, goods or other property therefor within the scope of not impeding the purposes of their use or purposes.

(3) The institution in charge of managing the Fund may contribute or invest part of the Fund or its establishments, goods or other property to or in the basic property of juvenile organizations, in order to nurture juveniles or raise the Fund.

(4) The institution in charge of managing the Fund shall coordinate the spending of the Fund in consideration of prospects for raising the Fund, and ultimately develop and implement a long-term plan that can contribute to the securing of financial resources needed to nurture juveniles.

### Article 56 (Raising of Local Juvenile Nurture Fund)

(1) The Mayor/*Do* Governor may establish a local juvenile nurture fund in order to secure financial resources needed to support the work of nur-

turing juveniles and juvenile activities, etc. in his/her jurisdiction.

(2) The raising and the purposes of use of the local juvenile nurture fund under paragraph (1) and other necessary matters shall be prescribed by municipal ordinance.

## CHAPTER IX SUPPLEMENTARY PROVISIONS

Article 57 (Rental, etc. of National and Public Property)

(1) Where it is deemed necessary to install juvenile establishments and revitalize juvenile organizations, the State and local governments may permit juvenile establishments and organizations to gratuitously rent, use or profit from national or public property therefor within the scope of not impeding the purposes of their use, notwithstanding the provisions of the State Property Act or the Local Finance Act. *<Amended by Act No. 7421, Mar. 24, 2005>*

(2) Details and conditions of the rental, use and profits of national and public property under paragraph (1) shall be determined by a contract concluded between anyone who intends to use and profit from the relevant property and the head of any agency in charge of managing the property or the head of the local government concerned.

Article 58 (Tax Reduction, Exemption, etc.)

(1) The State may reduce or exempt taxes for juvenile organizations such as the Council, local juvenile organization councils, the Counseling Institute, institutions under Articles 46 and 46-2 and the National Youth Policy Institute, etc. and juvenile establishments operated by juvenile organizations, as prescribed by the Restriction of Special Taxation Act, and may also reduce or exempt the value-added tax for them, as prescribed by the Value-Added Tax Act. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8432, May 11, 2007; Act No. 10298, May 17, 2010>*

(2) The State may apply the special case for the income calculation to property contributed or donated to juvenile organizations such as the Council, local juvenile organization councils, the Counseling Institute, institutions under Articles 46 and 46-2 and the National Youth Policy Institute, etc. and juvenile establishments operated by juvenile organizations, and to the money and other property contributed to the Fund under Article 54, as prescribed by the Restriction of Special Taxation Act. *<Amended by Act No. 7799, Dec. 29, 2005; Act No. 8432, May 11, 2007; Act No. 10298, May 17, 2010>*

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(3) The State may reduce or exempt duties for experiment, practice and audio-visual materials, other necessary goods and juvenile facilities and equipment, etc., the imports of which are inevitable for their sophistication, which are all imported by juvenile organizations such as the Council, local juvenile organization councils, the Counseling Institute, institutions under Articles 46 and 46-2 and the National Youth Policy Institute, etc. and juvenile establishments operated by juvenile organizations, as prescribed by the Customs Act. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8432, May 11, 2007; Act No. 10298, May 17, 2010>*

### Article 59 (Supervision, etc.)

(1) If it is deemed necessary to nurture juveniles, the State and local governments may have juvenile establishments and juvenile organizations such as the Council, local juvenile organization councils, the Counseling Institute, institutions under Articles 46 and 46-2, etc. to report matters concerning their work, accounting and property or require public officials under their to control check books, documents and other articles of such establishments or organizations. *<Amended by Act No. 7799, Dec. 29, 2005; Act No. 10298, May 17, 2010>*

(2) Public officials assigned to perform the check under paragraph (1) shall carry certificates indicating their authority and produce them to the related persons.

### Article 60 (Awards)

The Government may give an award to a person who is greatly credited with nurturing juveniles or is a role model of juveniles.

### Article 61 (Prohibition on Use of Similar Titles)

No person who is not the Counseling Institute or the Council under this Act shall use the titles of the Korea Youth Counseling Institute, the National Council of Youth Organizations in Korea or other titles similar thereto. *<Amended by Act No. 10298, May 17, 2010>*

### Article 62 (Fees, etc.)

(1) A person who falls under any of the following subparagraphs shall pay fees, as prescribed by ordinance of the Ministry of Gender Equality and Family: *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*

1. A person who undergoes training courses or takes the qualifying examination for certified juvenile guiders;
2. A person who undergoes training courses or takes the qualifying

examination for certified juvenile counselors.

- (2) A person who establishes and operates any juvenile establishment and any organization that operates any juvenile establishment on commission may collect use charges from persons who use their establishments.

Article 63 (Delegation and Commission of Authority)

The Minister of Gender Equality and Family may delegate part of his/her authority under this Act to the Mayor/*Do* Governor or commission part of his/her authority under this Act to juvenile organizations, as prescribed by Presidential Decree. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*

## CHAPTER X PENAL PROVISIONS

Article 64 (Penal Provisions)

A person who falls under any of the following subparagraphs shall be punished by imprisonment with prison labor for not more than two years, or by a fine not exceeding 20 million won:

1. A person who runs any for-profit business other than the work prescribed by the articles of association under Article 30;
2. Deleted. *<by Act No. 10298, May 17, 2010>*

Article 65 (Joint Penal Provisions)

Where a representative of a juristic person or an agent, employee or other servant of a juristic person or an individual commits an offense under Article 64 in connection with the business of the juristic person or individual, not only shall such offender be punished, but also the juristic person or individual shall be punished by a fine under each relevant Article: *Provided*, That this shall not apply where such juristic person or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offense.

*[This Article Wholly Amended by Act No. 10298, May 17, 2010]*

Article 66 (Fines for Negligence)

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding five million won: *<Amended by Act No. 10298, May 17, 2010>*

1. A person who fails to file a report pursuant to Article 59 (1) or rejects, interferes with or evades any check and order;
2. A person who violates Article 61.

(2) Fines for negligence under paragraph (1) shall be imposed and col-

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lected by the Minister of Gender Equality and Family or the heads of local governments (including cases where the authority is delegated in accordance with Article 63; hereinafter the same shall apply), as prescribed by Presidential Decree. *<Amended by Act No. 7421, Mar. 24, 2005; Act No. 7799, Dec. 29, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>*  
(3) through (5) Deleted. *<by Act No. 10298, May 17, 2010>*

### ADDENDA

#### Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation: *Provided*, That the act of preparation to enforce Article 2 of the Addenda may be performed even before this Act enters into force.

#### Article 2 (Establishment Preparations of Korea Youth Service Center)

(1) The Minister of Culture and Tourism shall set up the Establishment Preparation Committee (hereinafter referred to as the "Preparation Committee") mandated to perform administrative affairs for establishing the Korea Youth Service Center under the amended provisions of Article 31 (hereinafter referred to as the "Service Center").

(2) The Preparation Committee shall consist of not more than five establishment preparation members (hereinafter referred to as the "preparation members") including one establishment preparation committee chairperson (hereinafter referred to as the "preparation chairperson").

(3) The preparation chairperson and members shall be commissioned by the Minister of Culture and Tourism.

(4) The Preparation Committee shall make the articles of association and then obtain the authorization thereof from the Minister of Culture and Tourism before this Act enters into force.

(5) Where the authorization referred to in paragraph (4) is obtained, the preparation members shall turn over the administrative affairs to the President after jointly having without delay the establishment of the Service Center registered.

(6) The preparation chairman and members shall be deemed that they are relieved of being commissioned where the administrative affairs are turned over under paragraph (5).

#### Article 3 (Transitional Measures concerning Local Juvenile Committee)

The Local Juvenile Committee provided for in the former provisions as at the time this Act enters into force shall be deemed the Local Juvenile Nurture Committee provided for in the amended provisions of Article 11.

Article 4 (Transitional Measures concerning Basic Plan for Juveniles)

The basic plan for nurturing juveniles provided for in the former provisions as at the time this Act enters into force shall be deemed the basic policy provided for in the amended provisions of Article 13.

Article 5 (Transitional Measures concerning Juvenile Training Establishments)

The juvenile training establishments provided for in the former provisions as at the time this Act enters into force shall be deemed the juvenile activity establishments provided for in the amended provisions of Article 17.

Article 6 (Transitional Measures concerning Succession of Rights and Obligations of National Council of Youth Organizations in Korea That is Incorporated Association)

(1) The National Council of Youth Organizations in Korea that is an incorporated association as at the time this Act enters into force shall make the articles of association of the National Council of Youth Organizations in Korea (hereinafter referred to as the "Council") provided for in the amendment to Article 40 and then obtain the authorization of its establishment from the Minister of Culture and Tourism within 30 months from the date this Act enters into force.

(2) Where the National Council of Youth Organizations in Korea that is an incorporated association as at the time of this Act enters into force obtains the authorization of its establishment referred to in paragraph (1), it shall register the establishment of the Council.

(3) The National Council of Youth Organizations in Korea that is an incorporated association as at the time this Act enters into force shall be deemed dissolved when it registers the establishment of the Council, referred to in paragraph (2), notwithstanding the provisions governing dissolution and liquidation of the Civil Act.

(4) The Council shall succeed to all rights, obligations and property of the National Council of Youth Organizations in Korea that is an incorporated association on the date on which it registers its establishment.

(5) The executives and employees of the National Council of Youth Organizations in Korea that is an incorporated association as at the time this Act enters into force shall be deemed the executives and employees of the Council and the terms of the executives shall be calculated beginning the date on which they were previously appointed.

ADDENDA <Act No. 7421, Mar. 24, 2005>

Article 1 (Enforcement Date)

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This Act shall enter into force on the date on which Presidential Decree governing the organization of the National Juvenile Commission enters into force within three months after the promulgation of this Act.

Article 2 (Transitional Measures concerning Jurisdictional Administrative Affairs and Public Officials, etc. following Disorganization and Creation of Organization)

(1) The National Juvenile Commission shall succeed to the administrative affairs concerning juveniles from among the administrative affairs under the jurisdiction of the Minister of Culture and Tourism as at the time this Act enters into force.

(2) The public officials who belong to the Youth Bureau of the Ministry of Culture and Tourism as at the time this Act enters into force shall be deemed the public officials who belong to the Juvenile Commission.

(3) The Ordinance of the Ministry of Culture and Tourism that governs the administrative affairs under the jurisdiction of the Minister of Culture and Tourism that is to be succeeded to by the National Juvenile Commission pursuant to paragraph (1) as at the time this Act enters into force shall be deemed the rules of the Juvenile Commission.

Article 3 Omitted.

Article 4 (Relationship with other Acts and Subordinate Statutes following Closure or New Establishment of Organizations)

The citation of "Ministry of Culture and Tourism" or "Minister of Culture and Tourism" by other Acts and subordinate statutes in connection with the affairs concerning juveniles as at the time this Act enters into force shall be deemed "National Juvenile Commission", "public officials belonging to the Ministry of Culture and Tourism", "public officials belonging to the National Juvenile Commission", and "Ordinance of the Ministry of Culture and Tourism" in connection with the affairs under the control of the Minister of Culture and Tourism succeeded to by the National Juvenile Commission to be "Regulations of the National Juvenile Commission", respectively.

### ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

### ADDENDA <Act No. 7796, Dec. 29, 2005>

Article 1 (Enforcement Date)



This Act shall enter into force on July 1, 2006.  
Articles 2 through 6 Omitted.

ADDENDA <Act No. 7799, Dec. 29, 2005>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Jurisdictional Administrative Affairs and Public Officials, etc. following Renaming of Organization)

The National Youth Commission shall succeed to the administrative affairs performed by the Juvenile Commission before this Act enters into force and the administrative affairs under the jurisdiction of the Juvenile Commission as at the time this Act enters into force, and the members of the Juvenile Commission and the public officials thereof shall be deemed the members of the National Youth Commission and the public officials thereof.

Article 3 Omitted.

Article 4 (Relationship with other Acts and Subordinate Statutes)

Where other Acts and subordinate statutes cite the Juvenile Commission, the chairperson of the Juvenile Commission or public officials belonging to the Juvenile Commission as at the time this Act enters into force, the National Youth Commission, the chairperson of the National Youth Commission or public officials belonging to the National Youth Commission shall be deemed cited, respectively.

ADDENDA <Act No. 8342, Apr. 11, 2007>

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

(2) through (5) Omitted.

ADDENDA <Act No. 8344, Apr. 11, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <Act No. 8432, May 11, 2007>

Article 1 (Enforcement Date)

## FRAMEWORK ACT ON JUVENILES

This Act shall enter into force on the date of its promulgation.  
Articles 2 and 3 Omitted.

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

Article 1 (Enforcement Date)

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

Articles 2 through 7 Omitted.

### ADDENDA <Act No. 9932, Jan. 18, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

### ADDENDUM <Act No. 10298, May 17, 2010>

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