

# JUVENILE WELFARE SUPPORT ACT

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Act No. 7164, Feb. 9, 2004  
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](#)  
[Act No. 10297, May 17, 2010](#)

## CHAPTER I GENERAL PROVISIONS

### Article 1 (Purpose)

The purpose of this Act is to provide for matters concerning the promotion of juvenile welfare pursuant to Article 49 (4) of the Framework Act on Juveniles.

### Article 2 (Definitions)

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

1. The term “juvenile” means a person who falls under subparagraph 1 of Article 3 of the Framework Act on Juveniles, unless otherwise specified;
2. The term “juvenile welfare” means juvenile welfare as defined in subparagraph 4 of Article 3 of the Framework Act on Juveniles;
3. The term “juvenile in need of special support” means a juvenile in need of social and economic support, who has poor basic conditions required for attaining balanced growth and leading a normal life: *Provided*, That juveniles governed by the National Basic Living Security Act and other Acts shall be excluded therefrom;
4. The term “guardian” means a person having parental authority, a statutory agent, and a person who actually protects a juvenile.

## CHAPTER II GUARANTEE OF HUMAN RIGHTS OF JUVENILES AND ENHANCEMENT OF

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### **Article 3 (Guarantee of Human Rights of Juveniles)**

(1) No juvenile shall be discriminated against by reason of race, religion, gender, age, educational background, physical conditions, etc. in the application of the provisions of this Act.

(2) Every juvenile shall have the right to freely express his/her will and make his/her own decisions without being restrained by external influences.

### **Article 4 (Expansion of Autonomy of Juveniles)**

(1) Every juvenile shall have the right to participate in decision-making in matters related to himself/herself as a legitimate member of society. To this end, every family and society shall make appropriate efforts.

(2) In order to ensure that juveniles access information and express their opinions more efficiently, the State and local governments shall allow the representatives of juveniles to participate in the procedures for consulting, deliberations, etc. on juvenile-related policies, or to collect their opinions.

(3) The State and local governments shall take measures to ensure the participation of juveniles in the procedures for formulation of juvenile-related policies or collection of their opinions.

### **Article 5 (Education and Publicity)**

(1) The State and local governments shall publicize matters concerning the rights of juveniles provided for in this Act and the United Nations Convention on the Rights of the Child.

(2) Every juvenile-related institution and organization shall take educational measures targeting juveniles, which concern the rights of juveniles, in accordance with paragraph (1).

### **Article 6 (Special Treatment of Juveniles)**

(1) The State or local governments may grant an exemption from or discount of charges to juveniles for the use of transportation facilities, palaces and royal tombs, museums, parks, performance halls and other facilities operated by themselves.

(2) Where any of the following persons operates a facility relating to the daily lives of juveniles, the State or local governments may recommend him/her to give juveniles a discount on charges for the use of the facility concerned:

1. A person subsidized by the State or local governments;
2. A person granted tax benefits pursuant to relevant Acts and subordinate

statutes;

3. A person carrying out business commissioned by the State or local governments.

(3) Where a juvenile intends to be exempted from or given a discount on charges for use pursuant to paragraph (1) or (2), he/she shall submit a student card described in any of the following subparagraphs, identification card, juvenile card under Article 7 or any other evidentiary document to verify his/her age to the manager of the facility he/she intends to use:

1. A document verifying that he/she is a student of a school under Article 2 of the Elementary and Secondary Education Act;

2. A document verifying that he/she is a student of a school under Article 2 of the Higher Education Act.

(4) The kinds of facilities which may grant a reduction of or exemption from service charges pursuant to paragraph (1) or (2) and the age standards of juveniles, etc. shall be determined by Presidential Decree.

#### **Article 7 (Juvenile Cards)**

(1) The head of each *Si/Gun/Gu* (referring to the head of each autonomous Gu; hereinafter the same shall apply) may issue a juvenile card to juveniles whose age is not less than 9 but not more than 18.

(2) No juvenile card shall be transferred or lent to other person.

(3) No one shall use a certificate with the same name or mark with a juvenile card.

(4) Matters necessary for filing an application for the issuance or re-issuance of a juvenile card under paragraph (1) and the delivery thereof shall be determined by Ordinance of the Ministry of Gender Equality and Family. *(Amended by Act No. 7421, Mar. 24, 2005; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010)*

## **CHAPTER III GUARANTEE OF JUVENILE HEALTH**

#### **Article 8 (Preservation of Sound Mind and Body)**

(1) The State, local governments, guardians of juveniles, etc. shall make the best efforts to improve the health and physical strength of juveniles.

(2) The State and local governments shall seek precautionary and educational measures, etc. for improving the health and physical strength of juveniles,

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and may establish and disseminate standards for the health and physical strength of juveniles subject to consultations with relevant agencies.

(3) Necessary matters concerning paragraph (2) shall be determined by Presidential Decree.

### **Article 9 (Physical Strength Examination and Health Examination)**

(1) The State and local governments may conduct physical strength examinations and health examinations for juveniles: *Provided*, That juveniles for whom physical strength examinations, etc. are conducted pursuant to other Acts shall be excluded.

(2) The State and local governments shall notify the results of physical strength examinations and health examinations under paragraph (1) to the juveniles concerned.

(3) The State and local governments may commission a specialized institution or organization to notify the results of physical strength examinations and health examinations under paragraphs (1) and (2).

(4) The standards for and notification of the results of physical strength examinations and health examinations under paragraphs (1) and (2) shall be determined by Presidential Decree.

### **Article 10 (Analysis of Examination Results)**

(1) The State and local governments shall analyze the results of health examinations and formulate and implement necessary measures accordingly.

(2) The State and local governments may commission analysis under paragraph (1) to a specialized institution.

### **Article 11 (Prohibition of Disclosure of Examination Results)**

Neither persons who have conducted health examinations pursuant to Article 9 nor persons who serve at health examination institutions shall disclose the results of examinations unless it is unavoidable for carrying out juvenile health promotion programs.

## CHAPTER IV SUPPORT TO JUVENILES IN NEED OF SPECIAL SUPPORT

### **Article 12 (Support to Juveniles in Need of Special Support)**

(1) The State and local governments shall seek measures for supporting juveniles

in need of special support.

(2) The support under paragraph (1) shall be classified into support for basic livelihood, support for studies, medical support, support for vocational training, support for juvenile activities, etc.: *Provided*, That matters supported under any other Act shall be excluded.

(3) Matters concerning the details and scope of, and the procedures for, support under paragraph (2) shall be determined by Presidential Decree.

**Article 13 (Selection of Juveniles in Need of Special Support, etc.)**

(1) The State and local governments shall select juveniles in need of special support in accordance with the standards and procedures determined by Presidential Decree.

(2) The selection of juveniles in need of special support under paragraph (1) may be commissioned to the Korea Youth Counselling Institute or institutions, etc. established pursuant to Articles 42, 46 and 46-2 of the Framework Act on Juveniles, respectively. In such cases, the Korea Youth Counselling Institute and institutions shall conduct surveys and counselling required for the selection of juveniles to receive support. *(Amended by Act No. 7799, Dec. 29, 2005)*

(3) The head of an organization commissioned with the selection of juveniles to receive support shall determine juveniles to receive support following the deliberation of the Deliberation Committee for Selection of Juveniles in Need of Support, which is comprised of experts in juvenile-related fields.

(4) The constitution and operation of the Deliberation Committee for Selection of Juveniles in Need of Support under paragraph (3) and other necessary matters shall be determined by Presidential Decree.

**Article 14 (Establishment and Operation of Youth Shelters)**

(1) The State and local governments may establish and operate youth shelters for providing temporary livelihood assistance and guidance for runaway teenagers and assistance for their returning to home and society.

(2) Every youth shelter installer or operator shall purchase an insurance policy to pay compensation for damage caused to the lives and bodies of juveniles under the protection of the youth shelter concerned, as prescribed by Presidential Decree.

(3) The State and local governments may provide subsidies to cover all or some of the expenses incurred in the installation and operation of youth shelters under paragraph (1) within budgetary limits.

## CHAPTER V EDUCATIONAL GUIDANCE

### **Article 15 (Provision of Educational Guidance, etc.)**

(1) The State and local governments may provide educational guidance (hereinafter referred to as "guidance") for a juvenile at the request of the juvenile in question, his/her guardian or the head of his/her school: *Provided*, That where educational guidance is provided at the request of a guardian or the head of a school, the consent of the juvenile in question shall be obtained.

(2) Educational guidance shall include counselling and education by experts, such as youth counselors, volunteer work, training, physical exercise, and group activities, etc., none of which shall proceed for no longer than six months.

(3) The State and local governments shall determine whether to terminate or extend educational guidance after analyzing the results of guidance provided under paragraph (2). The term of guidance may be extended only once for up to six months, and the consent of the juvenile in question shall be necessarily obtained.

(4) Detailed matters, such as criteria and procedures for selecting juveniles to receive guidance, matters for guidance, and term of guidance shall be determined by Presidential Decree.

### **Article 16 (Installation and Operation, etc. of Facilities)**

The State and local governments shall make efforts to secure the efficacy of guidance by installing and operating facilities necessary for guidance, developing and disseminating guidance programs, supporting guidance activities, and providing education to leaders, etc.

### **Article 17 (Commissioning of Administrative Affairs)**

The State and local governments may commission the administrative affairs as provided in Article 15 to the Korea Youth Counselling Institute under Article 42 of the Framework on Juveniles, institutions under Articles 46 and 46-2 of the same Act and juvenile organizations under subparagraph 8 of Article 3 of the same Act, as prescribed by Presidential Decree. *(Amended by Act No. 7799, Dec. 29, 2005)*

### **Article 18 (Guardians to Provide Guidance)**

(1) The State and local governments, or organizations commissioned with administrative affairs pursuant to Article 17 may designate and manage guardians to provide guidance for each juvenile to receive guidance.

(2) The guardians to provide guidance under paragraph (1) shall be commissioned from among certified juvenile leaders under subparagraph 7 of Article 3 of the Framework Act on Juveniles and juvenile guidance members under Article 27 of the same Act.

(3) Detailed matters, such as the duties of and criteria for commissioning guardians to provide guidance, shall be determined by Presidential Decree.

## CHAPTER VI PENAL PROVISIONS

### Article 19 (Penal Provisions)

Any person that violates the obligation not to disclose any result of health examination under Article 11 shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding ten million won.

### Article 20 (Joint Penal Provisions)

When the representative of a juristic person or an agent, employee or other servant of a juristic person or individual commits an offence under Article 19 in connection with the business of the juristic person or the individual, not only shall such violator be punished, but the juristic person or the individual shall also be punished by a fine under the relevant provisions: *Provided*, That this shall not apply where the juristic person or the individual has not neglected to pay due attention and supervision concerning the relevant business in order to prevent such violation.

*[This Article Wholly Amended by Act No. 10297, May. 17, 2010]*

### Article 21 (Fines for Negligence)

(1) Any person that lends or transfers, or borrows or takes over, a juvenile card, or uses a certificate with the same name or mark with a juvenile card in violation of Article 7 (2) or (3) shall be imposed a fine for negligence not exceeding 500 thousand won.

(2) Fines for negligence under paragraph (1) shall be imposed and collected by the heads of Sis/Guns/Gus, as prescribed by Presidential Decree.

(3) Any person that is dissatisfied with the disposition of a fine for negligence under paragraph (2) may raise an objection to the head of the Si/Gun/Gu concerned within 30 days from the date on which he/she is notified of such disposition.

(4) When a person subject to the disposition of a fine for negligence pursuant

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to paragraph (2) raises an objection pursuant to paragraph (3), the head of the Si/Gun/Gu concerned shall notify the competent court thereof without delay, and the court so notified shall render a judgment on the fine for negligence pursuant to the Non-Contentious Case Litigation Procedure Act.

(5) When neither an objection is raised nor a fine for negligence paid within the period under paragraph (3), the fine for negligence shall be collected by referring to the precedents on dispositions of national taxes or local taxes on arrears.

### ADDENDA

(1) (Enforcement Date) This Act shall enter into force one year after its promulgation.

(2) (Transitional Measures concerning Juvenile Cards Already Issued) The juvenile cards issued by the heads of Sis/Guns/Gus at the time this Act enters into force shall be considered as juvenile cards issued pursuant to Article 7 (1).

(3) (Transitional Measures concerning Youth Shelters) The youth shelters established and operated pursuant to Article 49 (2) of the former Framework Act on Juveniles at the time this Act enters into force shall be considered as youth shelters established and operated pursuant to Article 14 of this Act.

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

#### **Article 1 (Enforcement Date)**

This Act shall enter into force on the date the Presidential Decree on the organization of the National Youth Commission enters into force within three months after its promulgation.

**Articles 2 through 4 Omitted.**

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

#### **Article 1 (Enforcement Date)**

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

**Articles 2 through 4 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 its promulgation. (Proviso Omitted.)

**Articles 2 through 5 Omitted.**

ADDENDUM *〈Act No. 10297, May. 17, 2010〉*

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