SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON SUPPORT FOR FOREIGN RESIDENTS AND MULTI-CULTURAL FAMILIES

Enactment No. 5726, Jul. 17, 2014
Partial Amendment No. 5874, May. 14, 2015
Amendment of Other Laws No. 6386, Jan. 05, 2017
Partial Amendment No. 6870, May. 03, 2018
Amendment of Other Laws No. 7044, Mar. 28, 2019
Partial Amendment No. 7303, Sep. 26, 2019
Amendment of Other Laws No. 7423, Dec. 31, 2019
Partial Amendment No. 8073, Jul. 20, 2021
Partial Amendment No. 8498, Oct. 17, 2022
Amendment of Other Laws No. 8862, Jul. 24, 2023
Partial Amendment No. 9124, Mar. 15, 2024
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Article 1 (Purposes)

The purpose of this Ordinance is to assist foreign residents and multi-cultural families residing in Seoul Metropolitan City to settle as a member of the community, by formulating a plan for administrative support necessary for them to live in a stable family environment and a self-supporting life.

Article 2 (Definitions of Terms)

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

1. The term "foreign residents" means foreigners, persons who have acquired the nationality of the Republic of Korea, and their children, who reside within the jurisdiction of Seoul Metropolitan City (hereinafter referred to as the "City") for more than 90 days;
2. The term "multi-cultural family" means a family residing within the jurisdiction of the City and falling under any of the following:

(a) A family comprised of a marriage-based immigrant under subparagraph 3 of Article 2 of the Framework Act on Treatment of Foreigners Residing in the Republic of Korea and/or persons who have acquired the nationality of the Republic of Korea pursuant to Articles 2 through 4 of the Nationality Act;

(b) A family comprised of a person who has acquired the nationality of the Republic of Korea pursuant to Articles 3 and 4 of the Nationality Act and a person who has acquired the nationality of the Republic of Korea pursuant to Articles 2 through 4 of the aforesaid Act.

3. The term "foreign resident and multi-cultural family support organization" means a nonprofit corporation or organization established to provide support to foreign residents and multi-cultural families as its principal business.

Article 3 (Status of Foreign Residents and Multi-cultural Families)

Unless otherwise prescribed by any other statute or ordinance foreign residents and multi-cultural families residing in the City may use property and public facilities of the City on the same basis as residents, and receive various administrative benefits from the City.

Article 4 (Responsibilities and Duties of Mayor)

(1) The Mayor of Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall implement appropriate policies for foreign residents and multi-cultural families to live in a stable family environment and settle readily in the community.

(2) The Mayor shall establish an office exclusively responsible for policies to support foreign residents and multi-cultural families, and formulate a plan to arrange human resources and financial means, following the establishment thereof.

Article 5 (Basic Plans for Policies on Foreign Residents and Multi-Cultural Families)

(1) The Mayor shall formulate a basic plan for policies on foreign residents and multi-cultural families (hereinafter referred to as "basic plan") every five years.

(2) A basic plan shall include the following matters:

1. Basic objectives and direction-setting for promotion of policies on foreign residents and multi-cultural families;
2. Tasks for promotion, methods of promotion, and timing of promotion, of policies on foreign residents and multi-cultural families;
3. Matters concerning the raising and operation of funds;

4. Other matters deemed necessary the efficient promotion of policies on foreign residents and multi-cultural families.
(3) A basic plan under paragraph (1) shall be decided through deliberation by the "Council on Support for Foreign Residents and Multi-cultural Families" under Article 8.

Article 6 (Yearly Action Plans)

(1) The Mayor shall formulate, implement, and evaluate an "action plan for foreign residents and multi-cultural families" (hereinafter referred to as "action plan") every year.
(2) An action plan shall include the following matters:
1. Matters concerning the objectives and vision for support for foreign residents and multi-cultural families;
2. Matters concerning implementation policies to support foreign residents and multi-cultural families;
3. Matters concerning a plan for securing funds for programs to support foreign residents and multi-cultural families;
4. Matters concerning education and public relations for the creation of a sound culture of international marriage and the promotion of the understanding of multi-culture;
5. Matters concerning the establishment of a system for the linkage of services access to services and cooperation between agencies for the efficient promotion of support programs for foreign residents and multi-cultural families;
6. Matters concerning the establishment of a system for cooperation with private organizations, etc.;
7. Other matters deemed necessary to support foreign residents and multi-cultural families.
(3) The Mayor shall formulate an action plan based on a basic plan formulated under Article 5, and consider the content of the basic plan and the action plan formulated pursuant to the Framework Act on Treatment of Foreigners Residing in the Republic of Korea and the Multi-cultural Families Support Act.
(4) An action plan under paragraph (1) shall be decided through deliberation by the "Council on Support for Foreign Residents and Multi-cultural Families" under Article 8.

Article 7 (Scope of Support)

(1) The scope of support to foreign residents shall be as follows:
1. Education, public relations, etc. for the prevention of unreasonable discrimination against foreign residents and the advocacy of human rights;
2. Provision of education and information, counselling, etc. about a basic grounding and knowledge necessary for foreign residents to live their lives;
3. Systems, policies, etc. necessary to improve the legal status and treatment of foreign professionals;
4. Holding of various cultural and sporting events;
5. Administrative services necessary for business of foreigners and foreign-invested enterprises;
6. Child care and educational programs for children of foreign residents;
7. Provision of living conveniences and emergency aid;
8. Protection of the rights and interests, and human rights of foreign workers;
9. Other matters the Mayor deems necessary;
(2) The scope of support to multi-cultural families shall be as follows:
1. Education and public relations for the promotion of the understanding of multi-cultural families;
2. Provision of basic information necessary for marriage-based immigrants, etc. to live their lives and life adjustment education;
3. Provision of Korean education, vocational education and training, and arrangement of jobs for marriage-based immigrants, etc.;
4. Programs for maintaining an equal relationship between family members, such as family counselling, relationship education for married couples, parental education, family life education, etc. for multi-cultural families;
5. Prevention of domestic violence within multi-cultural families, and protection and support for marriage-based immigrants, etc. who have suffered domestic violence;
6. Education on health and nutrition, dispatch of pre- and post-natal helpers, provision of medical services, such as general medical examination, so that marriage-based immigrants, etc. may live healthily;
7. Provision of foreign language interpretation and translation services to marriage-based immigrants, etc.;
8. Child care and education support for children who are members of multi-cultural families, and support necessary to enhance their language competency, such as Korean education;
9. Other matters the Mayor deems necessary.
(3) The Mayor shall compile a budget necessary to conduct programs related to paragraphs (1) and (2).

Article 8 (Establishment and Operation of Council)

(1) The Mayor shall establish the "Council on Support for Foreign Residents and Multi-cultural Families of Seoul Metropolitan City" (hereinafter referred to as the "Council") under his/her jurisdiction to efficiently promote policies to support foreign residents and

multi-cultural families.
(2) The Council shall be comprised of not more than 15 members, including one chairperson and one vice chairperson.
(3) The First Deputy Mayor for administrative affairs and the heads of Offices and Bureaus in charge of the support for foreign residents shall be ex officio members of the Council, and the remainder shall be commissioned by the Mayor from among the following persons:
1. Members of the Seoul Metropolitan Council;
2. Relevant persons of relevant agencies, such as the Office of Education, a police station, an employment security center, and an immigration office;
3. Experts of organizations, institutions and learned circles related to support for foreign residents and multi-cultural families;
4. Representatives of foreign residents and multi-cultural families residing for at least one year.
(4) The First Deputy Mayor for administrative affairs shall become the chairperson of the Council, and the vice chairperson shall be elected by the Council and from among its the members.
(5) The term of office of commissioned members shall be two years; they may serve two consecutive terms only.
(6) One executive secretary shall be assigned to perform affairs of the Council, and the head of a section or an officer in charge of the Council shall become the executive secretary.

Article 9 (Function of the Council)

The Council shall deliberate on the following matters in relation to support for foreign residents and multi-cultural families:
1. Formulation and evaluation of basic plans;
2. Formulation and evaluation of action plans;
3. Mutual cooperation on common local issues of support programs;
4. Realization of a community;
5. Other matters the Mayor or the chairperson deems necessary.

Article 10 (Grounds for Disqualification of Members)

No person who falls under any of the following shall become a member of the Council:
1. An incompetent, a quasi-incompetent, or a person declared bankrupt who has not yet been reinstated;
2. A person in whose case two years have not passed since his/her imprisonment without labor or greater punishment as declared by a court was completely executed (including where the execution is deemed completed), or an exemption from the execution of the sentence was made definite;
3. A person who is under a suspended sentence of imprisonment without labor or greater punishment as declared by a court;
4. A person in whose case two years have not passed since he/she was punished with by a fine imposed by a court.

Article 11 (Exclusion and Abstention of Members)

(1) Where a member of the Council falls under any of the following, he/she shall be excluded from deliberation and giving advice on the relevant matter:
1. Where the member has provided or is providing services and/or advice, and has conducted or is conducting research, etc. in relation to the relevant matter subject to deliberation and advice;
2. Where the member is deemed to have a direct or indirect interest in relation to the relevant matter subject to deliberation and/or advice.
(2) Where a member falls under any of the subparagraphs of paragraph (1), he/she shall file an application for abstention from deliberation or advice on the relevant matter.
(3) Where grounds for exclusion falling under any of the subparagraphs of paragraph (1) occur, the chairperson shall determine by virtue of his/her office or in accordance with an application for abstention filed by a member whether to exclude the relevant member from deliberation or giving advice.

Article 12 (Cancellation of Appointment of Members)

(1) Any of the following grounds occurs, the Mayor may cancel the appointment of a member even during his/her term of office:
1. Where the member resigns during his/her term of office;
2. Where it is impractical for the member to perform his/her duties due to his/her death, emigration, disease requiring long-term treatment, etc.;
3. Where the member is deemed unfit to perform his/her duties, such as due to loss of dignity;
4. Where irregularities, such as the exercise of undue influence or requesting a favor in relation to duties of the member, are confirmed;
5. Where the member fails to participate in activities of the Council for a long period.

(2) Where a member of the Council falls under any of the subparagraphs of Article 10, the Mayor shall cancel the commission of such member.

Article 13 (Chairperson)

The chairperson shall represent the Council and preside over its affairs, and where the chairperson is unable to perform any of his/her duties, the vice chairperson shall perform such duties on his/her behalf.

Article 14 (Meetings)

(1) Meetings of the Council shall be classified as regular meetings held twice a year and extraordinary meetings convened when the chairperson deems them necessary.
(2) A meeting of the Council shall be held with with a majority of its incumbent members present, and pass resolutions with the a concurrent vote of a majority of those members present.
(3) The Council shall faithfully keep the minuets, etc. of all meetings and make it a rule to hold meetings open to the public.

Article 15 (Hearing, etc. of Opinions)

Where necessary, the Council may require relevant public officials or experts to attend meetings to hear their opinions, or request them to submit necessary data.

Article 16 (Allowances of Members)

Allowance for members who have attended meetings of the Council shall be governed by the Seoul Metropolitan Government Ordinance on Payment of Allowances and Travel Expenses of Committees.

Article 17 (Promotion of Policy Programs)

(1) The Mayor may formulate and promote a yearly plan for environmental improvement projects in districts in which foreign residents and multi-cultural families are concentrated and reside.
(2) The Mayor may build links between private and public services and cooperation systems to efficiently promote support programs for foreign residents and multi-cultural families.
(3) The Mayor may conduct necessary surveys of the current status, such as statistics of foreign residents and multi-cultural families residing in the City, and a fact-finding surveys of districts in which they are concentrated and reside;
(4) The Mayor may compile a budget necessary to provide policy programs under paragraphs (1) through (3).
(5) When the Mayor promotes policy programs under paragraphs (1) through (3), he/she may request relevant public institutions having jurisdiction over the relevant districts to provide necessary cooperation. In such cases, relevant public institutions requested to provide cooperation shall cooperation in such policy programs, unless there is a special reason not to do so.

Article 18 (Establishment and Operation of Foreign Residents Support Facilities)

(1) The Mayor may establish foreign residents support facilities (hereinafter referred to as "support facilities") to promote programs related to the subparaqgraphs of Article 7 (1).
(2) The Mayor may request relevant administrative agencies, corporations, or organizations to dispatch public officials belonging to the administrative agencies, or employees of the corporations or organizations, to support facilities to work with such support facilities for the operation of the support facilities.

Article 19 (Establishment, Operation, etc. of Multi-cultural Families Support Centers)

(1) The Mayor may establish, operate, and designate a multi-cultural family support center (hereinafter referred to as "support center") to promote programs related to the subparagraphs of Article 7 (2).
(2) A support center designated pursuant to paragraph (1) shall be fully or partially subsidized for expenses incurred in conducting affairs within budgetary limits.
(3) Matters concerning the establishment, operation, and designation of a support center under paragraph (1) shall be governed by Article 12 of the Multi-cultural Families Support Act, Articles 12 and 12-3 of the Enforcement Decree of the aforesaid Act, and Articles 3, 5, and 6 of the Enforcement Rule Rules of the aforesaid Act.
(4) Where a corporation or organization designated as a support center fails to meet the criteria for designation under Article 12-3 of the Enforcement Decree of the Multi-cultural Families Support Act, and Article 3 of the Enforcement Rule of the aforesaid Act, or an act done by the corporation or organization against social public interest is found, or any other similar event occurs, the designation of such corporation or organization as a support center may be revoked.

(5) The period of operation of a support center designated pursuant to paragraph (1), shall be three years; it may be redesignated; and a separate agreement shall be concluded for other necessary matters.

Article 20 (Entrustment of Affairs)

(1) Where the Mayor deems it necessary, he/she may entrust all or some facilities and affairs under Articles 18 and 19 to a corporation, organization, or institution, as prescribed by the Seoul Metropolitan Government Ordinance on Entrustment of Administrative Affairs to Private Sector.
(2) Where the Mayor entrusts facilities and affairs pursuant to paragraph (1), he/she may subsidize operating funds to a trustee within budgetary limits.
(3) Where the Mayor entrusts affairs pursuant to paragraph (1) or subsidizes operating funds pursuant to paragraph (2), he/she may require relevant public officials to conduct regular inspections on relevant matters at least annually, and where necessary, to perform occasional supervisions and inspections.

Article 21 (Support to Foreign Resident and Multi-cultural Family Support Organizations)

The Mayor may provide administrative and financial support necessary for activities of foreign resident and multi-cultural family support organizations.

Article 22 (Cosmopolitan Day)

(1) To promote tolerance for foreign residents and multi-cultural families and enlighten the meaning of cultural diversity, the Mayor shall designate May 20 each year under Article 19 of the Framework Act on Treatment of Foreigners Residing in the Republic of Korea as "Cosmopolitan Day", and establish the week following Cosmopolitan Day as Cosmopolitan Week.
(2) The Mayor may conduct the following events to commemorate the Cosmopolitan Day and the Cosmopolitan Week under paragraph (1):
1. Commemorative ceremonies, and cultural, art, and sporting events;
2. Presentation of research findings and international exchange events;
3. Encouragement of persons or organizations (including foreign residents and multi-cultural families) that rendered distinguished service;
4. Other events to raise regional awareness of foreign residents and multi-cultural families.

Article 23 (Official Commendation)

(1) The Mayor may officially commend individuals, corporations, or organizations recognized to have made an outstanding contribution to the State and a community through activities supporting foreign residents and multi-cultural families.
(2) Procedures, etc. necessary for official commendation shall be governed by the Seoul Metropolitan Government Ordinance on Official Commendation.

Article 24 (Participation of Foreign Residents in Policy Formulation)

(1) The Mayor shall endeavor so that foreign residents and multi-cultural families may participate in policy formulation.
(2) The Mayor shall create conditions that enable foreign residents and multi-cultural families to proactively participate in volunteer activities in the community.

Article 25 (Delegation of Authority)

The Mayor may delegate his/her authority over the designation and entrustment of a support center under Articles 19 and 20 to the head of an autonomous Gu.

Article 26 (Enforcement Rules)

Matters necessary for the implementation of this Ordinance shall be prescribed by the Rules.

ADDENDA <Seoul Metropolitan Government Ordinance No. 5726, Jul. 17, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Repeal of Other Ordinances)

The following Ordinances shall be hereby repealed, respectively:

1. The Seoul Metropolitan Government Ordinance on Support to Multi-cultural Families;

2. The Seoul Metropolitan Government Ordinance on the Promotion of Global City.