SEOUL METROPOLITAN GOVERNMENT FRAMEWORK ORDINANCE ON REALIZATION OF AGE-FRIENDLY CITY

Enactment No. 5119, Jul. 28, 2011
Amendment of Other Laws No. 5208, Dec. 29, 2011
Partial Amendment No. 5760, Oct. 20, 2014
Amendment of Other Laws No. 5767, Dec. 11, 2014
Amendment of Other Laws No. 5839, Apr. 02, 2015
Partial Amendment No. 5864, May. 14, 2015
Amendment of Other Laws No. null, May. 14, 2015
Partial Amendment No. 6580, Jul. 13, 2017
Amendment of Other Laws No. 6016, Oct. 08, 2015
Partial Amendment No. 6580, Jul. 13, 2017
Partial Amendment No. 6719, Jan. 04, 2018
Amendment of Other Laws No. 7154, May. 16, 2019
Amendment of Other Laws No. 7156, May. 16, 2019
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CHAPTER 1 GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER 1 GENERAL PROVISIONSThe purpose of this Ordinance is to provide for basic matters necessary to efficiently promote the welfare policies for the aged of the Seoul Metropolitan Government in accordance with the Welfare of the Aged Act, the Framework Act on Low Birth Rate in an Aging Society, and other statutes related to the aged, contributing to the realization of an age-friendly city and the enhancement of the welfare of the aged.

Article 2 (Fundamental Ideas)

(1) The aged shall be respected as they have contributed to the upbringing of descendants and the development of the State and society, and their sound and stable lives shall be secured.
(2) A policy for the aged is ultimately a policy for every citizen, and a city where the aged feel happy is ultimately a city where every citizen can feel happy.
(3) Any welfare policy for the aged of the Seoul Metropolitan Government (hereinafter referred to as the “Seoul Government”) shall be a universal welfare policy for benefiting all the aged persons, and the aged shall not be discriminated against based on their socioeconomic or physical conditions.

Article 3 (Definitions)

The terms used in this Ordinance shall be defined as follows:
1. “Age-friendly” means considering the preference of the aged from the perspectives of convenience and safety or supporting the aged to lead a healthy and active social life;
2. “Age-friendly city” means a city where policies, infrastructure services, etc. have been developed for the materialization of an age-friendly environment;
3. “Aging society guidelines” means directions and guidelines for the policies, infrastructures, services, etc. that the Seoul Government needs to develop for the materialization of an age-friendly city;
4. “Level of age-friendliness” means a degree of age-friendliness achieved in the categories presented in the aging society guidelines;
5. “Age-friendly impact evaluation” means investigating, predicting, and evaluating the impacts on the level of age-friendliness of the establishment, implementation, etc. of policies by the Seoul Metropolitan Government, its affiliated institutions and autonomous Gu, and taking necessary actions for inducing positive impacts on the creation of an age-friendly city.

Article 4 (Responsibilities of Mayor, etc.)

(1) The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the “Mayor”) shall actively endeavor to fulfill his/her responsibilities set forth in the Welfare of the Aged Act, the Framework Act on Low Birth Rate in an Aging Society, other statutes related to the aged, and this Ordinance.
(2) Every citizen shall be expected to respect the aged and to actively participate in and cooperate for the welfare policies for the aged and aging society policies of the Seoul Government.

Article 5 (Development of Basic Plans)

(1)The Mayor shall develop and implement a basic plan for the welfare of the aged in an aging society every five years, and a basic plan shall include the following:

1. Basic objectives and policy directions;
2. Development policies by field, major tasks to be implemented, and methods for implementing such tasks;
3. Matters related to the scale of necessary financial resources, and methods for procuring and distributing such resources;
4. Matters related to institutional improvement;
5. Matters related to the allocation of responsibilities among related administrative agencies and public institutions;
6. Other matters necessary for the policies for the welfare of the aged in an aging society, etc.

(2)When developing a basic plan for the welfare of the aged in an aging society (hereinafter referred to as “basic plan”) or revising major matters of an established basic plan, the Mayor shall refer it for deliberation to the committee for welfare policies for the aged of the Seoul Metropolitan Government.

Article 6 (Development of Yearly Implementation Plans)

The Mayor shall formulate and execute an yearly implementation plan based on a basic plan developed under Article 5, and in this case, the matters prescribed in each Article of Chapter 2 (Welfare Policies for The Aged)shall be included in the plan.

CHAPTER 2 WELFARE POLICIES FOR THE AGED

Article 7 (Promotion of Health)

CHAPTER 2 WELFARE POLICIES FOR THE AGEDFor the mental and physical health and healthy aging of the aged, the Mayor shall carry forward each of the following:

1. Expansion of health examination services and medical welfare facilities for the aged;
2. Establishment of a medical care and protection system, including a visiting service for the aged at home;
3. Establishment of a system for the prevention and management of senile diseases such as dementia, etc.;
4. Installation of sports facilities and the development and dissemination of physical activity programs for the aged;
5. Health education and consultation;
6. Mental health services, covering suicide, depression, family conflicts, etc.;
7. Establishment of a system for disease prevention and treatment, including research on exercise for healthy life, etc.;
8. Other matters necessary for healthy life in old age.

Article 8 (Investigations into Actual Health Conditions of the Aged)

(1) Where the Mayor intends to conduct a health examination under Article 27 of the Welfare of the Aged Act, he/she shall conduct the examination at least once every two years pursuant to Article 20 (1) of the Enforcement Decree of the same Act, and shall investigate the actual health conditions of the aged at least once every two years and publicly announce the results thereof.

(2) Necessary matters concerning the methods, contents, etc. of an investigation referred to in paragraph (1) shall be determined by rule of the Seoul Government.

Article 9 (Promotion of Social and Cultural Activities)

In order to help the aged lead a vibrant life through their participation in social and cultural activities, the Mayor shall carry out each of the following:

1. Promotion of social participation and contribution by the aged by operating volunteer groups and city administration monitoring groups consisting of senior citizens, senior culture and art groups, etc.;
2. Expansion of cultural facilities exclusively for the aged and the development and dissemination of programs for the aged;
3. Support for lifelong education and reeducation programs for the aged;
4. Other matters necessary for active living in old age.

Article 10 (Employment Promotion and Income Support)

To support productive activities and income of the aged including employment promotion and job stability for the aged, the Mayor shall carry forward each of the following:

1. Development and provision of jobs for the aged, and occupational rehabilitation and training for the aged;
2. Nurturing of and start-up assistance for elderly-related social enterprises, enterprises consisting of the aged, and elderly-friendly enterprises;
3. Support for asset formation including savings by the aged;
4. Investigation into current conditions of jobs for the aged and research on ways for expanding their work opportunities;
5. Other matters necessary for productive living in old age.

Article 11 (Mandatory Employment of the Aged)

(1)An employer shall actively endeavor to employ the aged at or above astandard employment ratio prescribed in the Enforcement Decree of the Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion in order to eliminate employment discrimination on the grounds of age.

(2) An investment institution which is a local government-invested public corporation or a public corporation established by the Seoul Government, and an institution which is a corporation funded and established by the Seoul Government under Article 32 of the Civil Act or a Special Act shall employ the aged at or above astandard employment ratio.

(3) The Mayor shall investigate and announce a standard employment ratio for the aged pursuant to paragraph (2) every year.

Article 12 (Establishment and Operation of Institutions Exclusively for the Aged's Jobs)

The Mayor may establish and operate an exclusive institution for the development and diffusion of jobs meeting the aged's ability and aptitude and of their education and training, etc. pursuant to Article 23-2 (2) of the Welfare of the Aged Act, or entrust the whole or part of its operation to corporations, organizations, etc.

Article 13 (Occupational Assistance)

When permitting or entrusting the installation of a store or vending machine for the sale of such daily living necessaries as foodstuffs, office supplies, newspapers, etc. in public facilities which are established and operated by the Seoul Government pursuant to Article 25 of the Welfare of the Aged Act, the Mayor shall consider an application by a person of 65 years old or over with priority.

Article 14 (Expansion and Support of Welfare Facilities for the Aged)

The Mayor shall carry out each of the following so that the aged can use senior-related facilities conveniently:

1. Support for the expansion and operation of residential welfare facilities for the aged including an institution for the aged, etc.;
2. Support for the expansion and operation of medical welfare facilities for the aged including a sanatorium for the aged, etc.;
3. Support for the expansion and operation of leisure welfare facilities for the aged including a senior welfare service center, etc.;
4. Support for the expansion and operation of welfare facilities for the aged at home including visiting medical treatment services, day and night protection services, etc.;
5. Other projects recognized as necessary by the Mayor.

Article 15 (Provision of Welfare Houses for the Aged)

The Mayor may provide welfare houses for the aged in order to promote residential stability and to improve dwelling conditions of the aged.

Article 16 (Promotion of Convenience in Living Environments)

In order to create an environment where the aged can live safely and conveniently, the Mayor shall implement each of the following:

1. Support for the enhancement of travel convenience of the aged;
2. Support for the provision of conveniences necessary for daily life to the aged;

3. Improvement of an age-friendly residential environment, including the provision of rental houses and small-sized houses built based on elderly-friendly design, support for housing improvement, etc.;
4. Other matters necessary to create an environment where the aged can live safely and conveniently.

Article 17 (Protection of Rights and Interests of the Aged, and Fostering of Intergenerational Understanding)

(1) The Mayor shall establish and operate an ombudsman for the welfare of the aged comprised of senior citizens to protect the rights and interests of the aged and to enhance welfare services for the aged.
(2) The Mayor shall endeavor to reflect recommendations of an ombudsman for the welfare of the aged referred to in paragraph (1) in the Seoul Government's administration.
(3)In order to protect the rights and interests of the aged and to foster the understanding among family members and between generations, the Mayor shall implement each of the following:
1. Reinforcement of the protection of the rights and interests of the aged, including expansion of counselling services for the aged;
2. Operation of programs for fostering intergenerational communication and understanding;
3. Improvement of the public perception of the aged and the creation of an environment where the aged are well treated;
4. Other matters necessary for the protection of the rights and interests of the aged and for the enhancement of understanding among family members and between generations.

Article 18 (Preferential Treatment for the Aged)

(1) In accordance with Article 26 (1) of the Welfare of the Aged Act, the Mayor may allow the aged to use transportation facilities and public facilities free of charge or at reduced rates.
(2) In accordance with Article 26 (2) and (3), the Mayor may persuade persons who operate a business related to the daily lives of the aged to grant discounted charges to the aged, and extend appropriate assistance for that.
(3) The businesses related to the daily lives of the aged shall include the following:
1. Health care businesses including nutrition management for the aged;
2. Leisure and culture businesses including a theater exclusively for the aged;
3. Businesses for improving travel convenience of the aged;
4. Other businesses necessary to provide daily conveniences to the aged.

Article 18-2 (Support for the Aged Living Alone)

(1) The Mayor shall provide the aged living alone with services such as visiting medical treatment services, etc. and take protective measures such as safety confirmation, etc.
(2) Specific details of services and protective measures under paragraph (1) shall be prescribed by rule of the Seoul Government.
[This Article Newly Inserted by Ordinance No. 5760, Oct. 20, 2014]

Article 19 (Prevention of Maltreatment of the Aged)

The Mayor shall carry out the following in order to prevent any maltreatment of the aged and to protect them:
1. Education and publicity for the prevention and preclusion of any maltreatment of the aged;
2. Finding, protection and treatment of maltreated seniors and following-up management;
3. Counselling for and investigations on maltreated seniors and their family members or related persons;
4. Installation and operation of emergency telephones for receiving reports related to the maltreatment of the aged at any time;
5. Nurturing of human resources specializing in the counselling for the prevention of the maltreatment of the aged;
6. Other matters recognized as necessary by the Mayor for the protection of maltreated seniors.

Article 20 (Prevention of Suicide of the Aged)

In order to help the aged at risk of suicide and to ensure the stabilization of living of the aged by developing and implementing a comprehensive policy for the prevention of suicide, the Mayor shall carry forward the following:
1. Education and publicity for the prevention of suicide of the aged;
2. Finding, protection and treatment of the aged who have a risk of suicide or who have attempted suicide, and follow-up management;

3. Establishment of a system for suicide risk intervention, including the designation of a community cooperation institution;
4. Counselling and support for the family of the aged who attempt or commit suicide;
5. Nurturing of human resources specializing in the counselling for the prevention of suicide of the aged;
6. Other matters recognized as necessary by the Mayor for the prevention of suicide of the aged.

Article 21 (Events for Day for the Elderly)

In order to enhance social concern for the aged and the consciousness on the value of respecting the aged, the Mayor may hold events each year on the Day for the Elderly which is October 2, in the Month for Respect for the Elderly which is October, on the Parents' Day which is May 8, and on the Conquest Day over Dementia which is September 21, or provide appropriate support if such events are held by civil organizations.

Article 22 (Commendations)

(1) In order to foster a social atmosphere for the respect for the aged, filial piety, and age-friendliness, the Mayor may award commendations on the Parents' Day, the Day for the Elderly, etc. to those falling under any of the following:
1. Citizens, students, senior-related institutions, etc. which have taken care of the aged well;
2. Age-friendly corporations, schools, organizations, etc.;
3. Citizens, students, institutions, etc. which have conducted voluntary work for age-friendliness;
4. The aged recognized as an example in an aging society, long-lived elderly people, etc.;
5. Other individuals, organizations, etc. which have contributed to the creation of an age-friendly social atmosphere.
(2) The Mayor shall formulate and execute a plan for awarding commendations under paragraph (1) every year.

CHAPTER 3 AGE-FRIENDLY CITY

Article 23 (Establishment of Aging Society Guidelines)

CHAPTER 3 AGE-FRIENDLY CITY(1) The Mayor shall establish aging society guidelines in order to respond to an aging society.
(2) The Mayor, the head of a Gu, and the heads of other public institutions shall comply with aging society guidelines when conducting their projects.

Article 24 (Age-friendliness Level Evaluation System and Evaluation on Impacts of Age-friendly Policies)

(1) The Mayor shall examine the level of age-friendliness of the Seoul Metropolitan Government, its affiliated institutions, and autonomous Gus by evaluating the level of age-friendliness in accordance with aging society guidelines.
(2) When the Seoul Metropolitan Government, its affiliated institutions, or autonomous Gus develop and implement its or their policies, the Mayor shall, in advance, analyze and assess their impacts on the rights and interests of the aged, social participation by the aged, etc. by conducting an evaluation on the impacts of such policies.

Article 25 (Surveys and Research)

The Mayor shall conduct surveys necessary to systematically respond to changes caused by the ageing of the population under Article 29 of the Framework Act on Low Birth Rate in an Aging Society at least once every two years.

Article 26 (Activation of International Exchanges)

(1) The Mayor shall join international organizations or international conferences related to an aging society as a member and participate in diverse meetings, etc. pursuant to Article 31 of the Framework Act on Low Birth Rate in an Aging Society, and activate international exchanges by promoting projects for international cooperation such as the exchanges of information, joint survey and research, etc.
(2)The Mayor may establish and operate an international exchange promotion group to foster international exchange through association and cooperation with related institutions and organizations.

Article 27 (Education and Publicity)
The Mayor shall work to raise awareness of the citizens about the real state of population aging and related response policies by continually providing relevant information, for example, through education and campaign based on diverse media.

Article 28 (Nurturing of Professional Workforce)
The Mayor shall nurture professional workforce in fields related to the response to changes caused by the aging of population, and develop and implement policies for professional education and training.

Article 29 (Establishment and Operation of Senior Policy Center)
(1) The Mayor shall establish and operate "the Seoul Government Senior Policy Center" to be in charge of the research and development of policies and services for effectively responding to an aging society and the conduct of duties assigned by the Mayor.
(2) The total number of workers hired by the center established under paragraph (1) shall not be more than 20 people.

CHAPTER 4 COMMITTEE FOR WELFARE POLICIES FOR THE AGED

Article 30 (Establishment and Functions)
CHAPTER 4 COMMITTEE FOR WELFARE POLICIES FOR THE AGED(1) The Mayor shall establish and operate "the Seoul Government Committee for Welfare Policies for the Aged" for advice or deliberation on a basic plan, etc. pursuant to Articles 5 and 6.
(2)The Seoul Government Committee for Welfare Policies for the Aged (hereinafter referred to as the “committee”) shall advise or deliberate on each of the following:
1. Matters related to the establishment of a basic plan for the welfare of the aged in an aging society;
2. Matters related to the establishment of an implementation plan for the welfare of the aged in an aging society;
3. Matters related to the coordination and evaluation of policies for the welfare of the aged in an aging society;
4. Matters necessary for the promotion of an age-friendly city;
5. Other matters recognized as necessary by a chairperson.

Article 31 (Composition)
(1) The committee shall be comprised of not more than 15 members, including one chairperson and one vice chairperson.
(2) The Vice-Mayor 1 for Administrative Affairs shall serve as a chairperson, and a vice chairperson shall be elected from among and by the committee members.
(3) The Director General of Health & Welfare Bureau shall be an ex officio member, who shall be commissioned by the Mayor from among those who have knowledge and experiences in the welfare of the aged including the city council members, persons engaged in the fields related to welfare facilities for the aged, legal or medical experts, etc. <Amended by Ordinance No. 5208, Dec. 29, 2011; Ordinance No. 5767, Dec. 11, 2014>
(4) The committee shall have one executive secretary for committee meetings, and the head of the Elderly Welfare Division shall act as an executive secretary of the committee.

Article 32 (Term of Office of Committee Members)
The term of office of a committee member shall be two years but may be renewed consecutively, and the term of office of a committee member commissioned to fill a vacancy shall correspond to his/her predecessor's remaining term of office. Provided, That the term of office of a committee member who is a public official shall correspond to the period during which he/she holds the relevant position

Article 33 (Dismissal)
When a committee member falls under any of the following, the Mayor may dismiss him/her during his/her term of office:
1. When a member fails to conduct his/her duties faithfully;
2. When a member divulges or abuses secrets he/she comes to learn of in the course of conducting his/her duties;
3. When a member wishes to be dismissed due to personal reasons such health, etc.;

4. When it is recognized as inappropriate for a member to continue to hold the position.

Article 34 (Duties of Chairperson, etc.)

A chairperson shall represent the committee and exercise overall control of its affairs, and a vice chairperson shall assist the chairperson and in any case where the chairperson is unable to perform his/her duties due to any unavoidable cause, the vice chairperson shall act for the chairperson.

Article 35 (Meetings)

(1) A meeting of the committee shall be convened by a chairperson when it is recognized as necessary by the chairperson or when no less than one-third of the committee members request for the convocation of a meeting.
(2) When a chairperson intends to convene a meeting, he/she shall notify each member of the date, venue, and agendas of a meeting in writing seven days prior to the opening of the meeting: Provided, That this shall not apply in case of emergency or where there is any inevitable reason.
(3) A majority of the committee members shall constitute a quorum, and any decision thereof shall require the concurring vote of a majority of those present.
(4)Allowances and travel expenses may be paid to committee members, experts, etc. who attend a meeting to state their opinions within limits of budget: Provided, That this shall not apply when a public official attends a meeting in direct connection with his/her duties.

Article 36 (Hearing of Opinions)

When necessary, the committee may require public officials, experts, etc. who belong to the Seoul Government or its affiliated institutions related to agenda deliberation to hear their opinions or to submit relevant materials.

Article 37 (Detailed Regulations on Operation)

Necessary matters concerning the operation of the committee other than those prescribed in this Ordinance shall be determined by a chairperson after a resolution by the committee.

CHAPTER 5 SUPPLEMENTARY RULES

Article 38 (Relationship to Other Statutes or Ordinances)

CHAPTER 5 SUPPLEMENTARY RULESExcept for cases specially prescribed in other statues or ordinances, the provisions of this Ordinance shall apply.

Article 39 (Cooperation for Conduct of Duties)

Where it is necessary to formulate and execute a basic plan or an implementation plan, the Mayor may request the cooperation of autonomous Gus, public institutions, or other corporations or organizations, which shall comply with such request unless there is a compelling reason not to do so.

Article 40 (Support of Expenses and Securing of Budget)

(1) The Mayor may subsidize expenses required for the formulation and operation of a basic plan within the budget, and shall endeavor to secure necessary budget on a yearly basis in accordance with an implementation plan.
(2) In order to ensure the smooth conduct of duties related to the formulation and operation of a basic plan and an implementation plan, the Mayor may establish a system for public and private cooperation with citizens, firms, public institutions, or other related corporations, organizations, etc., and provide necessary administrative or financial support.

Article 41 (Entrustment of Duties)

(1) The Mayor may entrust parts of the duties belonging to his authority and obligations under this Ordinance to corporations, organizations, or individuals to have them conduct such duties.
(2) Where the Mayor entrusts parts of his/her duties pursuant to paragraph (1), he/she may provide support to those entrusted with such duties by subsidizing operational expenses within the budget.
(3)Necessary matters concerning the type and scope of duties which can be entrusted under paragraph (1), the methods and procedures for entrustment, and others shall be prescribed by the Mayor.
(4)Where the Mayor entrusts parts of his/her duties pursuant to paragraph (1), he/she shall have relevant public officials conduct a regular inspection not less than once per year with respect to the matters related to the entrustment and support of operational expenses, and if required, he/she may offer instructions and conduct inspections whenever relevant.