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
Amendment of Other Laws No. 7217, Jul. 18, 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 older persons of the Seoul Metropolitan Government in accordance with the Welfare of Older Persons Act, the Framework Act on Low Birth Rate in an Aging Society, and other statutes related to older persons, contributing to the realization of an age-friendly city and the enhancement of the welfare of older persons. <Amended by Ordinance No. 5890, May 14, 2015>

Article 2 (Fundamental Ideas)

(1) Older persons 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 older persons is ultimately a policy for every citizen, and a city where older persons feel happy is ultimately a city where every citizen can feel happy.
(3) Any welfare policy for older persons of the Seoul Metropolitan Government (hereinafter referred to as the "Seoul Government") shall be a universal welfare policy for benefiting all older persons, and older persons 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. The term "age-friendly" means considering the preference of older persons from the perspectives of convenience and safety or supporting older persons to lead a healthy and active social life;
2. The term "age-friendly city" means a city where policies, infrastructure services, etc. have been developed for the materialization of an age-friendly environment;
3. The term "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. The term "level of age-friendliness" means a degree of age-friendliness achieved in the categories presented in the aging society guidelines;
5. The term "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 Older Persons Act, the Framework Act on Low Birth Rate in an Aging Society, other statutes related to older persons, and this Ordinance.
(2) Every citizen shall be expected to respect older persons and to actively participate in and cooperate in the welfare policies for older persons 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 older persons 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 older persons in an aging society, etc.

(2)When developing a basic plan for the welfare of older persons 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 older persons 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 Older Persons)shall be included in the plan.

CHAPTER 2 WELFARE POLICIES FOR OLDER PERSONS

Article 7 (Promotion of Health)

CHAPTER 2 WELFARE POLICIES FOR OLDER PERSONSFor the mental and physical health and healthy aging of older persons, the Mayor shall conduct each of the following:

1. Expansion of health examination services and medical welfare facilities for older persons;
2. Establishment of a medical care and protection system, including a visiting service for older persons 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 older persons;
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 Older Persons)

(1) Where the Mayor intends to conduct a health examination under Article 27 of the Welfare of Older Persons 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 older persons at least once every two years and announce the results thereof. <Amended by Ordinance No. 5890, May 14, 2015>

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

Article 9 (Promotion of Social and Cultural Activities)

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

1. Promotion of social participation and contribution by older persons 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 older persons and the development and dissemination of programs for older persons;
3. Support for lifelong education and reeducation programs for older persons;
4. Other matters necessary for active living in old age.

Article 10 (Employment Promotion and Income Support)

To support productive activities and income of older persons including employment promotion and job stability for older persons, the Mayor shall conduct each of the following:

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

Article 11 (Mandatory Employment of Older Persons)

(1)An employer shall actively endeavor to employ older persons 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 older persons at or above astandard employment ratio. <Amended by Ordinance No. 5890, May 14, 2015>

(3) The Mayor shall investigate and announce a standard employment ratio for older persons pursuant to paragraph (2) every year. <Amended by Ordinance No. 5890, May 14, 2015>

Article 12 (Establishment and Operation of Institutions Exclusively for Older Persons's Jobs)

The Mayor may establish and operate an exclusive institution for the development and diffusion of jobs meeting older persons's ability and aptitude and of their education and training, etc. pursuant to Article 23-2 (2) of the Welfare of Older Persons 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 which are established and operated by the Seoul Government pursuant to Article 25 of the Welfare of Older Persons Act for the sale of such daily necessities as foodstuffs, office supplies, newspapers, etc. in public facilities , the Mayor shall prioritize an application by a person of 65 years old or over, if any.

Article 14 (Expansion and Support of Welfare Facilities for Older Persons)

The Mayor shall conduct each of the following so that older persons can use senior-related facilities conveniently:

1. Support for the expansion and operation of residential welfare facilities for older persons including an institution for older persons, etc.;
2. Support for the expansion and operation of medical welfare facilities for older persons including a sanatorium for older persons, etc.;
3. Support for the expansion and operation of leisure welfare facilities for older persons including a senior welfare service center, etc.;
4. Support for the expansion and operation of welfare facilities for older persons 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 Older Persons)

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

Article 16 (Promotion of Convenience in Living Environments)

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

1. Support for the enhancement of travel convenience of older persons;
2. Support for the provision of conveniences necessary for daily life to older persons;
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 older persons can live safely and conveniently.

Article 17 (Protection of Rights and Interests of Older Persons, and Fostering of Intergenerational Understanding)

(1) The Mayor shall establish and operate an ombudsman for the welfare of older persons comprised of senior citizens to protect the rights and interests of older persons and to enhance welfare services for older persons.

(2) The Mayor shall endeavor to reflect recommendations of an ombudsman for the welfare of older persons referred to in paragraph (1) in the Seoul Government's administration. <Amended by Ordinance No. 5890, May 14, 2015>

(3)In order to protect the rights and interests of older persons 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 older persons, including expansion of counselling services for older persons;
2. Operation of programs for fostering intergenerational communication and understanding;
3. Improvement of the public perception of older persons and the creation of an environment where older persons are well treated;
4. Other matters necessary for the protection of the rights and interests of older persons and for the enhancement of understanding among family members and between generations.

Article 18 (Preferential Treatment for Older Persons)

(1) In accordance with Article 26 (1) of the Welfare of Older Persons Act, the Mayor may allow older persons 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 older persons to grant discounted charges to older persons, and extend appropriate assistance for that.
(3) The businesses related to the daily lives of older persons shall include the following:
1. Health care businesses including nutrition management for older persons;
2. Leisure and culture businesses including a theater exclusively for older persons;
3. Businesses for improving travel convenience of older persons;
4. Other businesses necessary to provide daily conveniences to older persons.

Article 18-2 (Support for Older Persons Living Alone)

(1) The Mayor shall provide older persons 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.
(3) In order to systematically implement a program to prevent older persons living alone from dying alone, the Mayor may establish a relevant system by cooperating with autonomous Gus and the public and private sector. <Newly Inserted by Ordinance No. 6719, Jan. 4, 2018>
[This Article Newly Inserted by Ordinance No. 5760, Oct. 20, 2014]

Article 19 (Prevention of Abuse of Older Persons)

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

Article 19-2 (Establishment of Shelters for Elder Abuse Victims)

(1) The Mayor may establish and operate a shelter for elder abuse victims (hereinafter in this Article, referred to as "shelter") in order to protect older persons harmed by elder abuse (hereinafter in this Article, referred to as "elder abuse victims") for a specified period and provide them with mental and physical healing programs.
(2) A shelter shall perform the following duties:
1. Assisting elder abuse victims to live in the shelter, such as protecting and providing them with meals and lodging;
2. Offering healing programs, such as professional psychological counseling to help elder abuse victims recover psychological stability;
3. Providing elder abuse victims with basic medical expenses incurred in treating physical and mental harm caused by abuse;
4. Providing professional counseling services to perpetrators, etc. of elder abuse in order to prevent the reoccurrence of abuse and restore the original family;
5. Any other matters prescribed by Ordinance of the Ministry of Health and Welfare for elder abuse victims who are admitted to or use the shelter.
(3) The Mayor may designate an institution specializing in protecting older persons as a shelter and operate the institution pursuant to Article 39 (19) of the Welfare of Older Persons Act; and may change an operating entity of the institution based upon performance outcomes etc. In such cases, he/she shall organize an evaluation committee composed of external experts and conduct a review and evaluation on the performance outcomes of the institution.
[This Article Newly Inserted by Ordinance No. 6580, Jul. 13, 2017]

Article 20 (Prevention of Suicide of Older Persons)

In order to help older persons at risk of suicide and to ensure the stabilization of living of older persons by developing and implementing a comprehensive policy for the prevention of suicide, the Mayor shall conduct the following:
1. Education and publicity for the prevention of suicide of older persons;
2. Finding, protection and treatment of older persons 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 older persons who attempt or commit suicide;
5. Nurturing of human resources specializing in the counselling for the prevention of suicide of older persons;
6. Other matters recognized as necessary by the Mayor for the prevention of suicide of older persons.

Article 21 (Events for Day for the Elderly)

In order to enhance social concern for older persons and the consciousness on the value of respecting older persons, 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 older persons, 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: <Amended by Ordinance No. 5890, May 14, 2015>

1. Citizens, students, senior-related institutions, etc. which have taken care of older persons well;
2. Age-friendly corporations, schools, organizations, etc.;
3. Citizens, students, institutions, etc. which have conducted voluntary work for age-friendliness;
4. Older persons 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 older persons, social participation by older persons, 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. <Amended by Ordinance No. 5890, May 14, 2015>

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 reinvigorate 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. <Amended by Ordinance No. 5890, May 14, 2015>

CHAPTER 4 COMMITTEE FOR WELFARE POLICIES FOR OLDER PERSONS

Article 30 (Establishment and Functions)

CHAPTER 4 COMMITTEE FOR WELFARE POLICIES FOR OLDER PERSONS(1) The Mayor shall establish and operate "the Seoul Government Committee for Welfare Policies for Older Persons" for advice or deliberation on a basic plan, etc. pursuant to Articles 5 and 6. <Amended by Ordinance No. 5890, May 14, 2015>

(2)The Seoul Government Committee for Welfare Policies for Older Persons (hereinafter referred to as the "committee") shall render advice or deliberate on each of the following: <Amended by Ordinance No. 5839, Apr. 2, 2015>

1. Matters related to the establishment of a basic plan for the welfare of older persons in an aging society;
2. Matters related to the establishment of an implementation plan for the welfare of older persons in an aging society;
3. Matters related to the coordination and evaluation of policies for the welfare of older persons in an aging society;
4. Matters necessary for the promotion of an age-friendly city;
5. Matters related to the functions of a committee for support for double-cropping in life of the middle aged under Article 9 of the Seoul Metropolitan Government Ordinance on Support for Double-Cropping in Life of the Middle Aged;
6. 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. <Amended by Ordinance No. 5890, May 14, 2015>

(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 Chief Officer of Welfare Headquarters 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 older persons including the City council members, persons engaged in the fields related to welfare facilities for older persons, legal or medical experts, etc. <Amended by Ordinance No. 5208, Dec. 29, 2011; Ordinance No. 5767, Dec. 11, 2014; Ordinance No. 5890, May 14, 2015>

(4) The committee shall have one executive secretary for committee meetings, and the Director of the Elderly Welfare Division shall act as an executive secretary of the committee. <Amended by Ordinance No. 5890, May 14, 2015; Ordinance No. 6016, Oct. 8, 2015>

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: <Amended by Ordinance No. 5890, May 14, 2015>

1. When a member fails to conduct his/her duties faithfully;
2. When a member divulges or abuses secrets he/she learns in the course of conducting his/her duties;
3. When a member wishes to be dismissed due to personal reasons including health problems;
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. <Amended by Ordinance No. 5890, May 14, 2015>

(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 otherwise prescribed in other statues or ordinances, the provisions of this Ordinance shall apply. <Amended by Ordinance No. 5890, May 14, 2015>

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. <Amended by Ordinance No. 5890, May 14, 2015>
(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. <Amended by Ordinance No. 5890, May 14, 2015>
(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. <Amended by Ordinance No. 5890, May 14, 2015>