SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON THE PROMOTION OF INDUSTRY 4.0

Enactment No. 8077, Jul. 20, 2021
Partial Amendment No. 8147, Sep. 30, 2021
Partial Amendment No. 8251, Dec. 30, 2021

Article 1 (Purpose)

The purpose of this Ordinance shall be to contribute to the continuous development of the local economy and the improvement of citizens' lives through innovative growth by developing Industry 4.0 and reinforcing the industrial competitiveness of Seoul Metropolitan City.

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Dec. 30, 2021>

1. The term "Industry 4.0" refers to an industrial change that causes an innovative change in the economic and social structure based on scientific technology, artificial intelligence, data technology, etc.
2. The term "innovative technology" refers to the state-of-the-art technology to be developed strategically to effectively respond to Industry 4.0 and includes the following new technologies:

A. New technology designated and publicly notified under Article 14 of the Construction Technology Promotion Act;
B. New technology certified under Article 7 of the Environmental Technology and Industry Support Act;
C. New technology for disaster prevention designated and publicly notified under Article 61 of the Countermeasures Against Natural Disasters Act;
D. New technology certified under Article 15-2 of the Industrial Technology Innovation Promotion Act and new products certified under Article 16 of the same Act; and
E. Where the Seoul Metropolitan Government Industry 4.0 Committee recognizes as necessary to develop a new patented technology and process.

3. The term "public testbed programs for innovative technologies" refers to programs that assist in inspecting marketability and cultivating new markets by purchasing new products and services to which new technologies are applied and providing opportunities to demonstrate them at policy level in order to develop technology-based small and medium-sized businesses, venture businesses, etc.
4. The term "digital transformation" refers to a process that innovates and improves the effectiveness of industries, economies, societies, cultures, etc. by applying digital technology, such as artificial intelligence, big data, etc.

[This Article Wholly Amended on Sep. 30, 2021]

Article 3 (Duties of the Mayor)

The Mayor of Seoul Metropolitan City (hereinafter referred to as the "Mayor") shall endeavor to promote Industry 4.0, share and diffuse technology and reinforce industrial competitiveness.

Article 4 (Formulation of a Master Plan)

(1) The Mayor shall formulate a master plan for the promotion of Industry 4.0 (hereinafter referred to as the "Master Plan") every five years and formulate and implement an implementation plan therefor every year.
(2) The Master Plan shall include the following: <Amended on Dec. 30, 2021>

1. Matters regarding the fundamental objectives and directions for the promotion of Industry 4.0;
2. Matters regarding a plan to train experts on Industry 4.0;
3. Matters regarding start-ups and management with Industry 4.0 technologies and technical support therefor;
4. Matters regarding the formulation of events, technology development, research projects, etc. in relation to Industry 4.0;
5. Matters regarding information exchange and base expansion of Industry 4.0;
6. Matters regarding investment expansion and financial resources to promote Industry 4.0;
7. Matters regarding development and support for digital transformation infrastructure to promote Industry 4.0; or
8. Other matters necessary to promote Industry 4.0.

(3) The Mayor shall present the Master Plan and Implementation Plan to the relevant standing committee of the Seoul Metropolitan City Council, before finalizing them.

Article 5 (Survey, Evaluation, etc.)

(1) The Mayor may survey Industry 4.0 technologies, industries, digital transformation, etc. to formulate and enforce policies therefor. <Amended on Dec. 30, 2021>

(2) The Mayor shall evaluate the Master Plan and the Implementation Plan every two years and reflect on the results thereof.

Article 6 (Training of Experts)

(1) The Mayor may enforce policies to train experts necessary for the promotion of Industry 4.0.

(2) The Mayor shall develop a cooperation system between institutions, organizations, etc. with human resources and facilities, such as universities, research institutions, etc. in order to train the experts under paragraph (1).

Article 7 (Startup and Technical Support, etc.)

(1) The Mayor may provide the following support for technology-intensive small and medium enterprises in relation to Industry 4.0, entrepreneurs who start a business with innovative technology, or small and medium enterprises under Article 2 of the Framework Act on Small and Medium Enterprises. <Amended on Sep. 30, 2021; Dec. 30, 2021>

1. Provision of information, education, and counseling related to starting a business using Industry 4.0 technologies;
2. Consulting designed to improve goods or services through effective use of Industry 4.0 technologies;
3. Support for digital transformation;
4. Other matters deemed necessary by the Mayor for industrial promotion through Industry 4.0 technologies.

(2) The Mayor shall endeavor to promote joint research among academia, research institutes, and industry so as to encourage technological development associated with Industry 4.0 and effectively conduct research and development of Industry 4.0 technologies.

Article 8 (Public Testbed Programs for Innovative Technologies)

(1) The Mayor may promote public testbed programs for innovative technologies (hereinafter referred to as “Testbed Programs”) to aid and cultivate technology-based enterprises.

(2) The Mayor shall develop operational plans necessary for the implementation of Testbed Programs every year.

(3) The selection criteria for Testbed Programs shall be as follows:

1. Products and services that have been fully developed and are on the verge of commercialization;
2. Products and services that require sales performance immediately after launch;
3. Other products and services deemed necessary to require policy support for the development of innovative technologies by the Seoul Metropolitan Government Industry 4.0 Committee.

(4) As a matter of principle, the Mayor shall receive proposals from domestic and overseas companies with innovative technologies, evaluate them on a regular or quarterly basis, and decide on Testbed Programs.

(5) While making decisions on Testbed Programs under paragraph 4, the Mayor may determine the method designed to effectively implement Testbed Programs, such as public procurement or designation and creation of a testbed zone, and the administrative organization or affiliated institution to provide support for Testbed Programs.

(6) Notwithstanding paragraph (4) above, the Mayor may select an appropriate implementer from among applicants who have submitted their project plan after determining and publicly announcing the details of Testbed Programs.

(7) The Mayor may disclose performance results and share them with the public to leverage the achievements obtained while implementing Testbed Programs, and stakeholders who have either directly or indirectly participated in the Testbed Programs shall be required to provide cooperation therefor.

[Previous Article 8 moved to Article 10 <Sep. 30, 2021>]

Article 9 (Innovative Technology Contests)

(1) The Mayor may hold contests for innovative technologies (hereinafter referred to as “Contests”) to discover new ideas on scientific and technological innovation and to facilitate collaboration and multidisciplinary convergence of technologies.

(2) The Mayor may grant the opportunity to take part not only to residents, universities, and enterprises in other local governments, but also to foreign nationals, universities, and corporations residing or located abroad so as to vitalize Contests.

(3) The Mayor may build a cooperative system between domestic and foreign governments, public institutions, universities, research institutes and enterprises, among others, and cover all or part of the budget needed, if necessary to facilitate Contests.
(4) The Mayor may provide the necessary support, such as subsequent R&D expenses and market development, to those who propose outstanding ideas in the Contests.
[Previous Article 9 moved to Article 11 <Sep. 30, 2021>]

Article 10 (Industry 4.0 Committee)

(1) The Mayor may establish the Seoul Metropolitan Government Industry 4.0 Committee (hereinafter referred to as the "Committee") to deliberate and consult about policies and plans for the promotion of Industry 4.0. <Amended on Sep. 30, 2021>
(2) The Committee shall deliberate and consult about the following: <Amended on Sep. 30, 2021>
1. Matters regarding the formulation and modification of the Master Plan and a direction of policy for Industry 4.0;
2. Matters regarding the inspection of the promotion of policy projects and tasks for Industry 4.0;
3. Matters regarding financing the promotion of Industry 4.0;
4. Matters required to be adjusted among institutions and departments in accordance with policies for Industry 4.0; or
5. Other matters deemed necessary to promote Industry 4.0 by the chairperson.
(3) The Committee may listen to opinions from public officials, employees of public institutions, experts in Industry 4.0 in order to deliberate and consult about the matters stipulated in the subparagraphs of paragraph (1) and may request the related institutions to submit materials, etc. <Amended on Sep. 30, 2021>
[Moved from Article 8; previous Article 10 moved to Article 12 <Sep. 30, 2021>]

Article 11 (Composition of the Committee)

(1) The Committee shall comprise about 20 members, including 2 chairpersons and a vice-chairperson. <Amended on Sep. 30, 2021>
(2) The chairpersons are elected by mutual vote from the Mayor and commissioned members. <Amended on Sep. 30, 2021>
(3) A vice-chairperson is elected by mutual vote from commissioned members. <Newly Inserted on Sep. 30, 2021>
(4) Members are appointed or commissioned by the Mayor from among persons that fall under any of the following subparagraphs: <Amended on Sep. 30, 2021>
1. Heads of relevant offices or divisions, heads of affiliated organizations;
2. Members of the City Council recommended by the Seoul Metropolitan City Council;
3. Persons with expertise or experience in fields of science, technology, industry, economy, etc. in relation to Industry 4.0; or
4. Other persons recognized by the Mayor as having expertise in Industry 4.0.
[Moved from Article 9; previous Article 11 moved to Article 13 <Sep. 30, 2021>]

Article 12 (Term of Office, etc. of Members)

(1) The term of office of commissioned members shall be 2 years and such members may serve consecutive terms only once.
(2) A member who is newly commissioned due to resignation of a former member shall serve the remaining term of office of the former member: Provided that, a new member may not be commissioned, where the remaining term of office of the former member is less than 6 months.
(3) Where a member falls under any of the following subparagraphs, the Mayor may cancel the commission even before expiration of his/her term of office:
1. Where the member becomes unable to do his/her duties for health reasons;
2. Where the member commits an irregularity as a matter of duty;
3. Where it is recognized that the member is not fit for his/her position due to neglect of duty, injury to dignity, etc.;
4. Where the member expresses his/her opinion that it is difficult for him/her to perform his/her duties; or
5. Where the chairperson recognizes as necessary.
[Moved from Article 10; previous Article 12 moved to Article 14 <Sep. 30, 2021>]

Article 13 (Exclusion, Recusal, Abdication, etc. of Members)

(1) A member of the Committee shall be excluded from the deliberation or resolution of the Committee in the following cases:
1. Where the member has a direct interest in the relevant matter;
2. Where an institution to which the member belongs has an interest in the relevant matter;

3. Where the member is or was a relative of a party to the relevant matter; or
4. Where the member provided a testimony, a statement, a piece of advice, research, a service or an appraisal as to the relevant matter.
(2) Where it is difficult to expect that a member would deliberate or resolve fairly, a party may request the Committee to exclude the member and the Committee shall resolve whether or not to exclude the member. In such cases, the member subject to the request for exclusion may not participate in the resolution.
(3) Where a member falls under any of the subparagraphs of paragraph (1) above, the member shall, for himself/herself, abdicate the deliberation or resolution of the relevant matter.
[Moved from Article 11; previous Article 13 moved to Article 16 <Sep. 30, 2021>]

Article 14 (Operation of the Committee)

(1) A chairperson shall represent the Committee and supervise the work thereof.
(2) A vice-chairperson shall assist a chairperson and where the chairperson is unable to perform his/her duties due to unavoidable reasons, the vice-chairperson shall perform the duties for the chairperson; Provided, That not only the chairperson but also the vice-chairperson are unable to perform the duties due to unavoidable reasons, a member whom the chairperson designates in advance shall perform the duties for them.
(3) The Committee shall convene a meeting in the following cases:
1. When a chairperson requests to convene a meeting; or
2. When one-third or more of registered members request to convene a meeting.
(4) A meeting of the Committee is started with a majority of registered members present and resolves by vote of a majority of members present.
(5) The Committee shall disclose all meetings and prepare and furnish minutes thereof.
(6) Other matters necessary for the operation of the Committee shall be decided by the chairperson after the Committee resolves them.
(7) Allowances and travel expenses may be provided for members, experts, etc. present in the Committee within a scope of budgets in accordance with the Seoul Metropolitan Government Ordinance on the Provision of Allowances and Travel Expenses to Committees.
[Moved from Article 12; previous Article 14 moved to Article 19 <Sep. 30, 2021>]

Article 15 (Subcommittees)

(1) A chairperson may organize subcommittees, where it is required, to effectively promote Industry 4.0.
(2) Matters regarding the organization and operation of subcommittees shall be decided by the Committee.
[Previous Article 15 moved to Article 20 <Sep. 30, 2021>]

Article 16 (Designation and Operation of Related Institutions)

(1) The Mayor may designate a related institution to plan and promote Industry 4.0 and cause it to perform the following tasks, and provide necessary financial support.
1. Support the formulation of the Master Plan and the Implementation Plan for the promotion of Industry 4.0;
2. Conduct R&D for Industry 4.0;
3. Provide educational, training, and technical support for experts in Industry 4.0; or
4. Research policies for the survey of domestic and foreign trends and plans for Industry 4.0.
(2) The Mayor may designate and operate institutions, organizations, universities, etc. by field to efficiently perform the tasks that fall under any of the subparagraphs of paragraph (1) above.
(3) Where the related institution is, or is expected to be, unable to achieve its mission, the Mayor may cancel the designation of the related institution.
[Moved from Article 13; previous Article 16 moved to Article 21 <Sep. 30, 2021>]

Article 17 (Consignment of Tasks)

The Mayor may consign related institutions with all or a part of the tasks regarding public testbed programs, contests, and the designation, operation, etc. of related institutions in accordance with the Seoul Metropolitan Government Ordinance on the Private Consignment of Administrative Affairs to efficiently promote Industry 4.0.

[This Article Newly Inserted on Sep. 30, 2021]

Article 18 (Exemption from Proactive Public Administrative Responsibility)

With regard to results of work proactively performed, such as testbed programs and contests under Articles 8 and 9, the Mayor shall not hold accountable through disciplinary actions pursuant to Article 23-2 of the Act on Public Sector Audits, unless there was any intentional act or gross negligence.
[This Article Newly Inserted on Sep. 30, 2021]

Article 19 (Confidentiality)

Members, related public officials, etc. shall not reveal any secret that they come to know in the course of doing business with the Committee.
[Moved from Article 14 <Sep. 30, 2021>]

Article 20 (Citations)

The Mayor may award a citation to any institution, organization, or individual that markedly contributes to outstanding products, service, etc. using Industry 4.0 technologies in accordance with the Seoul Metropolitan Government Ordinance on Citations.
[Moved from Article 15 <Sep. 30, 2021>]

Article 21 (Enforcement Rules)

Matters required to enforce this Ordinance may be prescribed as rules.
[Moved from Article 16 <Sep. 30, 2021>]

Addenda <Ordinance No. 8077, Jul. 20, 2021>

Article 1 (Enforcement Date)

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

Article 2 (Abolition of Other Ordinances)

The Seoul Metropolitan Government Ordinance on the Promotion of Future Innovation Technologies shall be abolished.

Article 3 (Transitional Measures Concerning Public Testbed Programs, Contests, etc.)

Public testbed programs, contests, etc. conducted in accordance with the Seoul Metropolitan Government Ordinance on the Promotion of Future Innovation Technology before this Ordinance is enforced shall be regarded as the project for startup, technical support, etc. under Article 7 herein.

Addenda <Ordinance No. 8147, Sep. 30, 2021>

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

Addenda <Ordinance No. 8251, Dec. 30, 2021>

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