

SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON THE SUPPORT FOR MAGOK INDUSTRIAL COMPLEX

Enactment No. 5144, Jul. 28, 2011
Partial Amendment No. 5531, Aug. 01, 2013
Partial Amendment No. 5727, Jul. 17, 2014
Amendment of Other Laws No. 6303, Jul. 14, 2016
Amendment of Other Laws No. 6386, Jan. 05, 2017
Partial Amendment No. 6785, Jan. 04, 2018
Amendment of Other Laws No. 7046, Mar. 28, 2019
Amendment of Other Laws No. 7782, Dec. 31, 2020
Amendment of Other Laws No. 8530, Dec. 30, 2022

Article 1 (Purpose)

The purpose of this Ordinance shall be to promote enterprise attraction and improve the revitalization of Magok Industrial Complex by establishing an institutional basis for attraction, support, etc. for occupant enterprises in Magok Industrial Complex. <Amended on Jan. 5, 2017>

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended on Aug. 1, 2013; Jul. 17, 2014; Jul. 14, 2016>

1. The term "Magok Industrial Complex" refers to the Magok General Industrial Complex located at 292 Gayang-dong, Gangseo-gu, Seoul (hereinafter referred to as the "City"), which is designated and publicly announced as a general industrial complex in Magok Urban Development Zone via the Seoul Metropolitan Government Notification No. 2008-498 (Dec. 30, 2008);
2. The term "information technology (IT)" refers to the information and communications technology industry under subparagraph 2 of Article 2 of the Information and Communications Technology Industry Promotion Act;
3. The term "biotechnology (BT)" refers to an industry that creates various added values, such as useful substance, services, etc. necessary to improve human beings' health and prevent, diagnose, and treat diseases using the functions and information of organisms based on biotechnology under Article 2 of the Biotechnology Support Act;
4. The term "green technology (GT)" refers to an industry that works to achieve low carbon and green growth by producing goods and providing services to enhance the efficiency of energy and resources and improve the environment in all economic activities, such as economy, finance, construction, transportation, logistics, agriculture, forestry, fisheries, and tourism;
5. The term "nanotechnology (NT)" refers to an industry that develops, manufactures, produces, and distributes nanotechnology-related products and supplies services related thereto under Article 2 of the Act on the Promotion of Nanotechnology;
6. The term "R&D industries" refers to R&D activities, such as basic inquiry to obtain new knowledge, applied research for practical purposes, experiment and development of products and processes, etc. in various research fields, such as natural sciences, applied sciences, etc.;
7. The term "occupants" refers to all domestic and foreign enterprises, research institutes, etc. to move into Magok Industrial Complex;
8. The term "small and medium enterprises (SMEs)" refers to enterprises under Article 2 of the Framework Act on Small and Medium Enterprises;
9. The term "venture businesses" refers to businesses under Article 2 of the Act on Special Measures for the Promotion of Venture Businesses;
10. The term "foreign-invested enterprises" refers to enterprises in which foreign investors invest under Articles 2(1)5 and 6 of the Foreign Investment Promotion Act;
11. The term "female-owned businesses" refers to businesses under subparagraph 1 of Article 2 of the Act on Support for Female-Owned Businesses;
12. The term "enterprises owned or operated by persons with a disability" refers to enterprises under subparagraph 2 of Article 2 of the Act on the Facilitation of Entrepreneurial Activities of Persons with Disabilities;
13. The term "project operator" refers to the operator (Seoul Housing and Communities Corporation) of Magok Industrial Complex Development Project under Article 16 of the Industrial Sites and Development Act;
14. The term "industrial complex management" refers to affairs prescribed by subparagraph 15 of Article 2 of the Industrial Cluster Development and Factory Establishment Act and Article 5(1) of the Enforcement Decree of the same Act.

Article 3 (Scope)

Unless otherwise stipulated by relevant statutes, this Ordinance shall apply to the attraction, support, etc. for occupants in Magok Industrial Complex. <Amended on Jul. 17, 2014>

Article 4 (Duties of the Mayor)

The Mayor of Seoul Metropolitan City (hereinafter referred to as the "Mayor") shall establish a policy for the industrial complex management, such as attraction, support, etc. for occupants in Magok Industrial Complex and take measures necessary therefor. <Amended on Jul. 17, 2014>

Article 5 (Development)

Magok Industrial Complex shall be developed as an advanced industrial cluster with focus on R&D based on a knowledge industry to reinforce industrial competitiveness of the City and strategically develop a future growth engine industry.

Article 6 (Industries to be Attracted)

The R&D industry based on IT, BT, GT, or NT which are advanced industries shall, in principle, be attracted on a preferential basis; Provided, That other industries may be attracted after being deliberated by the Seoull Metropolitan Government Magok Industrial Complex Policy Committee (hereinafter referred to as the "Committee") under Article 14 below in light of changes in industrial conditions. <Amended on Dec. 31, 2020>

Article 7 (Occupancy Agreement)

A party that intends to occupy Magok Industrial Complex shall enter into an occupancy agreement with the Mayor under Article 38 of the Industrial Cluster Development and Factory Establishment Act; Provided, That the occupancy agreement may not be concluded in cases stipulated by Article 48-2 of the Enforcement Decree of the same Act. <Amended on Jul. 17, 2014>

Article 8 (Selection of Occupants)

- (1) The Mayor shall select occupants of Magok Industrial Complex under the occupancy standards that he/she publicly announces after being deliberated by the Committee; Provided, That occupants for sites for profit, such as sales facility sites, may be selected based on the winning bid in a public tender without being deliberated by the Committee. <Amended on Aug. 1, 2013>
- (2) The Mayor may select, on a preferential basis, and sell in lots to occupant enterprises after being deliberated by the Committee, which are recognized as having sound finances and a great ripple effect on the revitalization of Magok Industrial Complex. In such cases, an area sold in lots on a preferential basis shall not exceed 30/100 of an area sold in lots in Magok Industrial Complex under Article 42-3(5) of the Enforcement Decree of the Industrial Sites and Development Act.

Article 9 (Sale Prices)

The sale prices of industrial facility sites and support facility sites in Magok Industrial Complex shall be governed by Article 40 of the Enforcement Decree of the Industrial Sites and Development Act <Amended on Aug. 1, 2013>

Article 10 (Support for Small and Medium Enterprises, Venture Businesses, etc.)

The Mayor may designate and establish the following facilities to promote the occupancy of small and medium enterprises, venture businesses, female-owned businesses, enterprises owned or operated by persons with disabilities, etc.: <Amended on Aug. 1, 2013; Mar. 28, 2019; Dec. 31, 2020>

1. Knowledge industry centers under subparagraph 13 of Article 2 of the Industrial Cluster Development and Factory Establishment Act;
2. Facilities for clustering venture businesses under Article 18 of the Act on Special Measures for the Promotion of Venture Businesses;
3. Facilities for employment, start-up, and corporate activity of females and the revitalization of female development under Article 17 of the Seoul Metropolitan Government Framework Ordinance on Gender Equality; and

4. Other facilities the Mayor recognizes as necessary after being deliberated by the Committee to promote the occupancy of small and medium enterprises, venture businesses, female-owned businesses, enterprises owned or operated by persons with disabilities, etc. and provide support for occupants.

[Title Amended on Aug. 1, 2013]

Article 11 (Support for Foreign-Invested Enterprises)

The Mayor may, to promote the occupancy of foreign-invested enterprises in Magok Industrial Complex, designate a foreign investment zone under Article 18 of the Foreign Investment Promotion Act and support Article 13 of the Seoul Metropolitan Government Ordinance on the Support for Foreign Investment. <Amended on Aug. 1, 2013; Mar. 28, 2019>

Article 12 (Other Support Projects)

The Mayor may promote the following projects to revitalize Magok Industrial Complex: <Amended on Aug. 1, 2013>

1. Projects to promote collaboration among industries, universities and institutes;
2. Projects to support technology development and commercialize R&D findings;
3. Projects to train R&D experts and support start-ups;
4. Projects to develop new products, introduce new technology, and guide management of female-owned businesses and enterprises owned or operated by persons with disabilities; and
5. Other projects that the Mayor recognizes as necessary to support occupants in Magok Industrial Complex.

Article 13 (Consignment of Management Affairs)

The Mayor may consign the Seoul Housing and Communities Corporation or the Seoul Business Agency with all or part of management affairs of Magok Industrial Complex.

[Previous Article 13 moved to Article 14 <Jan. 4, 2018>]

Article 14 (Establishment of the Magok Industrial Complex Policy Committee)

The Committee shall be established to deliberate the following matters concerning Magok Industrial Complex:

1. Main policies for Magok Industrial Complex;
2. Matters concerning the attraction of industries to be attracted on a preferential basis under Article 6;
3. Matters concerning the standards for occupancy and deliberation of occupants under Article 8;
4. Matters concerning the occupant support projects under Articles 10 through 12; and
5. Other matters that the Mayor recognizes as necessary [Moved from Article 13; previous Article 14 moved to Article 15]

<Amended on Jan. 4, 2018>

Article 15 (Composition of the Committee)

- (1) The Committee shall comprise about 15 members including 1 chairperson and 1 vice-chairperson. The members shall be classified into internal members and external members.
 - (2) The chairperson of the Committee shall be a relevant vice-mayor and the vice-chairperson shall be elected by mutual vote among members.
 - (3) The internal members shall not exceed 5 and shall be appointed as ex-officio members from related public officials including the relevant vice-mayor by the Mayor.
 - (4) External members shall not exceed 10 and shall be commissioned by the Mayor from 2 members of the Seoul Metropolitan Council and experts with expertise and experience in industries. [Moved from Article 14; previous Article 15 moved to Article 16]
- <Amended on Jan. 4, 2018>

Article 16 (Term of Office of Members)

- (1) Members' term of office shall be 2 years and such members may serve consecutive terms only once.
- (2) The Mayor may decommission a member, where he/she wants or cannot perform his/her duties due to disease, failure to attend for a long period of time, injury to dignity, etc.

(3) A member who is newly commissioned due to resignation of his/her predecessor who is not a public official shall serve the predecessor's remaining term of office. [Moved from Article 15; previous Article 16 moved to Article 17] <Amended on Jan. 4, 2018>

Article 17 (Exclusion, Recusal, or Avoidance of a Member)

(1) A member of the Committee shall be excluded from deliberation of a relevant matter in the following cases:

1. Where service, research, etc. is or was conducted for the relevant matter;
2. Where the member has a direct interest in the relevant matter; or
3. Where the member has worked, as an officer or an employee, in the same organization where a party to the relevant matter works.

(2) Where it is difficult to expect that a member would deliberate fairly, a party may request the Committee to exclude the member and, in such cases, a chairperson shall determine whether or not to exclude the member.

(3) Where a member of the Committee comes to know that he/she falls under a cause for exclusion or recusal, he/she may avoid the deliberation on such matter by himself/herself. [Moved from Article 16; previous Article 17 moved to Article 18] <Amended on Jan. 4, 2018>

Article 18 (Operation of the Committee)

(1) A chairperson shall represent the Committee and supervise the work thereof.

(2) Where a chairperson cannot perform his/her duties due to unavoidable reasons, a vice-chairperson shall become an acting chairperson.

(3) The Committee shall have 1 secretary handle its affairs and the secretary shall become a head of department in charge of attraction of enterprises in Magok Industrial Complex. [Moved from Article 17; previous Article 18 moved to Article 19] <Amended on Jan. 4, 2018>

Article 19 (Meetings)

(1) A chairperson shall convene Committee meetings and be in the chair.

(2) Committee meetings shall be started when a majority of registered members are present and resolved by vote of a majority of members present.

(3) Allowances and travel expenses may, within a budgetary limit, be provided for members of the Committee; Provided, That the same shall not apply where a member who is a public official appears in the Committee for matters directly related to his/her duties. [Moved from Article 18; previous Article 19 moved to Article 20] <Amended on Jan. 4, 2018>

Article 20 (Detailed Regulations)

Matters concerning the operation of the Committee in addition to what is prescribed by this Ordinance shall be determined by a chairperson with resolution of the Committee.

[Moved from Article 19; previous Article 20 moved to Article 21] <Amended on Jan. 4, 2018>

Article 21 (Experts' Advice)

(1) The Mayor may separately take experts' advice to revitalize the Magok industrial complex and promote the Magok Urban Development Project in relation thereto without problems.

(2) The Mayor may provide, within a budgetary limit, allowances and traveling expenses for experts under paragraph (1) above.

[Moved from Article 20] <Amended on Jan. 4, 2018>

[This Article Newly Inserted on Aug. 1, 2013]

Addenda <Ordinance No. 5144, Jul. 28, 2011>

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

Addenda <Ordinance No. 5531, Aug. 1, 2013>

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

Addenda <Ordinance No. 5727, Jul. 17, 2014>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures)

The affairs of industrial complex management that were or are handled at the time of enforcement of this Ordinance shall be regarded as conducted under the provisions of this Ordinance.

Addenda (Seoul Metropolitan Government Ordinance on the Establishment and Operation of the Seoul Housing and Communities Corporation) <Ordinance No. 6303, Jul. 14, 2016>

Article 1 (Enforcement Date)

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

Article 2

Omitted

Article 3 (Revision of Other Ordinances)

(1) The Seoul Metropolitan Government Ordinance on the Support for Magok Industrial Complex shall be revised as follows:

The term "SH Corporation" in subparagraph 13 of Article 2 shall be changed to "Seoul Housing and Communities Corporation."

(2) through (13) omitted.

**Addenda (Seoul Metropolitan Government Ordinance on the Comprehensive Reorganization of Local Statutes)
<Ordinance No. 6386, Jan. 5, 2017>**

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

Addenda <Ordinance No. 6785, Jan. 4, 2018>

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