

SUPPORT FOR MULTICULTURAL FAMILIES ACT

Act No. 8937, Mar. 21, 2008

Act No. 9932, Jan. 18, 2010

Article 1 (Purpose)

The purpose of this Act is to contribute to the improvement of the quality of life of multi-cultural family members and the unity of society by helping multi-cultural family members enjoy stable family living.

Article 2 (Definitions)

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

1. The term "multi-cultural family" means a family falling under any of the following items:
 - (a) A family comprised of a married immigrant under subparagraph 3 of Article 2 of the Framework Act on Treatment of Foreigners Residing in the Republic of Korea and a person who acquired the nationality of the Republic of Korea by birth pursuant to Article 2 of the Nationality Act;
 - (b) A family comprised of a person who obtained permission for naturalization under Article 4 of the Nationality Act and a person who acquired the nationality of the Republic of Korea by birth pursuant to Article 2 of the aforesaid Act;
2. The term "married immigrant or naturalized citizen, etc." means any of the following persons:
 - (a) A married immigrant defined in subparagraph 3 of Article 2 of the Framework Act on Treatment of Foreigners Residing in the Republic of Korea;
 - (b) A person who obtained permission for naturalization under Article 4 of the Nationality Act.

Article 3 (Responsibilities of State and Local Governments)

- (1) The State and local governments shall develop systems and conditions

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necessary to help multi-cultural family members enjoy stable family living and shall establish and implement policies therefor.

(2) With regard to matters concerning relevant policies on foreigners among policies under this Act, the State and local governments shall each comply with Articles 5 through 9 of the Framework Act on Treatment of Foreigners Residing in the Republic of Korea.

Article 4 (Fact-finding Survey)

(1) The Minister of Gender Equality and Family shall conduct a fact-finding survey on multi-cultural families every three years and announce the results thereof to ascertain the current status and actual conditions of multi-cultural families and to utilize the results thereof in establishing a policy for supporting multi-cultural families. *<Amended by Act No. 9932, Jan. 18, 2010>*

(2) The Minister of Gender Equality and Family may request any related public agency, legal entity, or organization to furnish him/her with data as may be necessary for the survey under paragraph (1) or to cooperate in such survey, otherwise. In such cases, the related public agency, legal entity, or organization requested to furnish data or cooperate in a survey shall cooperate as requested, unless there are any exceptional circumstances otherwise. *<Amended by Act No. 9932, Jan. 18, 2010>*

(3) The Minister of Gender Equality and Family shall consult with the Minister of Justice with regard to matters relevant to policies on foreigners in conducting the fact-finding survey under paragraph (1). *<Amended by Act No. 9932, Jan. 18, 2010>*

(4) Matters necessary for the participants and method of the fact-finding survey under paragraph (1) and other relevant matters shall be prescribed by Ordinance of the Ministry of Gender Equality and Family. *<Amended by Act No. 9932, Jan. 18, 2010>*

Article 5 (Enhancement of Understanding of Multi-Cultural Families)

The State and local governments shall take measures, such as education and advocacy activities for understanding diverse cultures, as necessary for preventing social discrimination and prejudice against multi-cultural families and for encouraging members of society to acknowledge and respect the cultural diversity.

Article 6 (Provision of Information about Daily Life and Educational Support)

(1) The State and local governments may provide married immigrants and

naturalized citizens, etc. with fundamental information necessary for living in the Republic of Korea and may also provide them with support necessary for them to receive education for social adaptation and occupational education and training.

(2) Necessary matters concerning provision of information and education under paragraph 1 shall be prescribed by Presidential Decree.

Article 7 (Measures for Maintenance of Equality in Familial Relationship)

The State and local governments shall promote programs for family counseling, couple relationship education, parenting education, family life education, etc. to help multi-cultural families maintain a democratic and gender-equal familial relationship. In such cases, efforts shall be exerted to provide specialized service, taking cultural differences into consideration.

Article 8 (Protection of and Support for Victims of Domestic Violence)

(1) The State and local governments shall endeavor to prevent domestic violence in multi-cultural families.

(2) The State and local governments shall endeavor to expand the establishment of counseling centers for domestic violence and protective facilities with interpretation service available for foreign languages to protect and support married immigrants and naturalized citizens, etc. victimized by domestic violence.

(3) The State and local governments may provide married immigrants and naturalized citizens, etc. with necessary services, such as interpretation of languages, legal counselling, and administrative assistance, in making statements and finding facts when they terminate a marital relationship due to domestic violence, so that they will not be placed at a disadvantage due to difficulties in communication and lack of information about the legal system and other relevant matters.

Article 9 (Support for Health Management before and after Childbirth)

The State and local governments may provide married immigrants and naturalized citizens, etc. with necessary services, such as nutrition and health education and provision of helper service before and after childbirth, medical examination, and interpretation at the scene of medical examination, so that they can manage pregnancy and childbirth under healthy and safe conditions.

Article 10 (Care and Education of Children)

(1) Neither the State nor local governments shall discriminate against children

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of any multi-cultural family in providing care and education to children.

(2) The State and local governments shall prepare measures for educational support to children of multi-cultural families to help them quickly adapt to school life and the Superintendent of each Office of Education, whether in the Special Metropolitan City, a Metropolitan City or *Do*, or a Special Self-Governing Province, may provide children of multi-cultural families with supportive educational programs in addition to regular curricula or extra-curricular programs.

(3) The State and local governments shall endeavor to provide children of multi-cultural families with support in care and education before entering elementary school and may provide them with support as necessary for improving their linguistic proficiency to help children develop language skills, such as support with teaching materials for education in Korean language and support for learning.

Article 11 (Provision of Services in Diverse Languages)

The State and local governments shall endeavor to provide supportive services in diverse languages in promoting supportive policies under Articles 5 through 10 to eliminate difficulties that married immigrants and naturalized citizens, etc. may have in communication and improve accessibility to such services.

Article 12 (Designation, etc. of Support Centers for Multi-Cultural Families)

(1) The Minister of Gender Equality and Family may, if necessary for implementation of supportive policies for multi-cultural families, designate any legal entity or organization that has professional human resources and facilities necessary for supporting multi-cultural families as a support center for multi-cultural families (hereinafter referred to as "support center").

<Amended by Act No. 9932, Jan. 18, 2010>

(2) Each support center shall carry out the following activities:

1. Conducting supportive activities, such as education and counseling for multi-cultural families;
2. Providing information about supportive services for multi-cultural families and advertising such services;
3. Interconnecting supportive services for multi-cultural families with those provided by appropriate institutions and organizations;
4. Other activities necessary for supporting multi-cultural families.

(3) Each support center shall have professional human resources who have

knowledge and experience in related areas for carrying out its business, such as education and counseling service for multi-cultural families.

(4) The State and local governments may subsidize fully or partially the expenses, any support center designated pursuant to paragraph (1) incurred in carrying out its business activities under subparagraphs of paragraph (2) within the extent of budget.

(5) Matters necessary for the criteria for the designation of support centers, the effective period of, and the procedure for, the designation and other relevant matters shall be prescribed by Presidential Decree, while matters necessary for the eligibility criteria for professional human resources and other relevant matters shall be prescribed by Ordinance of the Ministry of Gender Equality and Family. *<Amended by Act No. 9932, Jan. 18, 2010>*

Article 13 (Education of Public Officials Involved in Supportive Services for Multi-Cultural Families)

The State and local governments may conduct educational programs for public officials who engage in any job for supporting multi-cultural families to enhance their understanding of multi-cultural families and improve their expertise.

Article 14 (Treatment of Spouses in De Facto Marriage and their Children)

Articles 5 through 12 shall apply *mutatis mutandis* to multi-cultural family members who raise children born in a *de facto* marital relationship with a citizen of the Republic of Korea.

Article 15 (Delegation and Entrustment of Authority)

(1) The Minister of Gender Equality and Family may delegate part of his/her authority under this Act to the Special Metropolitan City Mayor, a Metropolitan City Mayor, Do Governor, and Governor of a Special Self-Governing Province (hereinafter referred to as the "Mayor/Do Governor") or the head of a *Si/Gun/Gu* (*Gu* means an autonomous *Gu*), as prescribed by Presidential Decree. *<Amended by Act No. 9932, Jan. 18, 2010>*

(2) The State or any local government may entrust a non-profit corporation or organization with some of the business activities under this Act, as prescribed by Presidential Decree.

Article 16 (Support to Non-Governmental Organizations)

(1) The State and local governments may subsidize any organization or private individual who carries out supportive activities for multi-cultural families, fully or partially, for expenses incurred in such activities or provide administrative assistance as necessary in carrying out such activities.

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(2) The State and local governments may assist married immigrants and naturalized citizens, etc. in organizing and operating an organization for mutual aid.

ADDENDA

(1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.

(2) (Transitional Measure concerning Support Centers for Married Immigrants' Families) The support centers for married immigrants' families already designated and operated by the Minister for Health, Welfare and Family Affairs, a Mayor/Do Governor, or the head of a Si/Gun/Gu at the time this Act enters into force are deemed to have been designated pursuant to this Act.

ADDENDA *(Act No. 9932, Jan. 18, 2010)*

Article 1 (Enforcement Date)

This Act shall enter into force two months after the date of its promulgation.
(Proviso Omitted.)

Articles 2 through 5 Omitted.