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NATIONAL HEALTH PROMOTION ACT

[Enforcement Date 30. Dec, 2017.] [Act No.15339, 30. Dec, 2017., Partial Amendment]

보건복지부 (건강증진과-금연) , 044-202-2822

보건복지부 (정신건강정책과-절주) , 044-202-2861

보건복지부 (재정운용담당관-담배부담금) , 044-202-2329

보건복지부 (건강정책과-그 외 사항) , 044-202-2807

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)The purpose of this Act is to improve the health of the citizens by providing them with the correct knowledge about health with which they can enhance the awareness of the value of and develop a sense of responsibility for health, and by creating a given condition where they can spontaneously lead a healthy life.

Article 2 (Definitions)The terms used in this Act shall be defined as follows: <Amended by Act No. 14057, Mar. 2, 2016>

1. The term "national health promotion projects" means projects to improve the health of the citizens through health education, prevention of diseases, nutritional improvement, health care, as well as healthy living;
2. The term "health education" means education which encourages an individual or group to voluntarily engage in healthy practices;
3. The term "nutritional improvement" means to improve the health of an individual or group through a balanced diet;
4. The term "health care" means for an individual or a group to maintain their health by continuously conducting activities for good health.

Article 3 (Responsibility)(1) The State as well as local governments shall assume the responsibility to increase the national interest in health and to improve health of the citizens.

(2) All citizens shall endeavor to improve their own health as well as their family's health and shall not act in a way that harms health of others.

Article 3-2 (Health Day)(1) In order to enhance the citizens' understanding on and attention to the health, April 7 every year shall be designated as the Health Day and the one week period from the Health Day shall be designated as the Health Week.

(2) The State and local governments shall endeavor to perform events and projects that correspond with the purpose of the Health Day.

[This Article Newly Inserted by Act No. 12359, Jan. 28, 2014]

Article 4 (Formulation of Comprehensive Plans for Promoting National Health)(1) The Minister of Health and Welfare shall formulate a comprehensive plan for promoting health of the citizens (hereinafter referred to as "comprehensive plan") every five years after deliberation thereon by health of the citizens Promotion Policy Deliberative Committee under Article 5. In such cases, the Minister of Health and Welfare shall consult beforehand with the heads of relevant central administrative agencies thereabout. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) Matters to be stated in the comprehensive plan shall be as follows: <Amended by Act No. 12446, Mar. 18, 2014>

1. The basic objectives of, and direction-setting for promoting health of the citizens;
2. Major tasks to be implemented to promote health of the citizens and methods for implementing the major tasks;
3. Management of the manpower needed to promote health of the citizens and methods for raising the required financial resources;
4. Methods for operating National Health Promotion Fund under Article 22;
- 4-2. Methods for supporting the health promotion of vulnerable health groups or classes, such as children, females, the aged, and the disabled;
5. Methods for managing statistics and information about national health promotion;
6. Other matters needed to promote health of the citizens.

[This Article Wholly Amended by Act No. 8004, Sep. 27, 2006]

Article 4-2 (Formulation, etc. of Implementation Plans)(1) The Minister of Health and Welfare, the head of a relevant central administrative agency, a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"), and the head of a Si/Gun/Gu (limited to an autonomous Gu; hereinafter the same shall apply) shall each formulate and execute an implementation plan for major policy steps (hereinafter referred to as "implementation plan") under his/her jurisdiction based on the comprehensive plan every year. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 15339, Dec. 30, 2017>

(2) The State may fully or partially subsidize expenses incurred in executing the implementation plans to the local governments.

[This Article Newly Inserted by Act No. 8004, Sep. 27, 2006]

Article 4-3 (Cooperation in Development of Plan)(1) The Minister of Health and Welfare, the relevant heads of central administrative agencies, a Mayor/Do Governor and the head of a Si/Gun/Gu may, when it is necessary for them to develop and execute the comprehensive plan and the implementation plan, request relevant institutions and organizations, etc. to furnish data and cooperate with them. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The relevant institutions and organizations, etc. that are requested to cooperate pursuant to paragraph (1) shall comply with such request unless special grounds exist.

[This Article Newly Inserted by Act No. 8004, Sep. 27, 2006]

Article 5 (National Health Promotion Policy Deliberative Committee)(1) The National Health Promotion Policy Deliberative Committee (hereinafter referred to as the "Committee") mandated to deliberate on major matters concerning the promotion of health of the citizens shall be deliberated in the Ministry of Health and

Welfare. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The Committee shall deliberate on each of the following matters: <Amended by Act No. 10191, Mar. 26, 2010; Act No. 14224, May 29, 2016>

1. The comprehensive plan;
2. The annual operational plan of National Health Promotion Fund under Article 22, the settlement of account and the evaluation thereof;
3. Matters concerning the national health promotion policy measures in which not less than two central administrative agencies are involved and the heads of the central administrative agencies request to deliberate thereon;
4. Matters subject to deliberation pursuant to Article 9 of the National Nutrition Management Act;
5. Matters specified in other statutes to be deliberated on by the Committee;
6. Other matters that are taken into deliberation by the Chairperson of the Committee.

[This Article Wholly Amended by Act No. 8004, Sep. 27, 2006]

Article 5-2 (Organization and Operation of Committee)(1) The Committee shall be comprised of not more than 15 members including one chairperson and one vice chairperson.

(2) The Vice Minister of Health and Welfare shall be the chairperson and the vice chairperson shall be nominated by the chairperson from among members who are not public officials. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(3) The members shall be commissioned or designated by the Minister of Health and Welfare from among persons of profound learning and experiences in promotion of health of the citizens and disease control, persons who are recommended by consumer organizations under the Framework Act on Consumers, persons who are recommended by non-governmental organizations under the Assistance for Non-Profit, Non-Governmental Organizations Act, and public officials concerned. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(4) Other necessary matters concerning composition and operation, etc. of the Committee shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8004, Sep. 27, 2006]

Article 5-3 (Establishment and Operation of Korea Health Promotion Institute)(1) The Minister of Health and Welfare shall establish the Korea Health Promotion Institute (hereafter referred to as "Institute" in this Article) that performs the business of support for formulating policies and of evaluation on projects, etc., which are necessary for the efficient operation of National Health Promotion Fund pursuant to Article 22, and smooth promotion of national health promotion projects. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 12359, Jan. 28, 2014>

(2) The Institute shall perform the following business: <Amended by Act No. 12359, Jan. 28, 2014; Act No. 13323, May 18, 2015>

1. Developing materials for establishing national health promotion policies and analyzing such policies;
2. Supporting the formulation of the comprehensive plans;
3. Supporting the operation of the Committee;
4. Business related to the management and operation of the Fund under Article 24;
5. Business related to the projects referred to in Article 25 (1) 1 through 9;

6. Managing national health promotion projects, providing technological support, and conducting evaluation thereof;
 7. Supporting technologies for regional public health and medical care plan under Articles 7 through 9 of the Regional Public Health Act;
 8. Subsidizing expenses incurred in the establishment and operation of public health clinics under Article 24 of the Regional Public Health Act;
 9. Planning and evaluating research tasks related to the promotion of national health;
 10. Supporting the efficient utilization of public health doctors defined in Article 2 of the Act on the Special Measures for Public Health and Medical Services in Agricultural and Fishing Villages, Etc.;
 11. Supporting the efficient promotion of regional public health projects;
 12. Other business deemed necessary by the Minister of Health and Welfare for promoting national health.
- (3) The Institute shall be a corporation, and shall be duly formed upon completing registration for its incorporation at the place of its main office. [<Newly Inserted by Act No. 12359, Jan. 28, 2014>](#)
- (4) The financial resources of the Institute shall be as follows: [<Newly Inserted by Act No. 12359, Jan. 28, 2014>](#)
1. The Fund established under Article 22;
 2. Government contributions;
 3. Donations;
 4. Other revenues.
- (5) The Government may grant budget required for the operation of the Institute. [<Newly Inserted by Act No. 12359, Jan. 28, 2014>](#)
- (6) Unless otherwise expressly prescribed by this Act and the Act on the Management of Public Institutions, the provisions of the Civil Act concerning incorporated foundations shall apply mutatis mutandis to the Institute. [<Newly Inserted by Act No. 12359, Jan. 28, 2014>](#)
- [This Article Newly Inserted by Act No. 8004, Sep. 27, 2006]

CHAPTER II MANAGEMENT OF PUBLIC HEALTH

Article 6 (Aid, etc. for Healthy Living)(1) The State and local governments shall aid the citizens to lead a healthier life.

(2) The State shall recommend the citizens to check their health before marriage in order to protect the marriage and family life.

(3) Necessary matters for the details and procedure with respect to check-up of health under paragraph (2) shall be prescribed by Ordinance of the Ministry of Health and Welfare. [<Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>](#)

Article 7 (Prohibition, etc. of Advertisement)(1) The Minister of Health and Welfare may order any person who puts an advertisement misleading the citizens about health awareness to take corrective measures, such as change of contents, or to prohibit the relevant advertisement. [<Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 14318, Dec. 2, 2016>](#)

(2) The advertisement which the Minister of Health and Welfare may order to change or prohibit pursuant to paragraph (1) shall be as follows: [<Newly Inserted by Act No. 8004, Sep. 27, 2006; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>](#)

1. Advertisement of liquors pursuant to the Liquor Tax Act;
 2. Advertisement of secret methods of health or spiritualism that are not medically and scientifically verified;
 3. Other advertisement distributing false information pertaining to health, as prescribed by Presidential Decree.
- (3) Deleted. <by Act No. 14318, Dec. 2, 2016>
- (4) Standards for advertisement content, any change thereto, procedures for prohibiting the advertisement and other necessary matters under paragraph (1) shall be prescribed by Presidential Decree. <Amended by Act No. 8004, Sep. 27, 2006>

Article 8 (Non-Smoking and Moderate Drinking Campaign, etc.)(1) The State and local governments shall educate and publicize to the citizens that direct or indirect cigarette smoking and excessive drinking are harmful to their health. <Amended by Act No. 8004, Sep. 27, 2006>

(2) The State and local governments may support juristic persons or organizations that research and investigate on non-smoking and moderate drinking.

(3) Deleted. <by Act No. 10781, Jun. 7, 2011>

(4) Those licensed for manufacturing alcoholic liquors under the Liquor Tax Act or those who import and distribute alcoholic liquors shall mark a phrase of warning to the effect that excessive drinking is harmful to health and drinking during pregnancy may harm health of a fetus on the containers of alcoholic liquors for sale prescribed by Presidential Decree. <Amended by Act No. 14057, Mar. 2, 2016>

(5) Deleted. <by Act No. 6619, Jan. 19, 2002>

(6) Matters necessary for details, methods, etc. of marking a phrase of warning under paragraph (4) shall be prescribed by Ordinance of the Ministry of Health and Welfare. <Amended by Act No. 6619, Jan. 19, 2002; Act No. 8690, Dec. 14, 2007; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 10781, Jun. 7, 2011>

Article 9 (Measures for Non-Smoking)(1) Deleted. <by Act No. 10781, Jun. 7, 2011>

(2) Authorized retailers and other sales agents of tobacco under the Tobacco Business Act shall not install tobacco vending machines and sell tobacco at locations other than those prescribed by Presidential Decree.

(3) Each person who sells tobacco by installing tobacco vending machines at a place prescribed by Presidential Decree pursuant to paragraph (2) shall install an adult verification device thereto, as prescribed by Ordinance of the Ministry of Health and Welfare. <Newly Inserted by Act No. 6952, Jul. 29, 2003; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(4) The owner, occupant, or manager of any of the following public-use facilities shall designate the whole area of such facility as a non-smoking area and install a sign indicating that the relevant facility is a non-smoking area. In such cases, the owner, occupant, or manager may install smoking rooms for smokers, and the standards, methods, etc. for the installation of signs indicating non-smoking areas and smoking areas shall be prescribed by Ordinance of the Ministry of Health and Welfare: <Amended by Act No. 10781, Jun. 7, 2011; Act No. 12329, Jan. 21, 2014; Act No. 14318, Dec. 2, 2016; Act No. 15339, Dec. 30, 2017>

1. Office buildings of the National Assembly;
2. Office buildings of the Government and local governments;
3. Office buildings of courts under the Court Organization Act and institutions affiliated to such courts;
4. Office buildings of public institutions under the Act on the Management of Public Institutions;
5. Office buildings of local public enterprises under the Local Public Enterprises Act;

6. Schools under the Early Childhood Education Act and the Elementary and Secondary Education Act (including school buildings, playgrounds, and whole premises);
7. School buildings of schools under the Higher Education Act;
8. Medical institutions under the Medical Service Act and public health clinics, medical care centers, and branches of public health clinics under the Regional Public Health Act;
9. Childcare centers under the Infant Care Act;
10. Facilities for youth activities, such as youth training centers, youth training establishments, youth cultural halls, specialized youth facilities, youth camps, youth hostels, and facilities for youth under the Youth Activity Promotion Act;
11. Libraries under the Libraries Act;
12. Children's amusement facilities under the Act on the Safety Control of Children's Amusement Facilities;
13. Private teaching institutes for school curriculum and private teaching institutes with a total floor area of at least 1,000 square meters, among private teaching institutes under the Act on the Establishment and Operation of Private Teaching Institutes and Extracurricular Lessons;
14. Waiting areas, boarding areas, and pedestrian underpasses of airports, passenger wharfs, railroad stations, bus terminals, and other transportation-related facilities, and charged transports with a seating capacity of at least 16 passengers for transporting passengers or cargoes;
15. Buses for transporting children under the Motor Vehicle Management Act;
16. Office buildings, factories, and complex buildings with a total floor area of at least 1,000 square meters;
17. Places of public performance under the Public Performance Act with at least 300 seats;
18. Superstores established and registered pursuant to the Distribution Industry Development Act and shopping malls in an underpass, among shopping malls under the aforesaid Act;
19. Tourist lodging facilities under the Tourism Promotion Act;
20. Sports facilities under the Installation and Utilization of Sports Facilities Act with a capacity of at least 1,000 spectators and indoor sports facilities used for sports facility business prescribed in Article 10 of the same Act;
21. Social welfare facilities under the Social Welfare Services Act;
22. Public baths under the Public Health Control Act;
23. Juvenile game providing businesses, general game providing businesses, businesses providing Internet computer game facilities, and combined distribution and game providing businesses under the Game Industry Promotion Act;
24. Rest restaurants, general restaurants, and bakeries with a serving area not smaller than the area specified by Ordinance of the Ministry of Health and Welfare, among food service businesses under the Food Sanitation Act, and automats with an indoor resting space not smaller than the area specified by Ordinance of the Ministry of Health and Welfare, among food subdivision and sales businesses under the same Act;
25. Comic book rental businesses under the Youth Protection Act;
26. Other facilities or institutions specified by Ordinance of the Ministry of Health and Welfare.

(5) If at least 1/2 of the households residing in a multi-family housing prescribed in subparagraph 3 of Article 2 of the Housing Act requests a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu to designate entire or part of the hallway, stair way, elevator, and underground parking lot of the aforementioned multi-family housing as a non-smoking area, the Special Self-Governing City Mayor, the Special Self-Governing Province Governor, or the head of the Si/Gun/Gu shall designate the requested area as a

non-smoking area and install a guide sign indicating that the designated area is a non-smoking area. In such cases, the procedure for designating a non-smoking area and the method, etc. of installing the aforementioned guide sign shall be prescribed by Ordinance of the Ministry of Health and Welfare. <Newly Inserted by Act No. 14057, Mar. 2, 2016; Act No. 15339, Dec. 30, 2017>

(6) In order to prevent damage from smoking and improve health of residents, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu shall designate each of the following areas as a non-smoking area and install a guide sign indicating that the designated area is a non-smoking area. In such cases, matters necessary for the method, etc. of installing such guide sign shall be prescribed by Ordinance of the Ministry of Health and Welfare: <Newly Inserted by Act No. 15339, Dec. 30, 2017>

1. An area within 10 meters of the boundary of a kindergarten facility pursuant to the Early Childhood Education Act (referring to an area provided for public passage and use);
2. An area within 10 meters of the boundary of a child-care center facility pursuant to the Infant Care Act (referring to an area provided for public passage and use).

(7) If deemed necessary for preventing damage from smoking, and for improving health of residents, local governments may designate a certain area as a non-smoking area within their respective jurisdiction where many people gather or pass by, as prescribed by their municipal ordinance. <Newly Inserted by Act No. 10327, May 27, 2010; Act No. 14057, Mar. 2, 2016>

(8) No one shall smoke in any non-smoking area designated pursuant to paragraphs (4) through (7). <Amended by Act No. 10327, May 27, 2010; Act No. 14057, Mar. 2, 2016; Act No. 15339, Dec. 30, 2017>

(9) Where the owner, occupant, or manager of a facility referred to in each subparagraph of paragraph (4) falls under any of the following cases, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may order him/her to take corrective measures for a prescribed period: <Newly Inserted by Act No. 14318, Dec. 2, 2016; Act No. 15339, Dec. 30, 2017>

1. Where he/she fails to designate the facility as a non-smoking area or to install a sign indicating that such facility is a non-smoking area, in violation of the former part of paragraph (4);
2. Where he/she fails to follow the standards, methods, etc. of installing a smoking room or a sign indicating that the facility is a non-smoking area as prescribed in the latter part of paragraph (4).

Article 9-2 (Marking Warning Phrases, etc. on Tobacco)(1) A manufacturer or an importer and distributor of tobacco under the Tobacco Business Act (hereinafter referred to as "manufacturer or importer") shall print and inscribe the following phrases on the front, rear, and sides of the packaging of tobacco and advertisements specified by Presidential Decree (including sales promotion activities; the same shall apply hereinafter): Provided, That the inscription specified in subparagraph 1 shall be labeled only on the packaging of tobacco and the front and rear sides of such packaging: <Amended by Act No. 13363, Jun. 22, 2015>

1. A picture warning harmful effects of smoking (including a warning photo; hereinafter the same shall apply);
2. A phrase of warning that smoking may cause diseases, such as lung cancer and threaten health of other persons;
3. A phrase of warning that the intake of tar varies depending upon a smoker's smoking habit;
4. The following carcinogens contained in tobacco:
 - (a) Naphthylamine;
 - (b) Nickel;

- (c) Benzene;
- (d) Vinyl chloride;
- (e) Arsenic;
- (f) Cadmium;

5. Telephone numbers for counseling service to quit smoking specified by Ordinance of the Ministry of Health and Welfare.

(2) The size of the warning picture and phrase labeled on the packaging of tobacco pursuant to paragraph (1) shall be at least 50/100 of the entire size of the packaging of tobacco. In such cases, the labeling of the warning picture shall be equivalent to at least 30/100 of each of the front and rear sides of the packaging of tobacco.

<Newly Inserted by Act No. 13363, Jun. 22, 2015>

(3) Other than the matters prescribed in paragraphs (1) and (2), detailed matters such as the content, method and form of labeling, etc. of warning pictures and phrases on the packaging of tobacco shall be prescribed by Presidential Decree: Provided, That the warning pictures shall be based on facts without being overly obnoxious.

<Amended by Act No. 13363, Jun. 22, 2015>

(4) Notwithstanding the provisions under paragraphs (1) through (3), details of the warning picture and phrases, etc. to be labeled by manufacturers or importers of the packaging tobacco, including electronic cigarettes, prescribed by Presidential Decree, and the methods, shapes, etc. thereof shall be separately prescribed by Presidential Decree. <Newly Inserted by Act No. 12616, May 20, 2014; Act No. 13363, Jun. 22, 2015>

[This Article Newly Inserted by Act No. 10781, Jun. 7, 2011]

Article 9-3 (Restriction on Indication of Flavoring Contained) If any foodstuff, or fragrant substance (hereinafter referred to as "flavoring") other than tobacco leaves is added to tobacco, the manufacturer or importer shall use no word, picture, and photograph indicating such foodstuff or flavoring in the packaging or advertisement of such product.

[This Article Newly Inserted by Act No. 10781, Jun. 7, 2011]

Article 9-4 (Prohibition of, or Restriction on, Advertisements of Tobacco) (1) Tobacco may be advertised only by the following methods:

1. Displaying or posting advertising materials specified by Ordinance of the Ministry of Health and Welfare within an authorized retailer's place of business: Provided, That the same shall not apply to where an advertisement so displayed or posted is visible from the exterior of the place of business;
2. Publishing advertisements up to ten times a year for each group of products (not more than two pages each time) in a magazine [referring to a magazine or other periodical, registered or reported pursuant to the Act on Promotion of Periodicals, including Magazines, and issued in the form of a book not more than once a week on a regular basis, a newspaper registered pursuant to the Act on the Promotion of Newspapers, Etc. and issued not more than once a week on a regular basis, or a foreign periodical defined in the Publishing Industry Promotion Act and issued with an identical title not less than once a year on a regular basis (hereinafter referred to as "foreign periodical"), but excluding those for women or juveniles]: Provided, That a magazine written only in foreign letters, among foreign periodicals distributed within the Republic of Korea, whose number of copies does not exceed the number of copies specified by Ordinance of the Ministry of Health and Welfare, shall not be subject to restriction on publishing advertisements;
3. Sponsoring social, cultural, musical, or sports events (excluding events for women or juveniles). In such

cases, advertising products shall not be permitted in addition to using the sponsor's name;

4. Advertisements published within an airplane or passenger ship operating in an international route or any other places specified by Ordinance of the Ministry of Health and Welfare.

(2) A manufacturer or importer may authorize wholesalers or authorized retailers under the Tobacco Business Act to publish advertisements under paragraph (1). In such cases, advertisements published by a wholesaler or authorized retailer shall be deemed advertisements published by a manufacturer or importer.

(3) An advertisement under paragraph (1) or an advertising material used for such advertisement shall comply with the following: [<Amended by Act No. 12616, May 20, 2014>](#)

1. The advertisement shall not go beyond informing smokers of the name, type, and feature of tobacco;
2. The advertisement shall neither directly or indirectly encourage, nor induce non-smokers to smoke, nor shall it depict a character of woman or juvenile;
3. Any content or form of the advertisement shall not contravene the contents and purport of the phrases inscribed pursuant to Article 9-2 for warning against smoking;
4. The advertisement shall not indicate any contents whose connection with the citizens' health has not been verified. In such cases, matters necessary for the methods and procedures for verifying the truthfulness of the advertised content shall be prescribed by Presidential Decree.

(4) A manufacturer or importer shall voluntarily regulate advertisements of tobacco to ensure that such advertisements do not contravene paragraphs (1) and (3).

(5) The Minister of Health and Welfare may request the Minister of Culture, Sports and Tourism to take corrective measures, etc. against an importer of a foreign periodical containing any advertisement that violates paragraph (1) or (3).

[This Article Newly Inserted by Act No. 10781, Jun. 7, 2011]

Article 9-5 (Anti-Smoking Advisors)(1) A Mayor/Do Governor or the head of a Si/Gun/Gu may appoint anti-smoking advisors from among qualified persons prescribed by Presidential Decree to take measures to stop smoking.

(2) Duties of anti-smoking advisors shall be:

1. To inspect whether the facility standards of non-smoking areas are complied with;
2. To monitor smoking at non-smoking areas, and provide guidance therefor;
3. To report any violation of measures to stop smoking to the competent administrative agencies, or provide related materials;
4. Other matters prescribed by Presidential Decree concerning the creation of smoking free environment.

(3) If an anti-smoking advisor intends to independently perform his/her duties referred to in paragraph (2), he/she shall obtain prior approval from Mayor/Do Governor or the head of a Si/Gun/Gu, and the Mayor/Do Governor or the head of a Si/Gun/Gu shall issue a written approval.

(4) When an anti-smoking advisor independently performs his/her duties referred to in paragraph (2), he/she shall carry with him/her a certificate indicating his/her authority, and present it to related persons.

(5) A Mayor/Do Governor or the head of a Si/Gun/Gu who has appointed anti-smoking advisors under paragraph (1) shall provide the anti-smoking advisors with education necessary for performing their duties before they commence their duties.

(6) No anti-smoking advisor shall abuse his/her authority in performing his/her duties under paragraph (2).

(7) If any of the following applies to an anti-smoking advisor, a Mayor/Do Governor or the head of a Si/Gun/Gu

shall dismiss him/her:

1. Where he/she loses the qualifications prescribed by Presidential Decree under paragraph (1);
2. Where he/she commits any wrongful act, or abuses his/her authority in connection with his/her duties prescribed in paragraph (2);
3. Where it becomes impracticable for him/her to perform his/her duties due to personal circumstances, a disease, an injury, or other reasons.

(8) Scope of duties, and education of anti-smoking advisors, and other necessary matters shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 12359, Jan. 28, 2014]

Article 10 (Council for Healthy Living)(1) Mayors/Do governors as well as the heads of Sis/Guns/Gus, shall organize a Council for Healthy Living in which the community's residents, organizations or public institutions of the relevant community participate, in order to promote campaign for healthy living.

(2) Matters necessary for organization and operation of the Council for Healthy Living referred to in paragraph (1) shall be prescribed by municipal ordinances of a local government.

Article 11 (Management of Health Education)The Minister of Health and Welfare shall administer the health education of the citizens in consultation with the head of the relevant central administrative organ. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

Article 12 (Conduct, etc. of Health Education)(1) In order to enable all citizens to be benefited from appropriate health services and healthy living, the State and local governments shall conduct proper health education for individuals or groups subject to such education according to their prosperities, state of health, level of health awareness, etc. <Amended by Act No. 14057, Mar. 2, 2016>

(2) The State and local government may, where a juristic person or group related to national health promotion projects conducts health education, provide necessary support therefor. <Amended by Act No. 5856, Feb. 8, 1999>

(3) The Minister of Health and Welfare, Mayors/Do Governors as well as the heads of Sis/Guns/Gus may request the juristic person or the organization related to national health promotion projects who conducts health education pursuant to paragraph (2) to submit materials on health education plans or results therefrom. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 5856, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(4) The contents of the health education under paragraph (1) shall be prescribed by Presidential Decree. <Amended by Act No. 5856, Feb. 8, 1999>

Article 12-2 (Issuance, etc. of Certificates of Health Education Specialists)(1) The Minister of Health and Welfare may issue a certificate of health education specialists to a person who has professional knowledge about national health promotion and health education. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) None of the following persons shall become a health education specialist: <Amended by Act No. 7428, Mar. 31, 2005; Act No. 12446, Mar. 18, 2014>

1. A person under adult guardianship;
2. Deleted; <Act No. 11973, Jul. 30, 2013>
3. A person in whose case the execution of a sentence to imprisonment without labor or heavier punishment, as

declared by a court, has not been completed, or the exemption from such execution has not been determined;

4. A person whose qualifications have been lost or suspended by any Act or by a court ruling.

(3) Grades of health education specialist referred to in paragraph (1) shall be grades I through III, and matters necessary to establish criteria for qualifications by grade and procedures for issuing the certificate, etc. shall be prescribed by Presidential Decree.

(4) A person who intends to obtain a certificate of health education specialists of grade I shall pass a state examination.

(5) When the Minister of Health and Welfare issues a certificate of health education specialists under paragraph (1), he/she may collect a fee therefor, as prescribed by Ordinance of the Ministry of Health and Welfare.

<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

[This Article Newly Inserted by Act No. 6983, Sep. 29, 2003]

Article 12-3 (State Examination)(1) The Minister of Health and Welfare shall conduct a state examination under Article 12-2 (4): Provided, That the Minister of Health and Welfare may entrust the administration of a state examination to the Korea Health Personnel Licensing Examination Institute under the Korea Health Personnel Licensing Examination Institute Act as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 13363, Jun. 22, 2015>

(2) The Minister of Health and Welfare may, when he/she has entrusted the administration of a state examination pursuant to the proviso to paragraph (1), subsidize necessary expenses therefor within the budget.

<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(3) The Minister of Health and Welfare (including the institution entrusted with the administration of a state examination pursuant to the proviso to paragraph (1)) may collect an amount of money prescribed by Ordinance of the Ministry of Health and Welfare as an examination fee. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(4) Matters necessary for conducting a qualifying examination such as the subjects for examination, qualifications for applying examination shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 6983, Sep. 29, 2003]

Article 12-4 (Employment of Health Education Specialist)The State and local governments shall encourage juristic persons or organizations, etc. related to national health promotion projects prescribed by Presidential Decree to employ a health education specialist as their employee.

[This Article Newly Inserted by Act No. 6983, Sep. 29, 2003]

Article 13 (Evaluation of Health Education)(1) The Minister of Health and Welfare shall regularly evaluate the results of health education for the citizens. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The methods for and contents of the evaluation referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Health and Welfare. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

Article 14 (Development, etc. of Health Education)The Minister of Health and Welfare may require the Korea Institute for Health and Social Affairs under the Act on the Establishment, Operation, and Fostering of Government-Funded Research Institutes, Etc. to gather, develop and investigate the information and data on

health education to evaluate the said education, and to perform other necessary duties. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 5733, Jan. 29, 1999; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

Article 15 (Nutrition Improvement)(1) The State and local governments shall survey the nutritional status of the citizens, come up with a plan to improve citizens' nutrition, and provide guidance about nutrition.

(2) The State and local governments shall perform the following projects to improve citizens' nutrition:

<Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

1. A project for nutritional education;
2. A project for survey and research on nutritional improvement;
3. Other projects concerning nutritional improvement prescribed by Ordinance of the Ministry of Health and Welfare.

Article 16 (National Nutrition Survey, etc.)(1) The Minister of Health and Welfare shall regularly conduct a national nutrition survey, such as the survey of health status of the citizens, intake of food and diet (hereinafter referred to as "national nutrition survey"). <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) A Special Metropolitan City, a Metropolitan City and a Do shall have public officials whose duties are to perform national nutrition surveys and nutrition guidance.

(3) A public official who conducts national nutrition surveys shall produce identification indicating his/her authority to the persons concerned.

(4) The content of and method for the citizens' nutrition surveys and other matters necessary for the citizens' nutrition surveys and nutrition guidance shall be prescribed by Presidential Decree.

Article 17 (Establishment and Enforcement of Plans for Oral Cavity Health Projects)The State and local governments shall establish and enforce plans for oral cavity health projects.

Article 18 (Oral Cavity Health Projects)(1) The State and local governments shall perform the following projects for preventing diseases in the oral cavity and promoting the oral cavity health: <Amended by Act No. 6953, Jul. 29, 2003>

1. Project for education about oral cavity health;
2. Project for adjusting tap water fluoride concentration;
3. Project for investigation and research about oral cavity health;
4. Other projects for improvement of oral cavity health prescribed by Presidential Decree.

(2) Details, criteria and methods for projects under paragraph (1) shall be prescribed by Ordinance of the Ministry of Health and Welfare. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

Article 19 (Health Promotion Projects, etc.)(1) The State and local governments shall secure personnel and facilities necessary for national health promotion projects and take measures necessary for the utilization of such facilities.

(2) A Special Self-Governing City Mayor, a Special Self-Governing Province Governor, or the head of a Si/Gun/Gu may require the head of a public health center to perform the following projects to improve the health of local residents, as prescribed by Ordinance of the Ministry of Health and Welfare: <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 15339, Dec. 30, 2017>

1. Health education and consultation;

2. Nutrition management;
3. Management of oral cavity health;
4. Medical examination for early detection of diseases and their prescriptions;
5. Survey and research on health issues of local communities;
6. Other matters pertaining to national health promotion projects such as operation of health classes.

(3) When the heads of public health clinics perform duties of paragraph (2) 1 through 4, pursuant to paragraph (2), they shall keep, retain, and manage records on health conditions of individual beneficiaries of the projects.

(4) Facilities necessary for health promotion projects and matters concerning their operation shall be prescribed by Ordinance of the Ministry of Health and Welfare. [<Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>](#)

Article 20 (Medical Examination)The State may conduct medical examinations on the citizens, as prescribed by Ordinance of the Ministry of Health and Welfare, when necessary for the promotion of their health. [<Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>](#)

Article 21 (Prohibition of Disclosure of Medical Examinations Results)A person who performs health examinations under Article 20 or person who works at the examination facilities shall not disclose the examination results without justifiable grounds, except as it is unavoidable to accomplish national health promotion projects.

CHAPTER III NATIONAL HEALTH PROMOTION FUND

Article 22 (Establishment, etc. of Fund)(1) The Minister of Health and Welfare shall establish National Health Promotion Fund (hereinafter referred to as the "Fund") in order to assure a source of revenue necessary for smooth promotion of national health promotion projects. [<Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>](#)

(2) The Fund shall be created with the following financial resources: [<Newly Inserted by Act No. 6619, Jan. 19, 2002>](#)

1. Charges pursuant to Article 23 (1);
2. Proceeds accruing from the operation of the Fund.

Article 23 (Imposition, Collection, etc. of Charges for National Health Promotion)(1) The Minister of Health and Welfare shall impose and collect charges at the rates classified as follows (hereinafter referred to as "charges") on tobacco defined in Article 2 of the Tobacco Business Act (excluding those exempt from the tobacco consumption tax under Article 54 of the Local Tax Act, and those for which the tobacco consumption tax is deducted or refunded under Article 63 (1) 1 or 2 of the aforesaid Act; hereafter the same shall apply in this Article and Article 23-2) sold by a manufacturer or importer: [<Amended by Act No. 10781, Jun. 7, 2011; Act No. 12616, May 20, 2014; Act No. 12859, Dec. 23, 2014; Act No. 14692, Mar. 21, 2017; Act No. 15339, Dec. 30, 2017>](#)

1. Cigarettes: 841 won per 20 cigarettes;
2. Electronic cigarettes:
 - (a) Where nicotine solution is used: 525 won per milliliter;
 - (b) Where tobacco or shredded tobacco is used:
 - (i) Cigarette type: 750 won per 20 cigarettes;
 - (ii) Other types: 73 won per gram;

3. Pipe tobacco: 30.2 won per gram;
4. Cigars: 85.8 won per gram;
5. Rolling tobacco: 30.2 won per gram;
6. Chewing tobacco: 34.4 won per gram;
7. Inhaling tobacco: 21.4 won per gram;
8. Waterpipe tobacco: 1,050.1 won per gram;
9. Snus: 534.5 won per gram.

(2) Each manufacturer or importer shall submit to the Minister of Health and Welfare materials regarding the quantity of tobacco shipped out of the factory or bonded area during a period from the first day of each month until the end of the month, and the details of the calculated charges by not later than the 15th day of the following month. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 10781, Jun. 7, 2011; Act No. 12616, May 20, 2014>

(3) Upon receipt of the materials submitted under paragraph (2), the Minister of Health and Welfare shall issue a payment notice to each manufacturer or importer, specifying the amount of charges and the deadline for payment thereof, within five days of such receipt. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(4) Upon receipt of the payment notice issued under paragraph (3), a manufacturer or importer shall pay charges by not later than the end of the month in which he/she receives such payment notice.

(5) Where a person liable to pay charges fails to do so within the deadline for payment under paragraph (4), the Minister of Health and Welfare shall issue a letter of reminder urging the payment stating a period of at least 30 days, within 10 days from the date after the aforementioned deadline for payment. With respect to charges in arrears, additional dues shall be collected by mutatis mutandis application of Article 21 of the National Tax Collection Act. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 14057, Mar. 2, 2016>

(6) If a person urged to pay their dues under paragraph (5) fails to pay the charges and additional dues within the prescribed period, the Minister of Health and Welfare shall collect them in the same manner as delinquent national taxes are collected. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(7) The classification of tobacco under paragraph (1) shall be prescribed by Presidential Decree on the basis of the nature, shapes, manufacturing process, etc. of tobacco. <Newly Inserted by Act No. 12616, May 20, 2014>
[This Article Wholly Amended by Act No. 6619, Jan. 19, 2002]

Article 23-2 (Security for Payment of Charges)(1) The Minister of Health and Welfare may request a manufacturer or importer to furnish the security in order to secure the payment of charges as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) Where a manufacturer or importer who is asked to furnish the security pursuant to paragraph (1) fails to furnish the security or furnish part of the security, the Minister of Health and Welfare may request a Special Metropolitan City Mayor, a Metropolitan City Mayor, the head of a Si/Gun and the head of customs office to prohibit the manufacturer, etc. from shipping cigarettes out of a place where they are stored. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(3) A Special Metropolitan City Mayor, a Metropolitan City Mayor, the head of a Si/Gun and the head of customs office who are asked to prohibit the manufacturer, etc. from shipping his cigarettes out of the place pursuant to paragraph (2) shall comply with such request.

[This Article Newly Inserted by Act No. 8004, Sep. 27, 2006]

Article 23-3 (Cooperation in Imposition and Collection of Charges)(1) Where deemed necessary in connection with the imposition and collection of charges, the Minister of Health and Welfare may request cooperation, such as submitting materials, from central administrative agencies, local governments and other relevant institutions and organizations, etc. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The central administrative agencies, local governments and other relevant institutions and organizations, etc., requested to cooperate pursuant to paragraph (1) shall comply with such request unless there is a compelling reason not to do so.

(3) With respect to materials submitted to the Minister of Health and Welfare pursuant to paragraphs (1) and (2), rents and service fees, etc. shall be exempted. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

[This Article Newly Inserted by Act No. 8004, Sep. 27, 2006]

Article 24 (Management and Operation of Fund)(1) The Minister of Health and Welfare shall manage and operate the Fund. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The Minister of Health and Welfare shall keep accounts of the Fund, as prescribed by Presidential Decree, in order to clearly and accurately record the operation results and financial status of the Fund. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 15339, Dec. 30, 2017>

(3) Other matters necessary for management and operation of the Fund shall be prescribed by Presidential Decree.

Article 25 (Use of Fund, etc.)(1) The Fund shall be expended for the following projects: <Amended by Act No. 7250, Dec. 30, 2004; Act No. 14057, Mar. 2, 2016>

1. Health management projects such as anti-smoking education and advertisement, prevention of harm caused by smoking, support for those victimized by smoking, etc.;
2. Projects for supporting healthy living;
3. Health education and development of its materials;
4. Preparation and distribution of health statistics and projects for survey, research and development in health care;
5. Projects for prevention, diagnosis and management of diseases, and treatment of cancer;
6. National nutrition management projects;
7. Oral cavity health management projects;
8. Health promotion projects performed by Mayors/Do Governors and the heads of Sis/Guns/Gus;
9. Expansion of facilities and equipment for public health care and health promotion;
10. Expenses necessary for management and operation of the Fund;
11. Other expenses necessary for national health promotion projects which are prescribed by Presidential Decree.

(2) The Minister of Health and Welfare may provide special care and support to children, juveniles, women, the elderly, the disabled, etc. in expending the Fund for the projects specified in paragraph (1). <Newly Inserted by

Act No. 7250, Dec. 30, 2004; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 10781, Jun. 7, 2011>

(3) When the Minister of Health and Welfare expends the Fund for such projects under paragraph (1), he may, if necessary, grant the money from the Fund in the form of a subsidy. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

CHAPTER IV SUPPLEMENTARY PROVISIONS

Article 26 (Subsidy for Expenses) Each fiscal year, the State or local governments may bear part of expenses necessary for the execution of any of health promotion projects or subsidize the juristic persons or organizations executing such, within the budgetary limit.

Article 27 (Guidance and Training) (1) The Minister of Health and Welfare may guide and train public officials in charge of health education or national nutrition survey and other nutrition guidance, or employees of such organizations and public institutions prescribed by Ordinance of the Ministry of Health and Welfare for improvement of their abilities. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) Matters necessary for training under paragraph (1) shall be prescribed by Ordinance of the Ministry of Health and Welfare. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

Article 28 (Reporting and Inspection) (1) If the Minister of Health and Welfare, a Mayor/Do Governor, or the head of a Si/Gun/Gu deems it necessary, he/she may order a person specified in any provision of Articles 7 (1), 8 (4), 9 (2) through (4), 9-2, 9-4, and 23 (1) to report on relevant business affairs or authorize relevant public officials to enter such person's office or place of business to inspect accounting books, documents, and other articles. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 5856, Feb. 8, 1999; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010; Act No. 10781, Jun. 7, 2011>

(2) Public officials who perform inspection under paragraph (1) shall produce identification indicating his/her authority to the persons concerned.

Article 29 (Delegation and Entrustment of Power) (1) The powers of the Minister of Health and Welfare under this Act may be delegated in part to Mayors/Do Governors, as prescribed by Presidential Decree. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The Minister of Health and Welfare may partially entrust his/her duty under this Act to juristic persons or organizations performing health promotion projects, as prescribed by Presidential Decree. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

Article 30 (Fees) (1) Heads of the local governments may, as prescribed by the Municipal Ordinance, collect fees for part of expenses required for national health promotion projects from the users thereof.

(2) When fees are collected under paragraph (1), heads of the local governments shall reduce and exempt charges for the aged, the disabled, and the protected persons under the Protection of Minimum Living Standards Act.

CHAPTER V PENALTY PROVISIONS

Article 31 (Penalty Provisions) A person who discloses the results of a medical examination without any justifiable ground in violation of Article 21 shall be punished by a fine not exceeding 30 million won.

[This Article Newly Inserted by Act No. 12446, Mar. 18, 2014]

Article 31-2 (Penalty Provisions)A person falling under any of the following subparagraphs shall be punished by imprisonment with labor for not more than one year, or by a fine not exceeding ten million won: <Amended by Act No. 6460, Apr. 7, 2001; Act No. 8004, Sep. 27, 2006; Act No. 8690, Dec. 14, 2007; Act No. 10781, Jun. 7, 2011; Act No. 13363, Jun. 22, 2015>

1. A person who fails to inscribe a phrase of warning in violation of Article 8 (4) or who inscribes any phrase of warning different from the phrases of warning prescribed in the aforesaid paragraph;
2. A person who fails to inscribe a warning picture and phrase, carcinogens, or telephone numbers for counseling service to quit smoking in violation of Article 9-2 or who inscribes any warning picture and phrase, carcinogens, or telephone number for counseling service to quit smoking, different from those prescribed in the aforesaid paragraph;
3. A person who makes an advertisement of tobacco in violation of Article 9 (4);
4. Deleted. <by Act No. 12446, Mar. 18, 2014>

Article 32 (Penalty Provisions)Those who fail to comply with the order of changing the content of an advertisement or the order of prohibiting that advertisement, without justifiable grounds, in violation of Article 7 (1) shall be punished by a fine not exceeding one million won.

[This Article Wholly Amended by Act No. 5856, Feb. 8, 1999]

Article 33 (Joint Penalty Provisions)When a representative of a corporation, or an agent, or employee of, or any person employed by the corporation or an individual commits any violation under Article 31, 31-2 or 32 in connection with the business of the corporation or individual, not only shall such violator be punished, but the corporation or individual shall also be punished by a fine under the relevant provisions: Provided, That this shall not apply where such corporation or individual has not been negligent in giving due attention to and supervising the relevant business to prevent such violation. <Amended by Act No. 12446, Mar. 18, 2014>

[This Article Wholly Amended by Act No. 10327, May 27, 2010]

Article 34 (Administrative Fines)(1) Any of the following persons shall be subject to an administrative fine not exceeding five million won: <Amended by Act No. 5856, Feb. 8, 1999; Act No. 6619, Jan. 19, 2002; Act No. 10781, Jun. 7, 2011; Act No. 14318, Dec. 2, 2016; Act No. 15339, Dec. 30, 2017>

1. A person who installs tobacco vending machines and sells tobacco, in violation of Article 9 (2);
2. A person who fails to comply with a corrective order issued under Article 9 (9);
3. A person who uses any word, picture, or photograph indicating a flavoring in the packaging or advertising of a product, in violation of Article 9-3;
4. A person who fails to submit materials or submits false materials, in violation of Article 23 (2).

(2) Any of the following persons shall be subject to an administrative fine not exceeding three million won: <Newly Inserted by Act No. 6619, Jan. 19, 2002; Act No. 6952, Jul. 29, 2003; Act No. 10781, Jun. 7, 2011>

1. A person who sells tobacco by installing tobacco vending machines on which no adult verification device is installed, in violation of Article 9 (3);
2. Deleted; <by Act No. 10781, Jun. 7, 2011>
3. A person who fails to file a report under Article 28, or files a false report, and who refuses, obstructs, or evades an inspection by the related public officials.

(3) A person who smokes in a non-smoking area, in violation of Article 9 (8), shall be subject to an administrative

fine not exceeding one hundred thousand won. <Newly Inserted by Act No. 10327, May 27, 2010; Act No. 14057, Mar. 2, 2016; Act No. 15339, Dec. 30, 2017>

(4) Administrative fines specified in paragraphs (1) through (3) shall be imposed and collected by the Minister of Health and Welfare, Mayors/Do Governors, or the heads of Sis/Guns/Gus, as prescribed by Presidential Decree.
<Newly Inserted by Act No. 15339, Dec. 30, 2017>

Article 35 Deleted. <by Act No. 15339, Dec. 30, 2017>

Article 36 Deleted. <by Act No. 5817, Feb. 5, 1999>

☐ **ADDENDUM <Act No. 5454, Dec. 13, 1997>**

This Act shall enter into force on January 1, 1998. (Proviso Omitted.)

⊕ **ADDENDA <Act No. 5733, Jan. 29, 1999>**

Article 1 (Enforcement Date)

⊕ **ADDENDA <Act No. 5817, Feb. 5, 1999>**

Article 1 (Enforcement Date)

⊕ **ADDENDA <Act No. 5856, Feb. 8, 1999>**

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

☐ **ADDENDUM <Act No. 6026, Sep. 7, 1999>**

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

⊕ **ADDENDA <Act No. 6460, Apr. 7, 2001>**

Article 1 (Enforcement Date)

⊕ **ADDENDA <Act No. 6589, Dec. 31, 2001>**

Article 1 (Enforcement Date)

⊕ **ADDENDA <Act No. 6619, Jan. 19, 2002>**

(1) (Enforcement Date) This Act shall enter into force one year after the date of its promulgation: Provided, That the amendments to Article 23 and paragraph (2) of the Addenda shall enter into force on February 1, 2002.

⊕ **ADDENDA <Act No. 6952, Jul. 29, 2003>**

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

⊕ **ADDENDA <Act No. 6953, Jul. 29, 2003>**

(1) (Enforcement Date) This Act shall enter into force on March 1, 2004.

☐ **ADDENDUM <Act No. 6983, Sep. 29, 2003>**

This Act shall enter into force on January 1, 2009.

⊕ **ADDENDA <Act No. 7250, Dec. 30, 2004>**

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation: Provided, That the amendments to paragraph (2) of the Addenda of the amended National Health Promotion Act (Act No. 6619) shall enter into force on January 1, 2005.

+ ADDENDA <Act No. 7428, Mar. 31, 2005>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 8004, Sep. 27, 2006>

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

+ ADDENDA <Act No. 8153, Dec. 30, 2006>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 8690, Dec. 14, 2007>

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

+ ADDENDA <Act No. 8852, Feb. 29, 2008>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 9932, Jan. 18, 2010>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 10191, Mar. 26, 2010>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 10221, Mar 31, 2010>

Article 1 (Enforcement Date)

+ ADDENDUM <Act No. 10327, May 27, 2010>

This Act shall enter into force three months after the date of its promulgation: Provided, That the amended provisions of Article 33 shall enter into force on the date of its promulgation.

+ ADDENDA <Act No. 10781, Jun. 7, 2011>

Article 1 (Enforcement Date)

+ ADDENDUM <Act No. 11142, Dec. 31, 2011>

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

+ ADDENDUM <Act No. 11973, Jul. 30, 2013>

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

+ ADDENDA <Act No. 12329, Jan. 21, 2014>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 12359, Jan. 28, 2014>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 12446, Mar. 18, 2014>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 12616, May 20, 2014>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 12859, Dec. 23, 2014>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 13323, May 18, 2015>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 13363, Jun. 22, 2015>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 13367, Jun. 22, 2015>

Article 1 (Enforcement Date)

+ ADDENDUM <Act No. 13986, Feb. 3, 2016>

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

+ ADDENDA <Act No. 14057, Mar. 2, 2016>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 14224, May 29, 2016>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 14318, Dec. 2, 2016>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 14692, Mar. 21, 2017>

Article 1 (Enforcement Date)

+ ADDENDA <Act No. 14777, Apr. 18, 2017>

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

+ ADDENDA <Act No. 15339, Dec. 30, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 9 (4) 24 shall enter into force six months after the date of its promulgation, and the amended provisions of Article 9 (6) shall enter into force one year after the date of its promulgation.

Article 2 (Applicability to Charges for National Health Promotion)

The amended provisions of Article 23 (1) 2 shall apply, beginning with the first portion of cigarettes shipped out of their manufacturing place or bonded area after this Act enters into force.