

법령, 판례 등 모든 법령정보를 한 번에 검색

NATIONAL HEALTH PROMOTION ACT

[Effective February 3, 2016.] [Law No. 13986, Partially Revised on February 3, 2016]

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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 cultivate the awareness of the value of and responsibility for health, and by creating for them a given condition where they can spontaneously lead a healthy life.

Article 2 (Definitions)

Definitions of the terms used in this law are as follows. [<Revised, March 2, 2016>](#)

1. "National Health Promotion Project" refers to the project to increase health of the Korean people through fulfillment of health education, disease prevention, nutrition improvements, health management and healthy living.
2. "Health Education" refers to the education that teaches individuals or organizations to voluntarily take activities that are beneficial to their health.
3. "Nutrition Improvements" refer to improving health through balanced nutrition by individuals or organizations.
4. "Health Management" refers to maintaining healthy condition through continuing activities that are beneficial to health by individuals or organizations.

[\[Effective date: September 3, 2016\]](#)

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 national health.

(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 others' health.

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 determined as the Health Day and the one week period from the Health Day shall be determined 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 Master Plans for Promoting National Health) (1) The Minister of Health and Welfare shall formulate a master plan for promoting the national health (hereinafter referred to as "master plan") every five years after deliberation thereon by the National Health 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 entered in the master plan shall be as follows:<Amended by Act No. 12446, Mar. 18, 2014>

1. The basic goal of, and direction-setting for promoting the national health;
2. Major tasks to be implemented to promote the national health and methods for implementing the major tasks;
3. Management of the manpower needed to promote the national health and methods for raising the required financial resources;
4. Methods for operating the 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 the national health.

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

Article 4-2 (Development, etc. of Implementation Plan) (1) The Minister of Health and Welfare, the relevant heads of central administrative agencies, a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor (hereinafter referred to as a "Mayor/Do Governor") and the head of a Si/Gun/Gu (limited to an autonomous Gu; hereinafter the same shall apply) shall each develop and carry out an implementation plan for major policy steps (hereinafter referred to as "implementation plan") under his/her jurisdiction based on the master plan every year. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The State may wholly or partially subsidize expenses necessary for the local governments to carry out the implementation plan.

[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 carry out the master 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 the national health shall be set up 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>

1. The master plan;
2. The annual operational plan of the National Health Promotion Fund under Article 22, the settlement of account and the evaluation thereof;
3. Matters concerning 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. 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 the national health promotion 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 Foundation) (1) The Minister of Health and Welfare shall establish the Korea Health Promotion Foundation (hereafter referred to as "Foundation" 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 the 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 Development Institute shall perform the following tasks. [<Revised, January 28, 2014, May 18, 2015.>](#)

1. Developing materials for establishing national health promotion policies and analyzing such policies;
2. Supporting the formulation of the master 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 Foundation 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 Foundation 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 Foundation.<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 Foundation.<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 Life Style) (1) The State and local governments shall aid the citizens so that they may practice healthy life style.

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

(3) Necessary matters for the details and procedure with respect to confirming the state 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 health awareness of the citizens, to change or prohibit the contents of the advertisement. <Amended by Act No. 5454, Dec. 13, 1997; Act No. 8852, Feb. 29, 2008; Act No. 9932, Jan. 18, 2010>

(2) The advertisement for which the Minister of Health and Welfare may order its contents to be changed or prohibited it pursuant to the provisions of 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. Advertisement prescribed by Presidential Decree which propagates wrong information pertaining to health.

(3) Where an advertisement to which paragraph (1) applies is a commercial broadcast that went through deliberation of the Broadcast Committee under the Broadcasting Act and of the Composite Cable Broadcast Committee under the Composite Cable Broadcasting Act, the Minister of Health and Welfare may request to make corrections thereto as prescribed by relevant Acts and subordinate

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

(4) Standards for advertisement contents, 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 (No-Smoking and No-Alcohol Campaign) (1) National and regional municipalities shall educate and promote to the people the fact that direct or indirect smoking and excessive alcoholic beverage drinking can be harmful to their health. <Revised, September 27, 2006.>

(2) National and regional municipalities may support corporations or organizations that engage in study and research on quitting smoking and drinking less.

(3) Deleted <June 7, 2011.>

(4) Persons that have been granted license for selling alcoholic beverages or import and sell alcoholic beverages according to the “Alcohol Beverages Tax Law” are required to put warning labels on the alcoholic beverage containers set by the Presidential Executive Order indicating that excessive drinking may cause harms to health and to the health of unborn baby during pregnancy. <Revised, March 2, 2016.>

(5) Deleted <January 19, 2002.>

(6) Details of the requirement in the above Item 4 such as contents of label and method shall be set by the Order of the Ministry of Health and Welfare. <Revised, January 19, 2002, December 14, 2007, February 29, 2008, January 18, 2010, June 7, 2011.>

[Effective date: September 3, 2016.]

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

(2) No authorized retailers under the Tobacco Business Act and other sales agents of tobacco shall install tobacco vending machines and sell tobacco at locations other than those prescribed by Presidential Decree.

(3) Any 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. In such cases, the owner, occupant, or manager may install signs indicating non-smoking areas and smoking areas 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](#)>

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 clinics, public health and medical care centers, and public health branch clinics under the Regional Public Health Act;
9. Child-care 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 juveniles under the Juvenile 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 not less than 1,000 square meters, among private teaching institutes under the Act on the Establishment and Operating 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;
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;

25. Comic-book rental businesses under the Juvenile Protection Act;

26. Other facilities or institutions specified by Ordinance of the Ministry of Health and Welfare.

(5) Mayors and magistrates of gun and gu shall designate whole or partial areas of hallways, stairways, elevators, and underground parking garage as no-smoking zones if more than half of the residents of a joint-housing complex request to designate such no-smoking zones according to the “Housing Law”, Article 2, Paragraph 3, and install signs indicating such zones where smoking is prohibited. In such a case, the procedure and method of designating such zones and installing signs indicating no-smoking zones shall be set by the Order of the Ministry of Health and Welfare. <Newly established, March 2, 2016.>

(6) Regional municipalities may designate a certain space within its own jurisdiction where people congregate and pass through as no-smoking zone by own ordinances if it is recognized that designating such a no-smoking zone is necessary to prevent damages from smoking and increase health of the residents. <Newly established, May 27, 2010, March 2, 2016.>

(7) No one is allowed to smoking in the designated no-smoking zones set by the provisions of above Items 4 through 6. <Revised, May 27, 2010, March 2, 2016.>

[Effective date: September 3, 2016]

Article 9-2 (Warning Labels on Cigarette Packs) (1) Manufacturers or importers and sellers of cigarettes (“manufacturers and others” hereinafter) according to the “Cigarette Business Law” shall print the following details and indicate them on the front, back, and sides of cigarette packs, and advertisements (including sales promotional activities. Same hereinafter) set by the Presidential Executive Order. However, indications of Item 1 shall be limited to the front and back of cigarette packs. <Revised, June 22, 2015.>

1. Warning illustrations showing harms of smoking (including pictures. Same hereinafter).
2. Warning texts containing a message that smoking can cause diseases such as lung cancer and harms to health of other people
3. Warning texts containing a message that volume of tar inhalation is subject to the smoking habit of a smoker
4. The following cancer-causing substances that are contained in cigarettes
 - A. Naphthylamine
 - B. Nickel

- C. Benzene
- D. Vinyl chloride
- E. Arsenic
- F. Cadmium

5. Telephone number for quit smoking consultation set by the Order of the Ministry of Health and Welfare

(2) Warning illustrations and warning texts according to the above Item 1 shall be indicated in a size equivalent to more than 50/100 of the width for cigarette packs. In such a case, the warning illustrations shall be in a size that is more than 30/100 of the widths of both back and front of the cigarette pack.

[<Newly established, June 22, 2015.>](#)

(3) Specific requirements of the contents and indication method, type of the warning illustrations and texts other than the provisions set forth in the above Items 1 and 2 herein shall be set by the Presidential Executive Order. However, the warning illustrations shall be based on factual sources and may not give impressions of offensiveness. [<Revised, June 22, 2015.>](#)

(4) Notwithstanding the provisions set forth in the above Items 1 through 3 herein, contents and indication method, type of the warning illustrations and texts for electronic cigarettes and others that are required for the manufacturers of cigarettes by the Presidential Executive Order shall be separately set forth by the Presidential Executive Order. [<Newly established, May 20, 2014, June 22, 2015.>](#)

[\[This article newly established on June 7, 2011.\]](#)

[\[Effective date: December 23, 2016.\]](#)

Article 9-3 (Restriction on Indication of Flavorings Contained)

If any foodstuff, other than tobacco leaves, or fragrant substance (hereinafter referred to as "flavoring") 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 exceed the limit of 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 autonomously 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 non-smoking 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 Practicing Healthy Life Style) (1) Mayors/Do governors as well as the heads of Sis/Guns/Gus, shall organize a Council for Practicing Healthy Life Style in which the community's residents, organizations or public institutions of the relevant community participate, in order to promote campaign for practicing healthy life style.

(2) Matters necessary for organization and operation of the Council for Practicing Healthy Life Style

referred to in paragraph (1) shall be prescribed by 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 (Conducting Health Education) (1) National and regional municipalities shall conduct health education that is appropriate to the characteristics, health condition, and level of health consciousness for subjected individuals and organizations to help all people in using correct medical facilities and lead healthy living habits. <Revised, March 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>

[Title revised, March 2, 2016.]

[Effective date: September 3, 2016.]

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. An incompetent 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) National Examination according to the provisions of Article 12-2-4 shall be conducted by the Minister of Health and Welfare. However, the Minister of Health and Welfare may assign management of the national examination to the Korea Medical Professional National Examination Institute according to the “Korea Medical Professional National Examination Law” as set forth by the Presidential Executive Order. <Revised, February 29, 2008, January 18, 2010, June 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 limits of 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 application fee for an examination.<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 Health and Society Research Institute under the Act on the Establishment, Operation, and Fostering of Government-Funded Research Institution to gather, develop and investigate the information and data on health education to evaluate the said education, and to carry out 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 state of the citizens, devise 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 the citizens' state of health, 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 government shall secure personnel and facilities necessary for the national health promotion projects and take measures necessary for the utilization of such facilities.

(2) The heads of Sis/Guns/Gus may require the heads of public health centers 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>

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 the national health promotion projects such as operation of health classes.

(3) When the heads of public health centers perform duties of paragraph (2) 1 through 4, pursuant to paragraph (2), they shall keep, maintain 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 the 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; hereinafter 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>

1. Cigarettes: 841 won per 20 cigarettes;
2. Electronic cigarettes: 525 won per milliliter of nicotine solution;
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) A 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 the 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 under paragraph (3), a manufacturer or importer shall pay the charges not later than the end of the month in which he/she receives such payment notice.

(5) The Minister of Health and Welfare shall issue a reminder bill by setting a period of more than 30 days within 10 days after a due date has passed if a person who is required to pay a payment has not made a payment within the due date according to the provisions of the above Item 4. A penalty shall be levied on the late payment in compliance with the “National Tax Levying Law”, Article 21. <Revised, February 29, 2008, January 18, 2010, March 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]

[Effective date: September 3, 2016.]

Article 23-2 (Security Furnished 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 customhouse 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 customhouse 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, if no justifiable grounds exist.

(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>

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

Article 25 (Utilization of Funds) (1) Funds shall be utilized for the following projects. <Revised, December 30, 2004, March 2, 2016.>

1. National health management projects such as quit-smoking education and promotion, prevention of damages from smoking, and support for victims of smoking
2. Projects that support healthy living
3. Development of health education and its materials
4. Projects on preparation and distribution of healthy statistics, and studies, researches, and developments related to health and medicine
5. Projects for prevention, screening, management of diseases and treatment of cancer
6. National nutrition management projects
7. Oral health management projects
8. Healthy promotion projects carried out by cities, provincial governors, mayors, and magistrates of *gun* and *gu*.
9. Expansion of facilities and equipment for promoting public health and medicine
10. Expenses needed for managing and utilizing funds
11. Expenses needed for other national health promotion projects that are designated by the Presidential Executive Order

(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>
[Effective date: September 3, 2016.]

CHAPTER IV SUPPLEMENTARY PROVISIONS

Article 26 (Aid 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 limits of the budget.

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 (Charge) (1) Heads of the local governments may, as prescribed by the Municipal Ordinance, collect part of expenses required for national health promotion projects from their users in the form of a charge.

(2) When charges 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 PENAL PROVISIONS

Article 31 (Penal 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 (Penal Provisions) A person who has committed any of the following shall be sentenced with incarceration of not more than one year or levied with a fine of not more than 10 million won. <Revised, April 7, 2001, September 27, 2006, December 14, 2007, June 7, 2011, June 22, 2015>

1. Not indicating warning texts in violation of Article 80-4, or indicating warning texts that are different than what were specified.
2. Not indicating warning illustrations, texts, cancer-causing substances, and quit-smoking consultation telephone number in violation of Article 9-2, or indicating warning illustrations, texts, cancer-causing substances, and quit-smoking consultation telephone number that are different what were specified.
3. Advertising about cigarettes in violation of Article 9-4.
4. Deleted <March 18, 2014.>

[Moved from Article 31 <March 18, 2014.>]

[Effective date: December 23, 2016.]

Article 32 (Penal Provisions)

Those who fail to comply to 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 Penal Provisions)

When a representative of a corporation or an agent, employee or other servant of a corporation or individual commits a violation under Article 31, 31-2 or 32 in connection with the business of the corporation or the individual, not only shall such violator be punished, but the corporation or the 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 and supervision concerning 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 (Fines for Negligence) (1) A person falling under any of the following subparagraphs shall be punished by a fine for negligence 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>

1. A person who installs tobacco vending machines and sells tobacco, in violation of Article 9 (2);

2. A person who fails to designate the whole area of the relevant facility as non-smoking areas, in violation of Article 9 (4);

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) A person falling under any of the following subparagraphs shall be punished by a fine for negligence of three million won or less: <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 recuse himself from an inspection by the related public officials.

(3) A person who smokes in the no-smoking area in violation of Article 9, Paragraph 7 shall be levied with a penalty of not more than 100 thousand won. <Newly established, May 27, 2010, March 2, 2016> [Effective date: September 3, 2016]

Article 35 (Levying and Collection Procedure for Fines for Negligence) (1) The Minister of Health and Welfare, Mayors/Do Governors, or the heads of Sis/Guns/Gus (hereinafter referred to as "imposing authority") shall levy and collect fines for negligence under Article 34 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) A person who is dissatisfied with the disposition of a fine for negligence pursuant to paragraph (1) may raise an objection to the imposing authority within 30 days from the date on which the notification of such disposition was received.

(3) When a person who is sentenced to a fine for negligence pursuant to paragraph (1) raise an objection pursuant to paragraph (2), the imposing authority shall immediately notify the competent court which in turn shall proceed to a trial on the fine for negligence pursuant to the Non-Contentious Case Procedure Act.

(4) When neither objection is raised nor a fine for negligence is paid within the period under paragraph (2), the fine for negligence shall be collected in the same manner as delinquent national or local taxes are collected.

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

ADDENDA <No. 5454, 13. Dec, 1997>

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

ADDENDA <No. 5733, 29. Jan, 1999>

Article 1 (Enforcement Date)

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

Articles 2 through 11 Omitted.

ADDENDA <No. 5817, 05. Feb, 1999>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 1999. (Proviso Omitted.)

Articles 2 and 3 Omitted.

Article 4 (Transitional Measures on Penal Provisions, etc.)

(1) The application of penal provisions to acts performed in violation of the Protection of Minors Act and Article 9 (3) of the National Health Promotion Act before the enforcement of this Act shall be dealt with according to the previous provisions.

(2) and (3) Omitted.

Article 5 Omitted.

ADDENDA <No. 5856, 08. Feb, 1999>

- (1) (Enforcement Date) This Act shall enter into force six months after the date of its promulgation.
- (2) (Transitional Measures on Penal Provisions and Fine for Negligence) The application of penal provisions and fine for negligence to acts performed before the enforcement of this Act, shall be dealt with according to the previous provisions.

ADDENDA <No. 6026, 07. Sep, 1999>

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

ADDENDA <No. 6460, 07. Apr, 2001>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2001.

Articles 2 through 4 Omitted.

ADDENDA <No. 6589, 31. Dec, 2001>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2002. (Proviso Omitted.)

Articles 2 through 8 Omitted.

ADDENDA <No. 6619, 19. Jan, 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.

(2) (Temporary Special Provisions Concerning Use of Fund) Notwithstanding the provisions of Article 25 (1), the Minister of Health and Welfare shall support the National Health Insurance Corporation under the National Health Insurance Act by making the Corporation available to use a certain amount from the Fund, which is corresponding to 6/100 of the expected revenue of insurance premiums in a relevant year under the same Act, for purposes under Article 108 (4) of the same Act, every year until December 31, 2016: Provided, That the support amount shall not exceed 65/100 of the expected revenue amount of the charges in the relevant year. <Amended by Act No. 8153, Dec. 30, 2006; Act No. 11142, Dec. 31, 2011>

(3) (Applicability to Warning) The amendments to Article 8 (3) shall apply to tobacco which is shipped out of the factory or bonded area or for which any advertisement is done, on or after the enforcement date of this Act.

(4) (Applicability to Imposition of Charges) The amendments to Article 23 (1) shall apply to cigarettes which are shipped out of the factory or bonded area on or after February 1, 2002.

ADDENDA <No. 6983, 29. Sep, 2003>

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

ADDENDA <No. 7250, 30. Dec, 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.

(2) (Applicability to Imposition of Charges for National Health Promotion) The amendments to Article 23 (1) shall apply to tobacco which is shipped out of the factory or bonded area on or after the enforcement date of this Act.

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

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 6 Omitted.

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

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

(2) (Applicability to Charges) The amended provisions of Articles 23 (1) and 23-2 shall apply, starting with the cigarettes that are shipped out from their manufacturing place or their bonded area.

(3) (Transitional Measures Concerning Development of Master Plan) The basic policy steps for promoting the national health, which are developed pursuant to the previous provisions of Article 4 at the time of the enforcement of this Act, shall be deemed the master plan.

(4) (Transitional Measures Concerning Limited-Time Special Case for Using Fund) The amended provisions of the proviso to paragraph (2) of the Addenda of the National Health Promotion Act (Act No. 6619), shall apply to the portion of the Fund that is spent in the 2006 fiscal year.

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

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2007. (Proviso Omitted.)

Articles 2 through 7 Omitted.

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

- (1) (Enforcement Date) This Act shall enter into force one year after the date of its promulgation.
- (2) (Applicability) The amended provision of Article 8 (3) shall apply beginning from the first cigarette packet which is taken out of a place of manufacture or a bonded area, or advertised after this Act enters into force.

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

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)
Articles 2 through 7 Omitted.

ADDENDA <No. 9932, 18. Jan, 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.

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

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)
Articles 2 through 6 Omitted.

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

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 8 Omitted.

ADDENDA <No. 10327, 27. May, 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 <No. 11142, 31. Dec, 2011>

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

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

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Articles 2 through 4 Omitted.

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

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Transitional Measures concerning Korea Health Promotion Foundation)

(1) Notwithstanding the provisions of the Civil Act concerning the dissolution and liquidation of a corporation, the Korea Health Promotion Foundation, being an incorporated foundation, as at the time this Act enters into force shall be deemed dissolved simultaneously with the establishment of the Korea Health Promotion Foundation under this Act, and the Korea Health Promotion Foundation to be established under this Act shall succeed to all property, rights and obligations of the incorporated foundation, the Korea Health Promotion Foundation.

(2) The employees of the Korea Health Promotion Foundation, being an incorporated foundation, as at the time this Act enters into force shall be deemed employed by the Korea Health Promotion Foundation.

Article 3 Omitted.

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

Article 1 (Enforcement Date)

This Act shall enter into force on July 29, 2014.

Article 2 (Transitional Measures concerning Incompetent Persons, etc.)

Notwithstanding the amended provisions of Article 12-2 (2) 1, persons against whom the declaration of incompetency or quasi-incompetency remains in effect under Article 2 of the Addenda to the partially amended Civil Act (Act No. 10429) shall be subject to the application of the former provisions.

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

Article 1 (Enforcement Date)

This Act shall enter into force two months after the date of its promulgation: Provided, That the amended provisions of Articles 9-2 (3) and 9-4 (3) 4 shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Warning Phrases and Advertisements)

The amended provisions of Articles 9-2 (3) and 9-4 (3) 4 shall apply beginning with the portions first shipped out of the factory or bonded area, or advertised after the aforesaid amended provisions enter into force.

Article 3 (Applicability to Charges)

The amended provisions of Article 23 shall apply beginning with the portions first shipped out of the factory or bonded area after this Act enter into force.

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

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2015.

Article 2 (Applicability to Imposition of Charges)

The amended provisions of Article 23 (1) shall apply beginning with the portions first shipped out of the factory or bonded area on and after January 1, 2015.

ADDENDA <No. 13986, Feb 3, 2016>

This law shall be effective from the day it was proclaimed.