

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

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Act No. 7212, Mar. 22, 2004  
Amended by Act No. 7413, Mar. 24, 2005  
Act No. 7784, Dec. 29, 2005  
Act No. 7849, Feb. 21, 2006  
Act No. 8852, Feb. 29, 2008  
Act No. 8965, Mar. 21, 2008  
Act No. 9125, Jun. 13, 2008  
Act No. 9166, Dec. 19, 2008

**Article 1 (Purpose)**

The purpose of this Act is to prevent sexual traffic, protect victims of sexual traffic and persons who have sex with people in exchange for money, and support their self-reliance.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 2 (Definitions)**

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

1. The term “sexual traffic” means acts prescribed by Article 2 (1) 1 of the Act on the Punishment of Acts of Arranging Sexual Traffic;
2. The term “act of arranging sexual traffic” means acts prescribed by Article 2 (1) 2 of the Act on the Punishment of Acts of Arranging Sexual Traffic;
3. The term “human traffic aiming for sexual traffic” means acts prescribed by Article 2 (1) 3 of the Act on the Punishment of Acts of Arranging Sexual Traffic; and
4. The term “victims of sexual traffic” means persons prescribed by Article 2 (1) 4 of the Act on the Punishment of Acts of Arranging Sexual Traffic.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 3 (Responsibilities of State, etc.)**

- (1) The State and a local government shall arrange the legal and

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

institutional system and take necessary administrative and fiscal measures for the matters of the following subparagraphs in order to prevent sexual traffic, protect victims of sexual traffic and persons who have sex with people in exchange for money (hereinafter referred to as “victims, etc. of sexual traffic”), and support their self-reliance:

1. Survey, research, education and publicity for the purpose of prevention of sexual traffic, acts of arranging sexual traffic and human traffic aiming for sexual traffic; and
2. Establishment and operation of institutions (including institutions for foreign women) for the protection of victims, etc. of sexual traffic and support of their self-reliance.

(2) The State shall endeavor to promote international cooperation for the prevention of human traffic aiming for sexual traffic.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 3-2 (Surveys on Actual Conditions of Sexual Traffic)**

(1) The Minister of Gender Equality shall conduct surveys on actual conditions of sexual traffic inside and outside Korea every three years, publish a synthesized report on actual conditions of sexual traffic and utilize it as basic data for policy making for prevention of sexual traffic.

(2) The Minister of Gender Equality may, when he/she deems it necessary for surveys on actual conditions under paragraph (1), request the head of the central administrative agency concerned, the head of the local government concerned and the head of the relevant organizations to submit data or to provide cooperation necessary for carrying out surveys. In such cases, any person who has been requested to submit data or for cooperation shall comply with such request unless there is any special reason to the contrary.

(3) Matters necessary for methods, contents of actual conditions, etc. of sexual traffic under paragraph (1) shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Newly Inserted by Act No. 8965, Mar. 21, 2008]*

**Article 4 (Preventive Education against Sexual Traffic)**

(1) The head of a state agency, a local government, an elementary school, a middle school and a high school, and the head of any other public organization prescribed by Presidential Decree shall implement preventive education against sexual traffic for the cultivation of sound sense of value

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

toward sex, prevention of sexual traffic and protection of human rights and submit the results thereof to the Minister of Gender Equality.

(2) Matters necessary for contents, methods of and procedures for the presentation of the results, etc. of the preventative education against sexual traffic under paragraph (1) shall be prescribed by Presidential Decree.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 5 (Kinds of Supporting Institutions)**

(1) The kinds of supporting institutions for victims, etc. of sexual traffic (hereinafter referred to as “supporting institutions”) shall be as follows:

1. General supporting institution: An institution that provides victims, etc. of sexual traffic with accommodations and meals for not more than one year and supports their self-reliance;
2. Juvenile supporting institution: An institution that provides juvenile victims, etc. of sexual traffic with accommodations and meals for not more than one year and supports their self-reliance through enrollment in school and education, etc.;
3. Supporting institution for foreign women: An institution that provides foreign women who are victims, etc. of sexual traffic with accommodations and meals for not more than three months (with respect to a foreign woman who falls under Article 11 of the Act on the Punishment of Acts of Arranging Sexual Traffic, the relevant period) and helps them return to their homelands; and
4. Rehabilitation supporting centers: An institution that gives necessary support to victims, etc. of sexual traffic for rehabilitation.

(2) The head of each general supporting institution may extend the supporting period within the limit of six months as prescribed by Ordinance of the Ministry of Gender Equality.

(3) The head of each juvenile supporting institution may extend the supporting period until a juvenile becomes 19 years of age as prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 6 (Establishment of Supporting Institutions)**

(1) The State or a local government may establish and operate supporting institutions.

(2) In cases where a person other than the State or a local government

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

intends to establish and operate a supporting institution, he/she shall make a report thereon to the governor of the Special Self-Governing Province, the head of *Si/Gun/Gu* (referring to the head of an autonomous *Gu*; hereinafter the same shall apply).

(3) Necessary matters concerning the standards for establishment, procedures for report of a supporting institution and the qualification standards for and the number of employees thereof shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 7 (Affairs of Supporting Institutions)**

(1) Each general supporting institution shall perform the following affairs:

1. Provision of accomodations and meals;
2. Counseling and medical treatment for psychological stability and adaptation to society;
3. Medical support, such as surrender of victims, etc. of sexual traffic to medical institutions for medical treatment and health care;
4. Accompanying victims, etc. of sexual traffic to an investigation agency for investigation and a court for examination of a witness;
5. Request to legal aid institutions, etc. for their necessary cooperation and support;
6. Implementation of education for rehabilitation and self-reliance and provision of job information;
7. Support for receipt of benefits under the Acts and subordinate statutes related to social security, such as the National Basic Living Security Act, etc.;
8. Technical education (including entrusted education);
9. Matters entrusted to supporting institutions by other Acts; and
10. Other matters prescribed by Ordinance of the Ministry of Gender Equality.

(2) Each juvenile supporting institution shall provide education for entrance into a school of higher grade and help juveniles to enter educational institutions in addition to the affairs under subparagraphs of paragraph (1).

(3) Each supporting institution for foreign women shall perform the affairs referred to in paragraphs (1) 1 through 5 and 9 and affairs supporting their return to homelands.

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

(4) Each rehabilitation supporting center shall perform the following affairs:

1. Operation of a rehabilitation community, etc.;
2. Education for employment and technical education (including entrusted education);
3. Provision of information on employment and establishment of a business; and
4. Other matters prescribed by Ordinance of the Ministry of Gender Equality as a support necessary for adaptation to society.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 8 (Admission to Supporting Institutions)**

(1) A person who intends to be admitted to a supporting institution shall observe the admission regulations of the relevant supporting institution.

(2) A person who intends to use programs provided by a supporting institution shall observe the regulations for use of the relevant supporting institution.

(3) The head of a supporting institution may take necessary measures such as expulsion from the institution or prohibition on use of the institution, etc. against an inmate or a user who fails to observe the admission regulations or the regulations for use, or performs an act hindering communal setting seriously.

(4) Necessary matters concerning procedures for admission, procedures for use, the admission regulations and the regulations for use, etc. of supporting institutions shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 9 (Operation of Supporting Institutions)**

(1) The head of each supporting institution shall use his/her best efforts to advocate the human rights of inmates or users.

(2) The head of each supporting institution shall provide inmates and users with necessary support, such as counseling, education, provision of information, protection from danger, etc. in order to improve their abilities to adapt to society.

(3) The head of each supporting institution shall conduct health examination on inmates for their health care within one month from the date when they were admitted to the supporting institution and if any

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

inmate is found to be in a bad state of health, the head of the supporting institution shall take necessary measures, such as receipt of medical allowance under the Medical Care Assistance Act, and, if necessary, request any medical institution to provide medical treatment, etc.

(4) Necessary matters concerning methods of, standards, etc. for the operation of supporting institutions shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 10 (Establishment of Counseling Centers)**

(1) The State or a local government may establish and operate counseling centers for the victims, etc. of sexual traffic (hereinafter referred to as “counseling centers”).

(2) If a person other than the State or a local government intends to establish and operate a counseling center, he/she shall make a report thereon to the governor of the Special Self-Governing Province and the head of *Si/Gun/Gu*.

(3) Each counseling center shall have a counseling room, and may have a protection room for the temporary protection of users.

(4) Necessary matters concerning the standards for opening, procedures for report, standards for operation, qualification standards for and number of employees, such as counselors, etc. of a counseling center shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 11 (Affairs of Counseling Centers)**

Each counseling center shall perform the following affairs:

1. Counseling and visiting the scenes;
2. Notice concerning the use of supporting institutions and surrender or introduction of victims, etc. of sexual traffic to supporting institutions;
3. Rescue of victims of sexual traffic;
4. Affairs referred to in Article 7 (1) 3 through 5;
5. Matters commissioned to a counseling center by other Acts; and
6. Matters prescribed by Ordinance of the Ministry of Gender Equality as measures for protection of victims, etc. of sexual traffic.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 11-2 (Establishment, etc. of Central Support Center for Prevention of Sexual Traffic)**

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

(1) The State may establish and operate Central Support Center for Prevention of Sexual Traffic to facilitate effective liaison, coordination, etc. of delivery systems for support services with respect to the preventive activities against sexual traffic, victims, etc. of sexual traffic (hereinafter referred to as the “Central Support Center”).

(2) The Central Support Center shall carry out duties falling under any of the following subparagraphs:

1. Construction of an integrated liaison network between and among supporting institutions and counselling centers;
2. Construction and operation of relief systems for victims of sexual traffic and support for rescue efforts for victims of sexual traffic;
3. Operation of legal and medical support teams and establishment of legal and medical support systems;
4. Development and diffusion of self-support and self-reliance programs for victims, etc. of sexual traffic;
5. Research on and publicity of support measures for victims, etc. of sexual traffic;
6. Surveys on actual conditions of sexual traffic and research on preventive measures against sexual traffic;
7. Development of preventive education programs against sexual traffic;
8. Education and fosterage of counselors and development and diffusion of counsel technique; and
9. Other matters prescribed by Ordinance of Ministry of Gender Equality.

(3) Operation of the Central Support Center may be entrusted to a nongovernmental party, as prescribed by Ordinance of Ministry of Gender Equality.

(4) Other necessary matters concerning organization and operation of the Central Support Center, criteria for qualifications of employees, etc. shall be prescribed by Presidential Decree.

*[This Article Newly Inserted by Act No. 9125, Jun. 13, 2008]*

**Article 12 (Cooperation of Investigation Agencies)**

The head of each counseling center may, when it is necessary to urgently rescue any victim of sexual traffic, request the head of the competent state police station to order a police officer under his/her control to accompany, the head of the counseling center, and the head of the competent state police station who has been requested shall comply with such request

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

unless there is any special reason to the contrary.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 13 (Respect of Intention of Victims, etc. of Sexual Traffic)**

No head of each supporting institution or each counseling center shall surrender a victim, etc. of sexual traffic to a supporting institution nor protect such victim pursuant to in Article 10 (3) contrary to her/his explicit intention.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 14 (Support of Medical Expenses)**

(1) In cases where the head of a supporting institution asks a medical institution for medical treatment, etc. pursuant to Article 9 (3), the State or a local government may support the whole or part of the medical expenses for an item of medical treatment for which benefits under the Medical Care Assistance Act are not paid.

(2) Necessary matters concerning the scope of and procedures, etc. for support of medical expenses under paragraph (1) shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 14-2 (Designation, etc. of Exclusively Responsible Medical Institution)**

(1) The Minister of Gender Equality, the governor of the Special Self-Governing Province or the head of *Si/Gun/Gu* may designate a necessary medical institution, such as the exclusively responsible medical institution designated pursuant to Article 33 (1) of the Act on the Punishment of Sexual Crimes and Protection of Victims Thereof, as a medical institution exclusively responsible for medical treatment of victims, etc. of sexual traffic.

(2) The exclusively responsible medical institution designated pursuant to paragraph (1) shall, when requested by the head of a supporting institution or the head of a counseling center, provide the following medical treatments:

1. Counseling and guidance for victims, etc. of sex traffic;
2. Medical treatment of damage from sexual traffic; and
3. Other physical or mental treatment prescribed by Presidential Decree.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 15 (Support of Expenses)**

(1) The State or a local government may subsidize expenses involved in

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

the establishment and operation of a supporting institution and a counseling center.

(2) The State or a local government may subsidize expenses to non-profit corporations or organizations performing protective and supporting activities for victims of overseas sexual traffic (referring to victims of sexual traffic which occurred abroad) within the extent of budget.

(3) Necessary matters concerning the scope of support of expenses under paragraph (1) shall be prescribed by Presidential Decree.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 16 (Guidance and Supervision)**

(1) The Minister of Gender Equality, the Special Metropolitan City Mayor, the Metropolitan City Mayor, the *Do* governor, the governor of the Special Self-Governing Province (hereinafter referred to as the Mayor/*Do* governor) or the head of *Si/Gun/Gu* may order the head of a supporting institution or the head of a counseling center to make necessary reports or have him/her submit data, and have the related public official enter a supporting institution or a counseling center to examine the related documents, etc.

(2) The public official who is allowed to enter and examine pursuant to paragraph (1) shall inform the head of a supporting institution or the head of a counseling center of the purpose and time, etc. of a visit and an examination before the visit, and shall carry an identification indicating his/her authority and show it to the related persons when entering the supporting institution or the counseling center.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 17 (Report on Discontinuance and Suspension, etc.)**

A person who intends to discontinue or suspend the operation of a supporting institution or a counseling center reported pursuant Article 6 (2) or 10 (2) or resume the operation thereof shall make a report to the governor of the Special Self-Governing Province and the head of *Si/Gun/Gu* as prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 18 (Prohibition on Operation for Profit-Making)**

No supporting institution or counseling center under this Act shall be established and operated for the purpose of profit-making.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 19 (Confidentiality)**

The head of a supporting institution or the head of a counseling center

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

and a person who assists him/her, or a person who was in such position shall not reveal any secret he/she has learned in the course of performing his/her duties.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 20 (Closure of Supporting Institution and Counseling Center)**

(1) The Minister of Gender Equality, the Mayor/*Do* governor or the head of *Si/Gun/Gu* may, in cases where a supporting institution or a counseling center falls under any of the following subparagraphs, order suspension or discontinuance of its business or close down such supporting institution or counseling center:

1. In cases where a supporting institution or a counseling center has failed to meet the standards for establishment under Article 6 (3) or 10 (4);
2. In cases where a supporting institution or a counseling center has failed to make a report under Article 16 (1) without any justifiable grounds or has made a false report;
3. In cases where a supporting institution or a counseling center has violated Article 18;
4. In cases where the head of a supporting establishments or the head of a counseling center or any of their employees has committed a crime under Article 2 (1) of the Act on the Punishment of Sexual Crimes and Protection of Victims Thereof against any inmate or user;
5. In cases where a supporting institution or a counseling center falls under Article 40 (1) 3 and 3-2 of the Social Welfare Services Act; and
6. In cases where a supporting institution or a counseling center has violated this Act or orders under this Act.

(2) When the Minister of Gender Equality, the Mayor/*Do* governor or the head of *Si/Gun/Gu* intends to order a supporting institution or a counseling center to suspend or discontinue its business or to close it down pursuant to paragraph (1), he/she shall hold a hearing.

(3) Necessary matters concerning detailed kinds of and standards for the disposition referred to in paragraph (1) shall be prescribed by Ordinance of the Ministry of Gender Equality.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 21 (Delegation of Authority)**

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

The Minister of Gender Equality or the Mayor/*Do* governor may delegate part of his/her authority under this Act to the Mayor/*Do* governor or the head of *Si/Gun/Gu* respectively as prescribed by Presidential Decree.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 22 (Penal Provisions)**

A person who falls under any of the following subparagraphs shall be punished by imprisonment for not more than one year or by a fine not exceeding five million won:

1. A person who has established and operated a supporting institution without making a report under Article 6 (2);
2. A person who has established and operated a counseling center without making a report under Article 10 (2);
3. A person who has violated Article 18 or 19; and
4. A person who has disobeyed orders given under Article 20.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 23 (Joint Penal Provisions)**

In cases where the representative of a juristic person, or an agent, an employee or any other employed person of a juristic person or an individual commits an act in violation of the provisions under Article 22 in connection with the affairs of the juristic person or the individual, not only such an actor shall be punished, but also the juristic person or the individual shall be punished by a fine under the same Article: *Provided*, That this shall not apply in cases where the juristic person or the individual has not neglected to give a reasonable attention to and supervise the relevant affairs in order to prevent such violation.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

**Article 24 (Fine for Negligence)**

(1) A person who falls under any of the following subparagraphs shall be punished by a fine for negligence not exceeding three million won:

1. A person who has rejected, hindered or evaded the access and examination of the relevant public official under Article 16 (1); and
2. A person who has violated Article 17.

(2) A fine for negligence under paragraph (1) shall be imposed and collected by the Minister of Gender Equality, the Mayor/*Do* governor or the head of *Si/Gun/Gu* as prescribed by Presidential Decree.

*[This Article Wholly Amended by Act No. 9166, Dec. 19, 2008]*

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

ADDENDA

**Article 1 (Enforcement Date)**

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

**Article 2 (Transitional Measures Concerning Supporting Institutions and Counseling Centers)**

(1) The temporal protection establishments, the guidance and protection establishments built in accordance with the previous Prevention of Prostitution, etc. Act at the time when this Act enters into force shall be deemed the general supporting institutions and the juvenile supporting institutions built in accordance with this Act, the self-reliant rehabilitation establishments shall be deemed the rehabilitation supporting centers under this Act, and the women's welfare counseling centers shall be deemed the counseling centers for the victims of sexual traffic under this Act, respectively: *Provided*, That they are required to meet the establishment standards as prescribed by this Act within two years from the enforcement date of this Act.

(2) The temporal protection establishments, the guidance and protection establishments, the self-reliant rehabilitation establishments and the women's welfare counseling centers built under the previous Prevention of Prostitution, etc. Act at the time when this Act enters into force shall be reported as the general supporting institutions, the juvenile supporting institutions, the rehabilitation supporting centers and the counseling centers for the victims of sexual traffic, respectively, within six months from the enforcement date of this Act.

**Article 3 (Transitional Measures concerning Penal Provisions)**

The application of the penal provisions to any act committed prior to the enforcement of this Act shall be governed by the previous Prevention of Prostitution, etc. Act.

**Article 4** Omitted.

ADDENDA <Act No. 7413, Mar. 24, 2005>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 4** Omitted.

ACT ON THE PREVENTION OF SEXUAL TRAFFIC AND  
PROTECTION, ETC. OF VICTIMS THEREOF

ADDENDA *⟨Act No. 7784, Dec. 29, 2005⟩*

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

(2) (Transitional Measures concerning Entrance Period Extended for Persons Entering General Supporting Institutions) The head of general supporting institutions may extend the support period again for the persons whose support period has already been extended under the previous provisions of Article 5 (2) at the time this Act enters into force.

ADDENDA *⟨Act No. 7849, Feb. 21, 2006⟩*

**Article 1 (Enforcement Date)**

This Act shall enter into force on July 1, 2006. (Proviso Omitted.)

**Articles 2 through 41** Omitted.

ADDENDA *⟨Act No. 8852, Feb. 29, 2008⟩*

**Article 1 (Enforcement Date)**

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

**Articles 2 through 7** Omitted.

ADDENDUM *⟨Act No. 8965, Mar. 21, 2008⟩*

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

ADDENDUM *⟨Act No. 9125, Jun. 13, 2008⟩*

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

ADDENDUM *⟨Act No. 9166, Dec. 19, 2008⟩*

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