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**ENFORCEMENT DECREE OF THE FRAMEWORK ACT ON NATIONAL
INFORMATIZATION**

[Enforcement Date 11. Jun, 2020.] [Presidential Decree No.30758, 09. Jun, 2020.,
Partial Amendment]

과학기술정보통신부 (디지털사회기획과)044-202-6129



법제처 국가법령정보센터

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Article 1 (Purpose) The purpose of this Decree is to stipulate matters delegated by the Framework Act on National Informatization and necessary matters for the enforcement thereof.

Article 2 (Public Notification of Basic Plans for National Informatization) The Minister of Science and ICT shall publish a basic plan for national informatization (hereinafter referred to as "basic plan") established and confirmed in accordance with Article 6 (2) of the Framework Act on National Informatization (hereinafter referred to as the "Act") in the Official Gazette. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

Article 3 Deleted. <Mar. 23, 2013>

Article 4 (Establishment of National Informatization Implementation Plans) (1) The head of a central administrative agency shall submit, to the Minister of Science and ICT, a performance report pertaining to the execution of an implementation plan for national informatization under Article 7 (1) of the Act (hereinafter referred to as "implementation plan") during the preceding year and an implementation plan for the next year by no later than April 30 annually. <Amended on Dec. 22, 2015; Jul. 26, 2017>

(2) The head of a local government shall submit, to the Minister of the Interior and Safety, a performance report pertaining to the execution of an implementation plan during the preceding year and an implementation plan for the next year by no later than July 31 annually. <Newly Inserted on Dec. 22, 2015; Jul. 26, 2017>

(3) The Minister of the Interior and Safety shall integrate, and submit to the Minister of Science and ICT, performance reports of local governments pertaining to the execution of their implementation plans during the preceding year and their implementation plans for the next year received pursuant to paragraph (2) by no later than August 20 annually. <Amended on Dec. 22, 2015; Jul. 26, 2017>

(4) "Important matters prescribed by Presidential Decree" under Article 7 (3) of the Act means those matters having significant influence on the informatization policies of central administrative agencies or local governments, which are related to at least two central administrative agencies or local governments, or require a budgetary measure in excess of an amount determined by the Minister of Science and ICT. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(5) The heads of central administrative agencies and the heads of local governments shall consult with the Minister of Science and ICT and the Minister of the Interior and Safety (limited to where the heads of local governments formulate their implementation plans) in establishing their implementation plans so that their implementation plans are interlinked with the basic plan. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(6) The heads of central administrative agencies and the heads of local governments shall consult in advance with the heads of the relevant administrative agencies when they include matters concerning the protection of information in their implementation plans. <Amended on Dec. 22, 2015>

[Title Amended on Dec. 22, 2015]

Article 4-2 (Presentation of Opinion on Examination and Analysis) (1) The Minister of Science and ICT shall present his or her opinion on the examination and analysis of performance reports of central administrative agencies pertaining to executing their implementation plans during the preceding year and implementation plans for the next year to the Minister of Economy and Finance by no later than June 30 annually, in accordance with the former part of Article 7 (4) of the Act. <Amended on Jul. 26, 2017>

(2) The Minister of the Interior and Safety shall notify the Minister of Science and ICT of his or her opinion on performance reports of local governments pertaining to executing their implementation plans during the preceding year and their implementation plans for the next year by no later than September 20 annually, in accordance with the latter part of Article 7 (4) of the Act. <Amended on Jul. 26, 2017>

(3) The Minister of Science and ICT shall, in consideration of the opinion received pursuant to paragraph (2), present his or her opinion on the examination and analysis of performance reports of local governments pertaining to executing their implementation plans during the preceding year and their implementation plans for the next year to the Minister of Economy and Finance by no later than September 30 annually. <Amended on

Jul. 26, 2017>

[This Article Newly Inserted on Dec. 22, 2015]

Article 4-3 (Confirmation of Implementation Plans for National Informatization) (1) The Minister of Science and ICT shall notify the heads of central administrative agencies of his or her opinion on the examination and analysis of performance reports of the relevant central administrative agencies pertaining to the execution of their implementation plans during the preceding year and their implementation plans for the next year referred to in Article 4-2 (1) by no later than June 30 annually. <Amended on Jul. 26, 2017>

(2) The Minister of Science and ICT shall notify the heads of local governments of his or her opinion, through the Minister of the Interior and Safety, on the examination and analysis of performance reports of the relevant local governments pertaining to the execution of their implementation plans during the preceding year and their implementation plans for the next year referred to in Article 4-2 (3) by no later than September 30 annually. <Amended on Jul. 26, 2017>

(3) The heads of central administrative agencies and the heads of local governments shall confirm their implementation plans by December 31 annually after reflecting the opinions of the Minister of Science and ICT on the examination and analysis notified pursuant to paragraph (1) or (2), except under special circumstances; and shall submit those plans to the Minister of Science and ICT by January 31 of the following year. In such case, the Minister of the Interior and Safety shall put together the implementation plans for local governments confirmed and submit those plans to the Minister of Science and ICT. <Amended on Jul. 26, 2017; Sep. 5, 2017>

[This Article Newly Inserted on Dec. 22, 2015]

Article 5 (Procedures and Methods of Adjustment) (1) When the heads of central administrative agencies or the heads of local governments request adjustment to the Minister of Science and ICT pursuant to Article 8 (1) of the Act, he or she shall write the following matters clearly: <Amended on Jul. 26, 2017>

1. Counterparts of adjustment;
2. National informatization policies or projects requiring adjustment;
3. Matters requiring adjustment.

(2) When the adjustment pursuant to paragraph (1) is required, the Minister of Science and ICT may make a request to the head of an agency requesting adjustment and its

counterparts for presentation of opinions or materials with respect to the matters requiring adjustment. In such cases, the head of an agency shall, upon receipt of such request, comply therewith unless there is a compelling reason not to do so. <Amended on Jul. 26, 2017>

(3) The Minister of Science and ICT may, where necessary, hear the opinions of the head of an agency related to the matters requiring adjustment and experts in relevant fields. <Amended on Jul. 26, 2017>

[This Article Wholly Amended on Apr. 29, 2014]

Article 6 Deleted. <Mar. 23, 2013>

Article 7 Deleted. <Mar. 23, 2013>

Article 8 Deleted. <Mar. 23, 2013>

Article 9 Deleted. <Mar. 23, 2013>

Article 9-2 Deleted. <Mar. 23, 2013>

Article 9-3 Deleted. <Mar. 23, 2013>

Article 10 Deleted. <Apr. 29, 2014>

Article 11 Deleted. <Apr. 29, 2014>

Article 12 (Operation of Consultative Council of Officials in Charge of Informatization) (1) To deal with the affairs of the Consultative Council of Officials in Charge of Informatization under Article 12 of the Act (hereinafter referred to as the "Consultative Council"), the Consultative Council may have two secretaries, who shall be each appointed by the Minister of Science and ICT and the Minister of the Interior and Safety from among public officials belonging to the Senior Civil Service Corps in charge of informatization affairs of the Ministry of Science and ICT and the Ministry of the Interior and Safety. <Amended on Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>

(2) Each chairperson of the Consultative Council shall represent the Consultative Council and exercise overall control over the affairs thereof. <Newly Inserted on Mar. 23, 2013>

(3) Where each chairperson of the Consultative Council is unable to perform his or her duties due to unavoidable reasons, members shall act for him or her in the order

predetermined by the Consultative Council. <Amended on Mar. 23, 2013>

(4) In addition to those provided for in paragraphs (1) through (3), necessary matters for the operation of the Consultative Council shall be determined jointly by each chairperson of the Consultative Council following deliberation by the Consultative Council. <Amended on Mar. 23, 2013>

Article 13 (Reflection of Informatization Plans) (1) "Project ... which meets the standards prescribed by Presidential Decree in terms of the characteristics of informatization projects and the size, etc., thereof" in the proviso to Article 13 (1) of the Act means any of the following: <Amended on Sep. 5, 2017>

1. Purchasing personal computers, printers, and other multi-use office equipment prescribed and publicly notified by the Minister of Science and ICT;
2. Construction projects under Article 4 (1) 1 through 4, 6 or 7 of the Enforcement Decree of the Information and Communications Construction Business Act;
3. Where the total cost of a project for establishing or upgrading the information system (hereinafter referred to as "information system") prescribed in subparagraph 13 of Article 2 of the Electronic Government Act is not more than 500 million won;
4. Other cases that do not require formulating informatization plans given the characteristics of informatization projects and which are deemed by the Minister of Science and ICT.

(2) Where the heads of central administrative agencies or of local governments choose not to formulate informatization plans under the proviso to Article 13 (1) of the Act, they shall notify the Minister of Science and ICT of the following matters: <Amended on Sep. 5, 2017>

1. Grounds for not formulating informatization plans and which fall under any subparagraph of paragraph (1);
2. Details of and budgets for infrastructure projects or regional development projects prescribed in the main sentence of Article 13 (1) of the Act;
3. Details of and budgets for informatization projects incidental to the projects prescribed in subparagraph 2.

(3) Where plans equivalent to the informatization plans under the main sentence of Article 13 (1) of the Act have been formulated in accordance with other laws, the informatization plans under the main sentence of Article 13 (1) of the Act may be replaced by the relevant

plans. <Amended on Sep. 5, 2017>

(4) Where requested by the heads of central administrative agencies or local governments, the Minister of Science and ICT may provide support by organizing a technical support team consisting of relevant experts pursuant to Article 13 (4) of the Act, and if deemed necessary, may require the National Information Society Agency referred to in Article 14 of the Act to provide technical support.<Amended on Nov. 20, 2013; Jul. 26, 2017>

[Title Amended on Sep. 5, 2017]

Article 14 (Operation of the National Information Society Agency) The National Information Society Agency under Article 14 of the Act may, where necessary to carry out projects, such as the management and operation of an information communications network for national agencies, local governments, and public institutions (referred to as "national agencies, etc."), the promotion of informatization projects, and the support for evaluation pursuant to paragraph (3) of the said Article, request the provision of relevant materials from national agencies, etc.

Article 15 (Preparation and Management of Materials on Current Status of Information Resources) (1) The heads of national agencies, etc. shall systematically prepare and manage materials on the current status and statistical data on information resources retained by their respective agencies (hereinafter referred to as "materials on the current status, etc. of information resources") in order to efficiently promote informatization under Article 15 (1) of the Act.

(2) Where necessary to systematically prepare and manage materials on the current status, etc. of information resources under paragraph (1), the heads of national agencies, etc. shall establish an information resources management plan containing the following:

1. Basic direction of the preparation and management of materials on the current status, etc. of information resources;
2. Matters concerning the current status and operation (including entrusted operation) of information resources;
3. Matters concerning the introduction and investment management of information technology;
4. Matters related to securing the safety and reliability of information resources;
5. Other matters necessary for the preparation and management of materials on the current status, etc. of information resources.

(3) The Minister of Science and ICT shall provide necessary support through consultation with the heads of relevant agencies such as the Minister of the Interior and Safety, in order to efficiently establish the information resources management plan under paragraph (2).
<Amended on Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>

Article 16 (Support for Informatization of Private Sectors) The Government may carry out the following projects to support the informatization of private sectors under Article 17 of the Act:

1. Creating informatization infrastructure for private sectors, such as industry, finance, etc.;
2. Conducting training on informatization for private sectors, such as industry, finance, etc., consulting thereof, and distribution and dissemination of information technology;
3. Other projects necessary for the informatization of private sectors.

Article 17 (Sharing and Distribution of Knowledge and Information) (1) For the purpose of establishing an infrastructure for sharing and distributing knowledge and information under Article 18 of the Act, national agencies, etc. shall make information retained by their respective agencies available for convenient search and utilization by the public.
(2) The Minister of Science and ICT may provide necessary support, such as the establishment, etc. of standards for the sharing and distribution of knowledge and information, following consultation with the heads of relevant national agencies, etc.
<Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 18 (Common Use of Information among National Agencies) (1) For the purpose of creating an infrastructure for sharing and distributing knowledge and information under Article 18 of the Act, the heads of national agencies, etc. may designate a database, among those retained by the national agencies, etc., which is highly useful for dealing with administrative affairs and providing services for the people as the national main database, and may allow other national agencies, etc. to commonly use it in preference to any other database. <Amended on Mar. 23, 2013>
(2) In respect of matters which may be checked through the common use of the national main database, the heads of national agencies, etc. shall reduce, to a minimum level, requests for the presentation of documents required to check the matters in question.

Article 19 (Organization and Operation of Consultative Council with Private Organizations) (1)
The heads of national agencies, etc. may organize and operate a consultative council

(hereinafter referred to as "private consultative council") with private business operators or an association of private business operators, following consultation with the Minister of Science and ICT pursuant to Article 19 (2) of the Act. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(2) The private consultative council shall be chaired by a person appointed or commissioned by the heads of national agencies, etc. which organize and operate the private consultative council under paragraph (1) from among public officials or executives and employees of the relevant national agencies, etc., or the representatives of private business operators and the association of private business operators which constitute the private consultative council.

(3) The chairperson of the private consultative council shall represent the private consultative council and exercise overall control over its affairs.

(4) National agencies, etc. shall endeavor to ensure that opinions presented via the private consultative council are reflected in the establishment and execution of national informatization policies to the greatest extent possible.

(5) Detailed matters necessary for the operation of the private consultative council, such as convening the meetings of the private consultative council, shall be determined by the chairperson of the private consultative council after seeking the opinions of the members of the private consultative council.

Article 19-2 (Designation of Central District for Informatization-Leading Projects) (1) The Minister of Science and ICT may designate a central district for informatization-leading projects under Article 23-3 (1) of the Act (hereinafter referred to as "central district") directly or upon request of the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-Governing City Mayor, a Do Governor, or a Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor").

(2) When designating a central district for informatization-leading projects under paragraph (1), the Minister of Science and ICT shall consider the following. In such cases, he or she may request the competent Mayor/Do Governor to submit materials related to designation:

1. A plan for creating a central district under Article 23-2 (2) of the Act;
2. Whether the implementation and expansion of an informatization-leading project under Article 23-2 (1) of the Act (hereinafter referred to as "informatization-leading project") are

suitable for the relevant region;

3. Current status of the region to be designated as a central district, such as its economy and industries;
4. Other matters deemed necessary by the Minister of Science and ICT for implementing and expanding informatization-leading projects.

(3) Where a Mayor/Do Governor intends to request the designation of a central district under paragraph (1), he or she shall prepare an action plan for creating and managing the central district that includes the following and submit such plan to the Minister of Science and ICT: Provided, That where the region, the designation of which as a central district is requested, extends over at least two of the Special Metropolitan City, Metropolitan Cities, a Special Self-Governing City, Dos, or a Special Self-Governing Province, the competent Mayors/Do Governors shall jointly prepare and submit an action plan for creating and managing the central district:

1. The region, the designation of which as a central district is requested;
2. Details of the informatization-leading project to be implemented in a central district;
3. Grounds for a request for the designation of a central district and the expected effects of such designation;
4. Budgets and human resources to be supported by a Mayor/Do Governor for an informatization-leading project in a central district and other detailed matters;
5. Other matters to be considered in designating a central district.

(4) When the Minister of Science and ICT designates a central district, he or she shall publicly announce in the Official Gazette the purpose and details of such designation, the region to be designated, and other matters, and notify such facts of the competent Mayor/Do Governor.

(5) Except as provided in paragraphs (1) through (4), matters necessary for designating central districts may be determined and publicly notified by the Minister of Science and ICT.

[This Article Newly Inserted on Jun. 9, 2020]

[Previous Article 19-2 moved to Article 19-3 <Jun. 9, 2020>]

Article 19-3 (Policies for Facilitating Establishment and Operation of Data Centers) (1) Policies for facilitating establishment and operation of data centers under Article 23-4 (1) of the Act (hereinafter referred to as "data center") shall be formulated jointly by the Minister of

Science and ICT and the Minister of the Interior and Safety. <Amended on Jul. 26, 2017; Jun. 9, 2020>

(2) The policies under paragraph (1) shall include the following:

1. Matters concerning the formulation and implementation of policies for facilitating establishment and operation of private data centers;
2. Matters concerning the formulation and implementation of policies for facilitating establishment and operation of data centers in the government and the public sector;
3. Other matters necessary for the stable operation, efficient provision, etc. of data centers.

(3) The policies for facilitating establishment and operation of private data centers under Article 23-4 (2) of the Act shall include the following: <Amended on Jun. 9, 2020>

1. Direction-setting and objectives of policies for facilitating establishment and operation of private data centers;
2. Matters concerning the creation of base for facilitating establishment and operation of private data centers and the improvement of system;
3. Matters concerning the development and standardization of technology for enhancing the stability, reliability and energy efficiency of private data centers;
4. Matters concerning the training of professional human resources relating to private data centers;
5. Matters concerning the support for overseas market entry relating to private data centers;
6. Matters concerning the integration and operation of information resources of private data centers;
7. Other matters necessary for facilitating establishment and operation of private data centers.

(4) The policies for facilitating establishment and operation of data centers in the government and the public sector under Article 23-4 (3) of the Act shall include the following: <Amended on Jun. 9, 2020>

1. Direction-setting and objectives of policies for facilitating establishment and operation of data centers in the government and the public sector;
2. Matters concerning the enhancement of the stability, reliability and energy efficiency of data centers in the government and the public sector;

3. Matters concerning the training of professional human resources relating to data centers in the government and the public sector;
4. Matters concerning the support for overseas market entry relating to data centers in the government and the public sector;
5. Matters concerning the integration and operation of information resources of data centers in the government and the public sector;
6. Other matters necessary for facilitating establishment and operation of data centers in the government and the public sector.

[This Article Newly Inserted on Dec. 22, 2015]

[Moved from Article 19-2; previous Article 19-3 moved to Article 19-4 <Jun. 9, 2020>]

Article 19-4 (Provision of Support to Private Data Centers) (1) A data center eligible for the support under Article 23-4 (2) of the Act shall be a private data center that meets all of the following requirements: <Amended on Jul. 26, 2017; Jun. 9, 2020>

1. It shall have facilities determined and publicly notified by the Minister of Science and ICT, which are essential for managing and processing information of data centers and supplying electric power, such as a computer center and a power plant;
2. It shall be a data center, the scale of which is larger than that determined and publicly notified by the Minister of Science and ICT.

(2) The methods of providing support under Article 23-4 (2) of the Act shall be as follows: <Amended on Jun. 9, 2020>

1. Subsidizing expenses required for the establishment, etc. of a data center;
2. Supporting information technology, technology for development of equipment, etc. related to a data center;
3. Supporting technology to enhance safety, reliability and energy efficiency of a data center.

[This Article Newly Inserted on Dec. 22, 2015]

[Moved from Article 19-3; previous Article 19-4 moved to Article 19-5 <Jun. 9, 2020>]

Article 19-5 (Support for Enhancing Stability of Information and Communications Services of Public Institutions) Matters eligible for support under Article 23-4 (3) of the Act shall be as follows: <Amended on Jun. 9, 2020>

1. Provision of standards for information resources that can be used by public institutions;
2. Provision of financial support to enhance stability and reliability of information and communications services of public institutions;
3. Other administrative and technical support necessary to enhance stability and reliability of information and communications services of public institutions.

[This Article Newly Inserted on Dec. 22, 2015]

[Moved from Article 19-4 <Jun. 9, 2020>]

Article 20 (Management of Knowledge Information Resources) The Minister of Science and ICT may formulate guidelines concerning the management of knowledge information resources and give notice thereof to the heads of national agencies or the heads of local governments pursuant to Article 25 (1) of the Act in order to ensure that national agencies and local governments can efficiently and systematically manage the knowledge information resources under their jurisdiction. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 21 (Establishment of Mid-to-Long Term Knowledge Information Resources

Management Plans) (1) The Minister of Science and ICT shall establish a mid-to-long term knowledge information resources management and development plan under Article 25 (2) of the Act on a five-year basis; and shall establish an annual implementation plan for managing and developing knowledge information resources within the scope of the mid-to-long term knowledge information resources management and development plan.

<Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(2) The Minister of Science and ICT shall confirm and publish the annual implementation plan for the management and development of knowledge information resources for the following year by September 30 annually, except under special circumstances. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(3) The Minister of Science and ICT shall consult with the Minister of Economy and Finance on budget-related matters included in the mid-to-long knowledge information resources management and development plan and the annual implementation plan for managing and developing knowledge information under paragraph (1). <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(4) The Minister of Science and ICT shall ensure that the mid-to-long term knowledge information resources management and development plan and the annual implementation

plan for the management and development of knowledge information resources under paragraph (1) are interlinked with the basic plan. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(5) Where it is deemed necessary to establish the mid-to-long term knowledge information resources management and development plan and the annual implementation plan for managing and developing knowledge information resources under paragraph (1), the Minister of Science and ICT may request the heads of national agencies or the heads of local governments to submit data on the management of knowledge information resources under their jurisdiction. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

[Title Amended on Dec. 22, 2015]

Article 22 (Evaluation of Management of Knowledge Information Resources) (1) In cases of evaluating central administrative agencies and local governments with respect to their management of knowledge information resources pursuant to Article 25 (2) 5 of the Act, the Minister of Science and ICT shall publicly announce in advance the subjects, criteria and methods of such evaluation. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(2) An evaluation under paragraph (1) shall contain the following matters:

1. Outcomes of the management of knowledge information resources and comparison of such outcomes among agencies;
2. Current status and utilization of knowledge information resources;
3. Defects and improvement measures;
4. Other matters deemed necessary for the evaluation of the management of knowledge information resources.

(3) Where necessary for the evaluation of the management of knowledge information resources, the Minister of Science and ICT may request the presentation of relevant data from the heads of central administrative agencies and the heads of local governments, or investigate the outcomes of the management of knowledge information resources. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(4) Where necessary for the investigation of the outcomes of the management of knowledge information resources under paragraph (3), the Minister of Science and ICT may receive support from a specialized institution or relevant expert under Article 28 of the Act. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(5) The Minister of Science and ICT shall notify the heads of relevant institutions of the outcomes of the evaluation of the management of knowledge information resources. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 23 (Facilitation of Utilization of Knowledge Information Resources) (1) The heads of central administrative agencies and the heads of local governments shall endeavor to ensure that citizens can use knowledge information resources, other than such information as may not be disclosed under the proviso to Article 9 (1) of the Official Information Disclosure Act, in an electronic form via information communications networks to an extent not infringing upon the rights protected under relevant Acts, such as the Copyright Act. (2) The heads of central administrative agencies and the heads of local governments shall endeavor to keep the information provided in an electronic form under paragraph (1) up-to-date, accurate and interlinked by continuous management. (3) The Minister of Science and ICT may provide knowledge information resources by collecting, interlinking and integrating them in an electronic form in order to facilitate unrestricted access to and use of knowledge information resources. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 24 (Standardization of Knowledge Information Resources) (1) A specialized institution under Article 28 of the Act or a person having an interest in the standardization of knowledge information resources may present a draft standard concerning the matters under the subparagraphs of Article 26 (1) of the Act, and request the Minister of Science and ICT to reflect the details thereof in the standards. <Amended on Mar. 23, 2013; Jul. 26, 2017> (2) The Minister of Science and ICT shall, when enacting, amending or repealing standards concerning knowledge information resources, publish such in the Official Gazette following consultation with the heads of relevant central administrative agencies. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 25 (Designation Procedures for Important Knowledge Information Resources) (1) The Minister of Science and ICT may designate knowledge information resources under Article 27 (2) of the Act (hereinafter referred to as "important knowledge information resources") either directly or upon application by the heads of central administrative agencies or the heads of local governments pursuant to Article 27 (1) of the Act. <Amended on Mar. 23,

2013; Jul. 26, 2017>

(2) The heads of central administrative agencies or the heads of local governments shall submit the following to the Minister of Science and ICT when making an application for designation as important knowledge information resources pursuant to paragraph (1): <Amended on Mar. 23, 2013; Jul. 26, 2017>

1. Purpose and reason for designation;
2. Types and details of the knowledge information resources subject to designation;
3. Management status of the knowledge information resources and management plan of the knowledge information resources subject to designation;
4. Other matters necessary for the designation of important knowledge information resources.

(3) The Minister of Science and ICT may, when intending to designate important knowledge information resources, require a specialized institution under Article 28 of the Act to form an evaluating body consisting of relevant experts and require the evaluating body to investigate and review the relevant knowledge information resources. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(4) The Minister of Science and ICT shall, when having designated important knowledge information resources under paragraph (1), publish such fact in the Official Gazette. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 26 (Special Management of Important Knowledge Information Resources) (1) The

heads of central administrative agencies and the heads of local governments shall endeavor to ensure that important knowledge information resources are digitized and interlinked to an extent not infringing upon the rights protected under relevant Acts, such as the Copyright Act.

(2) The heads of central administrative agencies and the heads of local governments shall comply with the standards established under Article 26 of the Act in carrying out the digitization and interlinking of important knowledge information resources. In such cases, the Minister of Science and ICT may investigate whether the standards are complied with, and request correction, based on the findings of the investigation. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(3) The Minister of Science and ICT may render administrative, technical and financial support preferentially for the management of important knowledge information resources.

<Amended on Mar. 23, 2013; Jul. 26, 2017>

(4) For purposes of facilitating the common use and utilization of important knowledge information resources, the Minister of Science and ICT may provide support to national agencies, etc. to jointly digitize and distribute important knowledge information resources, and to provide the services thereof. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 27 (Collection of Knowledge Information Resources) Where the heads of national agencies, etc. enact or amend statutes under their jurisdiction, or enter into a contract, the Minister of Science and ICT may advise them to include details regarding the collection and utilization of knowledge information resources in a digitized form in such subordinate statutes or contract. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 28 (Designation and Operation of Specialized Institutions) (1) When the Minister of Science and ICT and the Minister of the Interior and Safety designate a specialized institution (hereinafter referred to as the "specialized institution") under Article 28 of the Act, the Ministers shall publish such fact in the Official Gazette. <Amended on Mar. 23, 2013; Nov. 19, 2014; Jul. 26, 2017>

(2) The specialized institution shall perform the following affairs for the management and development of knowledge information resources: <Amended on Mar. 23, 2013; Dec. 22, 2015>

1. Support for the establishment and implementation of a mid-to long-term knowledge information resources management and development plan under Article 25 (2) of the Act;
2. Support for the development of management and development policies of knowledge information resources;
3. Support for the building, operation, management, interlinking, distribution and integration of information systems to facilitate the utilization of knowledge information resources;
4. Support for affairs related to the creation of a classification system, such as assignment of identifiers allowing access to digitized knowledge information resources or distribution thereof via the information communications network;
5. Support for investigations into the management status and actual conditions of knowledge information resources;

6. Support for evaluation of the management of knowledge information resources;
7. Other affairs requested or entrusted by the heads of relevant central administrative agencies and the heads of local governments for the management and development of knowledge information resources.

(3) The Minister of Science and ICT and the Minister of the Interior and Safety may require a specialized institution designated and publicly announced under paragraph (1) to establish and submit a detailed project plan for the management and development of knowledge information resources and a plan for the execution of funds. <Amended on Mar. 23, 2013; Nov. 19, 2014; Dec. 22, 2015; Jul. 26, 2017>

(4) Where the heads of relevant central administrative agencies and the heads of local governments request or entrust their affairs to a specialized institution, the budget required therefor may be wholly or partially subsidized within budgetary limits.

Article 29 (Advancement of Information Culture) (1) In order to efficiently implement policies on the advancement and expansion of information culture under Article 29 (1) of the Act, national agencies and local governments may select a private institution or organization related to the project in question and have it carry out the affairs thereof.

(2) National agencies and local governments may provide an institution or organization selected under paragraph (1) with the financial support necessary for implementing policies on the advancement and expansion of information culture. In such cases, an institution or organization which has received financial support shall use it appropriately for the intended purposes of implementing relevant policies.

(3) An institution or organization which intends to receive support from a national agency or local government under paragraph (2) shall apply for support by submitting the following to the national agency or local government:

1. Purpose and details of the project;
2. Necessity and ripple effect of the project;
3. Details of the support it seeks to receive;
4. Expenses to be incurred in conducting the project.

(4) National agencies and local governments shall comprehensively consider the following matters when selecting a private institution or organization under paragraph (1), or selecting an entity eligible to receive support upon receiving an application under paragraph (3) from the selected institutions or organizations:

1. Details and scale of the projects conducted by the relevant institutions or organizations;
2. The relevant institutions or organizations' capability to implement the projects and recent performance;
3. The social demand for and ripple effect of the relevant policy projects and activities for the advancement and expansion of information culture.

(5) The Minister of Science and ICT may present his or her opinion regarding curriculum to the Minister of Education so that the educational content on information culture may be included in the standards and details of the curriculum pursuant to Article 29 (2) of the Act. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(6) Necessary matters for selection under paragraph (1) and the methods, procedures, etc. of support under paragraph (2) shall be prescribed by Ordinance of the Ministry of Science and ICT. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 30 (Formulation of Comprehensive Plans for Prevention of and Solution to Internet

Addition) (1) A comprehensive plan for the prevention and solution of Internet addiction under Article 30 (1) of the Act (hereinafter referred to as "comprehensive plan") shall contain the following: <Amended on Nov. 20, 2013>

1. The goal and basic direction of the comprehensive plan;
2. Analysis of the actual conditions of Internet addiction and the performance of relevant policies;
3. Prospects of and implementation strategies for the prevention of and solution to Internet addiction;
4. Research and development for the prevention of and solution to Internet addiction;
5. Education, counseling and awareness campaign for the prevention and solution of Internet addiction;
6. Training of specialized human resources for the prevention and solution of Internet addiction;
7. Countermeasures against Internet addiction caused by the use of information communications services utilizing new technology;
8. International cooperation on the prevention of and solution to Internet addiction;
9. Other matters necessary for the prevention of and solution to Internet addiction.

(2) The heads of relevant central administrative agencies shall prepare plans for policies and projects under their jurisdiction which are to be reflected in a comprehensive plan, and

submit it to the Minister of Science and ICT. <Amended on Nov. 20, 2013; Jul. 26, 2017>

(3) The Minister of Science and ICT shall publicly announce a comprehensive plan on the website of the Ministry of Science and ICT. <Amended on Mar. 23, 2013; Nov. 20, 2013; Jul. 26, 2017>

[Title Amended on Nov. 20, 2013]

Article 30-2 (Formulation of Promotion Plans for Prevention of and Solution to Internet

Addiction) (1) The Minister of Science and ICT and the head of each relevant central administrative agency shall formulate an implementation plan to prevent and solve Internet addiction under Article 30 (2) of the Act (hereinafter referred to as "implementation plan") by the end of February each year. <Amended on Jul. 26, 2017>

(2) The Minister of Science and ICT shall notify the head of each relevant central administrative agency of the guidelines for formulating an implementation plan by December 15 of the preceding year. <Amended on Jul. 26, 2017>

(3) The head of each relevant central administrative agency shall submit an implementation plan formulated pursuant to the guidelines under paragraph (2) as well as performance records of the preceding year to the Minister of Science and ICT by January 31 each year. <Amended on Jul. 26, 2017>

(4) The Minister of Science and ICT shall put together the implementation plans submitted pursuant to paragraph (3) and notify it to the head of each relevant administrative agency. <Amended on Jul. 26, 2017>

[This Article Newly Inserted on Nov. 20, 2013]

Article 30-3 Deleted. <Jan. 23, 2018>

Article 30-4 Deleted. <Jan. 23, 2018>

Article 30-5 Deleted. <Jan. 23, 2018>

Article 30-6 (Establishment of Internet Addiction Response Center) (1) The criteria for establishing and operating an Internet Addiction Response Center under Article 30-6 (3) of the Act shall be as specified in attached Table 3.

(2) The State or local governments shall establish and operate an Internet Addiction Response Center in a manner that fulfills the criteria referred to in paragraph (1), and endeavor to secure related budgets and to provide education and conduct management

smoothly.

[This Article Newly Inserted on Nov. 20, 2013]

- Article 30-7 (Provision of Education on Internet Addiction)** (1) "Other public institutions prescribed by Presidential Decree" in Article 30-8 (2) 5 of the Act means institutions designated by the Minister of Economy and Finance pursuant to Article 4 (1) of the Act on the Management of Public Institutions. <Amended on Aug. 28, 2018>
- (2) The head of any of the institutions falling under Article 30-8 (2) of the Act shall submit the results of education on Internet addiction provided in the previous year to the Minister of Science and ICT, by not later than April 30 of each year: Provided, That the head of an institution falling under Article 30-8 (2) 2 or 3 of the Act may submit the results of education on Internet addiction using the method publicly announced under Article 5 or 5-2 of the Act on Special Cases concerning the Disclosure of Information by Education-Related Institutions. <Amended on Aug. 28, 2018>
- (3) Education on Internet addiction referred to in paragraph (2) may be provided using various methods, such as lectures or audio-visual or online instruction; and education content shall include the following: <Amended on Aug. 28, 2018>
1. The current state and cases of Internet addiction;
 2. The methods of prevention and time management against Internet addiction;
 3. The method of identifying a harmful Internet environment;
 4. Other matters necessary to prevent and solve Internet addiction.
- (4) The Minister of Science and ICT may provide necessary textbooks and materials to institutions or organizations that provide education on Internet addition. <Amended on Jul. 26, 2017>
- (5) The Minister of Science and ICT shall examine the results of education on Internet addiction submitted under paragraph (2) using such methods as verifying computerized information or written document pursuant to Article 30-8 (3) of the Act; and may conduct an on-site examination, where necessary. <Newly Inserted on Aug. 28, 2018>
- (6) Pursuant to Article 30-8 (4) of the Act, the Minister of Science and ICT shall provide special education for institutions deemed to have provided poor education on Internet addiction as a result of the examination conducted under paragraph (5) within six months after the date of said examination. <Newly Inserted on Aug. 28, 2018>

(7) Criteria for recognizing poor education, the methods and details of special education for managers under paragraph (6), and others shall be prescribed by the Minister of Science and ICT. <Newly Inserted on Aug. 28, 2018>

[This Article Newly Inserted on Nov. 20, 2013]

Article 31 (Guaranteeing Access to and Use of Information by Persons with Disabilities and Aged Persons)

(1)"Wired and wireless information and communications prescribed by Presidential Decree, such as websites and application software, etc. installed in a mobile communications terminal" in Article 32 (1) of the Act means the following:

1. Websites;
2. Application software installed in a mobile communications terminal (referring to a terminal device necessary for accessing facilities-based telecommunications services which use radio frequencies assigned under the Radio Waves Act; hereinafter the same shall apply);
3. Kiosks installed to issue documents, provide information, order and pay for products, or handle other matters depending on users' operation.

(2) The Minister of Science and ICT shall conduct the following to ensure accessibility to the wired and wireless information and communications under the subparagraphs of paragraph (1) for persons with disabilities, the aged, and any other person:

1. Fact-finding surveys on accessibility;
2. Support for the standardization of accessibility and for the development of technologies;
3. Provision of education and consulting to ensure accessibility;
4. Other matters necessary to ensure accessibility.

[This Article Wholly Amended on Jun. 9, 2020]

Article 31-2 (Criteria for Designating Quality Certification Institution for Web Accessibility and Accessibility to Application Software Installed in Mobile Communications Terminals)

The criteria for designating a quality certification institution for web accessibility and accessibility to application software installed in a mobile communications terminal under Article 32-2 (1) of the Act (hereinafter referred to as "certification institution") shall be determined and publicly notified by the Minister of Science and ICT in accordance with the following classifications: <Amended on Jul. 26, 2017; Aug. 28, 2018>

1. Whether it has an organization and human resources necessary for certification business;
2. Whether it has facilities necessary for certification business and environmental conditions necessary for the operation of such facilities;
3. Whether it has internal regulations stipulating the management and operation of human resources, organization, facilities, etc. relating to certification business, as well as the methods and procedures for conducting examination for certification.

[This Article Newly Inserted on Nov. 20, 2013]

[Title Amended on Aug. 28, 2018]

Article 31-3 (Criteria and Procedures for Quality Certification for Web Accessibility and Accessibility to Application Software Installed in Mobile Communications Terminals) (1) The criteria for quality certification for web accessibility and accessibility to application software installed in a mobile communications terminal under Article 32-2 (1) of the Act (hereinafter referred to as "quality certification") shall be determined and publicly notified by the Minister of Science and ICT in accordance with the following classifications: <Amended on Jul. 26, 2017; Aug. 28, 2018>

1. All content shall be recognizable by users regardless of disability types, such as visual and hearing impairment;
2. It shall be presented in a manner manageable by users, including visually and aurally impaired persons;
3. Content or control methods shall be structured in a way easily understandable by users;
4. Content shall be made solid so as to be accessible by various methods of technology.

(2) Where a certification institution receives an application for quality certification pursuant to Article 32-2 (3) of the Act, it shall carry out written and technical examinations by applying the criteria for quality certification referred to in paragraph (1).

(3) Where the head of a certification institution deems that the criteria for quality certification are not satisfied as a result of examination, he or she shall inform the applicant of the rejection of the certification and the grounds therefor.

(4) Details necessary for quality certification, other than the matters prescribed in paragraphs (1) through (3), shall be determined and publicly notified by the Minister of Science and ICT. <Amended on Jul. 26, 2017; Aug. 28, 2018>

[This Article Newly Inserted on Nov. 20, 2013]

[Title Amended on Aug. 28, 2018]

Article 31-4 (Effective Period of Quality Certification) The effective period of quality certification shall be one year. <Amended on Aug. 28, 2018>

[This Article Newly Inserted on Nov. 20, 2013]

[Title Amended on Aug. 28, 2018]

Article 31-5 (Certification Institution's Business Procedures) (1) Where the name, representative, location, examination specialist or business regulations of a certification institution are altered, the certification institution shall submit a document verifying the details of such alteration to the Minister of Science and ICT, within 30 days from the date of alteration. <Amended on Jul. 26, 2017>

(2) A certification institution shall submit a report on certification records of the preceding year to the Minister of Science and ICT by January 31 each year. <Amended on Jul. 26, 2017>

(3) The Minister of Science and ICT may require a certification institution to submit necessary materials, or conduct an on-the-spot inspection to ascertain whether the certification institution falls under any subparagraph of Article 32-3 (1) of the Act. <Amended on Jul. 26, 2017>

(4) When a certification institution is unable to carry out business as a certification institution due to discontinuance, suspension, etc. of its business, it shall inform the Minister of Science and ICT of such fact without delay. <Amended on Jul. 26, 2017>

[This Article Newly Inserted on Nov. 20, 2013]

Article 31-6 (Fees) The standards for fees which a certification institution receives from applicants for quality certification shall be determined by the Minister of Science and ICT, taking into account the number of certification examiners participating in certification examination, the period necessary for certification examination, etc. <Amended on Jul. 26, 2017>

[This Article Newly Inserted on Nov. 20, 2013]

Article 31-7 (Revocation of Designation as Certification Institution) (1) The criteria for the revocation of designation, business suspension, etc. of a certification institution referred to in Article 32-3 (2) of the Act shall be as specified in attached Table 4.

(2) Where the Minister of Science and ICT intends to revoke the designation of a certification institution or to order business suspension thereof pursuant to Article 32-3 of the Act, he or she shall hold a hearing, and where the designation has been revoked or business suspension has been ordered, he or she shall publish such fact in the Official Gazette. <Amended on Jul. 26, 2017>

[This Article Newly Inserted on Nov. 20, 2013]

Article 31-8 (Indication of and Publicity for Quality Certification) (1) The indication of quality certification under Article 32-4 (1) of the Act shall be as specified in attached Table 5.

<Amended on Aug. 28, 2018>

(2) Where a person who has obtained quality certification intends to indicate or publicize the details of certification pursuant to Article 32-4 (1) of the Act, he or she shall indicate the scope and the effective period of certification. <Amended on Aug. 28, 2018>

[This Article Newly Inserted on Nov. 20, 2013]

[Title Amended on Aug. 28, 2018]

Article 32 (Support of Business Operators Related to Narrowing of Digital Divide) (1) A business operator who intends to receive support from a national agency or local government under Article 33 (2) of the Act shall apply for support by submitting the necessary matters under the following classifications to the national agency or local government:

1. A business operator who develops and produces information communications equipment and software (hereinafter referred to as "information communications products") for improving access to information by persons with disabilities, aged persons, etc. and the related user environment: Details of the information communications products in question and the details of financial and technical support applied for;
2. A business operator who provides content for persons with disabilities, aged persons, farmers, fishermen and low-income earners: Details of the information communications products in question and the details of financial and technical support applied for;
3. A business operator who develops and distributes relevant technology under Article 33 (1) of the Act (hereinafter referred to as "technology related to narrowing of the digital divide"): Details of the technology related to narrowing of the digital divide in question and the details of financial and technical support applied for.

(2) Upon receiving an application under paragraph (1), national agencies and local governments shall comprehensively consider the following matters when selecting a person eligible to receive support:

1. A business operator's record of performance on the development, production and provision of information communications products and content and on the development of technologies related to narrowing of the digital divide;
2. Usefulness of information communications products, content, or technologies related to narrowing of the digital divide which a business operator intends to develop, produce, provide and distribute;
3. Appropriateness of the production plan of information communications products, provision plan of content, and development plan of the technologies related to narrowing of the digital divide.

(3) Necessary matters for the methods and procedures of applying for support under paragraph (1) shall be prescribed by Ordinance of the Ministry of Science and ICT.
<Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 33 (Support of Information Communications Products) (1) "Persons prescribed by Presidential Decree" in subparagraph 3 of Article 34 of the Act means any of the following persons: <Amended on Aug. 3, 2012>

1. Children subject to protection under subparagraph 4 of Article 3 of the Child Welfare Act;
2. Persons who have received rating of injury between grade one to seven, among persons of distinguished service to the State who are registered under Article 6 of the Act on the Honorable Treatment of and Support for Persons, etc. of Distinguished Service to the State;
3. Immigrants by marriage, etc. under subparagraph 2 of Article 2 of the Multicultural Families Support Act;
4. Persons who are currently receiving social welfare services under subparagraph 6 of Article 2 of the Social Welfare Services Act from social welfare foundations or social welfare facilities under subparagraph 3 or 4 of Article 2 of the same Act;
5. Other persons deemed necessary by a national agency or local government for the improvement of access to information and user environment.

(2) National agencies and local governments shall comprehensively consider the following matters in providing information communications products under Article 34 of the Act:

1. Usability of information communications products;
2. Capability of a person eligible to receive support to use information communications products;
3. Economic conditions of a person eligible to receive support.

(3) Where it is inevitable for the performance of business affairs for the support of information communications products under Article 34 of the Act, national agencies and local governments may process materials containing resident registration numbers under subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act. <Newly Inserted on Jan. 6, 2012>

Article 34 (Targets and Types of Education for Narrowing Digital Divide) (1) "Persons prescribed by Presidential Decree" in Article 35 (2) 1 of the Act means persons with disabilities under Article 2 (1) of the Enforcement Decree of the Act on Welfare of Persons with Disabilities.

(2) "Persons prescribed by Presidential Decree" in Article 35 (2) 4 of the Act means any of the following persons:<Amended on Nov. 26, 2009; Aug. 3, 2012; Dec. 22, 2015>

1. Children subject to protection under subparagraph 4 of Article 3 of the Child Welfare Act;
2. The aged under subparagraph 1 of Article 2 of the Act on Prohibition of Age Discrimination in Employment and Elderly Employment Promotion;
3. Immigrants by marriage, etc. under subparagraph 2 of Article 2 of the Multicultural Families Support Act;
4. Persons receiving support at single-parent family welfare facilities under Article 19 (1) of the Single-Parent Family Support Act;
5. Farmers under subparagraph 2 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry;
6. Fishers under subparagraph 3 of Article 3 of the Framework Act on Fisheries and Fishing Villages Development;
7. Other persons deemed necessary by a national agency or local government for narrowing of the digital divide.

(3) The targets of education for narrowing the digital divide under Article 35 (4) of the Act shall be persons falling under any subparagraph of Article 35 (2) of the Act.

(4) The types of education for narrowing the digital divide under Article 35 (4) of the Act shall be as follows:

1. Basic education concerning computers and the Internet, etc.;
2. Education concerning how to search, process and produce necessary information utilizing computers and the Internet, etc.;
3. Other education deemed necessary by a national agency or local government.

Article 35 (Supplementation of Information Protection System) (1) The Minister of Science and ICT shall pre-consult with the heads of relevant agencies when the Minister establishes standards for the performance and reliability of information protection systems under Article 38 (1) of the Act, or determines detailed matters on the affairs of evaluating or certifying whether such standards are complied with. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

(2) When a person who manufactures or imports information protection systems requests verification of whether the said systems comply with the standards under Article 38 (1) of the Act, the Minister of Science and ICT may require the President of the Korea Internet and Security Agency under Article 52 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc., or the head of any institution meeting the standards under relevant international conventions to investigate, test or evaluate the said systems. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(3) A person who requests an investigation, test or evaluation under paragraph (2) shall pay the fees determined by the President of the Korea Internet and Security Agency or the head of any institution meeting the standards under relevant international conventions pursuant to the standards prescribed and published by the Minister of Science and ICT. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 36 (Establishment of Sound Information Communications Ethics) (1) The Minister of Science and ICT may advise the heads of national agencies, etc. who have installed equipment which allows many unspecified persons to search, save, send and receive information using information communications networks to install and supplement relevant equipment or software which prevents access to unwholesome information, such as

obscene materials, violent materials, etc., in accordance with Article 40 of the Act.

<Amended on Mar. 23, 2013; Jul. 26, 2017>

(2) The Minister of Science and ICT may establish and publish standards for managerial and technical measures, etc. required for the wholesome use of the information communications services by juveniles under Article 40 of the Act, and advise the providers of information communications services under Article 2 (1) 3 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc. (hereinafter referred to as "providers of information communications services") to comply with the said standards. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 37 (Prevention of Harm to Users) Where necessary to prevent harm to life, body and property resulting from information communications-related equipment and services provided for users under Article 41 (1) 3 of the Act, the Minister of Science and ICT may establish standards to prevent harm to users caused by information communications-related equipment and services, and standards to indicate the use, cautions for use, etc. of information communications-related equipment and services, thereby advising the manufacturers and importers of information communications-related equipment, or the providers of information communications services, etc. to comply with the said standards. <Amended on Mar. 23, 2013; Jul. 26, 2017>

Article 38 (Filing of Petitions) (1) A person who intends to file a petition under Article 42 (3) of the Act shall submit a document (including electronic documents) stating the following to the working committee for the promotion of vitalization of information and communications technology organized and operated under Article 9 (1) of the Special Act on Promotion of Information and Communications Technology, Vitalization of Convergence Thereof, Etc. (hereafter in this Article referred to as the "Committee"):

1. Name and address of the petitioner;
2. Petitionee institution;
3. Details of the right for or interest in intellectual property which has been, or is likely to be, infringed on;
4. Purport of and grounds, etc. for petition.

(2) Where necessary to process a petition filed under paragraph (1), the Committee may request the petitioner and the petitionee institution to submit, etc. their opinions or data

related to the petition. In such cases, the petitionee institution in receipt of such request shall comply therewith unless any extenuating circumstance exists.

(3) Where the details of a petition is related to the infringement on any right prescribed by any other Act or subordinate statutes, the Committee may request the related institutions to submit, etc. opinions or data related to the petition.

(4) Where it is deemed that any infringement on a right for or interest in intellectual property has occurred or is likely to occur as a result of examining a petition, the Committee may recommend the head of the petitionee institution to stop the act of infringement, the act that is likely to cause the infringement, etc.

[This Article Newly Inserted on Dec. 22, 2015]

[Previous Article 38 moved to Article 45 <Dec. 22, 2015>]

Article 39 (Sectors for Which Dedicated Institution Can Be Designated) (1) Sectors for which the Minister of Science and ICT may designate a dedicated institution under Article 43 (1) of the Act (hereinafter referred to as "dedicated institution") are as follows: <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

1. Building and management of the national information super-highway under Article 44 (1) of the Act;
2. Projects for broadband integrated research and development networks to build a B-ISDN;
3. Leading projects for verifying new technology on B-ISDN, such as the future Internet, etc.;
4. Application technology development projects for broadband integrated information communications;
5. Pilot area projects for quality control of B-ISDN and the enhancement of LAN;
6. Establishment of joint support facilities for promoting the building of B-ISDN infrastructure;
7. Core technology development projects for the building of B-ISDN;
8. Public relations projects for the public;
9. Research projects on laws and institutions;
10. International cooperation projects;
11. Development projects related to platform technology for competitiveness;

12. Pilot projects for facilitating the building of B-ISDN infrastructure and for revitalizing the use thereof;

13. Other projects necessary for facilitating the building and use of B-ISDN infrastructure.

(2) The head of a dedicated institution shall establish a detailed project plan and funds execution plan for each designated sector and submit it to the Minister of Science and ICT. <Amended on Mar. 23, 2013; Jul. 26, 2017>

(3) Matters necessary for the performance of dedicated institution's affairs, such as project management, etc. shall be prescribed by the Minister of Science and ICT. <Amended on Mar. 23, 2013; Jul. 26, 2017>

[Moved from Article 40; previous Article 39 moved to Article 46 <Dec. 22, 2015>]

Article 40 (Building and Managing National Information Super-Highway) (1) A dedicated institution shall perform the following affairs when building and managing the national information super-highway pursuant to Article 44 (1) of the Act: <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

1. Formulating detailed project plans for the building and operation of the national information super-highway;
2. Establishing, executing and managing government-contributed financial resources;
3. Building, operating, maintaining and repairing the national information super-highway;
4. Conducting survey on demand for the national information super-highway and formulating a utilization plan thereof;
5. Ensuring the security of the national information super-highway;
6. Other affairs deemed necessary by the Minister of Science and ICT for the building and operation of the national information super-highway.

(2) The head of a dedicated institution may require a facilities-based telecommunications business operator to partially implement the following affairs to efficiently perform the affairs under paragraph (1) 3: <Amended on Mar. 23, 2013; Jul. 26, 2017>

1. Designing and building the national information super-highway;
2. Operating the national information super-highway;
3. Maintaining and repairing the national information super-highway and the efficient recovery from obstacles that arise;
4. Imposing, collecting and managing charges to/from agencies using the national information super-highway;

5. Other affairs deemed necessary by the Minister of Science and ICT for efficiently building and operating the national information super-highway.

(3) The head of a dedicated institution shall determine the standards, procedures, etc. of selecting facilities-based telecommunications business operators capable of efficiently perform relevant affairs; and shall obtain approval therefor from the Minister of Science and ICT when he or she requires a facilities-based telecommunications business operator to partially implement the affairs under paragraph (2). <Amended on Mar. 23, 2013; Jul. 26, 2017>

(4) The head of a dedicated institution shall determine agencies, conditions, etc. for the use of the national information super-highway and obtain approval therefor from the Minister of Science and ICT. <Amended on Mar. 23, 2013; Jul. 26, 2017>

[Moved from Article 41; previous Article 40 moved to Article 39 <Dec. 22, 2015>]

Article 41 (Scope of Non-Profit Organizations) "Non-profit organizations prescribed by Presidential Decree" under Article 44 (1) of the Act means the following organizations:

<Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

1. Schools of any level established under the Elementary and Secondary Education Act, Higher Education Act and other Acts;
2. Research institutions which are non-profit corporations;
3. Medical institutions established by any person prescribed under the provisions of Article 33 (2) 2 through 4 of the Medical Service Act, the National Health Insurance Corporation established under the National Health Insurance Act, and the National Pension Service under the National Pension Act;
4. Museums and art galleries under the Museum and Art Gallery Support Act;
5. Libraries under the Libraries Act;
6. Other non-profit organizations recognized by the Minister of Science and ICT as necessary to facilitate the building and use of the national information super-highway.

[Moved from Article 42; previous Article 41 moved to Article 40 <Dec. 22, 2015>]

Article 42 (Requests for Construction or Lease of Conduits) (1) When requesting the construction of conduits, common utility ducts, electric poles, etc. (hereinafter referred to as "conduits, etc."), facilities-based telecommunications business operators, etc. under Article 46 (2) of the Act (hereinafter referred to as "facilities-based telecommunication

business operators, etc.") shall pre-consult with other facilities-based telecommunication business operators, etc. regarding demand for conduits, etc. <Amended on Dec. 22, 2015>

(2) Where an agency which constructs, operates, and manages roads, railroads, subways, waterworks and sewerage, electrical facilities, telecommunications circuit facilities, etc. (hereinafter referred to as "facilities management agency") is requested to construct or lease conduits, etc. under Article 46 (2) of the Act, the agency shall endeavor to enter into an agreement related to such construction or lease with facilities-based telecommunications business operators, etc. within three months from the date of receiving such request, to the extent that it does not impede the proper business purpose of a facilities management agency, except under special circumstances. <Amended on Dec. 22, 2015>

[Moved from Article 43; previous Article 42 moved to Article 41 <Dec. 22, 2015>]

- Article 43 (Requests for Mediation and Deliberation)** (1) Facilities-based telecommunications business operators, etc. may submit a request for mediation to the Minister of Science and ICT under Article 46 (3) of the Act if an agreement between a facilities-based telecommunications business operator, etc. and a facilities management agency is not concluded within the period specified in Article 42 (2), or such an agreement cannot be concluded. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>
- (2) The Minister of Science and ICT shall hear the opinions of the parties involved and may investigate the facts where necessary, when conducting mediation on the construction or lease of conduits, etc. upon receiving a request for mediation under paragraph (1). <Amended on Mar. 23, 2013; Jul. 26, 2017>
- (3) In conducting mediation under paragraph (2), where the Minister of Science and ICT determines that a failure to reach an agreement between the parties appears severely detrimental to public interest, the Minister may make a mediatory decision for the conclusion of a fair agreement through consultation with the heads of relevant central administrative agencies, taking account of the interests, etc. of the parties involved. <Amended on Mar. 23, 2013; Jul. 26, 2017>
- (4) Where the Minister of Science and ICT makes a mediatory decision under paragraph (3), the parties involved shall comply with the mediatory decision, except under special circumstances. <Amended on Mar. 23, 2013; Jul. 26, 2017>

[Moved from Article 44; previous Article 43 moved to Article 42 <Dec. 22, 2015>]

Article 44 (Requests for Mediation on Construction or Lease of Conduits) A person who intends to request mediation on an agreement for construction or lease of conduits, etc. under Article 43 (1) shall submit, to the Minister of Science and ICT, a request for mediation on an agreement for the construction, etc. of conduits, etc. accompanied with documents concerning the agreement history and execution status. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

[Moved from Article 45; previous Article 44 moved to Article 43 <Dec. 22, 2015>]

Article 45 (Fact-Finding Surveys) (1) "Matters prescribed by Presidential Decree" under Article 48 (2) 6 of the Act means the following: <Amended on May 4, 2010; Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

1. Actual conditions related to the execution of national informatization by national agencies, etc.;
2. Actual conditions related to support provided by national agencies, etc. for the informatization of private sectors;
3. Actual conditions related to information culture concerning the utilization and use patterns of information communications services and information communications products;
4. Actual conditions related to the digital divide concerning access, retention, use, etc. of information communications services and information communications products;
5. Actual conditions related to the addiction of the users of information communications services, such as the Internet, mobile phone, etc. and information communications products;
6. Actual conditions related to the introduction and operation of information technology architectures under subparagraph 12 of Article 2 of the Electronic Government Act and the record of performance thereof;
7. Current status of the volume of knowledge information resources retained by national agencies, etc. and the digitization thereof;
8. Current status of the management of knowledge information resources and important knowledge information resources by national agencies, etc.;

9. Other matters concerning national informatization which are deemed necessary by the Minister of Science and ICT.

(2) The Minister of Science and ICT may annually directly conduct surveys of national agencies, etc., the public, private enterprises and associations or request the submission of necessary data thereto, if necessary for fact-finding surveys under Article 48 (2) of the Act. <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

[Moved from Article 38; previous Article 45 moved to Article 44 <Dec. 22, 2015>]

Article 46 (Development and Distribution of Indices) The Minister of Science and ICT shall develop and distribute the following indices under Article 49 of the Act: <Amended on Mar. 23, 2013; Dec. 22, 2015; Jul. 26, 2017>

1. Indices by which the level of national informatization may be measured;
2. Indices by which the level of information culture may be measured;
3. Other indices necessary for the management of national informatization and knowledge information resources, and narrowing of the digital divide.

[Moved from Article 39; previous Article 46 moved to Article 48 <Dec. 22, 2015>]

Article 47 Deleted. <Jan. 23, 2018>

Article 48 (Imposition of Administrative Fines) The criteria for imposing administrative fines referred to in Article 52 (1) and (2) of the Act shall be as specified in attached Table 6. <Amended on Dec. 22, 2015>

[[This Article Newly Inserted on Nov. 20, 2013](#)]

[Moved from Article 46 <Dec. 22, 2015>]