

## **[Enactment and Amendment of Informatization Related Laws]**

Korea set to work in earnest on making policies of national informatization, starting from the enactment of Framework Act on Informatization Promotion in 1995. In addition, in order to foster a legal and institutional environment appropriate for the knowledge & information based society, Korea has carried out research and study projects on the laws and institutions that are related to the informatization every year. Based on the result, the government executed the enactment and amendment of related laws through discussions with related ministries and agencies. Due to the strenuous efforts made by the government to improve laws, a total of 154 laws were enacted and amended from 1995 to April 2001. That includes 79 laws related to informatization in the public sector and 75 laws related to informatization promotion and conditions fosterage in the private sector.

Major informatization related laws enacted since 1995 can be summarized as follows.

### **Framework Act on Informatization Promotion**

This was enacted on August 4, 1995, enforced in January 1996 and partially amended in January 1999. This act aims to consistently and efficiently promote the activities driven by governmental institutions such as the informatization expedition, the infrastructure establishment of information and communications, and KII Project management in the pan-national level. This is a basic act on national informatization policy and stipulates the establishment of the plan for informatization promotion, fosterage of information communications industry infrastructure, upgrade of information communications infrastructure and operation of the Informatization Promotion Fund.

### **Act on Utilization and Security of Information System and Protection of Personal Information**

This act, enacted on January 16, 2001, is a representative law regarding the order in using information communications network. This stipulates the preparation of policy for promoting utilization of information communications network and securing Internet address resources, digital message usage, protection of personal information for information communications service user, protection of juveniles from lecherous and violent materials, security of information communications network, control of infringement on information communications network, and restriction of spam mails.

### **Digital Signature Act**

This stipulates the issues on digital signature of Public Key Infrastructure in order to secure the safety and reliability of data message and to activate the usage of it. It was enacted and promulgated on February 5, 1999 and enforced in July 1.

### **Framework Act on E-commerce**

This, enacted on February 8, 1999, stipulates the basic issues related to e-commerce such as vesting the digital document with the same level of legal effect as that of written document, securing the reliability of e-commerce, protecting consumers, and driving forward the policy for e-commerce promotion.

### **Act on Promotion of Digitalization of Administrative Work for E-Government Realization**

This was enacted on March 28, 2001 in order to improve the productivity, transparency, and social equality of administrative institutions and to promote the digitalization of administrative work such as digitalization of administrative management, service digitalization, reduction of documental work, and promotion of e-government project.

**Act on Management of Digital Contents**

This was enacted on January 28, 2000 in order to ensure the infrastructure of the national information industry so that the public and private sectors can actively utilize systematically managed information knowledge resources, which were scattered in the central and local governments.

**Act on Closing Digital Divide**

This was enacted on January 16, 2001, in order to foster the environment and to give opportunities for the information usage for low income earners, the handicapped and the aged that are at a disadvantage in information usage due to economic, physical and social conditions.

**Act on Protection of Major Information Infrastructure**

This intends to establish a systematic and comprehensive countermeasure for the protection of major information communications infrastructure against electronic infringement using hacking and computer virus that are becoming more serious as the dependency of the major social infrastructure on the information communications system grows following the progress in informatization. It was enacted on January 26, 2001.

**Privacy Act**

This was enacted on January 7, 1994 and enforced in January 8, 1995. It aims to prevent side effects like infringement of privacy due to unjust usage and illegal drain of personal information, which are likely to appear due to the expansion of computerization of major national business and establishment of nation-wide administrative computer network. It clearly specifies the criteria of collection and processing of personal information and guarantees the various rights for the information owner such as disclosure and correction of personal information.

**Freedom of Information Act**

This law was enacted on December 31, 1996 in order to secure peoples right to know, peoples participation in administration and administrative transparency by specifying the obligation of information disclosure by public institutions and defining the issues regarding peoples claim for information disclosure. This law stipulates claimant for information disclosure, information subject to closure, procedures of information disclosure, procedures for appeal of dissatisfaction, etc.

**Act on Public Record Management of Public Institutions**

This law intends to systematically manage record in public institutions by preparing a uniform scheme on record management regarding a clear and systematic ground for collection of major record materials in public institutions and maintenance of record materials in national institutions such as the National Assembly, government and court of justice and local self-governing body. It was enacted on January 29, 1999.

**Act on Establishment and Utilization of NGIS**

This law was enacted on January 21, 2000. It aims to prepare for the knowledge information based society in the 21st century by providing people with accurate geographical information and contriving to rationally use land and resources based on the efficient establishment, management and operation of the National Geography Information System(NGIS) regarding land, resources, environment and materials laid underground.

**Special Act on Video Tele-trial**

This law was enacted on December 6, 1995, in order to expand the judicial service by enabling residents in islands and secluded areas in mountains to stand trial such as small

sum civil suit and summary trial under the jurisdiction of court of city and kun without having to be physically present at the court.

**Act on Civil Affairs Service Processing**

This law was enacted on August 22, 1997 in order to realize an accessible administration that secures the rights of people by preparing an institutional device that actively accepts peoples opinion on administration and processing of civil affairs service. The enforcement ordinance, that was amended on October 13, 2000, prepared the basic stipulations on provision of civil affairs service via the Internet, computer, and computer network and unattended civil affairs documents issuing machine, and this law allows people can take advantage of civil affairs service anytime anywhere.

**Software Industry Promotion Act**

This law is the full-text amendment of previous Software Development Promotion Act. This, amended in January 2000, systematically stipulates the establishment of a mid-long term basic plan for software industry promotion, fosterage of infrastructure for software industry such as software promotion facility and complex, activation of business inauguration, professional manpower training, etc in order to comprehensively develop the software industry, which is a core industry that may determine the national competitiveness in the knowledge information based society in the 21st century.

**Laws on Protection of Intellectual Property Rights**

Following the development of digital technology and the Internet, effective protection and application of various intellectual property rights such as copyright, patent right, and trademark right become more important. Korea stipulated the transmission right of copyright holder and allowed the replication and transmission between libraries via data processing device by the amendment of Copyright Act in January 2000. In addition, Computer Program Protection Act was amended a number of times to establish computer program transmission right, ban activities incapacitating technical protection measures, and allow reverse analysis of program.