

# REPUBLIC OF KOREA

## FRAMEWORK ACT ON NATIONAL INFORMATIZATION

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Wholly Amended by Act No. 9705, May 22, 2009  
Amended by Act No.10012, Feb. 4, 2010  
Act No.10166, Mar. 22, 2010

### CHAPTER I GENERAL PROVISIONS

#### Article 1 (Purpose)

The purpose of this Act is to contribute to the realization of a sustainable knowledge and information based society, and to improve the quality of life for the nation by prescribing matters necessary for the establishment and promotion of the basic direction of national informatization and policies relevant thereto.

#### Article 2 (Basic Idea)

The basic idea of this Act is to realize a knowledge and information based society in which social and ethical values are harmonized on the basis of human dignity and to ensure the sustainable development thereof through the promotion of national informatization.

#### Article 3 (Definitions)

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

1. The term "information" means all types of data or knowledge expressed in codes, letters, voice, sound, image, etc. after being processed by optical or electronic means for a specific purpose;
2. The term "informatization" means the making of activities in each sector of society possible, or facilitating the efficiency of such activities, by producing, distributing or utilizing information;
3. The term "national informatization" means either the promotion of informatization by national agencies, local governments or public institutions, or support by such through informatization for the efficient conduct of activities in each sector of society;
4. The term "knowledge and information based society" means a society in which knowledge and information creates value in each and every sector including administration, economy, culture, industry, etc., and guides its development through informatization;
5. The term "information and communications" means collecting, processing, storing, retrieving, transmitting, receiving and utilizing information, and equipment, technology, services related thereto, and other series of activities and means for the purpose of promoting informatization;
6. The term "protection of information" means providing for managerial and technical means to prevent any damage, alteration, leakage, etc. of information which could occur in the process of the collection, processing, storage, retrieval, transmission, or reception thereof (hereinafter referred to as "information protection system");
7. The term "knowledge information resources" means either already digitized data or data deemed necessary to be digitized in respect of art and science, culture, scientific technology, administration, etc. which deserve to be preserved or utilized on a national level;
8. The term "information culture" means the lifestyle of members of society, such as patterns of behavior, sense of values, norms, etc. formed in the course of the utilization of

information technology;

9. The term "digital divide" means a situation in which the imbalance in opportunities to access or use information and communication services is created due to social, economic, regional or physical circumstances;
10. The term "public institution" means any of the following institutions:
  - (a) A public institution under the [Act on the Management of Public Institutions](#);
  - (b) A local government-invested public corporation or local government public corporation under the [Local Public Enterprises Act](#);
  - (c) A special corporation established under a special Act;
  - (d) A school of any level set up under the [Elementary and Secondary Education Act](#), the [Higher Education Act](#), or any other Act;
  - (e) Any other corporation, agency, or association prescribed by Presidential Decree;
11. The term "information and communications network" means an information and communications system which collects, processes, stores, retrieves, transmits or receives information using either telecommunications facilities and equipment under subparagraph 2 of [Article 2 of the Framework Act on Telecommunications](#), or utilizing telecommunications facilities and equipment, a computer, or a computer-aided technology;
12. The term "information and communications infrastructure" means an information communications network, and information communications equipment, software, database, etc. used as connected thereto;
13. The term "information superhighway" means a high speed and high capacity information communications network capable of transmitting and receiving moving images in real time;
14. The term "broadband integrated service digital network (B-ISDN)" means an information communications network providing a user with high speed and high capacity multi-media services which combine communications, broadcasting and Internet, whenever and wherever the user is;
15. The term "B-ISDN infrastructure" means broadband integrated service digital networks, and information communications equipment, software, database, etc. used as connected thereto;
16. The term "broadband integrated research and development network" means an information and communications network for testing and verifying technology and services related to the B-ISDN and for supporting research and development of such technology and services.

#### **Article 4 (Basic Principles for Promotion of National Informatization)**

- (1) The State and each local government shall establish and implement policies for the promotion of national informatization, taking account of the basic idea under [Article 2](#).
- (2) In the course of promoting national informatization, the State and each local government shall endeavor to collect various opinions from all levels of society by such means as the development of a cooperative system with the private sector.
- (3) In the course of promoting national informatization, the State and each local government shall develop measures, such as protection of information, protection of personal information, and any other measures, for the prevention of the adverse effects of informatization.
- (4) The State and each local government shall take necessary measures for the nation's universal enjoyment of the outcomes of national informatization.
- (5) The State and each local government shall endeavor to raise the financial resources required for the promotion of established policies.

#### **Article 5 (Relationship with other Acts)**

- (1) Efforts shall be made to comply with the purposes and basic idea of this Act in enacting or amending other Acts concerning the promotion of national informatization.

(2) Unless otherwise specifically provided for in other Acts, the promotion of national informatization shall be governed by this Act.

## **CHAPTER II POLICY ESTABLISHMENT AND PROMOTIONAL SYSTEMS FOR NATIONAL INFORMATIZATION**

### **Article 6 (Establishment of Basic Plans for National Informatization)**

(1) The Government shall establish a basic plan for national informatization (hereinafter referred to as "basic plan") every five years for the efficient and systematic promotion of national informatization.

(2) The basic plan shall be established by the Minister of Public Administration and Security by integrating the sectional plans of the State and local governments, and shall be confirmed following deliberation by the Presidential Council on Information Society (hereinafter referred to as the "Council") pursuant to [Article 9](#). The same procedure shall apply to modifications of important matters prescribed by Presidential Decree.

(3) The basic plan shall contain the following matters:

1. Basic direction of national informatization policies and the mid-to-long term development direction thereof;
2. Informatization of public sectors, such as administration, health, social welfare, education, culture, environment, science, technology, etc.;
3. Community informatization under [Article 16](#);
4. Support for the informatization of private sectors, such as industry, finance, etc.;
5. Protection of information for each sector pertaining to the matters under subparagraphs 2 through 4, and the creation and enhancement of the national informatization infrastructure;
6. Advancement of information culture and narrowing of the digital divide;
7. Protection of personal information, the establishment of sound information and communications ethics, the protection of the rights and interests of users, and the protection of intellectual property;
8. Joint utilization and standardization of information;
9. Improvements to Acts and subordinate statutes and institutions related to national informatization;
10. Facilitation of international cooperation related to national informatization;
11. Raising and management of financial resources related to national informatization;
12. Other matters necessary for the promotion of national informatization.

(4) The Minister of Public Administration and Security may provide guidelines for preparation of the sectional plans of the State and local governments, following the deliberation of the Council, and he/she shall notify the relevant agencies thereof.

(5) The heads of central administrative agencies (including agencies under the jurisdiction of the President and those under the jurisdiction of the Prime Minister; hereinafter the same shall apply) and the heads of local governments shall give priority to the matters under the subparagraphs of paragraph (3) when establishing major policies under their jurisdiction.

### **Article 7 (Establishment of Implementation Plans for National Informatization)**

(1) The heads of central administrative agencies and the heads of local governments shall establish and implement an implementation plan for national informatization (hereinafter referred to as "implementation plan") every year in accordance with the basic plan.

(2) The heads of central administrative agencies and the heads of local governments shall submit a performance record of the implementation plan of the previous year and an implementation plan for the coming year to the Council for its deliberation. The same shall also apply to modifications of important matters prescribed by Presidential Decree in an implementation plan.

(3) The Council shall deliberate on the implementation plan submitted under paragraph (2) and present its opinion to the Minister of Strategy and Finance.

- (4) The Minister of Strategy and Finance shall consider the opinion of the Council under paragraph (3) when compiling a budget required for the implementation plan.
- (5) Necessary matters for the establishment, execution, etc. of the implementation plan shall be prescribed by Presidential Decree.

#### **Article 8 (Adjustment of National Informatization Policies, etc.)**

- (1) When the head of a central administrative agency or a local government deems that national informatization policies and projects carried out by the head of any other central administrative agency or local government are likely to impede the implementation of national informatization policies and projects under the former's control, the head of a central administrative agency or a local government may request an adjustment thereof from the Council after consulting in advance with the Minister of Public Administration and Security.
- (2) Upon receiving a request for adjustment under paragraph (1), the Council shall conduct deliberations thereon and notify the head of the relevant central administrative agency or local government of the result of such adjustment.
- (3) The head of the relevant central administrative agency or local government shall reflect the result of adjustment noticed under paragraph (2) in the implementation of the relevant national informatization policies and projects unless exceptional circumstances exist to the contrary.
- (4) Necessary matters for the procedures, methods, etc. of adjustment shall be prescribed by Presidential Decree.

#### **Article 9 (Presidential Council on Information Society)**

- (1) A Presidential Council on Information Society shall be established under the jurisdiction of the President to deliberate on matters related to the promotion of national informatization.
- (2) The Council shall consist of not more than 35 members, including two chairpersons.
- (3) The Prime Minister and a person commissioned by the President among those under subparagraph 3 shall jointly chair the Council, and persons under each of the following subparagraphs shall become members of the Council: *Provided*, That a member under subparagraph 1 may attend the meetings of the Council only when matters to be deliberated upon by the Council as prescribed in [Article 10](#) are related to the affairs of the relevant agency, and thus his/her cooperation is required, or when other circumstances require his/her attendance:
1. The Secretary General of the National Assembly, the Minister of the National Court Administration, the Secretary General of the Constitutional Court, and the Secretary General of the National Election Commission;
  2. Persons prescribed by Presidential Decree, among the heads of central administrative agencies and local governments;
  3. Persons commissioned by Presidential Decree, among those who have extensive professional expertise and experience in national informatization.
- (4) The term of office of a member under paragraph (3) 3 shall be two years and such member may be reappointed only once.
- (5) For its efficient operation and support, the Council shall have one secretary who shall be the Minister of Public Administration and Security.
- (6) A Working Committee on Information Society (hereinafter referred to as "Working Committee") may be established under the Council to preliminarily review the agenda to be presented to the Council and to deliberate on those agenda items delegated to it by the Council, and specialized committees for each sector may be established under the control of the Working Committee to support the deliberations, etc. of agenda items.
- (7) Necessary matters for the operation of the Council and the composition and operation of the Working Committee and specialized committees for each sector shall be prescribed by Presidential Decree.

#### **Article 10 (Council Functions)**

The Council shall deliberate on the following matters:

1. Establishment of basic plans and implementation plans;
2. Modification of important matters prescribed by Presidential Decree in respect to the

- basic plans and implementation plans;
3. Preparation guidelines for sectional plans under [Article 6](#) (4);
  4. Adjustment of national informatization policies and projects under [Article 8](#);
  5. Analysis and inspection of the records on the implementation of the major polices of the basic plans and implementation plans;
  6. Designation of knowledge information resources under [Article 27](#) (1);
  7. Prioritizing projects for advancing information culture and narrowing the digital divide;
  8. Matters determined to be deliberated upon by the Council as prescribed by the [Electronic Government Act](#) and any other Act and subordinate statute;
  9. A mid-to-long term plan for management of knowledge information resources;
  10. Other matters a chairperson of the Council deems necessary with respect to the promotion of national informatization.

#### **Article 11 (Responsible Official for Informatization)**

(1) The head of a national agency or a local government may designate a responsible official who exercises overall control over the efficient establishment and implementation of national informatization policies and coordination, etc. of national informatization projects under the control of the relevant agency (hereinafter referred to as "responsible official for informatization).

(2) Each responsible official for informatization shall take charge of the following matters in respect to the affairs of the relevant agency: *<Amended by Act No. 10012, Feb. 4, 2010>*

1. Overall coordination, support and evaluation of national informatization projects;
2. Integration and coordination of national informatization polices with any other policies, plans, etc. of the agency;
3. Support for administrative work using information technology;
4. Overall coordination in the collection, distribution, use, etc. of information resources, the systematic management thereof, and the establishment of plans to jointly utilize information;
5. Advancement of information culture and narrowing of the digital divide;
6. Introduction and utilization of an information technology architecture pursuant to subparagraph 12 of [Article 2 of the Electronic Government Act](#) (hereinafter referred to as "information technology architecture");
7. Education on informatization;
8. Other matters prescribed as the duties of a responsible official for informatization pursuant to other Acts and subordinate statutes.

#### **Article 12 (Consultative Council of Responsible Officials for Informatization)**

(1) A central administrative agency and a local government may organize and operate a Consultative Council of Responsible Officials for Informatization (hereafter referred to as "Consultative Council" in this Article) comprised of responsible officials for informatization appointed under [Article 11](#) for the efficient promotion of informatization, exchange of necessary information, and consultation, etc. of relevant policies.

(2) The Consultative Council shall consult on the following matters:

1. Matters pertaining to the establishment and implementation of polices on electronic government;
2. Matters pertaining to the common use of administrative information;
3. Matters pertaining to an information technology architecture;
4. Matters pertaining to the systematic management and standardization of information resources;
5. Matters pertaining to the promotion of electronic government projects, community informatization projects, advancement of information culture and narrowing of the digital divide in which various national agencies, local governments and public institutions (hereinafter referred to as "national agencies, etc.") are involved;
6. Other matters deemed necessary by the chairperson.

(3) The Consultative Council shall be chaired by the Minister of Public Administration and

Security: *Provided*, That the responsible official for informatization of a relevant agency may be added as a member of the Council, if the chairperson deems it necessary to do so.

(4) In addition to the matters provided for in paragraphs (1) through (3), necessary matters for the operation of the Consultative Council shall be prescribed by Presidential Decree.

#### **Article 13 (Reflection, etc. of Informatization Plans)**

(1) The head of a central administrative agency or a local government who intends to execute large-scale investment projects prescribed by Presidential Decree, such as infrastructure projects, regional development projects, etc., shall establish an informatization plan for the utilization of information technology and the integrated use, etc. of information communications infrastructure and services and shall reflect such to the maximum extent possible in establishing and executing the relevant project plan.

(2) The Minister of Public Administration and Security may provide support for necessary matters, such as technology, human resources, etc. to enable the head of a central administrative agency and a local government to effectively establish the informatization plan under paragraph (1).

#### **Article 14 (Establishment, etc. of National Information Society Agency)**

(1) A National Information Society Agency (hereinafter referred to as the "Information Society Agency") shall be established to support the development of policies related to the promotion of national informatization of national agencies, etc., the creation of sound information culture, and the narrowing, etc. of the digital divide.

(2) The Information Society Agency shall be a juristic person.

(3) The Information Society Agency shall carry out the following projects:

1. Specialized technical support required for the establishment and implementation of basic plans and implementation plans;
2. Support for the management and operation of an information communications network by national agencies, etc.;
3. Support for the construction, operation and standardization of a system for the efficient distribution and common use of essential information retained by national agencies, etc.;
4. Support for management of information resources by national agencies, etc.;
5. Support for promotion and evaluation of informatization projects by national agencies, etc.;
6. Facilitation of the use of new information communications technology by national agencies, etc., and specialized technical support;
7. Support for the advancement of information culture and status survey, prevention, and treatment of Internet addiction;
8. Support for narrowing the digital divide;
9. Education and public relations for establishing sound information culture and narrowing the digital divide;
10. Trend analysis, future forecast, survey and research of laws and institutions for supporting the development of policies related to national informatization, information culture and narrowing of the digital divide;
11. International cooperation and public relations related to national informatization, information culture and narrowing of the digital divide;
12. Projects either prescribed as the affairs of the Information Society Agency under other Acts and subordinate statutes, or entrusted to the Information Society Agency;
13. Other projects entrusted by the heads of national agencies, etc.

(4) National agencies, etc. may make contributions to the Information Society Agency earmarked for expenses to be incurred in the establishment, facilities, and operations of the Information Society Agency and the promotion, etc. of projects undertaken by the Information Society Agency, and the Government may gratuitously lend necessary state-owned property to the Information Society Agency for its establishment, operation, etc.

(5) The Information Society Agency may require national agencies, etc. to which the Agency intends to provide support to bear all or part of the expenses incurred for the support.

(6) The provisions concerning incorporated foundations in the

[Civil Act](#) shall apply *mutatis mutandis* to the Information Society Agency, except those provided for in this Act and the

[Act on the Management of Public Institutions](#).

(7) No person other than the Information Society Agency may use the name of the National Information Society Agency.

(8) In addition to the matters provided for in paragraphs (1) through (7), necessary matters for the establishment and operation of the Information Society Agency shall be prescribed by Presidential Decree.

## **CHAPTER III PROMOTION OF NATIONAL INFORMATIZATION**

### **Section 1 Promotion of Informatization by Sector**

#### **Article 15 (Promotion of Public Informatization)**

(1) National agencies, etc. shall promote the informatization of the affairs under their competence, such as administration, health, social welfare, education, culture, environment, science, technology, etc. for purposes of raising the efficiency of administrative affairs and furthering the benefit of the nation.

(2) National agencies, etc. shall prepare necessary measures, such as the introduction and use of an information technology architecture, and other measures for the purpose of efficiently promoting informatization under paragraph (1) (hereinafter referred to as "public informatization").

#### **Article 16 (Promotion of Community Informatization)**

(1) A national agency or a local government may promote informatization in the fields of administration, daily life, industry, etc. in one or several regions or cities for the purpose of improving the quality of community life, ensuring balanced development between communities and narrowing the digital divide.

(2) A national agency or a local government shall consider the demand and characteristics associated with each community, collect opinions of relevant agencies and reflect the result thereof to the maximum extent possible in promoting the informatization under paragraph (1) (hereinafter referred to as "community informatization").

(3) A national agency may provide support for necessary matters, such as administration, finance, technology, etc. for community informatization promoted by a local government.

#### **Article 17 (Support for Informatization of Private Sectors)**

The Government may support necessary matters for the informatization of private sectors, such as the informatization of an enterprise or the construction, use, etc. of information communications infrastructure, for the purpose of raising the productivity of private sectors, such as industry, finance, etc. and creating added value.

#### **Article 18 (Sharing and Distribution of Knowledge and Information)**

National agencies, etc. shall establish the necessary infrastructure to enable the sharing and distribution of the various knowledge and information created through the promotion of national informatization among all sectors of society.

#### **Article 19 (Cooperation with Private Organizations, etc.)**

(1) National agencies, etc. may actively attract private investment and provide the private business operators and the association of private business operators concerned with necessary support in promoting public informatization.

(2) National agencies, etc. may organize a consultative council together with private organizations, etc. and operate such, as prescribed by Presidential Decree, to promote public informatization.

#### **Article 20 (Revitalization of Use, etc. of Information Communications Application)**

## **Services)**

The Government shall establish policies necessary to revitalize the use of application services which utilize an information communications network, such as the Internet, remote information communications services, electronic transactions, etc., and to facilitate the development of quality content.

### **Article 21 (Promotion of Standardization)**

The Government shall promote standardization for the purpose of efficiently promoting national informatization, facilitating the common use of information, and ensuring the efficient operation and interoperability of information communications.

### **Article 22 (Interlock, etc. of Information Communications Networks)**

(1) The Government shall establish policies necessary to interlink information communications networks respectively built by national agencies and local governments to facilitate the efficient operation of such networks and the common use of information.

(2) When a national agency or a local government intends to build and operate an information communications network, it shall preferentially prepare a plan to jointly utilize the information communications network of any other agency.

### **Article 23 (Connection to Sectors Related to National Informatization)**

(1) The Government shall prepare necessary measures for creating the infrastructure of the information and communications industry.

(2) The Government shall prepare necessary measures for building an information communications infrastructure in the early stages and revitalizing the use of the said infrastructure by each sector of society.

### **Article 24 (International Cooperation)**

(1) The Government shall stay closely informed of international trends on national informatization and promote international cooperation.

(2) The Government may perform the following activities to promote international cooperation on national informatization:

1. Support for international exchange of technology and human resources related to national informatization;
2. Support for international standardization, international joint research and development projects, etc.;
3. Cooperation with international organizations and foreign governments regarding national informatization;
4. International evaluation related to national informatization;
5. Support for international cooperation in private sectors related to national informatization;
6. International cooperation related to the advancement of information culture and narrowing of the digital divide;
7. Other matters prescribed by Presidential Decree concerning international cooperation.

## **Section 2 Management and Utilization of Knowledge Information Resources**

### **Article 25 (Management, etc. of Knowledge Information Resources)**

(1) Each national agency and local government shall manage knowledge information resources efficiently.

(2) For the purpose of facilitating the efficient collection, development, utilization, etc. of knowledge information resources, the Minister of Public Administration and Security shall, as prescribed by Presidential Decree, establish and implement a mid-to-long term knowledge information resources management plan which contains the following matters, following consultation with the heads of relevant agencies and the deliberation of the Council:

1. Basic direction in the management of knowledge information resources;



2. Management and utilization of knowledge information resources;
3. Standardization and common use of knowledge information resources;
4. Building a distribution system for knowledge information resources;
5. Evaluation of the management of knowledge information resources;
6. Securing financial resources for the management of knowledge information resources;
7. Other matters necessary for the efficient collection, development, utilization, etc. of knowledge information resources.

(3) The heads of central administrative agencies and local governments shall establish appropriate policies to manage knowledge information resources under their jurisdiction and facilitate the utilization thereof, and the Minister of Public Administration and Security shall prepare measures to efficiently support the relevant agencies in carrying out the established policies.

#### **Article 26 (Standardization of Knowledge Information Resources)**

(1) The Minister of Public Administration and Security shall promote standardization related to the following matters to ensure the development and utilization of knowledge information resources, and the efficient management thereof: *Provided*, That if relevant standards exist in such other Acts as the

[Industrial Standardization Act](#), etc., such standards shall be complied with:

1. Collection, preservation and transmission of knowledge information resources;
2. Common utilization of knowledge information resources;
3. Other matters necessary for the development and utilization of knowledge information resources and the efficient management thereof.

(2) Matters concerning the standardization of knowledge information resources shall be prescribed by Presidential Decree.

#### **Article 27 (Designation and Utilization of Important Knowledge Information Resources)**

(1) The Minister of Public Administration and Security may designate knowledge information resources having high value in their preservation and use as those requiring special management, following consultation with the heads of relevant agencies and the deliberation of the Council.

(2) The heads of relevant agencies and local governments shall prepare a plan for promoting the digitization of knowledge information resources designated under paragraph (1) (hereinafter referred to as "important knowledge information resources") and a plan, etc. for the distribution and standardization of such important knowledge information resources, and shall report thereon to the Council.

(3) A person wishing to make use of important knowledge information resources may submit a request for the provision of important knowledge information resources to the head of the institution holding such resources. In such cases, the costs required for the provision thereof may be borne by the person who makes a request therefor.

(4) Necessary matters concerning the designation standards and procedures, management, distribution, provision methods, etc. of important knowledge information resources shall be prescribed by Presidential Decree.

#### **Article 28 (Designation of Specialized Institutions)**

(1) The Minister of Public Administration and Security may designate a specialized institution for the purpose of efficiently carrying out the management, distribution, utilization and standardization of knowledge information resources, or any project for the designation, management, etc. of important knowledge information resources, and may make contributions to the specialized institution for the execution of its affairs, within its budgetary limits.

(2) Necessary matters concerning the designation and operation of a specialized institution shall be prescribed by Presidential Decree.

## **CHAPTER IV PREVENTION OF ADVERSE EFFECTS OF**

## NATIONAL INFORMATIZATION

### Section 1 Guaranteeing Soundness and Universality in the Use of Information

#### Article 29 (Advancement of Information Culture)

(1) National agencies and local governments shall prepare measures for the advancement and spread of information culture which contain the following matters so that all the people of the nation can share in the benefits of national informatization:

1. Education on information culture and training of human resources relevant thereto;
2. Public relations for the advancement of information culture;
3. Development and dissemination of educational content on information culture;
4. Support for associations conducting projects or activities for the advancement of information culture;
5. Matters concerning a system for revitalizing the enjoyment and exchange of information culture, and the creation of the infrastructure therefor;
6. Other matters necessary for the advancement of information culture.

(2) The Minister of Public Administration and Security shall endeavor to ensure that educational content on information culture is included in the curriculum determined by the Minister of Education, Science and Technology pursuant to [Article 13 of the Early Childhood Education Act](#) and [Article 23 of the Elementary and Secondary Education Act](#), following consultation with the heads of relevant central administrative agencies.

#### Article 30 (Prevention and Treatment of Internet Addiction)

The Minister of Public Administration and Security shall establish and implement necessary plans to prevent and relieve Internet users from suffering the loss of a physical, mental or social functions, which are hard to recover in their daily lives, due to the abuse of the Internet, etc. (hereinafter referred to as "Internet addiction").

#### Article 31 (Establishment of Policies for Narrowing Digital Divide)

National agencies and local governments shall establish policies necessary to enable the practical enjoyment by all members of society of the basic right to efficient access to information and its beneficial use.

#### Article 32 (Guaranteeing Access to and Use of Information by Persons with Disabilities, Aged Persons, etc.)

(1) National agencies, etc. shall guarantee accessibility in providing information or services through the Internet so that persons with disabilities, aged persons, etc. may easily use a website.

(2) The providers of information communications services under subparagraph 3 of [Article 2 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc.](#) (hereinafter referred to as "providers of information communications services") shall endeavor to improve access by persons with disabilities, aged persons, etc. and user convenience when providing such services.

(3) In designing, manufacturing and fabricating information communications appliances and software (hereinafter referred to as "information communications products"), information communications-related manufacturers shall endeavor to ensure that persons with disabilities, aged persons, etc. can easily access and use the said appliances and software.

(4) In purchasing information communications products, national agencies, etc. shall endeavor to preferentially purchase information communications products which guarantee access to information by persons with disabilities, aged persons, etc. and the related user convenience.

(5) The Minister of Public Administration and Security shall determine and announce the types, guidelines, etc. of information communications services, information communications products, etc. for the purpose of improving access to information by persons with disabilities,

aged persons, etc. and the related user convenience.

### **Article 33 (Development of Technology Related to Narrowing of Digital Divide and Support for its Distribution)**

(1) National agencies and local governments shall establish policies necessary to develop relevant technology for improving access to information and the user environment for persons with disabilities, aged persons, etc., and the Minister of Public Administration and Security may support the development of the relevant technology.

(2) National agencies and local governments may render financial and technical support to the following business operators:

1. A business operator who develops and produces information communications products for improving access to information by persons with disabilities, aged persons, etc. and the related user environment;
2. A business operator who provides content for persons with disabilities, aged persons, farmers, fishermen, or low-income earners;
3. A business operator who develops and distributes relevant technology under paragraph (1).

(3) Matters concerning the selection of persons subject to support under paragraph (2), and the methods, procedures, etc. for support shall be prescribed by Presidential Decree.

### **Article 34 (Support of Information Communications Products)**

National agencies and local governments may provide any of the following persons with information communications products with or without compensation, as prescribed by Presidential Decree:

1. Persons with disabilities under [Article 2 of the Welfare of Disabled Persons Act](#);
2. Persons eligible for assistance under subparagraph 1 of [Article 2 of the National Basic Living Security Act](#);
3. Any other persons prescribed by Presidential Decree who have difficulty using information due to economic, regional, physical or social constraints.

### **Article 35 (Conducting of Education for Narrowing Digital Divide)**

(1) National agencies and local governments shall conduct education necessary for narrowing the digital divide (hereinafter referred to in this Article as "education for narrowing the digital divide").

(2) National agencies and local governments may bear all or part of the costs required for conducting education for narrowing the digital divide for any of the following persons:

1. Persons with disabilities under [Article 2 of the Welfare of Disabled Persons Act](#), as prescribed by Presidential Decree;
2. Recipients of assistance under subparagraph 2 of [Article 2 of the National Basic Living Security Act](#);
3. Residents escaping from North Korea under subparagraph 1 of [Article 2 of the Act on the Protection and Settlement Support of Residents Escaping from North Korea](#);
4. Any other persons prescribed by Presidential Decree for whom education for narrowing the digital divide needs to be conducted at the expense of the State.

(3) The Government may provide the necessary human resources, such as public interest service personnel, etc. under

[Article 2 of the Military Service Act](#), for education for narrowing the digital divide or the management of facilities necessary for education for narrowing the digital divide.

(4) The targets and types of education for narrowing the digital divide shall be prescribed by Presidential Decree.

### **Article 36 (Raising Financial Resources)**

(1) National agencies and local governments shall endeavor to secure the necessary financial resources for advancing information culture and narrowing the digital divide.

(2) National agencies and local governments may subsidize relevant projects with the State

or local government's budget for advancing information culture and narrowing the digital divide.

## **Section 2 Guaranteeing Safety and Reliability in the Use of Information**

### **Article 37 (Establishment of Policies on Protection of Information)**

(1) National agencies and local governments shall establish policies on the protection of information to ensure the safe distribution of information throughout the entire course of information processing.

(2) The Government may prepare measures capable of aiding the development and use of encoding technologies, and contributing to the safety of information communications services that use encoding technologies.

### **Article 38 (Publication, etc. of Standards for Information Protection System)**

(1) The Minister of Public Administration and Security may establish and publish standards concerning the performance and reliability of information protection systems following consultation with the heads of relevant agencies and may advise persons who manufacture or import such information protection systems to comply with the said standards.

(2) The Minister of Public Administration and Security may advise the supplementation of an information protection system and other necessary measures if any information protection under distribution fails to meet the standards under paragraph (1).

(3) Procedures for setting the standards under paragraph (1), matters concerning an advisory instruction under paragraph (2) and any other necessary matters shall be prescribed by Presidential Decree.

### **Article 39 (Establishment of Policies on Protection of Personal Information)**

In carrying out national informatization, national agencies and local governments shall establish policies on the protection of personal information in order to guarantee human dignity and value.

### **Article 40 (Establishment of Sound Information Communications Ethics)**

National agencies and local governments shall establish policies necessary for preventing the distribution of unwholesome information detrimental to good public morals, fostering sound national sentiment and protecting juveniles from unwholesome information so as to establish wholesome information communications ethics.

### **Article 41 (Protection, etc. of Rights and Interests of Users)**

(1) National agencies and local governments shall establish the following policies to protect the rights and interests of users when carrying out national informatization:

1. Public relations, education and research for the protection of the rights and interests of users;
2. Support and promotion of organizational activities for the protection of the rights and interests of users;
3. Prevention of harm to users' honor, life, body and property;
4. Rapid and fair remedial measures for complaints raised and damage incurred by users;
5. Other matters concerning the protection of users.

(2) A provider of information communications services shall prepare measures necessary for protecting its users when providing information communications services.

### **Article 42 (Protection of Intellectual Property Rights)**

In carrying out national informatization, the Government shall establish policies necessary to ensure that intellectual property rights, such as copyrights, industrial property rights, etc. may be reasonably protected.

## **CHAPTER V ANNUAL REPORTS, ETC.**

#### **Article 43 (Annual Reports, etc.)**

- (1) The Government shall submit a report on the trends and polices of national informatization to the National Assembly every year prior to the opening of the regular session of the National Assembly.
- (2) The Minister of Public Administration and Security shall conduct a fact-finding survey on the following matters, compile the outcome thereof, and include such in the report under paragraph (1):
  1. Actual condition of the management of knowledge information resources;
  2. Actual condition of implementation of policies on information culture;
  3. Actual condition of the digital divide and the current status of narrowing such;
  4. Other matters prescribed by Presidential Decree.
- (3) Necessary matters for fact-finding surveys under paragraph (2) shall be prescribed by Presidential Decree.

#### **Article 44 (Index Surveys)**

The Minister of Public Administration and Security shall survey, develop and distribute indices on the informatization of each sector of society.

#### **Article 45 (Request for Presentation of Materials)**

- The Minister of Public Administration and Security may request a presentation of materials from national agencies, etc., where necessary for the following matters;
1. Support for the establishment and modification of basic plans under [Article 6](#);
  2. Support for the deliberation and adjustment of implementation plans under [Articles 7](#) and [8](#);
  3. International cooperation under [Article 24](#);
  4. Management of important knowledge information resources under [Article 27](#);
  5. Annual reports under [Article 43](#).

#### **Article 46 (Delegation and Entrustment of Authority)**

The authority of the Minister of Public Administration and Security, the Minister of Knowledge Economy and the Korea Communications Commission may be partially delegated to the heads of agencies under the jurisdiction of the Ministry of Public Administration or the Ministry of Knowledge Economy, or to the heads of local governments, or may be partially entrusted to the heads of any other administrative agencies, as prescribed by Presidential Decree.

#### **Article 47 (Fines for Negligence)**

- (1) A person who violates [Article 14](#) (7) shall be punished by a fine for negligence not exceeding five million won.
- (2) Fines for negligence under paragraph (1) shall be levied and collected by the Minister of Public Administration and Security.

## **CHAPTER VI ENHANCEMENT OF INFORMATION AND COM- MUNICATIONS INFRASTRUCTURE**

#### **Article 48 (Designation, etc. of Dedicated Institutions)**

- (1) The Korea Communications Commission may designate an institution to be exclusively in charge of such affairs as public relations, international cooperation, development of technology, etc. (hereinafter referred to as "dedicated institution") for each sector, where necessary to efficiently build and promote the use of a B-ISDN infrastructure.
- (2) The Government may contribute or loan funds to a dedicated institution which are necessary for carrying out affairs related to the building and promotion of the use of a B-ISDN.
- (3) A dedicated institution shall manage the funds under paragraph (2) separately.
- (4) Necessary matters for the designation, operation, etc. of a dedicated institution shall be prescribed by Presidential Decree.

#### **Article 49 (Management, etc. of National Information Super-Highway)**

- (1) The Korea Communications Commission may either build and manage the information communications super-highway (hereinafter referred to as the "national information super-highway") used by non-profit organizations prescribed by Presidential Decree (hereinafter referred to as "non-profit organizations, etc.") with national finances, or require a dedicated institution designated under [Article 48](#) to build and manage such.
- (2) The Korea Communications Commission shall devise necessary measures for the use of the national information super-highway by non-profit organizations, etc. at a minimum cost.
- (3) Necessary matters for the building and management of the national information super-highway shall be prescribed by Presidential Decree.

#### **Article 50 (Building, Management, etc. of Broadband Integrated Research and Development Network)**

- (1) The Korea Communications Commission may build, manage and operate a broadband integrated research and development network with national finances, or require a dedicated institution designated under [Article 48](#) to build, manage and operate such for the purpose of facilitating the building of a B-ISDN.
- (2) The Korea Communications Commission shall devise necessary measures for quality control of the B-ISDN.

#### **Article 51 (Cooperation, etc. for Expansion of B-ISDN)**

- (1) The Government shall devise policies necessary for the efficient expansion and management of such facilities as conduits, common utility ducts, electrical poles, etc. (hereinafter referred to as "conduits, etc.") to ensure the smooth expansion of the B-ISDN.
- (2) Key communications business operators under [Article 6 of the Telecommunications Business Act](#), CATV broadcasting business operators and CATV relay broadcasting business operators under [Article 2 of the Broadcasting Act](#) (hereinafter referred to as "key communications operators, etc.") may request the construction or lease of conduits, etc. necessary for the installation of telecommunications cable facilities (including signal transmission and line facilities under [Article 80 of the Broadcasting Act](#)) from the heads of agencies which construct, operate and manage roads, railroads, subways, waterworks and sewerage, electrical facilities, telecommunications circuit facilities, etc. on condition that key communications operators, etc. bear the costs required therefor. *<Amended by Act No. 10166, Mar. 22, 2010>*
- (3) Key communications operators, etc. may request mediation from the Korea Communications Commission where they fail to reach agreement with the agencies under paragraph (2) on the construction or lease of conduits, etc.
- (4) Upon receiving a request for mediation under paragraph (3), the Korea Communications Commission shall consult in advance with the heads of relevant central administrative agencies when it conducts the requested mediation.
- (5) Necessary matters for a request for construction or lease, agreement, and mediation under paragraphs (2) through (4) shall be prescribed by Presidential Decree.

### **ADDENDA**

#### **Article 1 (Enforcement Date)**

This Act shall enter into force three months after the date of its promulgation: *Provided*, That the amended provisions of Article 14, Article 16 of the Act on Narrowing of the Digital Divide which is hereby repealed pursuant to subparagraph 1 of Article 2 of the Addenda, Articles 3 and 6 (2) of the Addenda, and [Article 73](#) (1) 5 (g) as amended under Article 6 (12) of the Addenda shall enter into force on the date of its promulgation.

#### **Article 2 (Repeal of other Acts)**

The following Acts are each hereby repealed:

1. The Act on Narrowing of the Digital Divide;
2. The Knowledge Information Resource Management Act.

#### **Article 3 (Transitional Measures concerning Change of Name of the Korea Information**

## **Society Promotion Agency and Abolition of the Korea Agency for Digital Opportunity and Promotion)**

(1) The Korea Information Society Promotion Agency under the former provisions at the time this Act enters into force shall be deemed the Information Society Agency established under the amended provisions of [Article 14](#).

(2) The Information Society Agency under this Act shall succeed to all property, rights and duties which belong to the Korea Information Society Promotion Agency and the Korea Agency for Digital Opportunity and Promotion under Article 16 of the Act on Narrowing of the Digital Divide (hereinafter referred to as the "Korea Agency for Digital Opportunity and Promotion") at the time this Act enters into force.

(3) The name of the Korea Information Society Promotion Agency and the Korea Agency for Digital Opportunity and Promotion recorded on any register or other official documents at the time this Act enters into force shall be deemed the name of the Information Society Agency under this Act.

(4) The value of property succeeded to by the Information Society Agency under paragraph (2) shall be the book value on the date preceding the enforcement date of this Act.

(5) Any act conducted by or against the Korea Information Society Promotion Agency and the Korea Agency for Digital Opportunity and Promotion at the time this Act enters into force shall be deemed an act conducted by or against the Information Society Agency.

(6) Person who are employees of the Korea Information Society Promotion Agency and the Korea Agency for Digital Opportunity and Promotion at the time this Act enters into force shall be deemed employees of the Information Society Agency.

### **Article 4 (Transitional Measures concerning Application of Penal Provisions)**

The application of penal provisions to any act violating the former Knowledge Information Resource Management Act before this Act enters into force shall be governed by the former Knowledge Information Resource Management Act.

### **Article 5 (Transitional Measures concerning Application of Fines for Negligence)**

The application of fines for negligence to any act committed before this Act enters into force shall be governed by the former provisions.

### **Article 6 Omitted.**

### **Article 7 (Relations to other Acts and Subordinate Statutes)**

Where other Acts and subordinate statutes cite the former [Framework Act on Informatization Promotion](#), the former Act on Narrowing of the Digital Divide, the former Knowledge Information Resource Management Act or the provisions thereunder at the time this Act enters into force, this Act or the relevant provisions of this Act shall be deemed cited in lieu of the former provisions if the provisions corresponding thereto exist in this Act.

#### **ADDENDA <Act No. 10012, Feb. 4, 2010>**

### **Article 1 (Enforcement Date)**

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

### **Articles 2 through 6 Omitted.**

#### **ADDENDA <Act No. 10166, Mar. 22, 2010>**

### **Article 1 (Enforcement Date)**

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

### **Articles 2 through 9 Omitted.**

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