

# PUBLIC SERVICE ETHICS ACT

	1981·12·31	Act No. 3520
Amended By	1987·12· 4	Act No. 3993
Amended By	1988· 8· 5	Act No. 4017
Amended By	1991·11·30	Act No. 4408
Amended By	1993· 6·11	Act No. 4566
Amended By	1994· 3·16	Act No. 4739
Amended By	1994·12·31	Act No. 4853
Amended By	1995·12·29	Act No. 5108
Amended By	1997·12·13	Act No. 5454
Amended By	1997·12·31	Act No. 5491
Amended By	1997·12·31	Act No. 5493
Amended By	1999· 1·21	Act No. 5681
Amended By	1999·12·31	Act No. 6087
Amended By	2000·12·29	Act No. 6306
Amended By	2001· 1·26	Act No. 6388
Amended By	2001· 7·24	Act No. 6494

## CHAPTER I GENERAL PROVISIONS

### **Article 1 (Purpose)**

The purpose of this Act is to prescribe matters including, but not limited to, the institutionalized registration and disclosure of the property of public officials and candidates for public offices, the regulation of property acquisition, reporting of gifts by public officials who take advantage of their public office, and restriction of employment of retired public officials, all intended to thereby prevent them from accumulating unlawful property while securing the fairness in the execution of their official duties in order to establish the ethics of public officials as servants of the people.

[This Article Wholly Amended by Act No. 4566, Jun. 11, 1993]

## **Article 2 (Livelihood Guarantee, etc.)**

The State shall guarantee the livelihood of public officials so as to enable them to devote themselves to public service, and shall strive for establishing ethics in public service.

# CHAPTER II REGISTRATION AND DISCLOSURE OF PROPERTY

## **Article 3 (Persons Liable for Registration)**

(1) Any public official who falls under any of the following subparagraphs (hereinafter referred to as the "person liable for registration") shall register property under the provisions of this Act: <Amended by Act No. 4566, Jun. 11, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5491, Dec. 31, 1997; Act No. 5681, Jan. 21, 1999; Act No. 6087, Dec. 31, 1999; Act No. 6306, Dec. 29, 2000; Act No. 6388, Jan. 26, 2001>

1. National public officials in political service, such as the President, the Prime Minister, members of the State Council, and members of the National Assembly;

2. Public officials in Political Service of local governments, such as the heads of local governments, and local councilmen;

3. National and local public officials of Grade IV or higher in general service, and public officials in special service, who receive remuneration equivalent thereto;

4. Public officials in foreign service prescribed by the Presidential Decree, Grade IV or higher staff members of the National Intelligence Service, and public officials in security service of equivalent grade of the Presidential Security

Service;

5. Judges and public prosecutors;

6. Military officers with the rank of colonel or higher, and civilian employees with the equivalent rank;

7. Presidents and vice-presidents of universities, presidents of graduate schools, deans (including deans of universities), deans of junior colleges and heads of various schools equivalent to colleges, and the superintendents of boards of education, directors of district educational offices and members of educational committee of the Special Metropolitan City, Metropolitan Cities and Doseos among public officials in the educational service;

8. Police officers with the rank of police superintendent or higher, and public officials in fire-fighting service with the rank of national and local fire-fighting superintendents or higher;

8-2. Public officials in contractual service appointed to the positions to be appointed by public officials under subparagraphs 3 through 6 and 8, or to the positions equivalent thereto;

9. Heads, deputies and permanent auditors of government-invested institutions, governor, deputy governor and auditor of the Bank of Korea, governor, deputy governor and auditor of the Financial Supervisory Service, presidents and permanent auditors of National Agricultural Cooperatives Federation and National Federation of Fisheries Cooperatives;

10. Officers of such institutions and organizations of those falling under any of the following items as are prescribed by the Presidential Decree (hereinafter referred to as the "public service-related organization"):

(a) Government-invested institutions, the Bank of Korea, government-contributed or subsidized institutions and organizations, and other institutions and organizations conducting governmental tasks under the entrustment of the Government;

(b) Local government–invested public corporations and local government public corporations established under the Local Public Enterprises Act, local government–contributed or subsidized institutions and organizations, and other institutions and organizations carrying out local governmental tasks under the entrustment of local governments; and

(c) Institutions and organizations, the appointment of whose officers is required to be approved, or the officers of which are appointed by the head of the central administrative agency or the head of the local government; and

11. Other public officials and personnel of public service–related organizations working in specified fields as prescribed by the National Assembly Regulations, the Supreme Court Regulations and the Presidential Decree.

(2) Deleted. <by Act No. 4566, Jun. 11, 1993>

#### **Article 4 (Property to be Registered)**

(1) The property to be registered by a person liable for registration shall be the property of the person falling under any of the following subparagraphs (including the property in de facto possession, regardless of the name of its owner, property contributed to a nonprofit corporation, and property located in a foreign country; hereinafter the same shall apply): <Amended by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994>

1. Person liable for registration;

2. Spouse (including any person having a de facto matrimonial relation; hereinafter the same shall apply); and

3. Lineal ascendants and descendants of the person liable for registration: Provided, That married daughters, maternal grandparents and children of daughters are excluded, and if the person liable for registration has entered his

name in her husband's or his wife's family register by marriage, the lineal ascendants and descendants of his spouse.

(2) The property to be registered by the person liable for registration shall be as follows: <Amended by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994>

1.The ownership, superficies and rights of lease on a deposit basis pertaining to real estate;

2.Mining rights, fishery rights and other rights to which the provisions concerning real estate shall apply mutatis mutandis;

3.Movables, securities, claims, obligations and intangible property rights falling under one of the following items:

(a) Cash (including checks) not less than ten million won in total by the owner;

(b) Deposits not less than ten million won in total by the owner;

(c) Securities such as stocks, national and public bonds, debentures not less than ten million won in total by the owner;

(d) Claims not less than ten million won in total by the owner;

(e) Obligation not less than ten million won in total by the owner;

(f) Gold and platinum (including gold and platinum products) not less than five million won in total by the owner;

(g) Precious stones not less than five million won by item;

(h) Curios and artistic works not less than five million won by item;

(i) Memberships not less than five million won by membership;

(j) Intangible property rights yielding returns not less than ten million won per annum by the owner; and

(k) Automobiles, construction machines, vessels and aircraft; and

4. Shares of investment in unlimited and limited partnerships and the limited liability corporations.

(3) The methods of calculation and indications of value by category of property to be registered under paragraph (1) shall be as follows: <Amended by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994; Act No. 5108, Dec. 29, 1995; Act No. 6388, Jan. 26, 2001>

1. In case of land, the publicly assessed individual land price under the Public Notice of Values and Appraisal of Lands, etc. Act (if there exist no publicly assessed individual land prices of the pertinent land, it refers to the amount calculated on the basis of the publicly assessed land prices under Article 10 of said Act);

2. In case of an apartment house, such as an apartment or tenement house, the standard market price as prescribed by the Income Tax Act;

3. In case of houses other than apartment houses as referred to in subparagraph 2, commercial quarters, buildings, officetels and other real estate, the aggregate amount of the value of the building sites calculated by the publicly assessed individual land prices under the Public Notice of Values and Appraisal of Lands, etc. Act (if there exist no publicly assessed individual land prices of the pertinent land it refers to the amount calculated on the basis of the publicly assessed land prices under Article 10 of the said Act) and the value of buildings calculated by the highest price out of the official value notified publicly by the State or the local governments (in a case where there is any acquisition value, such value shall also be included);

4. In case of rights to which the provisions concerning real estate shall apply mutatis mutandis, particulars of kinds, quantities, contents of such rights (in a case where there is any acquisition value, such value shall be included);

5. In case of cash, deposits, claims and obligations, the amounts thereof;

6. In case of securities, such as national and public bonds or debentures, the face value thereof;

7. Stocks traded in the means similar to the securities markets from among those listed on the Korea Stock Exchange, those registered with the Korea Securities Dealers Association, and those traded over-the-counter under Article 194 of the Securities and Exchange Act, the final prices quoted on the base day of property registration (if the Stock Exchange is closed prior to the base day of property registration, the final prices on such closing day: Provided, That in the case of stocks traded in the means similar to the securities markets from among those traded over-the-counter under Article 194 of the Securities and Exchange Act, referring to the traded price prescribed by the Presidential Decree), and in the case of other stocks than these, the face value thereof;

8. In case of investment shares in unlimited partnerships, limited partnerships and limited liability corporations, the ratio of shares and the annual revenues of such entities in recent business years;

9. In case of gold and platinum (including gold and platinum products), the kind, contents and weight thereof;

10. In case of precious stones, the specifications of, inter alia, the kinds, size, color tone thereof;

11. In case of curios and artistic works, the specifications of works, such as kinds, sizes, authors, and production years;

12. In case of memberships, the acquisition value: Provided, That in case of golf memberships it shall be the standard market price as prescribed by the Income Tax Act; and

13. In case of automobiles, construction machines, vessels and aircraft, the specifications of, inter alia, their kinds, manufacture year and manufacturers,

and registration numbers.

(4) The methods of value calculation and indication of any property to be registered, other than that as referred to in paragraph (3), and other matters necessary for registration shall be prescribed by the Presidential Decree. <Newly Inserted by Act No. 4566, Jun. 11, 1993>

(5) With respect to such property as referred to in paragraph (2), information such as the date and particulars of acquisition and the source of income of such property or any explanations included thereof may be mentioned or appended by the owner. <Newly Inserted by Act No. 4566, Jun. 11, 1993>

(6) Out of the property to be registered under paragraph (1), property contributed to a nonprofit corporation shall be indicated separately from other property to be registered, and the position of the person liable for registration in the corporation statute shall be specified. <Newly Inserted by Act No. 4566, Jun. 11, 1993>

#### **Article 5 (Registration Agency and Time for Registration of Property)**

(1) Any public official shall register the property as of the day on which he becomes liable for registration with any of the following agencies (hereinafter referred to as the "registration agency") within one month from the date of his liability for registration: Provided, That this shall not apply to the case where the liability for registration is exempted within one month from the date of becoming a person liable for registration, if a person who is exempted from the liability for registration due to, inter alia, a transfer, demotion or retirement, again becomes liable for registration within three years (in case of retirement, one year), the registration may be substituted only by making a report on any change after the transfer, demotion or retirement, or a report on change in property as referred to in Article 11 (1): <Amended by Act No. 4017, Aug. 5, 1988; Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994; Act No. 5454, Dec. 13, 1997; Act No. 5681, Jan. 21, 1999; Act No. 6388, Jan. 26, 2001>

1. In case of a member of the National Assembly or other public officials under the control of the National Assembly, the National Assembly Secretariat;

2. In case of judges or other public officials under the control of courts, the Office of Court Administration;

3. In case of the president, justices or public officials under the control of the Constitutional Court, the Secretariat of the Constitutional Court;

4. In case of public officials under the control of the National Election Commission or other election commissions, the Secretariat of the National Election Commission;

5. In case of public officials under the control of the Ministries and Administrations of the Government (including the administrative agencies such as the committees prescribed by the Presidential Decree; hereinafter the same shall apply), the pertinent Ministries and Administrations;

6. In case of public officials under the control of the Board of Audit and Inspection, the Secretariat of the Board of Audit and Inspection;

7. In case of public officials under the control of the National Intelligence Service, the National Intelligence Service;

8. In case of public officials under the jurisdiction of local governments, the pertinent local government;

9. In case of councilmen or public officials under the control of local councils, the pertinent local council;

10. In case of public officials under the control of educational offices of the Special Metropolitan City, Metropolitan Cities and Dos, educational offices of the Special Metropolitan City, Metropolitan Cities and Dos, as applicable;

11. In case of members of educational committees of the Special Metropolitan

City, Metropolitan Cities and Dos, and public officials belonging to them, the educational committees, as applicable;

12. In case of officers or employees of public service-related organizations, the Ministry, and Administration exercising supervision over such organizations: Provided, That in case of officers or employees of public service-related organizations under the supervision of the Special Metropolitan City, Metropolitan Cities, Dos, and Si/Gun/Gu (limited to the autonomous Gu; hereinafter the same shall apply), the Special Metropolitan City, Metropolitan Cities, Dos and Si/Gun/Gu as applicable; and

13. In case of persons liable for registration, other than those referred to in subparagraphs 1 through 12, and public officials under the supervision of the Ministries, and Administrations of the Government, the Board of Audit and Inspection, the National Intelligence Service, and officers of public service-related organizations for whom matters concerning property registration are open to the public under Article 10 (1), notwithstanding the provisions of subparagraphs 5 through 7 and the text of subparagraph 12, the Ministry of Government Administration.

(2) In the case as referred to in the provisions of paragraph (1), if the then-pertinent registrar is different from the previous one, the head of the previous registrar shall transfer documents pertaining to the property registration to the head of the new registrar within one month after a person who is exempted from liability for registration due to, inter alia, a transfer, again becomes liable for registration. This provision shall also apply in a case where the registration agency is changed without the person liable for registration being exempted from liability for registration due to, inter alia, such transfer.

(3) In case of a registration agency out of those as referred to in paragraph (1) 5, which has any difficulty in effecting the registration because there are so many persons liable for registration of property, part of its subordinate organizations may be designated as registration agency under the provisions of the Presidential Decree. <Newly Inserted by Act No. 4853, Dec. 31, 1994>

## Article 6 (Report on Changed Matters)

(1) Any person liable for registration shall report to the registration agency matters concerning any change in property which has taken place between January 1 and December 31 in each year by the end of January of the next year: Provided, That in a report on changed matters, made first after the first registration or the report as prescribed in the provisions of Article 5 (1), matters changed up until December 31 of the current year from the day on which he becomes liable for registration shall be reported to the registration agency. <Amended by Act No. 4566, Jun. 11, 1993>

(2) If a person liable for registration retires from his office, he shall make a report to the registration agency having jurisdiction over him at the time of his retirement regarding any changed matters in his property between January 1 of the current year (if he becomes liable for registration after January 1, the day on which he becomes liable for registration) and the retirement day, within one month after his retirement: Provided, That if he again becomes liable for registration within one month after his retirement, the report on changed matters as referred to in paragraph (1) shall supersede the above report. <Newly Inserted by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994>

(3) If a person becomes liable for registration during December, changed matters in his property between the day on which he becomes liable for registration and December 31 of the current year may be reported, including the changed matters of the following year, or the changed matters relating to the retired person as referred to in paragraph (2), and if the person liable for registration retires from his office during January, the changed matters, as referred to in paragraph (1), may be reported, including the changed matters relating to the retired person as referred to in paragraph (2). <Newly Inserted by Act No. 4853, Dec. 31, 1994>

(4) The provisions of paragraph (2) shall apply mutatis mutandis to such person out of those who are liable for registration as provided in Article 3 (1) 9 through 11 and is exempted from the liability for registration because the agency or organization to which he belongs is excluded from the public services-related

organizations. <Newly Inserted by Act No. 4853, Dec. 31, 1994>

(5) In a case where a report as referred to in paragraphs (1) and (2) is made, any materials to explain and justify clearly the cause of increase or decrease, such as a sales contract or receipts (including copies thereof), shall be attached, or the reason for such increase or decrease shall be specified. <Amended by Act No. 4566, Jun. 11, 1993>

(6) The scope and contents of changed matters in property to be reported under paragraphs (1) and (2) shall be prescribed by the Presidential Decree. <Amended by Act No. 4566, Jun. 11, 1993>

#### **Article 6-2 (Report on Detail of Stock Trade)**

(1) Persons liable for registration corresponding to those subject to the opening to the public under each subparagraph of Article 10 (1) shall report to the registrar on the details of stock trades pertaining to acquisition or transfer of stocks by those falling under any of the subparagraphs of Article 4 (1), at the time of reporting on the changes in property under Article 6 or 11 (1).

(2) Matters necessary for the scope of stock trade subject to report and the method of report at the time of reporting on the details of stock trade under paragraph (1), shall be prescribed by the Presidential Decree.

(3) The content of report on the details of stock trade under paragraph (1) shall not be open to the public.

(4) The provisions of Articles 8, 8-2, 12 through 14 and 14-3 shall be applicable to the report under paragraph (1) and the examination and management of reported matters.

[This Article Wholly Amended by Act No. 6388, Jan. 26, 2001]

#### **Article 6-3 (Deferment of Report on Modified Matters)**

(1) The head of the registrar may, in case where the persons liable for registration apply for the deferment of report on modified matters as they come to fall under one of the following subparagraphs, defer the report on modified matters under Article 6 (1) or 11 (1) for the relevant period within the limit of 3 years:

1. Where to be sent to a foreign country for dispatched services under the provisions of Acts and subordinate statutes;

2. Where to be suspended from duty under the provisions of Acts and subordinate statutes;

3. Where to serve at the overseas mission or the office stationed overseas; and

4. Where to fall under other reasons prescribed under the Presidential Decree.

(2) Persons liable for registration who are granted a deferment of report on modified matters under paragraph (1) shall make a report on modified matters on property after the final property registration or the report on modified matters within one month from the extinction of relevant causes for deferment.

[This Article Wholly Amended by Act No. 6388, Jan. 26, 2001]

#### **Article 7 (Extension of Registration Period)**

In case where a person liable for registration (including retired public officials as prescribed in Article 6 (2); hereinafter the same shall apply to Articles 8, 10, 12, 13 and 24) requests an extension of the period for the property registration (including the report; hereinafter the same shall also apply) for any unavoidable reason, if the reason is deemed appropriate, the head of the registrar extend the registration period for all or part of the property. In this case, the person liable for registration shall make the registration within the extended period.  
<Amended by Act No. 4566, Jun. 11, 1993>

## Article 8 (Examination of Registered Matters)

(1) The public service ethics committee as provided in Article 9 (1) shall examine registered matters.

(2) If a person liable for registration is deemed to have omitted by negligence, inter alia, a part of the property to be registered, or there are errors in writing in the sum of the values, the public service ethics committee may order the person liable for registration to supplement the property registration papers within a specified period of time.

(3) If it is deemed necessary for the examination, as referred to in paragraph (1), the public service ethics committee may demand any person liable for registration to present materials, ask any question in writing, or conduct any investigation for confirmation of facts. In this case, the public service ethics committee shall give the person liable for registration an opportunity to present materials for explanation or vindication.

(4) The public service ethics committee may demand the head of government agencies, local governments, public service-related organizations, or other public institutions to make any report or present materials, necessary for the examination as referred to in paragraph (1). In this case, the head of such agency, institution or organization may not refuse such report or presentation of materials notwithstanding the provisions of other Acts. <Amended by Act No. 4853, Dec. 31, 1994>

(5) Notwithstanding the provisions of Article 4 of the Act on Real Name Financial Transactions and Guarantee of Secrecy, if it is deemed necessary to confirm the details of any financial transaction for the examination as referred to in paragraph (1), the public service ethics committee may demand that the head of any financial institution present materials on the details of financial transactions. Such demand shall be made by a document specifying the personal matters in compliance with such criteria as prescribed by the National Assembly Regulations, the Supreme Court Regulations, the Constitutional Court

Regulations, the National Election Commission Regulations, or the Presidential Decree, and any person who is engaged in the financial institution concerned shall not refuse such demand. <Newly Inserted by Act No. 4853, Dec. 31, 1994; Act No. 5493, Dec. 31, 1997>

(6) The public service ethics committee may demand attendance of any person liable for registration and his spouse, lineal ascendants and descendants, and other interested parties in matters of property registration, and may ask them to make statements.

(7) With respect to any person liable for registration under a considerable suspicion of false registration or of an acquisition of property or profits from assets by utilizing the secrets obtained on duty as a result of the examination under paragraph (1), the public service ethics committee shall, by appending the relevant verifying documents, request that the Minister of Justice (in case of military or military civilian employees, the Minister of National Defense) conduct an investigation with fixing the period. <Amended by Act No. 6388, Jan. 26, 2001>

(8) The Minister of Justice or Minister of National Defense, as applicable, shall, upon receiving the request for investigation under paragraph (7), cause any public prosecutor or prosecuting attorney to conduct an investigation without delay, and notify the public service ethics committee of the result of such investigation. <Amended by Act No. 4853, Dec. 31, 1994>

(9) Such provisions of Acts and subordinate statutes relating to criminal lawsuits (including the Military Court Act) as pertaining to criminal investigations shall apply mutatis mutandis to the investigation conducted by a public prosecutor or prosecuting attorney under paragraph (8): Provided, That this shall not apply to the provisions concerning the restraint of personal liberty. <Amended by Act No. 4853, Dec. 31, 1994>

(10) The public service ethics committee shall complete the examination of all public officials who are subject to the disclosure of property within three months after the registered matters as provided in Article 5 (1) or after the changed matters reported under Article 6 are made open to the public under Article 10

(1): Provided, That the public service ethics committee may, in case where deemed necessary, extend the period of examination under its resolution within the limit of 3 months. <Amended by Act No. 6388, Jan. 26, 2001>

(11) The public service ethics committee may entrust the head of the registrar or other related agency with the examination of registered matters of persons liable for registration other than those subject to the disclosure of property, and the head of the entrusted agency shall report the results of examination to the competent public service ethics committee.

(12) The provisions of paragraphs (2) through (9) shall apply mutatis mutandis in the case of entrustment as referred to in paragraph (11). In such case, if any person wishes to request presentation of materials concerning the details of financial transactions as referred to in paragraph (5), or to entrust any examination as referred to in paragraph (7), he shall obtain the approval from the competent public service ethics committee. <Amended by Act No. 4853, Dec. 31, 1994>

[This Article Wholly Amended by Act No. 4566, Jun. 11, 1993]

#### **Article 8-2 (Transaction of Results of Examination)**

(1) If it is deemed, as a result of the examination of registered matters under Article 8, that any property to be registered is recorded falsely, or omitted or erroneously reported through gross negligence, or that any property or profits from assets are acquired by utilizing the secrets obtained on duty, the public service ethics committee as provided in Article 9 (1) shall take measures which fall under one of the following subparagraphs: <Amended by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

1.Warning and corrective measures;

2.Imposition of a fine for negligence under Article 30;

3.Publication of falsely registered matters in advertisement column of daily

newspapers; and

4. Request for decision on dismissal or discipline (including removal from office).

(2) The public service ethics committee may take measures as referred to in subparagraph 3 among those as referred to in paragraph (1) together with other measures.

(3) The public service ethics committee shall, upon taking measures as referred to in paragraph (1), notify the heads of the registrar and other related organizations thereof. <Newly Inserted by Act No. 4853, Dec. 31, 1994>

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 9 (Public Service Ethics Committee)**

(1) In order to examine and decide the matters falling under one of the following subparagraphs, the public service ethics committees shall be established in the National Assembly, the Supreme Court, the Constitutional Court, the National Election Commission, the Government, local governments, and educational offices of the Special Metropolitan City, Metropolitan Cities and Dos, respectively: <Amended by Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994; Act No. 5454, Dec. 13, 1997>

1. Examination of registered matters concerning property, and measures taken from the results thereof;

2. Approval as provided in the latter part of Article 8 (12);

3. Approval as provided in the provisions of Article 17 (1) (proviso); and

4. Other matters as provided by the power of the public service ethics committee under this Act or other Acts and subordinate statutes.

(2) Each public service ethics committee shall exercise jurisdiction over the

matters which fall under one of the following subparagraphs: <Amended by Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994; Act No. 5454, Dec. 13, 1997>

1.The public service ethics committee in the National Assembly shall preside over matters concerning the members of the National Assembly, other public officials under the control of the National Assembly, and retired public officials of the National Assembly;

2.The public service ethics committee in the Supreme Court shall preside over matters concerning judges, other public officials under the control of the courts, and retired public officials of the courts;

3.The public service ethics committee in the Constitutional Court shall preside over matters concerning justices of the Constitutional Court, other public officials under the control of the Constitutional Court, and retired public officials of the Constitutional Court;

4.The public service ethics committee in the National Election Commission shall preside over matters concerning public officials under the control of the National Election Commission and other election commissions, and retired public officials of election commissions;

5.The public service ethics committees in the Special Metropolitan City, Metropolitan Cities and Dos shall preside over matters concerning public officials under the control of the Special Metropolitan City, Metropolitan Cities and Dos, respectively, officers and employees of the competent public service-related organizations, members of the Special Metropolitan City Council, Metropolitan City councils and Do councils and public officials under their control, and retired public officials thereof respectively;

6.The public service ethics committees in the Si/Gun/Gu shall preside over matters concerning public officials under the control of the Si/Gun/Gu, respectively, officers and employees of the competent public service related organizations, members of the Si/Gun/Gu councils and public officials under their control, and retired public officials thereof respectively;

7.The public service ethics committees in the Special Metropolitan City, Metropolitan Cities and Dos educational offices shall preside over matters concerning public officials under the control of the Special Metropolitan City, Metropolitan Cities and Dos educational offices, respectively, members of educational committees and public officials under the control of educational committees, and retired public officials thereof respectively; and

8.The public service ethics committee in the Government shall preside over matters concerning public officials other than those as referred to in subparagraphs 1 through 7, and retired public officials thereof.

(3) The public service ethics committee shall be composed of nine members including a chairman and a vice-chairman, and five of them, including the chairman, shall be appointed from among judges, educators, other persons of learning and high moral character, or persons recommended by the citizen's organization (referring to the nonprofit non-governmental organization under Article 2 of the Assistance for Nonprofit Non-Governmental Organizations Act; hereinafter the same shall apply): Provided, That the Si/Gun/Gu public service ethics committees shall each be composed of five members including a chairman and a vicechairman, and three of them, including the chairman, shall be appointed from among judges, educators, other learned and reputable persons, or persons recommended by the citizen's organization. <Amended by Act No. 4566, Jun. 11, 1993; Act No. 6388, Jan. 26, 2001>

(4) The term and appointment of members of the public service ethics committees, the procedures of examination and other necessary matters shall be determined by the provisions which fall under one of the following subparagraphs: <Newly Inserted by Act No. 4566, Jun. 11, 1993; Act No. 5454, Dec. 13, 1997>

1.In case of the public service ethics committee in the National Assembly, the National Assembly Regulations;

2.In case of the public service ethics committee in the Supreme Court, the Supreme Court Regulations;

3. In case of the public service ethics committee in the Constitutional Court, the Constitutional Court Regulations;

4. In case of the public service ethics committee in the National Election Commission, the National Election Commission Regulations;

5. In case of the public service ethics committee in the Government, the Presidential Decree; and

6. In case of the public service ethics committees in Special Metropolitan City, Metropolitan Cities and Dos and the public service ethics committees in the Si/Gun/Gu and the public service ethics committees in the educational offices of Special Metropolitan City, Metropolitan Cities and Dos, the Municipal Ordinances of the relevant local governments.

(5) The public service ethics committees may make rules relating to the operation thereof within the scope of the Regulations, the Presidential Decree and the Municipal Ordinance prescribed by this Act and respective subparagraphs of paragraph (4). <Newly Inserted by Act No. 4566, Jun. 11, 1993>

#### **Article 10 (Opening of Registered Property to Public)**

(1) The public service ethics committee shall open to the public the registered matters concerning the property of such public officials out of those liable for registration under its jurisdiction falling under any of the following subparagraphs, as well as the property of such officials' spouses and lineal ascendants and descendants, as well as the contents of the report on the changed matters as provided in Article 6, by inserting them in the Gazette or public bulletins, within one month after the period of registration or report expires: <Amended by Act No. 4566, Jun. 11, 1993; Act No. 5454, Dec. 13, 1997; Act No. 5491, Dec. 31, 1997; Act No. 5681, Jan. 21, 1999; Act No. 6306, Dec. 29, 2000; Act No. 6388, Jan. 26, 2001>

1. National public officials in political service, such as the President, the Prime Minister, members of the State Council, members of the National Assembly, Director General and Directors of the National Intelligence Service;
2. Public officials in Political Service of local governments, such as the heads of local governments, and local councilmen;
3. National and local public officials of Grade I in general service, and public officials in special service, who receive remuneration equivalent to that of the former;
4. Public officials in foreign service prescribed by the Presidential Decree, and chief of the Planning and Coordination Office of the National Intelligence Service;
5. Judges higher than the chief judge of the High Court, public prosecutors higher than chief of the public prosecutor's office, and public prosecutors who are the heads of public prosecutor's branch offices to which deputy chief public prosecutors are assigned;
6. Officers higher than the lieutenant general;
7. Presidents and deputy presidents of universities, deans of colleges (excluding deans of universities), deans of junior colleges and heads of various schools equivalent to universities and colleges, superintendents of educational boards and members of educational committees of the Special Metropolitan City, Metropolitan Cities and Dos;
8. Police officials higher than senior superintendent general, and directors of local police administration in the Special Metropolitan City, Metropolitan Cities and Dos;
9. Directors of the District Tax Office, and superintendents of customhouses who are public officials of Grade II or III;

9-2. Public officials in contractual service appointed to positions the positions to be appointed by public officials under subparagraphs 3 through 6, 8 and 9 or to the positions equivalent thereto: Provided, That with respect to positions designated from among subparagraphs 4, 5, 8 and 9, limited to the public officials in contractual service appointed to the relevant positions;

10. Directors, deputy directors and permanent auditors of government-invested institutions, the governor, deputy governor and auditor of the Bank of Korea, governor, deputy governor and auditor of the Financial Supervisory Service, presidents and permanent auditors of the National Agricultural Cooperatives Federation and National Fisheries Cooperatives Federation and officers of public service-related organizations as prescribed by the Presidential Decree;

11. Other public officials of the Government, who are prescribed by the Presidential Decree; and

12. Persons who are retired from the offices as referred to in subparagraphs 1 through 11 (limited only to the case as provided in Article 6 (2)).

(2) If a person liable for registration becomes, after the registration, one who is subject to the opening of his property to the public under paragraph (1), due to, inter alia, a promotion or transfer, he shall re-register the property as of the day on which he becomes one who is subject to the opening of property to the public with the registrar under the text of Article 5 (1), within one month after he becomes such person, and the public service ethics committee shall open it to the public under paragraph (1): Provided, That if the person concerned was transferred to a position which is not subject to the opening of property to the public, and thereafter becomes a person who is subject to the opening of property to the public within three years, he shall open to the public only the matters changed after the last opening is made. <Newly Inserted by Act No. 4853, Dec. 31, 1994>

(3) No person shall inspect or reproduce registered matters concerning the property of any person liable for registration, or have another person do so, without obtaining permission of the head of the public service ethics committee or registration agency, except in cases falling under paragraphs (1) and (2).

<Amended by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994>

(4) The head of the public service ethics committee or registration agency may not grant any permission as referred to in paragraph (3), except cases falling under one of the following subparagraphs: <Amended by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994>

1. Where it is required for investigation of crime or misconduct against a person liable for registration, or for a trial relevant to it;

2. Where a member of the National Assembly demands materials of the inspection and investigation of the state administration under Article 128 (1) of the National Assembly Act, Article 10 (1) of the Act on the Inspection and Investigation of State Administration, and Article 4 of the Act on Testimony, Appraisal, etc. before the National Assembly, or it is required for investigation as to whether any activity of a specified public official is connected to a concrete misconduct. In this case, the head of the public service ethics committee or the registration agency is not permitted to disclose externally the details of registered matters concerning the property;

3. Where it is required to judge for the head of any government agency, local government or public service-related organization, if a public official under his control is connected to any misconduct; and

4. Where a person who is or was liable for registration requests an inspection or reproduction of registered matters concerning himself.

#### **Article 10-2 (Opening of Property of Candidates for Election of Public Officials to Public)**

(1) When a person who wishes to be a candidate for the President, a member of the National Assembly, a head of the local government or the local council makes a registration for such candidacy, he shall submit a report, as provided in Article 4, regarding the property to be registered as of the 31st of December of the preceding year, to the competent election commission, and the commission

shall make public the reported matters concerning the property of the candidate at the time the registration of candidate is announced publicly: Provided, That if the person who wishes to be a candidate opens the property to be registered on and after the 31st of December of the preceding year under Article 10 (1) prior to the registration of candidates for such election, this provision shall not apply, but the candidate shall submit to the competent election commission exercising the jurisdiction over the constituency concerned the documents to confirm the opening of such property as provided in Article 49 (4) of the Act on the Election of Public Officials and the Prevention of Election Malpractices. <Amended by Act No. 4739, Mar. 16, 1994; Act No. 4853, Dec. 31, 1994>

(2) When a proposal of approval on appointment of a public official whose appointment is required to be approved by the National Assembly, such as the Chief Justice of the Supreme Court, President of the Constitutional Court, Prime Minister, Chairman of the Board of Audit and Inspection, justices of the Supreme Court, secretary-general of the National Assembly Secretariat, or a proposal of election of public officials who are elected by the National Assembly, such as judges of the Constitutional Court or members of the National Election Commission, is submitted, a report on the property to be registered under Article 4 concerning the candidate for public office shall be submitted to the National Assembly, and the Speaker of the National Assembly shall open without delay to the public the reported matters concerning the property of the candidate for public office: Provided, That if the candidate for public office opens, under Article 10 (1) the property to be registered on and after December 31 of the preceding year to the public prior to the time the proposal of the approval on appointment or of the election is filed, this provision shall not apply, but the documents to confirm the opening of such property to the public shall be submitted to the National Assembly. <Amended by Act No. 4853, Dec. 31, 1994; Act No. 5454, Dec. 13, 1997>

(3) The public service ethics committees in the National Election Commission and the National Assembly shall examine the reported matters concerning the property as referred to in paragraph (1) or (2), and may open the results of the examination to the public.

(4) The provisions of Article 8 (2) through (6) shall apply mutatis mutandis to

the examination as referred to in paragraph (3). <Amended by Act No. 4853, Dec. 31, 1994>

(5) The forms of the report as referred to in paragraphs (1) and (2), the methods of opening to the public, and other necessary matters shall be prescribed by the National Assembly Regulations or the National Election Commission Regulations. [This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 11 (Report on Property of Transferred Person)**

(1) If a person liable for registration is exempted from the liability for registration due to, inter alia, a transfer, retaining the status as a public official or an officer or an employee of a public service-related organization (including the case where he becomes a public official or an officer or an employee of a public service-related organization within one month after retirement), he shall report to the previous registration agency the changed matters concerning the property until the day on which, e. g., the transfer is made after the 1st of January of the year in which he is transferred (if he becomes a person liable for registration after the 1st of January, the day on which he becomes liable therefor) within one month after his transfer, and thereafter make a report each year for two years on the changed matters in the property during the preceding year in the month the cause of such transfer has occurred: Provided, That if he retires from his office during the period in which he is liable for reporting on the changed matters in the property, the provisions of Article 6 (2) shall apply mutatis mutandis. <Amended by Act No. 4853, Dec. 31, 1994>

(2) With respect to the report as referred to in paragraph (1) and the control of such reported matters, the provisions of Articles 6 through 8, 8-2, 10, 12 through 14 and 14-3 shall apply mutatis mutandis. <Amended by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

#### **Article 12 (Liability for Truthful Registration)**

(1) No person liable for registration shall make a false entry of the property to be registered under Article 4 in the property registration papers, or of the value, acquisition date and details of acquisition of the property, and the sources of his income. <Amended by Act No. 4566, Jun. 11, 1993>

(2) Any person liable for registration shall faithfully comply with any examination of the public service ethics committee, etc. on the registered matters. <Amended by Act No. 4566, Jun. 11, 1993>

(3) Any person as provided in Article 4 (2) 2 or 3 shall comply faithfully with the registration of property by a person liable for registration or the examination on the reported matters by the public service ethics committee. <Amended by Act No. 4566, Jun. 11, 1993>

(4) Notwithstanding the provisions of paragraph (3), such a person out of those referred to in Article 4 (1) 3, as is not a dependent of a person liable for registration may refuse to report on the matters concerning the registration of his property, and in this case, the person liable for registration shall designate so on the property registration papers. <Amended by Act No. 4566, Jun. 11, 1993>

### **Article 13 (Prohibition of Use of Registered Matters Concerning Property for Different Purposes and Related Matters)**

Any person liable for registration shall not be subject to any disadvantageous treatment or disposition for reasons of registered matters except in case of false registration or other causes as prescribed by this Act, and no person shall use the registered matters concerning the property for any purpose other than those as prescribed by this Act. <Amended by Act No. 4566, Jun. 11, 1993>

### **Article 14 (Keeping of Secrets)**

No person who is or was engaged in affairs of property registration, or no other

person who has learned of such matters in the course of performing his duties shall disclose them to other persons.

**Article 14-2 (Prohibition of Property Acquisition by Taking Advantage of Secrets in Respect of One's Duties)**

No person liable for registration shall acquire any property or property interest taking advantage of secrets which he has learned in the course of performing his duties.

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

**Article 14-3 (Prohibition of Furnishing and Disclosure of Materials on Financial Transactions)**

No person who has materials concerning the details of financial transactions furnished under Article 8 (5) shall furnish or disclose them to another person, or use them for any purpose other than proper ones.

[This Article Newly Inserted by Act No. 4853, Dec. 31, 1994]

## CHAPTER III REPORT ON GIFTS

**Article 15 (Report on Receipt of Gifts from Foreign Governments, etc.)**

(1) If a public official (including members of local councils and educational committees; hereinafter the same shall apply in Articles 22 and 23 (1)) or an officer or an employee of any public service-related organization has received any gift from a foreign country or a foreigner in connection with his duties (including foreign organizations; hereinafter the same shall apply), he shall report it without delay to the head of the agency or organization to which he belongs, and hand over such gift thereto. This provision shall also apply in case where his family receives any gift from a foreign country or a foreigner in

connection with the duties of such officials, or officers or employees of public service-related organizations. <Amended by Act No. 4566, Jun. 11, 1993; Act No. 4853, Dec. 31, 1994>

(2) The value of the gift to be reported under paragraph (1) shall be prescribed by the Presidential Decree.

#### **Article 16 (Reversion, etc. of Gift to National Treasury)**

(1) Any gift reported under Article 15 (1) shall be reverted to the National Treasury immediately after it is reported.

(2) Matters concerning, inter alia, the management or maintenance of reported gifts shall be prescribed by the Presidential Decree.

## CHAPTER IV RESTRICTION ON EMPLOYMENT OF RETIRED PUBLIC OFFICIALS

#### **Article 17 (Restriction on Employment of Retired Public Officials in Related Private Enterprises, etc.)**

(1) No public official or officer or employee of a public service-related organization who was engaged in a grade of position or field of duties as prescribed by the Presidential Decree may be employed in a profit-making private enterprise larger than a specified size (hereinafter referred to as the "profit-making private enterprise") connected closely with the duties which he performed at the competent department within three years immediately before his retirement, for a period of two years immediately after his retirement, or the organization established for the joint profits and mutual cooperation, etc. of private enterprises (hereinafter referred to as the "association"): Provided, That

this shall not apply if such employment is approved by the competent public service ethics committee. <Amended by Act No. 6388, Jan. 26, 2001>

(2) In the case as referred to in paragraph (1), the scope of close connection between the duties at the competent department performed by the retired public official and the profit-making private enterprise, and the size of such private enterprise and the scope of related associations shall be prescribed by the National Assembly Regulations, the Supreme Court Regulations, the Constitutional Court Regulations, the Central Election Management Commission Regulations or the Presidential Decree. <Amended by Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993; Act No. 6388, Jan. 26, 2001>

(3) In determining and applying the scope of duties at the competent department in the case of paragraph (2), the due consideration shall be paid so as not to unlawfully infringe on the freedom and rights of the retired public officials. <Newly Inserted by Act No. 6388, Jan. 26, 2001>

#### **Article 18 (Request for Approval of Employment)**

Any retired public official who wishes to obtain approval of employment under the proviso of Article 17 (1) shall make a request for approval of employment to the competent public service ethics committee through the head of the agency to which he belonged, under the provisions of the National Assembly Regulations, the Supreme Court Regulations, the Constitutional Court Regulations, the Central Election Management Commission Regulations or the Presidential Decree. <Amended by Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993>

#### **Article 19 (Demand, etc. for Dismissal of Employee)**

(1) If a person who has held an office in a government agency, the local government or a public service-related organization (in case of the chairman of the public service ethics committee, whose employment is restricted under

Article 17 (1)) is employed in violation of the provisions of Article 17 (1), the chairman of the public service ethics committee and the head of the government agency, the local government or public service-related organization shall request the head of the pertinent central administrative agency (in case of the National Assembly, the Secretary-General of the National Assembly; in case of the Supreme Court, the director of the Office of Court Administration; in case of the Constitutional Court, the Secretary-General of the Secretariat of the Constitutional Court; and in case of the Central Election Management Commission, the Secretary-General of the Central Election Management Commission; hereinafter the same shall apply) to take measures for the dismissal of the person concerned from the employment, and the head of the relevant central administrative agency shall, upon receiving such request, demand a dismissal of such employee to the head of the profitmaking private enterprise or the association in which the person in question is employed. <Amended by Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993; Act No. 6388, Jan. 26, 2001>

(2) The head of the profit-making private enterprise or the association who receives a request for the dismissal under paragraph (1) shall comply with such request without delay. <Amended by Act No. 6388, Jan. 26, 2001>

## CHAPTER V SUPPLEMENTARY PROVISIONS

### **Article 20 (Agency in Charge of Planning and General Affairs)**

The Minister of Government Administration and Home Affairs shall preside over the planning and general affairs concerning the registration of property and opening thereof to the public, the report of gifts and the restriction on employment of retired public officials under this Act. <Amended by Act No. 4566, Jun. 11, 1993; Act No. 6388, Jan. 26, 2001>

### **Article 20-2 (Report to National Assembly)**

(1) The public service ethics committees in the National Assembly, the Supreme Court, the Constitutional Court, the Central Election Management Commission and the Government shall submit each year to the plenary session of the National Assembly an annual report on the actual conditions of, and control over, the registration of property, report of gifts and restriction on employment of retired public officials and other activities in the preceding year.

(2) Matters necessary for preparing the annual report as referred to in paragraph (1) shall be prescribed by the Presidential Decree.

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 21 (Delegated Provisions)**

Matters necessary for the enforcement of this Act shall be prescribed by the National Assembly Regulations, the Supreme Court Regulations, the Constitutional Court Regulations, the Central Election Management Commission Regulations, the Presidential Decree or the Municipal Ordinance of the local government. <Amended by Act No. 4408, Nov. 30, 1991; Act No. 4566, Jun. 11, 1993>

## CHAPTER VI DISCIPLINARY ACTION AND PENAL PROVISIONS

#### **Article 22 (Disciplinary Action, etc.)**

If a public official or an officer or an employee of a public service-related organization falls under any of the following subparagraphs, the public service ethics committee concerned may demand a resolution on dismissal or discipline for such reason: <Amended by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

1. Where he fails to register his property in violation of the provisions of Article 5 (1);

2. Where he fails to make a report on the changed matters or the report on the details of stock trade, or to attach explanatory materials, in violation of the provisions of Article 6 (1) (including the provisions of Article 6 (3) concerning the report on the changed matters in case where he becomes liable for registration in December) and Articles 6 (5), 6-2 and 11 (1);

3. Where he inspects or reproduces registered matters or has another person do so, without permission, in violation of the provisions of Article 10 (3) (including the case where it is applied mutatis mutandis under Article 11 (2));

4. Where he has in bad faith registered his property, such as making a false registration, etc., in violation of the provisions of Article 12 (1) (including the cases of application mutatis mutandis in Articles 6-2 (4) and 11 (2));

5. Where he fails to comply with an examination of, inter alia, the public service ethics committee, etc. on the registered matters, in violation of the provisions of Article 12 (2) (including the cases of application mutatis mutandis in Articles 6-2 (4) and 11 (2));

6. Where he uses matters regarding the property registration for any purpose other than that as prescribed by this Act, in violation of the provisions of the latter part of Article 13 (including the case where it is applied mutatis mutandis under Articles 6-2 (4) and 11(2));

7. Where he discloses matters regarding the property registration to another person in violation of the provisions of Article 14 (including the case where it shall apply mutatis mutandis under Articles 6-2 (4) and 11 (2)); and

8. Where he fails to report or hand over any gift received from a foreign country or a foreigner in violation of the provisions of Article 15.

[This Article Wholly Amended by Act No. 4566, Jun. 11, 1993]

### **Article 23**

Deleted. <by Act No. 6494, Jul. 24, 2001>

### **Article 24 (Crime of Refusal of Property Registration)**

(1) Any person liable for registration who refuses to register the property without any justifiable reason shall be punished by imprisonment for not more than one year or by a fine not exceeding ten million won.

(2) Any candidate for an election public office as provided in Article 10-2 (1) and (2), who fails to submit a report on any property to be registered without any justifiable reason shall be punished by imprisonment for not more than six months or by a fine not exceeding five million won.

[This Article Wholly Amended by Act No. 4566, Jun. 11, 1993]

### **Article 25 (Crime of Submission, etc. of False Materials)**

If the head of each agency or organization which is required to submit a report or materials as provided in Article 8 (4) and (5) (including the cases of applications mutatis mutandis in Articles 6-2 (4) and 11 (2)) by the public service ethics committee (including the head of a registration agency who is delegated the authority on matters regarding the property registration by the public service ethics committee under Article 8 (11); hereinafter the same shall apply in Article 26) submits a false report or materials, or refuses to submit the report or materials, without any justifiable reason, he shall be punished by imprisonment for not more than one year or a fine not exceeding ten million won.

<Amended by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

### **Article 26 (Crime of Refusal of Attendance)**

Any person who has received the demand from the public service ethics

committee under Article 8 (6) (including the cases of applications mutatis mutandis in Articles 6-2 (4) and 11 (2)) to appear before the committee, but fails to comply with such demand without any justifiable reason shall be punished by imprisonment for not more than six months or by a fine not exceeding five million won. <Amended by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 27 (Crime of Inspection and Reproduction without Permission)**

Any person who inspects or reproduces matters regarding the property registration or makes another person do it, without permission, in violation of the provisions of Article 10 (3) (including the cases of applications mutatis mutandis in Article 11 (2)), shall be punished by imprisonment for not more than one year or by a fine not exceeding ten million won. <Amended by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 28 (Crime of Disclosure of Secret)**

(1) If a person who is or was engaged in the property registration affairs, or other person who has learned of matters regarding any property registration in the course of performing his duties, discloses the matters regarding property registration other than those which are made open to the public, without any justifiable reason in violation of the provisions of Article 14 (including the cases of applications mutatis mutandis in Articles 6-2 (4) and 11 (2)), he shall be punished by imprisonment for not more than one year or by a fine not exceeding ten million won. <Amended by Act No. 6388, Jan. 26, 2001>

(2) If a person who has materials concerning the details of financial transactions, furnishes or discloses such materials or details to another person, or uses them for a purpose in violation of the provisions of Article 14-3 (including the cases of applications mutatis mutandis in Articles 6-2 (4) and 11 (2)), he shall be

punished by imprisonment for not more than three years, or by a fine not exceeding twenty million won. <Newly Inserted by Act No. 4853, Dec. 31, 1994; Act No. 6388, Jan. 26, 2001>

(3) The imprisonment and the fine as referred to in paragraph (2) may be imposed concurrently. <Newly Inserted by Act No. 4853, Dec. 31, 1994>  
[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 29 (Crime of Violation against Restriction on Employment)**

Any retired public official who is employed in a profit-making private enterprise or the association in violation of the provisions of Article 17 (1) shall be punished by imprisonment for not more than one year or by a fine not exceeding ten million won. <Amended by Act No. 6388, Jan. 26, 2001>  
[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

#### **Article 30 (Fine for Negligence)**

(1) Any person who is determined by the public service ethics committee as a person on whom the fine for negligence is to be imposed, under of Article 8-2 (1) 2 (including the cases of applications mutatis mutandis in Articles 6-2 (4) and 11 (2), shall be punished by a fine not exceeding twenty million won. <Amended by Act No. 6388, Jan. 26, 2001>

(2) The public service ethics committee shall notify the court of the offense of the person who is subject to a fine for negligence under paragraph (1) for a trial on the fine for negligence under the Non-Contentious Case Litigation Procedure Act.

[This Article Newly Inserted by Act No. 4566, Jun. 11, 1993]

## ADDENDUM

This Act shall enter into force on January 1, 1983.

## ADDENDA <Act No. 3993, Dec. 4, 1987>

### Article 1 (Enforcement Date)

This Act shall enter into force on February 25, 1988.

### Articles 2 through 4

Omitted.

## ADDENDA <Act No. 4017, Aug. 5, 1988>

### Article 1 (Enforcement Date)

This Act shall enter into force on September 1, 1988. (Proviso Omitted.)

### Articles 2 through 8

Omitted.

## ADDENDA <Act No. 4408, Nov. 30, 1991>

### Article 1 (Enforcement Date)

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

## **Articles 2 and 3**

Omitted.

# ADDENDA <Act No. 4566, Jun. 11, 1993>

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

This Act shall enter into force one month after its promulgation: Provided, That the provisions regarding the property registration and opening of registered matters to the public with respect to the heads of local government, local councilmen, members of educational committees, public officials under the control of local government and officers and employees of competent public service-related organizations under the control of local government shall enter into force two months after its promulgation.

## **Article 2 (Transitional Measures)**

(1) Any person liable for registration at the time when this Act enters into force shall register his property existing on the enforcement date of this Act with the registration agency within one month after the enforcement date of this Act.

(2) With respect to public officials whose property is to be made open to the public at the time when this Act enters into force, the competent public service ethics committee shall open to the public such registered matters as referred to in paragraph (1) by inserting them in the official Gazette or public bulletins within one month after the expiration of the registration period.

(3) With respect to matters registered by a public official whose property is to be made open to the public at the time when this Act enters into force, the

competent public service ethics committee shall complete the examination as provided in Article 8 within three months after such opening of materials to the public as referred to in paragraph (2).

(4) Documents concerning the public official property registration submitted to the registration agency under the previous provisions at the time when this Act enters into force shall be repealed on the enforcement date of this Act.

## ADDENDA <Act No. 4739, Mar. 16, 1994>

### Article 1 (Enforcement Date)

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

### Articles 2 through 11

Omitted.

## ADDENDUM <Act No. 4853, Dec. 31, 1994>

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

## ADDENDA <Act No. 5108, Dec. 29, 1995>

### Article 1 (Enforcement Date)

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

**Articles 2 through 8**

Omitted.

**ADDENDUM** <Act No. 5454, Dec. 13, 1997>

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

**ADDENDA** <Act No. 5491, Dec. 31, 1997>

**Article 1 (Enforcement Date)**

This Act shall enter into force on April 1, 1998.

**Articles 2 through 8**

Omitted.

**ADDENDA** <Act No. 5493, Dec. 31, 1997>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 14**

Omitted.

ADDENDA <Act No. 5681, Jan. 21, 1999>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 4**

Omitted.

ADDENDA <Act No. 6087, Dec. 31, 1999>

(1) (Enforcement Date) This Act shall enter into force on January 1, 2000.

(2) through (4) Omitted.

ADDENDA <Act No. 6306, Dec. 29, 2000>

**Article 1 (Enforcement Date)**

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

**Articles 2 through 12**

Omitted.

ADDENDA <Act No. 6388, Jan. 26, 2001>

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

(2) (Application Example) The amendments to Article 6-2 shall be applicable to the stock trade performed after the enforcement date of this Act, and those to Article 17 to the persons retired after the enforcement date of this Act.

(3) Omitted.

## ADDENDA <Act No. 6494, Jul. 24, 2001>

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

(2) Omitted.