

STATISTICS ACT

Wholly Amended by Act No. 8387, Apr. 27, 2007
Amended by Act No. 8541, Jul. 23, 2007
Act No. 9284, Dec. 31, 2008
Act No. 9557, Apr. 1, 2009
Act No. 10196, Mar. 31, 2010

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to ensure the reliability of statistics and the efficient operation of statistical systems by prescribing matters necessary for the collection, dissemination and use of statistics as well as the establishment of the basis thereof.

Article 2 (Basic Principles)

- (1) Statistics shall be collected, disseminated and used in a manner contributing to the development of society as a public resource to make all kinds of decisions in a more rational way.
- (2) Statistics shall be collected, in accordance with scientific methods in order to ensure accuracy, pertinency and consistency.
- (3) Statistics shall be widely disseminated and used insofar as the confidentiality of the relevant individuals, juristic persons, organizations, etc. is guaranteed.

Article 3 (Definitions)

The definitions of the terms used in this Act shall be as follows: *Amended by Act No. 9557, Apr. 1, 2009*

1. The term “statistics” means any numerical information collected, directly by a statistics collecting agency or by commissioning or entrusting to another agency, juristic person, organization, etc. (hereinafter “agency, etc.”) concerning specific group, object, etc., such as industry, commodity price, population, housing, culture, environment, etc., in order to utilize it in formulating and evaluating government policies or in researching, analyzing, etc. social phenomena: *Provided, That*

the numerical information collected for internal purposes by the statistics collecting agency, etc. which is prescribed by Presidential Decree shall be excluded:

2. The term “designated statistics” means the statistics that the Commissioner of the Statistics Korea designates and announces in public under Article 17;
3. The term “statistics collecting agency” means a central administrative agency, local government or a statistics collecting agency designated under Article 15;
4. The term “statistical data” means data (including electronic data, such as database) that a statistics collecting agency has collected, acquired or used to collect statistics;
5. The term “public agency” means any central administrative agency, local government and other institutions falling under any of the following items:
 - (a) Public agencies under the Act on the Management of Public Agencies;
 - (b) Local government-invested public corporations or local government public corporations under the Local Public Enterprises Act;
 - (c) Various levels of schools established pursuant to the Early Childhood Education Act, the Elementary and Secondary Education Act, the Higher Education Act, and other Acts;
 - (d) Special corporations established under special Acts.

Article 4 (Duty of State, etc.)

- (1) The State and local governments shall formulate and implement policies necessary to embody the purposes and basic concept of this Act.
- (2) The Commissioner of the Statistics Korea shall collectively coordinate and maintain matters concerning statistics so that the statistics may contribute to the development of society, and shall devise measures to expand the collection, dissemination and use of statistics.
- (3) The heads of statistics collecting agencies shall endeavor to minimize the burden of individuals, juristic persons, organizations, etc. (hereinafter referred to as “statistical respondent”) who answer questions, submit data, etc. after being asked, being requested to submit data, etc., for the collection of statistics and to protect confidentiality.
- (4) The heads of statistics collecting agencies shall cooperate with each other for the exchange of personnel engaged in the duty of collection and

dissemination of statistics (hereinafter referred to as “statistics staff”), joint research and development of statistics collection techniques, common ownership of statistical data, etc.

Article 4-2 (Statistics Day)

The State shall observe Statistics Day on September 1 and hold commemorative events in order to raise the public awareness for the importance of statistics and stimulate the use of statistics.

[This Article Newly Inserted by Act No. 9557, Apr. 1, 2009]

Article 5 (Relationship with Other Acts)

(1) Except as otherwise provided for in other Acts, the collection, dissemination and use of statistics shall be performed as prescribed by this Act.

(2) When the head of a related administrative agency intends to legislate, amend or repeal any Act or subordinate statute that involves collection, dissemination and use of statistics as the details, he/she shall consult with the Commissioner of the Statistics Korea in advance.

CHAPTER II COLLECTION AND DISSEMINATION OF STATISTICS AND ESTABLISHMENT OF BASIS FOR USE THEREOF

Article 5-2 (National Statistics Committee)

(1) The Minister of Strategy and Finance shall have the National Statistics Committee (hereinafter referred to as the “Committee”) under his/her control in order to deliberate on and decide matters relating to the preparation, dissemination and use of statistics.

(2) The Committee shall deliberate on and decide the following matters:

1. Matters concerning the improvement and development of statistical systems:
2. Matters concerning the long-term and short-term statistics development plans for statistics, including development of new types of statistics:
3. Matters concerning the coordination and consolidation of similar and overlapping statistics, and the cooperation between statistics collecting

agencies;

4. Matters concerning quality control, such as checkup, improvement, etc. of the quality of statistics;
5. Matters concerning the standards for preparation, dissemination and use of statistics, such as the standard classification of statistics;
6. Matters concerning the utilization of administrative data;
7. Other matters concerning the preparation, dissemination and use of statistics, which are prescribed by Presidential Decree.

(3) The Committee shall be comprised of 30 or less members, including one chairperson, and the Minister of Strategy and Finance shall be its chairperson.

(4) Matters necessary for the organization, management, etc. of the Committee shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 9284, Dec. 31, 2008]

Article 6 (Designation and Management of Staff in Charge of Statistics)

(1) The heads of statistics collecting agencies shall designate and manage a staff member in charge of statistics from among the staff under their control, and have him/her administer overall business in the following subparagraphs concerning the collection, dissemination and use of statistics under jurisdiction. In such case, the scope of a person subject to designation shall be prescribed by Presidential Decree: *<Amended by Act No. 10196, Mar. 31, 2010>*

1. Business of integration, coordination and quality control of statistics duty of the statistics collecting agency and an agency under its jurisdiction;
2. Business concerning cooperation with other statistics collecting agencies;
3. Business concerning the collection and distribution of gender statistics classified by gender, if natural persons are included in statistics;
4. Other businesses concerning the collection, dissemination and use of statistics under jurisdiction.

(2) The heads of statistics collecting agencies shall notify the Commissioner of the Statistics Korea without delay when they have designated or changed any staff in charge of statistics.

Article 7 (Securing of Human Resources and Budget of Statistics Collecting

Agency)

(1) The heads of statistics collecting agencies shall strive to secure human resources and budget necessary for the collection and dissemination of statistics.

(2) Where the Commissioner of the Statistics Korea determines that the statistics collecting agencies significantly lack human resources and budget necessary for the collection and dissemination of statistics, he/she may recommend the head of such statistics collecting agencies to secure necessary human resources and budget.

Article 8 (Education of Statistics Staff, Establishment, etc. of Basic Plans for Education on Statistics)

(1) In order to improve the quality of statistics staff, the Commissioner of the Statistics Korea shall endeavor to conduct education on statistics. *⟨Amended by Act No. 10196, Mar. 31, 2010⟩*

(2) The Commissioner of the Statistics Korea may develop and implement a basic plan for education on statistics which contains a comprehensive and systematic education schedule, courses and other relevant matters to effectively conduct education under paragraph (1). *⟨Newly Inserted by Act No. 10196, Mar. 31, 2010⟩*

(3) The heads of statistics collecting agencies shall actively cooperate in conducting education under paragraph (1) and statistics staff shall actively participate in such education. *⟨Amended by Act No. 10196, Mar. 31, 2010⟩*

(4) The Commissioner of the Statistics Korea may recommend the heads of statistics collecting agencies to conduct their own in-house education on statistics.

(5) The scope of persons to be educated, curricula of education and other necessary matters under paragraphs (1) and (4) shall be prescribed by Presidential Decree. *⟨Amended by Act No. 10196, Mar. 31, 2010⟩*

Article 9 (Regular Examinations of Quality of Statistics)

(1) The Commissioner of the Statistics Korea shall conduct an examination of the quality of statistics (hereinafter referred to as “regular examinations of the quality of statistics”) concerning all the processes of collection and dissemination of statistics at each period of time prescribed by Presidential Decree, within ten years: *Provided*, That as for the statistics of which the frequency of which of collection exceeds the period of time prescribed by Presidential Decree, which falls within ten years, it may be conducted

during the year when such statistics are collected or in years thereafter.

(2) The Commissioner of the Statistics Korea shall formulate a plan of regular examination of the quality of statistics, including the matters in the following subparagraphs and shall notify the heads of statistics collecting agencies by the end of February of the year when the regular examination of the quality of statistics is conducted:

1. Statistics on the object of regular examinations of the quality of statistics;
2. Time and method of regular examinations of the quality of statistics;
3. Plans for utilization of results of regular examination of the quality of statistics;
4. Other matters necessary for conducting regular examinations of the quality of statistics.

(3) The regular examination of the quality of statistics shall be conducted by such methods as requesting for the submission of data under Article 35, visiting statistics collecting agencies for confirmation, on-site verification of statistical respondents, etc.

(4) The Commissioner of the Statistics Korea may release statistics from regular examinations of the quality of statistics, which are determined to be of excellent quality from among the statistics for which the occasional examination of the quality of statistics under Article 10 is in progress, for which an examination of the quality of statistics has been conducted in the period of time prescribed by Presidential Decree, and for which the self-examination of the quality of statistics has been conducted under Article 11.

(5) When the Commissioner of the Statistics Korea has completed a regular examination of the quality of statistics, he/she shall notify the heads of statistics collecting agencies of the results without delay.

(6) Matters necessary for the formulation of plan of regular examination of the quality of statistics, methods and procedures for regular examination of the quality of statistics, etc. shall be prescribed by Presidential Decree.

Article 10 (Occasional Examination of Quality of Statistics)

(1) As occasion requires, the Commissioner of the Statistics Korea may examine the quality of statistics (hereinafter referred to as “occasional examination of the quality of statistics”) regarding which there are reasons to believe that the self-examination of the quality of statistics under Article

11 has not been conducted or that the quality thereof has deteriorated.

(2) When the Commissioner of the Statistics Korea conducts an occasional examination of the quality of statistics, he/she shall notify the relevant statistics collecting agency of the reason, time, method, etc. of occasional examination of the quality of statistics in advance.

(3) Article 9 (3) and (5) shall apply *mutatis mutandis* to the occasional examination of the quality of statistics.

(4) Matters necessary for the methods, procedures, etc. for occasional examination of the quality of statistics shall be prescribed by Presidential Decree.

Article 11 (Self-Examinations of Quality of Statistics)

(1) The heads of statistics collecting agencies shall examine the quality of the statistics under their jurisdiction (hereinafter referred to as “self-examination of the quality of statistics”) each year: *Provided*, That as for the statistics whose frequency of collection exceeds one year, it may be conducted in the year when the statistics are collected or in years thereafter.

(2) When the heads of statistics collecting agencies have conducted a regular examination of the quality of statistics or occasional examination of the quality of statistics, they need not conduct self-examination of the quality of statistics of the year.

(3) The heads of statistics collecting agencies shall submit the result of self-examination of the quality of statistics to the Commissioner of the Statistics Korea by December 31 of the year in which it was conducted.

(4) Matters necessary for the methods, procedures, etc. for self-examination of the quality of statistics shall be prescribed by Presidential Decree.

Article 12 (Request, etc. for Improvement of Businesses concerning Collection and Dissemination of Statistics)

(1) Where it is recognized necessary to secure the reliability of statistics and the efficient of operation of the statistics system, such as reflection of the results of regular examinations of the quality of statistics, of occasional examinations of the quality of statistics or of self-examinations of the quality of statistics, the coordination of similar or overlapping statistics, etc., the Commissioner of the Statistics Korea may request the heads of statistics collecting agencies to suspend the collection of statistics or to change statistics, or to improve the business concerning the collection and dissem-

ination of statistics.

(2) When the heads of statistics collecting agencies receive a request under paragraph (1), they shall comply therewith unless there is any justifiable reason otherwise.

Article 13 (Assistance in Budget, Human Resources, Technology, etc.)

(1) For the purposes of development of statistics, the Commissioner of the Statistics Korea may assist statistics collecting agencies or the agencies, etc. which conduct businesses concerning the education, development, promotion, examination of quality or public relations of statistics with part of the expenses necessary for the operation and businesses thereof, and may assist with human resources for a certain period of time in cases where he/she recognizes it necessary.

(2) In cases where the Commissioner of the Statistics Korea is requested for consultation or technical assistance necessary for the collection and dissemination of statistics from the heads of statistics collecting agencies, he/she shall actively assist them.

Article 14 (International Cooperation)

For the purposes of development of statistics, the Commissioner of the Statistics Korea may conduct businesses concerning exchanges and cooperation with international organizations, foreign governments or foreign organizations, mutual development and implementation of statistics collecting technology, training of foreign statistics staff, technical assistance, etc.

CHAPTER III DESIGNATION, ETC. OF DESIGNATED STATISTICS COLLECTING AGENCIES AND DESIGNATED STATISTICS

Article 15 (Designation of Designated Statistics Collecting Agencies)

(1) In cases of a request from an agency, etc. which collects or intends to collect numerical information that is used in the formulation and evaluation of government policies or in the research, analysis, etc. of economic and social phenomena, the Commissioner of the Statistics Korea may designate the agency, etc. concerned as a designated statistics collecting agen-

cy for the purposes of development of statistics. In such cases, the requirements for designation shall be prescribed by Presidential Decree in consideration of statistics collecting organization, budget, plans for statistics collection, etc.

(2) In cases where an agency, etc. which collects numerical information that is used in the formulation and evaluation of government policies or in the research, analysis, etc. of economic and social phenomena does not apply for designation under paragraph (1), the Commissioner of the Statistics Korea may recommend them to apply for designation by specifying a reasonable period of time.

(3) Matters necessary for the application of designation of designated statistics collecting agencies, procedures, methods, etc. of designation thereof shall be prescribed by Presidential Decree.

Article 16 (Revocation of Designation of Designated Statistics Collecting Agencies)

(1) In cases where a designated statistics collecting agency falls under any of the following subparagraphs, the Commissioner of the Statistics Korea may revoke the designation of a designated statistics collecting agency:

1. Where it has not complied with a request for suspension of collection of statistics and for alteration of statistics, or has not complied with the request for the improvement of businesses concerning the collection and dissemination of statistics in violation of Article 12 (2);
 2. Where it has ceased to meet the requirements for designation under the latter part of Article 15 (1);
 3. Where it has collected new statistics without obtaining approval of the Commissioner of the Statistics Korea, has suspended collection of statistics or has changed approved matters in violation of Article 18 (1);
 4. Where it has collected new statistics without obtaining approval of the Commissioner of the Statistics Korea, has suspended collection of statistics or has changed consulted matters in violation of Article 20 (1);
 5. Where it has not complied with a request for submission of data by the Commissioner of the Statistics Korea in violation of Article 35 (2).
- (2) In cases where it falls under any of the following subparagraphs, the

Commissioner of the Statistics Korea shall revoke the designation of designated statistics collecting agency: *Provided*, That the head of a statistics collecting agency submits a plan for the collection of new statistics in the case of subparagraph 2, he/she may postpone revocation as prescribed by Presidential Decree:

1. Where the head of a statistics collecting agency applies for the revocation of designation of designated statistics collecting agency;
 2. Where there is no more statistics under jurisdiction, which were approved by the Commissioner of the Statistics Korea because the approval of collection of statistics has been revoked as prescribed in Article 19.
- (3) In cases where there is a revocation of designation of statistics collecting agency under paragraphs (1) and (2), the designation under article 17 or approval under Article 18 of the statistics which is collected by the relevant statistics collecting agency shall be deemed to have been revoked.

Article 17 (Designation of Designated Statistics and Revocation of Designation)

(1) Pursuant to an application by the head of a statistics collecting agency, the Commissioner of the Statistics Korea shall designate statistics which are widely utilized for the formulation and evaluation of various government policies or for the collection, etc. of other statistics and which fall under any of the following subparagraphs as designated statistics:

1. Statistics which are collected as covering the whole country;
 2. Statistics which become the basic data for the formulation of policies for regional development and for the evaluation thereof;
 3. Statistics that can be utilized as population data of other statistics;
 4. Statistics collected in accordance with uniform standards and the method of collection which are recommended by an international organization, such as the United Nations;
 5. Other statistics recognized by the Commissioner of the Statistics Korea as regarding designation as designated statistics.
- (2) In cases where designated statistics cease to meet the requirements for designation under paragraph (1), the Commissioner of the Statistics Korea may revoke such designation.
- (3) When the Commissioner of the Statistics Korea designates designated

statistics or revokes the designation of designated statistics, he/she shall announce it publicly.

(4) The procedure for and method of designation of designated statistics, and matters necessary for the matters, etc. to be included in public announcements under paragraph (3) shall be prescribed by Presidential Decree.

CHAPTER IV COLLECTION, DISSEMINATION AND USE OF STATISTICS

SECTION 1 Collection of Statistics

Article 18 (Approval for Collection of Statistics)

(1) In cases where the head of a statistics collecting agency intends to collect new statistics, he/she shall obtain prior approval of the Commissioner of the Statistics Korea on the matters prescribed by Presidential Decree, such as name, kind, purposes, subject matters of survey, methodology of survey, gender distinction in the matters of survey, etc. The same shall apply in cases where he/she intends to change the approved matters or to suspend the collection of statistics that have been approved.

(2) In cases where it falls under any of the following subparagraphs, the Commissioner of the Statistics Korea may give no approval under paragraph (1):

1. Where it is recognized that the details, such as the object, purpose, method, etc., of survey or report are the same as or similar to those of other statistics that have been already approved;
2. Where it is recognized that it is impossible to ensure the reliability of statistics because the sample size is too small or verification techniques for collecting statistics are not used;
3. Where it is not recognized as being collected for the purpose of public interest because the object, purpose, etc. of survey or report give too much weight to a specific interest group or specific section, it is collected for profit-making purpose, etc.

(3) When the Commissioner of the Statistics Korea has given approval under paragraph (1), he/she shall announce it publicly. In such cases, matters to be included in public announcement, such as the title of statistics that have been approved, name of statistics collecting agency, etc., shall

be prescribed by Presidential Decree.

Article 19 (Revocation of Approval for Collection of Statistics)

(1) In cases where the statistics that have been approved under Article 18 (1) fall under any of the following subparagraphs, the Commissioner of the Statistics Korea may revoke such approval:

1. Where they failed to comply with the request for a suspension of collecting statistics or for the alteration of statistics, or with a request for improvement of business concerning the collection and dissemination of statistics in violation of Article 12 (2);
2. Where they fall under any of the subparagraphs of Article 18 (2);
3. Where they failed to comply with the standard classification prepared and announced publicly by the Commissioner of the Statistics Korea, or have statistics collected by applying a standard different from the standard classification without obtaining approval of the Commissioner of the Statistics Korea in violation of Article 22 (2);
4. Where they under-utilized for the formulation and evaluation of government policies or for the research and analysis of economic and social phenomena.

(2) In cases where the statistics, the approval of which has been revoked under paragraph (1), are designated statistics, it shall be deemed that the designation of designated statistics is revoked simultaneously with the revocation of approval.

(3) The Commissioner of the Statistics Korea shall publicly announce when he/she revokes approval under paragraph (1). In such cases, matters to be included in the public announcement, such as the name of statistics whose approval has been revoked, title of statistics collecting agency, etc., shall be prescribed by Presidential Decree.

Article 20 (Consultation on Collection of Statistics)

(1) In cases where the head of a statistics collecting agency collects statistics in accordance with any other Act, he/she shall consult with the Commissioner of the Statistics Korea in advance on the matters not prescribed by the Acts from among the matters requiring approval under Article 18 (1). The same shall apply in cases where he/she intends to alter the matters that have been consulted or to suspend collection of statistics that have been consulted.

(2) It shall be deemed to have obtained approval under Article 18 (1)

in cases where it has undergone consultation under paragraph (1).

Article 21 (Advice to Produce Statistics)

(1) In cases where it is necessary to collect new statistics in accordance with the changes in the economic and social environment, the Commissioner of the Statistics Korea may advise the relevant agencies, etc. accordingly.

(2) The Commissioner of the Statistics Korea may assist the agencies, etc. that collect statistics on the advice under paragraph (1) with the human resources, technology, etc. necessary for the collection of such statistics.

Article 22 (Standard Classification)

(1) The Commissioner of the Statistics Korea shall collect and publicly announce a standard classification concerning industries, occupations, diseases, causes of death, etc. on the basis of international standard classification so that statistics collecting agencies may collect statistics according to the same standard. In such cases, the Commissioner of the Statistics Korea shall consult with the head of the relevant agencies in advance.

(2) When the heads of statistics collecting agencies collect statistics, they shall follow the standard classification prepared and publicly announced by the Commissioner of the Statistics Korea under paragraph (1): *Provided*, That they intend to apply a standard different from any of the standard classifications due to an unavoidable purpose of collecting statistics, they shall obtain prior approval from the Commissioner of the Statistics Korea.

(3) In cases where it is recognized that the details of standard classification are apprehended to be transmitted differently from the truth by publishing them after changes, summarization or clipping, the Commissioner of the Statistics Korea may order the publisher to correct them.

Article 23 (Cooperation in Collection of Statistics)

(1) In cases where necessary for the collection of statistics that have been approved or consulted on under Article 18 (1) or 20 (1), the head of a statistics collecting agency may request cooperation to the head of a relevant statistics collecting agency. In such cases, the head of the statistics collecting agency who has received such request for cooperation shall comply therewith unless there is a special reason otherwise.

(2) The statistics collecting agency that has requested for cooperation shall bear the expenses incurred in the cooperation under paragraph (1) except for the cases where special provisions exist in other Acts and sub-

ordinate statutes: *Provided*, That the agency that has been requested to provide cooperation comes to utilize collected statistics, they may share the expenses each other by mutual agreement.

Article 24 (Supply of Administrative Data)

(1) If necessary for the collection of statistics, the head of a central administrative agency or the head of a local government may request the head of a public agency in the following subparagraphs to supply administrative data (referring to papers, registers, drawings and electronic data, such as databases, etc., which are managed by public agencies after preparing and obtaining for their business, excluding any statistical data: hereinafter the same shall apply). *<Amended by Act No. 9557, Apr. 1, 2009>*

(2) When the head of a public agency is requested to supply administrative data under paragraph (1), he/she shall comply therewith unless there is any justifiable ground otherwise as prescribed by Presidential Decree, such as the disclosure, etc. of national secrets or of important secrets of individuals or enterprises.

(3) In cases where administrative data are supplied under paragraph (2), the head of a requesting agency and the head of a supplying agency shall consult and determine the extent, method, etc. of the supply; however, the head of a supplying agency may limit the method of use, using departments or other necessary matters to the head of the requesting agency in order to protect the information of individuals, corporations, organizations, etc. included in the administrative data, or may request him/her to devise necessary measures (“information protection measures”) to ensure the safety of administrative data.

(4) The administrative data supplied by public agencies under paragraph (2) shall not be used for any purpose other than for the collection of statistics nor shall it be supplied to other persons.

(5) In cases where the head of an administrative data requesting agency fails to take the information protection measures that have been requested under paragraph (3) or violates paragraph (4), the head of an administrative data supplying agency may suspend or limit the supply of data.

Article 25 (Orders to Submit Data)

(1) In cases where it is recognized as necessary for the collection of designated statistics, the head of a central administrative agency or local government may order individuals, corporations, organizations, etc.

to submit relevant data.

(2) In cases where it is recognized as necessary for the collection of designated statistics at the request of a designated statistics collecting agency, the Commissioner of the Statistics Korea may give an order under paragraph (1).

(3) Any person who has received an order to submit data under paragraphs (1) and (2) shall comply therewith unless there is any justifiable ground otherwise.

(4) Necessary matters concerning procedure, method, etc. of order to submit data under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

Article 26 (Firsthand Examination)

(1) For the purpose of examination or confirmation for the collection of statistics, those who are engaged in the business of collecting statistics may request the interested persons to submit data on the matters approved by the Commissioner of the Statistics Korea as provided for in Article 18 or may ask them questions.

(2) As for the examination or confirmation for the collection of designated statistics, those who have been requested to submit data or have been asked questions under paragraph (1) shall comply therewith unless there is any justifiable ground otherwise.

(3) Those who perform duties under paragraph (1) shall carry a certificate indicating the authority with them and shall display it to interested persons.

SECTION 2 Dissemination and Use of Statistics

Article 27 (Announcement of Statistics)

(1) When the head of a statistics collecting agency has collected statistics, he/she shall announce the result thereof without delay.

(2) When the head of a statistics collecting agency announces statistics under paragraph (1), he/she shall announce it along with necessary matters, such as the object, methodology, etc., of survey so that users of such statistics may use the statistics accurately.

(3) Notwithstanding paragraph (1), the head of a statistics collecting agency may not announce statistics in cases where the collected statistics

fall under any of the following subparagraphs. In such cases, he/she shall obtain prior approval from the Commissioner of the Statistics Korea:

1. Where it is recognized that considerable difficulty to the national security, maintenance of order or public welfare may be brought about if announced;
 2. Where it is recognized that confusion in use may be brought about because the statistics are less reliable;
 3. Where there are substantial grounds to recognize the need not to announce the statistics.
- (4) When reasons for not announcing under paragraph (3) are recognized to have disappeared, the head of a statistics collecting agency shall publish the statistics.
- (5) When the head of a statistics collecting agency has announced statistics under paragraph (1) or (4), he/she shall submit the result to the Commissioner of the Statistics Korea without delay.

Article 28 (Dissemination of Statistics)

- (1) When the head of a statistics collecting agency announces statistics, he/she shall take necessary measures, such as the construction, etc. of a statistics database so that people may use them swiftly and conveniently.
- (2) The Commissioner of the Statistics Korea shall devise necessary measures, such as the construction, linkage, consolidation, etc. of a statistics database so that the results of statistics, statistics publications and detail of publications submitted under Articles 27 (5) and 29 (2) may be supplied extensively to the users of statistics.
- (3) Where it is necessary for the construction, linkage, consolidation, etc. of a statistics database, the Commissioner of the Statistics Korea may request for the submission of detailed statistical data, such as data for databases, etc., that the statistics collecting agency keeps. In such cases, the statistics collecting agency that has been requested shall comply therewith unless there is any special ground otherwise.
- (4) When the head of a statistics collecting agency constructs a statistics database pursuant to paragraph (1), it shall be constructed under standardized statistical data classification codes. Matters concerning the standardization of statistical data classification codes and other necessary matters shall be determined by Presidential Decree. *<Newly Inserted by Act No. 9557, Apr. 1, 2009>*

Article 29 (Issuing, etc. of Statistics Publications)

(1) For the purpose of swift dissemination of statistics, the head of a statistics collecting agency may issue or sell statistics publications (referring to the publications that contain statistics and statistical data including those that use electronic media; hereinafter the same shall apply) firsthand or by entrusting them to other agencies, etc.

(2) When the head of a statistics collecting agency has issued statistics publications prescribed by Presidential Decree, he/she shall submit the statistics publications and details of such publications to the Commissioner of the Statistics Korea without delay. The same shall apply in cases where the names or details of statistics publications are amended or he/she suspends issuance.

Article 30 (Supply of Statistical Data)

(1) In cases where it is necessary for the collection of statistics, the head of a statistics collecting agency may request other statistics collecting agencies for the supply of statistical data. In such cases, the head of a statistics collecting agency who has received the request shall comply therewith unless there is any special ground otherwise.

(2) When the head of a statistics collecting agency supplies statistical data to another statistics collecting agency under paragraph (1), he/she shall supply them after treating the statistical data in a form in which certain individuals, corporations, organizations, etc. are indiscernible: *Provided*, That the head of another statistics collecting agency requests under paragraph (1) to use them as samples of sample survey following door-to-door survey, telephone survey, mail survey, etc. for the collection of statistics, he/she may supply the statistical data in a form in which certain individuals, corporations, organizations, etc. can be discernable.

(3) The statistical data supplied by a statistics collecting agency under paragraph (2) shall not be used for a purpose other than the purpose for which they have been supplied, or shall not be supplied to other persons.

(4) Matters necessary for the method, etc. of supplying statistical data shall be prescribed by Presidential Decree.

Article 31 (Use of Statistical Data)

(1) Any person who intends to collect numerical information on specific objects or to use statistical data for the purpose of scientific research may request the head of a statistics collecting agency for the supply of statistical

data as prescribed by Presidential Decree.

(2) When the head of a statistics collecting agency has received an application under paragraph (1), he/she shall supply them in cases where it is judged as reasonable after examining the propriety of the purpose, details and scope of use of statistical data. In such cases, the head of a statistics collecting agency shall supply the statistical data after treating them into a form in which certain individuals, corporations, organizations, etc. are indiscernible.

(3) Notwithstanding paragraph (2), in cases where certain individuals, corporations, organizations, etc. are discernible by corresponding or linking the statistical data concerned with other data, the head of a statistics collecting agency may not supply the statistical data.

(4) The statistical data supplied by a statistics collecting agency under paragraph (2) shall not be used for any purpose other than that for which it has been supplied, nor shall be supplied to other persons.

(5) Matters necessary for the method, etc. of supplying statistical data shall be prescribed by Presidential Decree.

CHAPTER V RESPONSIBILITY, PROTECTION, ETC. OF STATISTICAL RESPONDENTS

Article 32 (Duty of Statistical Respondents to Answer Faithfully)

When statistical respondents have been questioned or requested to supply, etc. data for the purposes of collection of statistics by a person engaged in the business of collecting statistics, they shall answer the matters of survey faithfully so that reliable statistics can be collected.

Article 33 (Protection of Secrets)

(1) Matters belonging to the confidential information of individuals, corporations, organizations, etc. that have become known in the course of collecting statistics shall be protected.

(2) Data belonging to the confidential information of individuals, corporations, organizations, etc. that have been collected for the collection of statistics shall not be used for any purpose other than that of collecting statistics.

Article 34 (Responsibility of Statistics Staff, etc.)

Statistics staffs, persons who have been statistics staff, persons who are engaged in or have been engaged in the business of collecting statistics after being entrusted with all or any part of such business shall not use the matters that they have come to know in the course of performance of duty for any purpose other than that related to duty, nor shall supply them to other persons.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 35 (Requests for Submission of Statistics)

(1) In cases where it is recognized as necessary for the performance of duty under this Act, the Commissioner of the Statistics Korea may request the heads of statistics collecting agencies for the submission of related data.

(2) The heads of statistics collecting agencies who have been requested under paragraph (1) shall comply therewith unless there is any justifiable ground otherwise.

Article 36 (Requests, etc. for Rectification of Violations)

(1) In cases where a statistics collecting agency (excluding designated statistics collecting agency) commits a violation falling under any of the subparagraphs of Article 41 (2), the Commissioner of the Statistics Korea may request the head of the agency concerned to rectify such violation.

(2) When the Commissioner of the Statistics Korea makes a request under paragraph (1) and he/she recognizes it necessary to prevent the recurrence of violations or to reprimand the person responsible for such violation, he/she may request the disposition of attention or disciplinary measures on the statistics staff or related public officials responsible for the violation simultaneously.

(3) The head of a statistics collecting agency who has been requested under paragraphs (1) and (2) shall take necessary measures, such as the disposition, etc., of attention or disciplinary measures to the statistics staff or related public official responsible for the violation and shall notify the Commissioner of the Statistics Korea of the results thereof.

Article 37 (Commission and Entrustment)

(1) The head of a central administrative agency may commission part of his/her authority to the head of an agency under his/her jurisdiction,

Special Metropolitan City Mayor, Metropolitan City Mayor, Do governor, or Special Self-Governing Province Governor (including Superintendent of the Office of Education), or may entrust to the heads of other administrative agencies or statistics collecting agencies as prescribed by Presidential Decree. *⟨Amended by Act No. 9557, Apr. 1, 2009⟩*

(2) The Commissioner of the Statistics Korea may commission or entrust business falling under any of the following subparagraphs to an agency under his/her jurisdiction, or to the agencies, etc. operating the business of development and promotion of statistics or of examination of the quality of statistics as prescribed by Presidential Decree:

1. Collection (including survey for the collection of statistics) and public relations of statistics;
2. Education of statistics in Article 8;
3. Execution of regular examination of the quality of statistics in Article 9;
4. Mutual development and initiation of statistics collecting technology in Article 14 and training of foreign statistics staff;
5. Supply of statistical data in Article 31.

Article 38 (Deemed Public Official in Application of Penal Provisions)

The officers and employees engaged in the business entrusted under Articles 29 (1) and 37 (2) 1 (excluding the public relations of statistics) and 3 shall be deemed public officials for the purpose of the application of penal provisions under Articles 129 through 132 of the Criminal Act.

CHAPTER VII PENAL PROVISIONS

Article 39 (Penal Provisions)

Any person who falls under any of the following subparagraphs shall be punished by imprisonment for a period of not more than three years, or by a fine not exceeding ten million won:

1. Any person who has used the matters regarding the confidential information of an individual, corporations, organizations, etc., which were collected or supplied (including the supply under Article 31 (2)) for the purpose of collecting statistics for a use other than the purpose, or has supplied them to other persons;
2. Any person who has perused or has been supplied with the matters

relating to the confidential information of an individual, corporations, organizations, etc., which were collected or supplied (including the supply under Article 31 (2)) for the purpose of collecting statistics by fraud or other unlawful methods:

3. Any person who has altered or erased basic data, such as any questionnaire collected, kept or managed by statistics collecting agencies for the collection or dissemination of statistics without justifiable grounds, or who has fabricated the statistical data intentionally: *Provided*, That the person who has corrected or altered the errors in any survey, entry errors, etc. in accordance with the procedures of examination of details or statistics collection technology within the statistics collecting agency shall be excluded.

Article 40 (Joint Penal Provisions)

If the representative of a juristic person or an organization, or an agent, employee or other workers of the juristic person, organization or individual commits any violation provided for in Article 39 with regard to the business of such juristic person, organization or individual, not only shall the violator be punished but such juristic person, organization or individual shall also be punished by a fine provided for in the same Article: *Provided*, That this shall not apply where the juristic person, organization or individual has not been negligent of due attention and supervision for the relevant business in order to prevent such violation.

[This Article Wholly Amended by Act No. 9284, Dec. 31, 2008]

Article 41 (Fine for Negligence)

(1) A person who has failed to perform an order for correction in violation of Article 22 (3) shall be punished by a fine for negligence not exceeding three million won.

(2) In cases where a statistics collecting agency falls under any of the following subparagraphs, it shall be punished by a fine for negligence not exceeding two million won:

1. Where it has not complied with a request for suspension of collecting statistics or for alteration of statistics, or with other requests for the improvement of business concerning the collection and dissemination of statistics in violation of Article 12 (2);
2. Where it has collected statistics without obtaining approval from the Commissioner of the Statistics Korea, has suspended the collection of

statistics or has changed approved matters in violation of Article 18 (1);

3. Where it has collected statistics, suspended the collection of statistics or changed consulted matters without consulting with the Commissioner of the Statistics Korea in violation of Article 20 (1);
 4. Where it has not followed the standard classification prepared and publicly announced by the Commissioner of the Statistics Korea, or has collected statistics by applying another standard without obtaining approval from the Commissioner of the Statistics Korea, in violation of Article 22 (2);
 5. Where it has not announced statistics in violation of Article 27 (1) or has announced statistics without consulting with the Commissioner of the Statistics Korea in violation of paragraph (4) of the same Article;
 6. Where it has not announced statistics without obtaining approval from the Commissioner of the Statistics Korea in violation of Article 27 (3) or has not submitted the result of statistics to the Commissioner of the Statistics Korea in violation of paragraph (5) of the same Article;
 7. Where it has not submitted data in violation of the latter part of Article 28 (3);
 8. Where it has not submitted data in violation of Article 35 (2).
- (3) A person who falls under any of the following subparagraphs shall be punished by fine for negligence not exceeding one million won:
1. Any person who has used administrative data (excluding the matters relating to confidential information) supplied by public agencies for a purpose other than a purpose for which it was supplied, or has supplied them to other persons in violation of Article 24 (4);
 2. Any person who has rejected or obstructed the supply of data, or submitted false data in violation of Article 25 (3);
 3. Any person who has rejected, obstructed or evaded a request for submission of related data or for answers, has submitted data fraudulently or has answered fraudulently in violation of Article 26 (2);
 4. Any person who has used statistical data (excluding the matters relating to confidential information) submitted by a statistics collecting agency for a purpose other than that for which it was supplied, or has supplied them to another person in violation of Article 30 (3) or 31 (4);

5. Any person who has used the matters (excluding the matters relating to confidential information) that he/she came to know in the course of duty for a purpose other than the purpose of duty, or has supplied them to another person in violation of Article 34.

(4) The fine for negligence under paragraphs (1) and (2) shall be imposed and collected by the Commissioner of the Statistics Korea, and the fine for negligence under paragraph (3) shall be imposed and collected by the heads of central administrative agencies (in the cases of subparagraphs 3 through 5 of the same paragraph, the Commissioner of the Statistics Korea if the person subject to the disposition of fine for negligence has been requested to submit data from or has been questioned by a person engaged in the business of collecting statistics in a designated statistics collecting agency, or has been supplied with statistical data from a designated statistics collecting agency, or is or has been engaged in the preparation of statistics with the designated statistics collecting agency, or is or has been engaged in the preparation of statistics after being entrusted with all or part of the business of preparing statistics) or by the heads of local governments as prescribed by Presidential Decree. *⟨Newly Inserted by Act No. 9284, Dec. 31, 2008⟩*

Article 42 Deleted. *⟨by Act No. 9284, Dec. 31, 2008⟩*

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Designated Agencies)

A designated agency that has been designated as a statistics collecting agency under the former provisions at the time when this Act enters into force shall be deemed as having been designated as a designated statistics collecting agency under the amended provisions of Article 15.

Article 3 (Transitional Measures concerning Designated Statistics)

Statistics that have been designated as designated statistics under the former provisions at the time when this Act enters into force shall be deemed to have been designated as the designated statistics under the amended provisions of Article 17.

Article 4 (Transitional Measures concerning Statistics Approved for Col-

lection)

The statistics for the collection of which had been approved under the former provisions at the time when this Act enters into force shall be deemed to have been approved for the collection under the amended provisions of Article 18.

Article 5 (Transitional Measures concerning Statistics after Consultation on Collecting Statistics)

Statistics that have been consulted for the collection of statistics at the time when this Act enters into force shall be deemed to have been consulted on for the collection of statistics under the amended provisions of Article 20.

Article 6 (Transitional Measures concerning Administrative Dispositions against Former Violations)

The former provisions shall govern administrative disposition against an act performed before this Act enters into force.

Article 7 (Transitional Measures concerning Application of Penal Provisions)

The former provisions shall govern the application of penal provisions to an act before this Act enters into force.

Article 8 Omitted.

Article 9 (Relationship with other Acts and Subordinate Statutes)

In cases where the provisions of the former Statistics Act are cited in other Acts and subordinate statutes at the time when this Act enters into force and provisions corresponding thereto exist in this Act, the corresponding provisions of this Act shall be deemed to have been cited in place of the former provisions.

ADDENDA <Act No. 8541 Jul. 23, 2007>

Article 1 (Enforcement Date)

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

Articles 2 through 43 Omitted.

ADDENDUM <Act No. 9284, Dec. 31, 2008>

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

ADDENDUM *⟨Act No. 9557, Apr. 1, 2009⟩*

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

ADDENDUM *⟨Act No. 10196, Mar. 31, 2010⟩*

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