

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

Act No. 11553, Dec. 18, 2012

Act No. 12571, May 14, 2014

Act No. 12844, Nov. 19, 2014

Act No. 13818, Jan. 27, 2016

Act No. 14467, Dec. 27, 2016

Act No. 14839, Jul. 26, 2017

Act No. 14843, Aug. 9, 2017

Act No. 14839, Jun. 9, 2020

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to ensure reliability of statistics and efficiency in operating statistical systems by prescribing matters necessary for producing, disseminating, and using statistics, and laying the foundation therefor, etc.

Article 2 (Basic Principles)

- (1) Statistics shall be produced, disseminated, and used in a manner that contributes to the development of society as a public resource to help rational decision-making.
- (2) Statistics shall be produced in a scientific manner in order to ensure accuracy, timeliness, consistency, and impartiality. *<Amended by Act No. 13818, Jan. 27, 2016>*
- (3) Statistics shall be widely disseminated and used insofar as the

confidentiality of the relevant individuals, corporations, organizations, etc. is guaranteed.

Article 3 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 9557, Apr. 1, 2009; Act No. 11553, Dec. 18, 2012; Act No. 13818, Jan. 27, 2016>

1. The term "statistics" means any numerical information produced directly by a statistics service agency or by commissioning or entrusting to another agency, corporation, organization, etc. (hereinafter "agency, etc.") concerning specific group, object, etc., such as industry, commodity price, population, housing, culture and environment, for the purpose of utilizing it in formulating and evaluating government policies or in researching and analyzing socio-economic phenomena or for other purposes: *Provided*, That the numerical information prescribed by Presidential Decree, such as any numerical information produced for internal purposes by a statistics service agency, shall be excluded herefrom;
2. The term "designated statistics" means statistics that the Commissioner of Statistics Korea designates and publicly announces pursuant to Article 17;
3. The term "statistics service agency" means a central administrative agency, local government or a statistics service agency designated under Article 15;
4. The term "statistical data" means data that a statistics service agency has collected, acquired or used to produce statistics (including electronic data, such as database);
5. The term "public institution" means any of the following central administrative agencies, local governments or other institutions:
 - (a) Public institutions under the Act on the Management of Public Institutions;
 - (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;
 - (e) A centralized credit information collection agency that obtains permission from the Financial Services Commission pursuant to Article 25 of the Credit Information Use and Protection Act;
6. The term "statistics staff" means persons engaging in administrative affairs concerning the compilation or dissemination of statistical data at a statistics service agency;
7. The term "administrative data" means, other than statistical data, documents, ledgers and drawings that are officially prepared, acquired and managed by public institutions, and other computerized data including database.

Article 4 (Duties of the State, etc.)

- (1) The State and local governments shall formulate and implement policies necessary to realize the purpose and basic principles of this Act.
- (2) The Commissioner of Statistics Korea shall collectively coordinate and maintain matters concerning statistics and devise measures to expand the production, dissemination and use of statistics so that statistics may contribute to the development of the society.
- (3) The heads of statistics service agencies shall endeavor to minimize burden and protect confidentiality for individuals, corporations, organizations, etc. (hereinafter referred to as "statistical respondents") who provide answers to inquiries, submit data upon request, etc., in order to produce statistics.
- (4) Heads of statistics service agencies shall cooperate with one another for the exchange of statistics staff, joint research and development of statistics production techniques, sharing of statistical data, etc. *<Amended by Act No. 11553, Dec. 18, 2012>*

Article 4-2 (Statistics Day)

The State shall designate September 1 as the Statistics Day and hold commemorative events annually in order to raise public awareness of the

importance of statistics and promote 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 in other Acts, the production, dissemination and use of statistics shall be governed by this Act.
- (2) When the head of a related administrative agency intends to legislate, amend or repeal any statute that contains provisions concerning the production, dissemination and use of statistics, he/she shall consult with the Commissioner of Statistics Korea in advance.

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

Article 5-2 (National Statistics Committee)

- (1) A National Statistics Committee (hereinafter referred to as the "Committee") shall be established under the control of the Minister of Strategy and Finance to deliberate and determine on matters relating to the production, dissemination and use of statistics.
- (2) The Committee shall deliberate and determine on the following matters:
<Amended by Act No. 11553, Dec. 18, 2012>
 1. Matters concerning mid- and long-term policy goals for the development of national statistics and directions for the promotion thereof;
 2. Matters concerning the formulation and alteration of a master plan and implementation plans for the development of national statistics referred to in Articles 5-4 and 5-5;
 3. Matters concerning the adjustment and consolidation of similar and overlapping statistics and the cooperation among statistics service agencies;
 4. Matters concerning quality control, such as checkup and improvement of the quality of statistics;
 5. Matters concerning the standards for production, dissemination and use of

- statistics, such as standard classification of statistics;
6. Matters concerning the utilization of administrative data;
 7. Matters concerning the utilization of statistical information systems of statistics service agencies referred to in Article 7-2;
 8. Other matters concerning the production, dissemination and use of statistics, as prescribed by Presidential Decree.
- (3) The Committee shall consist of not more than 30 members, including one Chairperson; the Minister of Strategy and Finance shall be the 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 5-3 (Conducting Census)

- (1) In order to produce basic statistics to be utilized as basic data for policy-making and collection of various kinds of statistical data, the Commissioner of Statistics Korea shall take a complete enumeration of population, housing, business entities, etc. across the nation (hereinafter referred to as "census").
- (2) Matters necessary for scope, methods, etc. of censuses shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11553, Dec. 18, 2012]

Article 5-4 (Formulation of Master Plans for Development of National Statistics)

- (1) The Government shall set mid- and long-term policy goals for the development of national statistics and directions for the promotion thereof, and formulate and promote a master plan for the development of national statistics based thereon (hereinafter referred to as "master plan").
- (2) The Commissioner of Statistics Korea shall prepare a master plan every five years in consultation with the heads of relevant central administrative agencies, Special Metropolitan City Mayor, Metropolitan City Mayors, Special Self-Governing City Mayors, Do Governors and Governors of

- Special Self-Governing Provinces (including superintendents of education and hereinafter referred to as "Mayors/*Do* Governors"), and finalize the master plan through deliberation and resolution of the Committee. The same shall apply where he/she intends to alter the finalized master plan.
- (3) The following matters shall be included in the master plan:
1. Mid- and long-term policy goals for the development of national statistics and directions for the promotion thereof;
 2. Major tasks to be implemented in each term and methods for the implementation;
 3. Scale of financial resources required and methods for financing;
 4. Other matters deemed necessary for the development of national statistics.
- (4) Matters necessary for formulation procedures of the master plan shall be prescribed by Presidential Decree.
- (5) Upon formulating the master plan, the Government shall submit it to the National Assembly without delay.

[This Article Newly Inserted by Act No. 11553, Dec. 18, 2012]

Article 5-5 (Formulation of Implementation Plans for Development of National Statistics)

- (1) Upon formulating a master plan, the Commissioner of Statistics Korea shall notify the heads of relevant central administrative agencies and Mayors/*Do* Governors thereof; and the heads of relevant central administrative agencies and Mayors/*Do* Governors shall formulate annual promotion plans based on the master plan they are notified of and submit them to the Commissioner of Statistics Korea.
- (2) The Commissioner of Statistics Korea shall formulate an implementation plan for the development of national statistics (hereinafter referred to as "implementation plan") each year, upon receipt of an annual promotion plan formulated based on the master plan, by the heads of relevant central administrative agencies and Mayors/*Do* Governors.
- (3) Matters necessary for formulation procedures, etc. of an implementation plan shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11553, Dec. 18, 2012]

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

- (1) The heads of statistics service agencies shall designate and manage a staff member in charge of statistics from among the staff under their control, and have him/her exercise general supervision over the following business affairs concerning the production, dissemination and use of statistics under their jurisdiction. In such cases, 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 of the statistics service agency and its affiliated agency;
 2. Business concerning cooperation with other statistics service agencies;
 3. Business concerning the production and distribution of gender statistics classified by gender if natural persons are included in statistics;
 4. Other business affairs concerning the production, dissemination and use of statistics under their jurisdiction.
- (2) The heads of statistics service agencies shall notify the Commissioner of 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 Service Agency)

- (1) The heads of statistics service agencies shall strive to secure human resources and budget necessary for the production and dissemination of statistics.
- (2) Where the Commissioner of Statistics Korea determines that the statistics service agencies significantly lack human resources and budget necessary for the production and dissemination of statistics, he/she may recommend the head of such statistics service agencies to secure necessary human resources and budget.

Article 7-2 (Establishment and Operation of Statistical Information Systems)

- (1) The Commissioner of Statistics Korea shall establish and operate statistical

information systems to enable statistics service agencies to efficiently produce, disseminate and use statistical data following standardized processes.

- (2) The Commissioner of Statistics Korea may recommend statistics service agencies to use statistical information systems referred to in paragraph (1) after deliberation by the Committee.

[This Article Newly Inserted by Act No. 11553, Dec. 18, 2012]

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

- (1) In order to improve the quality of statistics staff, the Commissioner of Statistics Korea shall endeavor to conduct statistics education. *<Amended by Act No. 10196, Mar. 31, 2010>*
- (2) The Commissioner of Statistics Korea may develop and implement a basic plan for statistics education 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 service 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 Statistics Korea may recommend the heads of statistics service 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 Statistics Korea shall periodically conduct an examination of the quality of statistics (hereinafter referred to as "regular examinations of the quality of statistics") concerning the entire process of

production and dissemination of major statistical data prescribed by Presidential Decree, which are widely used for the formulation and evaluation of various kinds of policies of the Government or for the production of other statistical data, within the scope of ten years.
<Amended by Act No. 11553, Dec. 18, 2012>

- (2) The Commissioner of Statistics Korea shall formulate a plan of regular examination of the quality of statistics, including the following matters and shall notify the heads of statistics service agencies by the end of February of the year when the regular examination of the quality of statistics is conducted:
 1. Statistics subject to regular examinations of the quality of statistics;
 2. Timing and methods for regular examinations of the quality of statistics;
 3. Plans for utilizing results of regular examinations of the quality of statistics;
 4. Other matters necessary to conduct regular examinations of the quality of statistics.
- (3) The regular examinations of the quality of statistics shall be conducted by such methods as requesting submission of data under Article 35, visiting statistics service agencies for confirmation and on-site verification of statistical respondents.
- (4) The Commissioner of Statistics Korea may exempt statistics from the regular examinations of the quality of statistics if the occasional examination of the quality of statistics under Article 10 is being conducted on such statistics or has been conducted on such statistics during a period specified by Presidential Decree, or if such statistics are found by the self-examination of the quality of statistics under Article 11 to be of excellent quality.
- (5) When the Commissioner of Statistics Korea completes a regular examination of the quality of statistics, he/she shall notify the heads of statistics service agencies of the results without delay.
- (6) Matters necessary for the formulation of a plan of regular examination of

the quality of statistics, and cycle, methods and procedures of regular examinations of the quality of statistics, etc. shall be prescribed by Presidential Decree. <Amended by Act No. 11553, Dec. 18, 2012>

Article 10 (Occasional Examinations of Quality of Statistics)

- (1) As occasion requires, the Commissioner of 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 Statistics Korea conducts an occasional examination of the quality of statistics, he/she shall notify the relevant statistics service agency of the reason, time, method, etc. of an occasional examination of the quality of statistics in advance.
- (3) Article 9 (3) and (5) shall apply *mutatis mutandis* to occasional examinations of the quality of statistics.
- (4) Matters necessary for the methods, procedures, etc. for occasional examinations of the quality of statistics shall be prescribed by Presidential Decree.

Article 11 (Self-Examinations of Quality of Statistics)

- (1) The heads of statistics service 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 production exceeds one year, it may be conducted in the year when the statistics are produced or in years thereafter.
- (2) When the heads of statistics service 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 service agencies shall submit the result of self-examination of the quality of statistics to the Commissioner of

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 Production and Dissemination of Statistics)

- (1) Where it is recognized necessary to secure the reliability of statistics and the efficiency 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 Statistics Korea may request the heads of statistics service agencies to suspend the production of statistics or to change statistics, or to improve the business concerning the production and dissemination of statistics.
- (2) When the heads of statistics service agencies receive a request under paragraph (1), they shall comply therewith unless there is any justifiable reason otherwise.

Article 12-2 (Statistics-Based Policy Evaluation)

- (1) Where the head of a central administrative agency introduces a new policy or system by enacting or revising statutes within his/her jurisdiction or changes significant matters of the former policies and systems, he/she shall request the Commissioner of Statistics Korea to evaluate the existence or non-existence, etc. of statistical data appropriate for the execution and evaluation of the policies and systems to be introduced or changed (hereinafter referred to as "statistics-based policy evaluation"): *Provided*, That the same shall not apply to the following cases:
1. Matters concerning national security;
 2. Matters concerning administrative proceedings and administrative organizations;
 3. Matters concerning procedures, trials and execution of punishment in civil, commercial and criminal litigations;

4. Other matters that the Commissioner of Statistics Korea determines to be inappropriate for statistics-based policy evaluation.
- (2) Upon receipt of a request referred to in paragraph (1), the Commissioner of Statistics Korea shall evaluate whether the policies and systems are based on statistical data and notify the head of the relevant central administrative agency of his/her opinions, including the appropriateness or inappropriateness of the statistical data related to the policies and systems and plans for the development and improvement of statistics.
- (3) The head of each central administrative agency shall present the relevant bill to a cabinet meeting, along with the opinion of evaluation of the Commissioner of Statistics Korea referred to in paragraph (2).
- (4) The Commissioner of Statistics Korea shall formulate guidelines for statistics-based policy evaluation and notify the heads of central administrative agencies thereof.
- (5) Matters necessary for methods, procedures, etc. of statistics-based policy evaluation shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11553, Dec. 18, 2012]

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

- (1) For the purposes of development of statistics, the Commissioner of Statistics Korea may assist statistics service 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 where he/she recognizes it necessary.
- (2) Where the Commissioner of Statistics Korea is requested for consultation or technical assistance necessary for the production and dissemination of statistics from the heads of statistics service agencies, he/she shall actively assist them.

Article 14 (International Cooperation)

For the purposes of development of statistics, the Commissioner of Statistics

Korea may perform the following with international organizations, foreign governments or foreign organizations: <Amended by Act No. 13818, Jan. 27, 2016>

1. Joint study of production and analysis of statistics and development of statistics;
2. Passing down or inheriting the techniques of production of statistics thereto or therefrom;
3. Training of foreign statistics staff;
4. Technical assistance, and passing down or inheriting techniques;
5. Exchanges and cooperation.

Article 14-2 (Monitoring of Statistics Provided to International Organizations)

- (1) The head of a statistics service agency may provide international organizations with statistics.
- (2) The head of a statistics service agency shall monitor the status and utilization of the statistics being provided pursuant to paragraph (1), prepare a report thereon, and submit it to the Commissioner of Statistics Korea.
- (3) Matters necessary for the provision of statistics under paragraph (1), monitoring, submission of a report, etc. under paragraph (2) shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 13818, Jan. 27, 2016]

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

Article 15 (Designation of Designated Statistics Service Agencies)

- (1) In cases of a request from an agency, etc. which produces or intends to produce 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 Statistics Korea may designate the agency, etc. concerned as a designated statistics service

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

- (2) Where a public institution (excluding central administrative agencies or local governments) that produces numerical information 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 Statistics Korea may designate it as a designated statistics service agency through deliberation and resolution by the Committee. *<Amended by Act No. 14467, Dec. 27, 2016>*
- (3) Matters necessary for the application for designation of designated statistics service agencies, procedures, methods, etc. of designation thereof shall be prescribed by Presidential Decree.

Article 16 (Revocation of Designation as Designated Statistics Service Agencies)

- (1) Where a designated statistics service agency falls under any of the following subparagraphs, the Commissioner of Statistics Korea may revoke the designation of a designated statistics service agency: *<Amended by Act No. 14467, Dec. 27, 2016>*
 1. Where it has not complied with a request for suspension of production of statistics and for alteration of statistics or a request for the improvement of business concerning the production 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);
 - 2-2. Where the head of a designated statistics service agency that is a public institution (excluding central administrative agencies or local governments) requests revocation of designation as a designated statistics service agency;

3. Where it has produced new statistics, suspended production of statistics or changed approved matters without obtaining approval of the Commissioner of Statistics Korea in violation of Article 18 (1);
 4. Where it has produced new statistics, suspended production of statistics or changed consulted matters without obtaining approval of the Commissioner of Statistics Korea in violation of Article 20 (1);
 5. Where it has not complied with a request for submission of data by the Commissioner of Statistics Korea in violation of Article 35 (2).
- (2) Where it falls under any of the following subparagraphs, the Commissioner of Statistics Korea shall revoke the designation of a designated statistics service agency: *Provided*, That where the head of a statistics service agency submits a plan for the production of new statistics in the case of subparagraph 2, he/she may postpone revocation as prescribed by Presidential Decree: <Amended by Act No. 14467, Dec. 27, 2016>
1. Where the head of a designated statistics service agency that is not a public institution requests revocation of designation as a designated statistics service agency;
 2. Where there is no more statistics under his/her jurisdiction, which were approved by the Commissioner of Statistics Korea because the approval of production of statistics has been revoked as prescribed in Article 19.
- (3) Where there is a revocation of designation of a designated statistics service agency under paragraphs (1) and (2), the designation under article 17 or approval under Article 18 of the statistics which is produced by the relevant statistics service agency shall be deemed to have been revoked.

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

- (1) Upon receipt of an application from the head of a statistics service agency, the Commissioner of Statistics Korea shall designate any of the following statistics which are widely utilized for the formulation and evaluation of various government policies or for the production, etc. of other statistics as designated statistics:
 1. Statistics which are produced 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 produced in accordance with uniform standards and the method of production which are recommended by an international organization, such as the United Nations;
 5. Other statistics recognized as necessary by the Commissioner of Statistics Korea to be designated as designated statistics.
- (2) Where designated statistics cease to meet the requirements for designation under paragraph (1), the Commissioner of Statistics Korea may revoke such designation.
 - (3) When the Commissioner of 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 PRODUCTION, DISSEMINATION AND USE OF STATISTICS

SECTION 1 Production of Statistics

Article 18 (Approval for Production of Statistics)

- (1) Where the head of a statistics service agency intends to produce new statistics, he/she shall obtain prior approval from the Commissioner of Statistics Korea on the matters prescribed by Presidential Decree, such as name, kind, purpose, subject of survey, method of survey, statistical chart form, distinction of sex, etc. The same shall apply where he/she intends to change the approved matters or to suspend the production of statistics that has been approved. *<Amended by Act No. 13818, Jan. 27, 2016>*

- (2) The head of a statistics service agency shall judge in advance whether it is possible to produce statistics by utilizing administrative data before he/she obtains approval under paragraph (1) or he/she holds consultations with the Commissioner of Statistics Korea under Article 20. In such cases, he/she may request the Commissioner of Statistics Korea to make a judgment thereon. *<Newly Inserted by Act No. 14843, Aug. 9, 2017>*
- (3) In any of the following cases, the Commissioner of Statistics Korea may not give approval under paragraph (1):
1. Where it is recognized that the details, such as the subject, purpose, method of a 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 impracticable to ensure the reliability of statistics because the sample size is too small or proven techniques for producing statistics are not used;
 3. Where it is not recognized as being produced for the purpose of public interest because the subject, purpose, etc. of a survey or report give too much weight to a specific interest group or specific section or it is produced for profit.
- (4) When the Commissioner of 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 and name of statistics service agency, shall be prescribed by Presidential Decree.

Article 19 (Revocation of Approval for Production of Statistics)

- (1) Where the statistics that have been approved under Article 18 (1) fall under any of the following cases, the Commissioner of Statistics Korea may revoke such approval: *<Amended by Act No. 13818, Jan. 27, 2016>*
1. Where the heads of statistics service agencies do not comply with a request for suspension of production of statistics or for alteration of statistics, or with a request for improvement of business concerning the production and dissemination of statistics, in violation of Article 12 (2);
 2. Where the statistics fall under any subparagraph of Article 18 (3);
 3. Where the statistics do not comply with the standard classification prepared and publicly announced by the Commissioner of Statistics Korea, or are produced by applying a standard different from the standard classification without obtaining approval of the Commissioner of Statistics Korea, in violation of Article 22 (2);
 4. Where the statistics are remarkably underutilized in the formulation and evaluation of government policies or in the research and analysis of economic and social phenomena.
- (2) 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 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 and title of a statistics service agency, shall be prescribed by Presidential Decree.

Article 20 (Consultation on Production of Statistics)

- (1) Where the head of a statistics service agency produces statistics in accordance with any other Act, he/she shall consult with the Commissioner of Statistics Korea in advance on the matters not prescribed by the Acts among the matters requiring approval under Article 18 (1).

The same shall apply where he/she intends to alter the matters that have been consulted or to suspend production of statistics that have been consulted.

- (2) It shall be deemed to have obtained approval under Article 18 (1) where it has undergone consultation under paragraph (1).

Article 21 (Advice to Produce Statistics)

- (1) Where it is necessary to produce new statistics in accordance with the changes in the economic and social environment, the Commissioner of Statistics Korea may advise the relevant agencies, etc. accordingly.
- (2) The Commissioner of Statistics Korea may assist agencies, etc. that produce statistics following the advice under paragraph (1) with the human resources, technology, etc. necessary for the production of such statistics.

Article 21-2 (Request for Production of Statistics)

- (1) A person who intends to use new statistics may request the head of a statistics service agency to produce new statistics meeting all of the following requirements:
 1. There shall be a joint request by at least 20 persons who intend to use new statistics;
 2. The new statistics shall not be the same as or similar to the other statistics that have already been approved;
 3. The new statistics shall be deemed to have economic and social value according to the standard prescribed by Presidential Decree, such as the possibility of being utilized as foundation data to formulate policies, etc.
- (2) The head of a statistics service agency shall examine the purpose of use, contents, etc. of new statistics according to a request under paragraph (1) and where he/she determines that they are reasonable, he/she may produce new statistics upon obtaining approval from the Commissioner of Statistics Korea under Article 18.
- (3) Matters necessary for procedures for making a request for production of new statistics, methods of examination, etc. under paragraphs (1) and (2)

shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 13818, Jan. 27, 2016]

Article 22 (Standard Classification)

- (1) The Commissioner of Statistics Korea shall prepare and publicly announce a standard classification concerning industries, occupations, diseases, causes of death, etc. on the basis of international standard classifications so that statistics service agencies may produce statistics according to the same standard. In such cases, the Commissioner of Statistics Korea shall consult with the head of the relevant agencies in advance.
- (2) When the heads of statistics service agencies produce statistics, they shall follow the standard classification prepared and publicly announced by the Commissioner of Statistics Korea under paragraph (1): *Provided*, That when they intend to apply a standard different from any of the standard classification due to an unavoidable purpose of producing statistics, they shall obtain prior consent from the Commissioner of Statistics Korea.
- (3) Where it is recognized that the details of standard classification are likely to be transmitted differently from the facts by publishing them after changes, summarization or excerpting, the Commissioner of Statistics Korea may order the publisher to correct them.

Article 23 (Cooperation in Production of Statistics)

- (1) Where necessary for the production of statistics that have been approved or consulted on under Article 18 (1) or 20 (1), the head of a statistics service agency may request cooperation to the head of a relevant statistics service agency. In such cases, the head of the statistics service agency who has received such request for cooperation shall comply therewith unless there is a compelling reason not to do so.
- (2) Except as otherwise provided in other statutes, the statistics service agency that has requested for cooperation shall bear the expenses incurred in the cooperation under paragraph (1) : *Provided*, That the agency that has been requested to provide cooperation comes to utilize produced statistics, they may share the expenses by mutual agreement.

Article 24 (Provision of Administrative Data)

- (1) If necessary for the production of statistics, the head of a central administrative agency or the head of a local government may request the head of a public institution to provide administrative data. *<Amended by Act No. 9557, Apr. 1, 2009; Act No. 11553, Dec. 18, 2012>*
- (2) When the head of a public institution is requested to provide administrative data pursuant to paragraph (1), he/she shall comply therewith unless there is good cause prescribed by Presidential Decree, such as the disclosure, etc. of national secrets or important secrets of individuals or enterprises.
- (3) Where administrative data are provided under paragraph (2), the head of a requesting agency and the head of a providing institution shall consult on and determine the scope, method, etc. of the provision, and the head of a providing institution may limit the method of use, departments that can use such data or other necessary matters in order to protect the information of individuals, corporations, organizations, etc. included in the administrative data, or may request the requesting agency to devise necessary measures to ensure the safety of administrative data (hereinafter referred to as "information protection measures").
- (4) The administrative data provided by public institutions pursuant to paragraph (2) shall not be used for any purpose other than the production of statistics, nor shall it be provided to other persons.
- (5) Where the head of a requesting agency fails to take the information protection measures that is requested under paragraph (3) or violates paragraph (4), the head of an institution providing administrative data may suspend or limit the provision of data.

Article 24-2 (Provision of Data by Judicial Agencies, etc.)

- (1) Where it is necessary for the production of statistics, the Commissioner of Statistics Korea may request the Minister of the National Court Administration to provide digital data on the registration of family relations.

- (2) Where it is necessary for the production of statistics, the Commissioner of Statistics Korea may request the Commissioner General of the Korean National Police Agency and the Commissioner of the Korea Coast Guard to provide information on criminal justice related to the statistics on the causes of death. *<Amended by Act No. 12844, Nov. 19, 2014; Act No. 14839, Jul. 26, 2017>*
- (3) Article 24 (2) through (5) shall apply *mutatis mutandis* to matters necessary for the provision of data under paragraphs (1) and (2).
- (4) The Commissioner of Statistics Korea shall produce statistics (hereinafter referred to as “vital statistics”) to identify demographic changes such as birth, death, marriage and divorce, based on the following data: *<Newly Inserted by Act No. 14467, Dec. 27, 2016>*
1. Digital data on the registration of family relations under paragraph (1);
 2. Other data prescribed by Presidential Decree, such as data prepared and submitted by a reporting party at the time of reporting matters such as birth, death, marriage and divorce under other Acts.
- (5) The scope of data for which provision can be requested pursuant to paragraph (1) and matters such as the scope and method of conducting a survey for production of the vital statistics under paragraph (4) shall be prescribed by Presidential Decree. *<Newly Inserted by Act No. 14467, Dec. 27, 2016>*

[This Article Newly Inserted by Act No. 12571, May 14, 2014]

Article 25 (Requests, etc. to Submit Data)

- (1) Where relevant data are necessary for the production of designated statistics, the head of a central administrative agency or local government shall judge in advance whether he/she may achieve the purpose of producing the designated statistics by utilizing administrative data provided pursuant to Article 24. *<Newly Inserted by Act No. 14843, Aug. 9, 2017>*
- (2) Where it is impossible to produce designated statistics by utilizing administrative data provided pursuant to Article 24, the head of a central

- administrative agency or local government may request individuals, corporations, organizations, etc. to submit relevant data. *<Amended by Act No. 14843, Aug. 9, 2017>*
- (3) Where it is recognized as necessary for the production of designated statistics at the request of a designated statistics service agency, the Commissioner of Statistics Korea may make a request under paragraph (2). *<Amended by Act No. 14843, Aug. 9, 2017>*
 - (4) Any person who has received a request to submit data under paragraphs (2) and (3) shall comply with such request unless there is a good cause. *<Amended by Act No. 14843, Aug. 9, 2017>*
 - (5) Necessary matters concerning procedures, methods, etc. for requesting to submit data under paragraphs (2) and (3) shall be prescribed by Presidential Decree. *<Amended by Act No. 14843, Aug. 9, 2017>*

Article 26 (On-Site Surveys, etc.)

- (1) Where it is necessary to conduct surveys or verify information concerning matters approved by the Commissioner of Statistics Korea pursuant to Article 18 for the production of statistics, the head of a statistics service agency shall judge in advance whether it is possible to achieve the purpose of producing statistics by utilizing administrative data made available for their uses. In such cases, the head of a designated statistics service agency under Article 15 may request the Commissioner of Statistics Korea to make a judgment thereon. *<Newly Inserted by Act No. 14843, Aug. 9, 2017>*
- (2) Where it is impossible to achieve the purpose of producing statistics by utilizing administrative data under paragraph (1), a person who engages in affairs concerning the production of statistics may request relevant persons to submit relevant data or ask them questions relating to matters approved by the Commissioner of Statistics Korea pursuant to Article 18. *<Amended by Act No. 14843, Aug. 9, 2017>*
- (3) In conducting surveys or verifying information for the production of designated statistics, those who have been requested to submit data or

- have been asked questions under paragraph (2) shall comply therewith unless there is good cause. *<Amended by Act No. 14843, Aug. 9, 2017>*
- (4) A person who performs duties under paragraph (2) shall carry an identity document indicating his/her authority with him/her and present it to relevant persons. *<Amended by Act No. 14843, Aug. 9, 2017>*

SECTION 2 Dissemination and Use of Statistics

Article 27 (Official Announcement of Statistics)

- (1) When the head of a statistics service agency produces statistics, he/she shall officially announce the result thereof without delay, unless he/she otherwise fixes a date scheduled for official announcement. *<Amended by Act No. 13818, Jan. 27, 2016>*
- (2) When the head of a statistics service agency announces statistics under paragraph (1), he/she shall announce it along with necessary matters, such as the object and methodology of a survey so that users of such statistics may use the statistics accurately.
- (3) Notwithstanding paragraph (1), the head of a statistics service agency may not announce statistics where the produced statistics fall under any of the following cases. In such cases, he/she shall obtain prior approval from the Commissioner of 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 necessity not to announce the statistics.
- (4) The Commissioner of Statistics Korea shall immediately submit the details of and grounds for approval under paragraph (3) to the relevant Standing Committee of the National Assembly. *<Newly Inserted by Act No. 13818, Jan. 27, 2016>*

- (5) When grounds for not making an official announcement under paragraph (3) are deemed not to exist, the head of a statistics service agency shall officially announce the statistics. In such cases, he/she shall consult thereon with the Commissioner of Statistics Korea in advance.
- (6) When the head of a statistics service agency officially announces statistics pursuant to paragraph (1) or (5), he/she shall submit the result to the Commissioner of Statistics Korea without delay.

Article 27-2 (Prohibition, etc. against Exercising Influence and Revealing Statistics with Regard to Production and Official Announcement of Statistics, and against Using Statistics for Purpose other than Statistical Purpose)

- (1) No one shall exercise influence over statistics staff (including persons engaged in the duties of production of statistics after they are entrusted with all or some of such duties by a statistics service agency) for the purpose of changing the statistics being produced by a statistics service agency (referring to the statistics before being approved by the person of a statistics service agency having authority to grant approval and including information that describes the statistics and statistical data; hereinafter the same shall apply) or produced statistics (referring to the statistics approved by the person of a statistics service agency having authority to grant approval and including information that describes the statistics and statistical data; hereinafter the same shall apply) for the purpose of changing the statistics before official announcement or adjusting the date scheduled for official announcement without justifiable grounds.
- (2) No one shall provide others with statistics that are in the process of production or that have already been produced by a statistics service agency or reveal the statistics before official announcement of the statistics, or use the statistics for a purpose other than statistical purpose: *Provided*, That in any of the following cases, he/she may provide others with the statistics before official announcement:
 - 1. Where statistics being produced are provided to relevant agencies

(referring to the agencies related to the industry, commodity price, population, housing, culture, environment, etc. being the subject of the statistics; hereinafter the same shall apply) and specialists to seek their opinions when new statistics are to be produced or existing statistics are to be changed, or where statistics being produced are provided to interested parties to open a public hearing;

2. In any of the following cases, when a statistics service agency provides relevant agencies with the produced statistics:
 - (a) Where the statistics that are produced by simply aggregating administrative data;
 - (b) Where a relevant agency requests to be provided with the statistics stating that they are in need of the statistics to perform duties;
3. Where a statistics service agency is delegated or entrusted by another agency with the production of statistics and thereafter provides produced statistics to the agency that delegated or entrusted the production of the statistics.
- (3) Where a statistics service agency provides statistics produced pursuant to paragraph (2) 2 (b) to a relevant agency, it shall record the details, date, provider, method of provision, name of the agency being provided with the statistics and the person in charge at the agency, and keep the record accompanied by evidentiary materials for five years.
- (4) Where a statistics service agency provides statistics produced pursuant to paragraph (2) 2 (b) to a relevant agency, it shall provide the statistics to the relevant agency after noon of the day before the date scheduled for official announcement: *Provided*, That this shall not apply where Presidential Decree prescribes exceptions for international cooperation for which statistics are submitted to an international organization upon request, etc., or for cases in which taking countermeasures by a relevant agency is deemed urgent due to economic crisis, market instability, etc.
- (5) Where a statistics service agency provides statistics produced pursuant to paragraph (2) 2 (b) to a relevant agency, it shall disclose to the public

the result (referring to the details of statistics, to whether the date scheduled for official announcement is to be changed and to reasons for change if any change is made) of comparison between, and examination of, the statistics produced in the previous year and the officially announced statistics by March 31 of each year, as prescribed by Presidential Decree, and submit such result to the Commissioner of Statistics Korea.

[This Article Newly Inserted by Act No. 13818, Jan. 27, 2016]

Article 28 (Dissemination of Statistics)

- (1) When the head of a statistics service 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 Statistics Korea shall devise necessary measures, such as the construction, linkage and consolidation of a statistics database, so that the results of statistics, statistics publications and the details of publications submitted under Articles 27 (6) and 29 (2) may be provided extensively to users of statistics. *<Amended by Act No. 13818, Jan. 27, 2016>*
- (3) Where it is necessary for the construction, linkage, consolidation, etc. of a statistics database, the Commissioner of Statistics Korea may request for the submission of detailed statistical data, such as materials of the database that a statistics service agency keeps. In such cases, the statistics service agency that has been requested shall comply therewith unless there is any compelling reason not to do so.
- (4) When the head of a statistics service agency constructs a statistics database pursuant to paragraph (1), it shall be constructed under standardized statistical data classification codes. 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 promoting dissemination of statistics, the head of a statistics service agency may issue or sell statistics publications (referring to 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 service 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 Statistics Korea without delay. The same shall apply where the names or details of statistics publications are amended or he/she suspends issuance.

Article 29-2 (Keeping and Management of Statistical Data)

- (1) The head of each statistics service agency shall keep and manage statistical data in order to encourage the dissemination and use of statistical data.
- (2) Matters necessary for keeping and managing statistical data, such as methods therefor, shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 11553, Dec. 18, 2012]

Article 30 (Provision of Statistical Data)

- (1) Where it is necessary for the production of statistics, the head of a statistics service agency may request other statistics service agencies to provide statistical data. In such cases, the head of a statistics service agency shall, upon receipt of such request, comply therewith unless there is any compelling reason not to do so.
- (2) When the head of a statistics service agency provides statistical data to other statistics service agency pursuant to paragraph (1), he/she shall provide them after editing the statistical data in a form in which specific individuals, corporations, organizations, etc. are unidentifiable: *Provided*, That the head of other statistics service agency makes a request under paragraph (1) to use them as samples for any of the following surveys, he/she may provide the statistical data in a form in which specific

individuals, corporations, organizations, etc. are identifiable: <Amended by Act No. 11553, Dec. 18, 2012>

1. Survey for the production of statistical data after obtaining approval or undergoing consultations pursuant to Article 18 (1) or 20 (1);
2. Preliminary survey for the production of statistical data after approval under Article 18 (1) is applied or a request for consultation under Article 20 (1) is made for the production of such statistical data.
- (3) The statistical data provided by a statistics service agency pursuant to paragraph (2) shall not be used for a purpose other than the purpose for which they have been provided, or shall not be provided to other persons.
- (4) Matters necessary for the method, etc. of providing statistical data shall be prescribed by Presidential Decree.

Article 31 (Use of Statistical Data)

- (1) Any person who intends to use statistical data may request the head of a statistics service agency for the provision of statistical data, as prescribed by Presidential Decree. <Amended by Act No. 13818, Jan. 27, 2016>
- (2) Upon receipt of an application under paragraph (1), the head of a statistics service agency shall provide statistical data where it is judged as reasonable after examining the propriety of the purpose, details and scope of use of statistical data, and where trade secret infringement is not probable. In such cases, the head of a statistics service agency shall provide the statistical data after editing them in a form in which specific individuals, corporations, organizations, etc. are unidentifiable, except for the following cases: <Amended by Act No. 13818, Jan. 27, 2016>
 1. Where a statistical respondent requests the data to which he/she has responded;
 2. Where information prescribed by Presidential Decree, such as names of businesses, business categories, domiciles, etc., is provided, which is obtained from a census or a complete enumeration of businesses from among the statistics produced with the approval of the Commissioner of Statistics Korea pursuant to Article 18.

- (3) Notwithstanding paragraph (2), where any of the following is applicable by comparing or linking the statistical data concerned with other data, the head of a statistics service agency may not provide the statistical data:
<Amended by Act No. 13818, Jan. 27, 2016>
1. Where specific individuals, corporations, organizations, etc. are identifiable;
 2. Where trade secrets of a business are infringed.
- (4) The statistical data provided by a statistics service agency under paragraph (2) shall not be used for any purpose other than that for which it has been provided, nor shall be provided to other persons.
- (5) Matters necessary for the method, etc. of providing statistical data shall be prescribed by Presidential Decree.

CHAPTER V DUTY, PROTECTION, ETC. OF STATISTICAL RESPONDENTS

Article 32 (Duty of Statistical Respondents to Answer Faithfully)

When statistical respondents have been questioned or requested to provide data, etc. for the purpose of production of statistics by a person engaged in the business of producing statistics, they shall answer the matters of survey faithfully so that reliable statistics can be produced.

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 producing statistics shall be protected.
- (2) Data belonging to the confidential information of individuals, corporations, organizations, etc. that have been produced for the production of statistics shall not be used for any purpose other than that of producing statistics.

Article 34 (Duty of Statistics Staff, etc.)

Any person who is or was a statistics staff member or who is or was engaged in the business of producing statistics after being entrusted with all or part of such business shall not use the information that they have come to know in the course of conducting the duty for any purpose other than the

relevant duty, nor shall provide them to other persons.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 35 (Requests for Submission of Statistics)

- (1) Where it is recognized as necessary for the performance of the duties under this Act, the Commissioner of Statistics Korea may request the heads of statistics service agencies for the submission of related data.
- (2) The heads of statistics service agencies who have been requested under paragraph (1) shall comply therewith unless there is good cause.

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

- (1) Where a statistics service agency (excluding a designated statistics service agency) commits a violation falling under any subparagraph of Article 41 (3), the Commissioner of Statistics Korea may request the head of the agency concerned to rectify such violation. *<Amended by Act No. 13818, Jan. 27, 2016>*
- (2) When the Commissioner of 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 also request caution or disciplinary actions against the statistics staff members or related public officials responsible for the violation.
- (3) Upon receipt of the requests under paragraphs (1) and (2), the head of a statistics service agency shall take necessary measures, such as the rectification of the violations and the disposition of caution or disciplinary actions against the statistics staff members or related public officials responsible for the violation, and shall notify the Commissioner of Statistics Korea of the results thereof.

Article 37 (Delegation and Entrustment)

- (1) The head of a central administrative agency may partially delegate his/her authority to the head of an affiliated agency or to Mayors/*Do* Governors, or may entrust it to the heads of other administrative agencies or designated statistics service agencies as prescribed by Presidential Decree.

<Amended by Act No. 9557, Apr. 1, 2009; Act No. 11553, Dec. 18, 2012>

- (2) The Commissioner of Statistics Korea may delegate or entrust any of the following affairs to an affiliated agency, or to an agency, etc. engaging in projects for the development, promotion and diagnosis of quality of statistical data or construction and operation of statistical information systems, as prescribed by Presidential Decree: *<Amended by Act No. 11553, Dec. 18, 2012; Act No. 13818, Jan. 27, 2016>*
1. Production of statistics (including surveys for the production of statistics) and public relation activities therefor;
 - 1-2. Establishment and operation of statistical information systems referred to in Article 7-2;
 2. Education of statistics referred to in Article 8;
 3. Execution of a regular examination of the quality of statistics referred to in Article 9;
 4. Businesses of international cooperation under subparagraphs 1 through 4 of Article 14;
 5. Provision of statistical data under Articles 30 and 31.
- (3) The head of each statistics service agency may entrust any of the following affairs to the Commissioner of Statistics Korea as prescribed by Presidential Decree: *<Newly Inserted by Act No. 11553, Dec. 18, 2012>*
1. Keeping and management of statistical data referred to in Article 29-2;
 2. Provision of statistical data referred to in Articles 30 and 31.
- (4) Where the Commissioner of Statistics Korea is entrusted with affairs pursuant to paragraph (3) 2, he/she may re-entrust part of the affairs that he/she is entrusted with to another agency, etc. carrying on businesses concerning the development, promotion and quality evaluation of statistics or the business of construction and operation of a statistics information system with the approval of the head of the entrusting agency. *<Newly Inserted by Act No. 13818, Jan. 27, 2016>*
- Article 38 (Persons Deemed as Public Officials in Application of Penalty

Provisions)

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

CHAPTER VII PENALTY PROVISIONS

Article 39 (Penalty Provisions)

- (1) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: *<Amended by Act No. 13818, Jan. 27, 2016>*
1. Any person who exercises influence over statistics staff (including persons engaged in the duties of producing statistics after being entrusted with the whole or part thereof by a statistics service agency), in violation of Article 27-2 (1);
 2. Any person who provides others with statistics being produced or already produced statistics or reveals statistics before official announcement, or uses the statistics for a purpose other than statistical purpose, in violation of Article 27-2 (2);
 3. Any person who uses matters classified as confidential information of individuals, corporations, organizations, etc., which are gathered or received (including the provision under Article 31 (2)) for the purpose of production of statistics, for a purpose other than statistical purpose, or provides them to other persons;
 4. Any person who peruses or is provided with matters classified as confidential information of individuals, corporations, organizations, etc. by deceit or fraud, which are gathered or received (including the provision under Article 31 (2)) for the purpose of production of statistics;
 5. Any person who alters or erases basic data, such as questionnaires gathered, kept or managed by a statistics service agency for the production or dissemination of statistics without justifiable grounds or who intentionally fabricates statistical data: *Provided*, That the person

who corrects or alters any errors in a survey, entry errors, etc. in accordance with the procedures of examination of details or with the statistics service techniques inside the statistics service agency shall be excluded.

- (2) Any person who, in violation of the main sentence of Article 27-2 (4), provides produced statistics before noon of the day before the date scheduled for official announcement shall be punished by imprisonment with labor for not more than one year or by a fine not exceeding ten million won. *<Newly Inserted by Act No. 13818, Jan. 27, 2016>*

Article 40 (Joint Penalty Provisions)

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

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

Article 41 (Administrative Fines)

- (1) Where, in violation of Article 27-2 (3), a statistics service agency fails to keep the record that states the details of statistics, date, provider, method of provision, name of the agency being provided with the statistics and the person in charge at the agency and accompanying evidentiary materials, which are provided before official announcement, for five years, it shall be subject to an administrative fine not exceeding five million won. *<Newly Inserted by Act No. 13818, Jan. 27, 2016>*
- (2) Any person who fails to comply with a correction order in violation of Article 22 (3) shall be subject to an administrative fine not exceeding three million won. *<Amended by Act No. 13818, Jan. 27, 2016>*

- (3) Where any of the following is applicable, a designated statistics service agency shall be subject to an administrative fine not exceeding two million won: *<Amended by Act No. 13818, Jan. 27, 2016>*
1. Where it fails to comply with a request to suspend the production of statistics, to change statistics or to improve business concerning the production and dissemination of statistics, in violation of Article 12 (2);
 2. Where it produces statistics, suspends the production of statistics or changes approved matters without obtaining approval from the Commissioner of Statistics Korea, in violation of Article 18 (1);
 3. Where it produces statistics, suspends the production of statistics or changed consulted matters without consulting with the Commissioner of Statistics Korea, in violation of Article 20 (1);
 4. Where it fails to follow the standard classification prepared and publicly announced by the Commissioner of Statistics Korea, or produces statistics by applying another standard without obtaining consent from the Commissioner of Statistics Korea in violation of Article 22 (2);
 5. Where it fails to announce statistics in violation of Article 27 (1) or officially announces statistics without consulting with the Commissioner of Statistics Korea in violation of paragraph (5) of the same Article;
 6. Where it fails to announce statistics without obtaining approval from the Commissioner of Statistics Korea in violation of Article 27 (3) or fails to submit the result to the Commissioner of Statistics Korea in violation of paragraph (6) of the same Article;
 - 6-2. Where it fails to disclose the result of comparison between and examination of the statistics produced in the previous year and the officially announced statistics or fails to submit it to the Commissioner of Statistics Korea, in violation of Article 27-2 (5);
 7. Where it fails to submit data, in violation of the latter part of Article 28 (3);
 8. Where it fails to submit data, in violation of Article 35 (2).
- (4) Any of the following persons shall be subject to an administrative fine not

exceeding one million won: <Amended by Act No. 13818, Jan. 27, 2016; Act No. 14843, Aug. 9, 2017>

1. Any person who uses administrative data (excluding the matters classified as confidential information) provided by public institutions for a purpose other than statistical purpose, or provides them to other persons, in violation of Article 24 (4);
 2. Any person who rejects or obstructs the provision of data, or submits false data, in violation of Article 25 (4);
 3. Any person who rejects, obstructs, or evades a request for submission of related data or for an answer, or submits false data or gives a false answer, in violation of Article 26 (3);
 4. Any person who uses statistical data (excluding the matters classified as confidential information) provided by a statistics service agency for a purpose other than that for which it is provided, or provides them to other persons, in violation of Article 30 (3) or 31 (4);
 5. Any person who uses the matters (excluding the matters classified as confidential information) that he/she came to know in the course of performing his/her duties for a purpose other than for the duties, or provides them to other persons, in violation of Article 34 (excluding where the person is imposed with a penalty pursuant to Article 39 (1) 2).
- (5) Administrative fines under paragraphs (1) through (3) shall be imposed and produced by the Commissioner of Statistics Korea, and those under paragraph (4) shall be imposed and produced by the heads of central administrative agencies (in the case falling under subparagraphs 3 through 5 of the same paragraph, the Commissioner of Statistics Korea, if a person on whom disposition of an administrative fine is to be imposed is requested to submit data or is questioned by a person engaged in the production of statistics at a designated statistics service agency, or is provided with statistical data by a designated statistics service agency, or is or was a statistics staff member of a designated statistics service

agency, or is or was engaged in the production of statistics after being entrusted with all or part of the production of statistics by a designated statistics service agency) or by the heads of local governments, as prescribed by Presidential Decree. *<Newly Inserted by Act No. 9284, Dec. 31, 2008; Act No. 13818, Jan. 27, 2016>*

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 service 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 service 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 Production)

The statistics for the production 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 production under the amended provisions of Article 18.

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

Statistics that have been consulted for the production of statistics at the time when this Act enters into force shall be deemed to have been consulted on for the production 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.

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.

ADDENDA <Act No. 11553, Dec. 18, 2012>

Article 1 (Enforcement Date)

This Act shall enter into force three months after its promulgation: *Provided*, That the amended provisions of Articles 7-2 and 37 (2) shall enter into force on the date of promulgation.

Article 2 (Transitional Measures concerning Formulation of Master Plan for

Development of National Statistics)

The first master plan for the development of national statistics to be formulated according to the amended provisions of Article 5-4 shall be formulated within six months after this Act enters into force.

ADDENDUM <Act No. 12571, May 14, 2014>

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

ADDENDA <Act No. 12844, Nov. 19, 2014>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: *Provided*, That the amended part of an Act which was promulgated before the enforcement of this Act, but the date on which it enters into force has not yet arrived, among Acts amended by Article 6 of the Addenda, shall enter into force on the enforcement date of the relevant Act, respectively.

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 13818, Jan. 27, 2016>

This Act shall enter into force six months after the date of its promulgation: *Provided*, That the amended provisions of Article 2 (2) and subparagraph 5 (e) of Article 3 shall enter into force on the date of their promulgation.

ADDENDUM <Act No. 14467, Dec. 27, 2016>

This Act shall enter into force on the date of its promulgation: *Provided*, That the amended provisions of Article 24-2 (4) and (5) shall enter into force six months after the date of its promulgation.