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**ENFORCEMENT DECREE OF THE ACT ON THE ESTABLISHMENT AND
OPERATION OF KOREA COMMUNICATIONS COMMISSION**

[Enforcement Date 22. May, 2018.] [Presidential Decree No.28888, 15. May, 2018.,
Partial Amendment]

방송통신위원회 (혁신기획담당관실)02-2110-1325, 1327



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2024.05.03

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose) The purpose of this Decree is to provide for matters delegated by the Act on the Establishment and Operation of Korea Communications Commission and matters necessary for enforcing the aforesaid matters.

CHAPTER II ESTABLISHMENT OF KOREA COMMUNICATIONS COMMISSION

Article 2 Deleted. <by Presidential Decree No. 24445, Mar. 23, 2013>

Article 3 (Prohibition of Profit-Making Business) No member of the Korea Communications Commission (hereinafter referred to as the "Commission") under Article 3 of the Act shall engage in any work from which he/she receives regular compensation in return for his/her labor provided, pursuant to Article 9 (3) of the Act.

Article 4 (Grounds for Disqualification) The scope of persons who engage in business related to broadcasting and communications under Articles 10 (2) and 19 (2) shall be as follows:

<Amended by Presidential Decree No. 22424, Oct. 1, 2010>

1. Persons who engage in broadcasting business, etc. under subparagraphs 2, 5, 8, 11, and 13 of Article 2 of the Broadcasting Act;
2. Persons who engage in facilities-based wireless communications services under Article 5 (2) of the Telecommunications Business Act.

CHAPTER III EXPERT COMMITTEE AND SPECIAL COMMITTEE

Article 5 (Expert Committee) (1) The Commission may establish an expert committee to provide practical advice and suggestions concerning its affairs and to preview matters the Commission is to deliberate or resolve on, pursuant to Article 15 (1) of the Act.

- (2) The expert committee shall be comprised of not more than 15 members including one chairperson.
- (3) The Chairperson of the Commission shall commission members of the expert committee with the consent of the Commission from among those who have extensive knowledge of and experience in broadcasting and communications, and shall appoint the chairperson of the expert committee from among the members of the expert committee.
- (4) The term of office of members of the expert committee shall be two years.
- (5) The expert committee shall hold meetings when a majority of its incumbent members are present, and adopt resolutions with the concurring vote of a majority of the members present.
- (6) In addition to matters provided for in this Decree, matters necessary for establishing, operating, etc. of the expert committee shall be prescribed by the Rules of the Commission.

Article 6 (Special Committee) (1) The Commission may establish a special committee to efficiently conduct affairs delegated by the Commission pursuant to Article 15 (1) of the Act.

- (2) The special committee shall be comprised of not more than 20 members including one chairperson.
- (3) The term of office of members of the special committee shall be the period while the special committee exists.
- (4) Article 5 (3), (5), and (6) shall apply mutatis mutandis to the commission of members of the special committee, the appointment of the chairperson thereof, and the establishment and operation thereof.

CHAPTER IV KOREA COMMUNICATIONS STANDARDS COMMISSION

Article 7 (Composition of the Korea Communications Standards Commission) (1) The Chairperson of the Korea Communications Standards Commission (hereinafter referred to as the "Standards Commission") under Article 18 of the Act shall represent the Standards Commission and preside over its affairs.

- (2) Where a vacancy occurs in the Standards Commission, the President of the Republic of Korea shall commission a member to fill a vacancy within 30 days from the date a vacancy

occurs pursuant to Article 18 (3) and (4) of the Act.

(3) In addition to matters provided for in this Decree, matters necessary for establishing, operating, etc. of the Standards Commission shall be prescribed by the Rules of the Standards Commission.

- Article 8 (Information Subject to Deliberation by Standards Commission)** (1) "Information prescribed by Presidential Decree" in subparagraph 4 of Article 21 of the Act means information deemed necessary to be deliberated on, such as illegal information and information harmful to adolescents under Article 44-7 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, among information distributed through information and communications networks.
- (2) Kinds of requests for corrective action under subparagraph 4 of Article 21 of the Act shall be as follows:
1. Deletion of the relevant information or blocking access thereto;
 2. Suspension or termination of the use of the relevant information to users;
 3. Fulfillment of the duty to label information harmful to juveniles or alterations of labeling methods, and other matters deemed necessary.
- (3) Where an information and communications service provider or a person who manages and operates a bulletin board receives a request for corrective action under paragraphs (1) and (2), he/she shall immediately notify the Standards Commission of the results of corrective action taken.
- (4) Where the relevant information constitutes illegal information under the provisions of Article 44-7 (1) 1 through 6 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, in which case an information and communications service provider or a person who manages and operates a bulletin board fails to comply with a request for corrective action under paragraph (1), the Standards Commission may request the Commission to order such information and communications service provider or such person who manages and operates a bulletin board to refuse, suspend, or restrict the handling of such illegal information.
- (5) An information and communications service provider, a person who manages and operates a bulletin board or a user of information may file an objection to a request for corrective action under paragraph (2) by submitting a document stating the following to the Standards Commission within 15 days from the date he/she receives such request for

corrective action:

1. Name, address, telephone number, and email address of the person who files such objection;
 2. Reference number of the written request for corrective action;
 3. Grounds for filing such objection;
 4. Signature and seal or signature of the person who files such objection;
 5. Other matters necessary to file such objection.
- (6) The Standards Commission shall deliberate on an objection within 15 days from the date such objection is filled under paragraph (5).
- (7) No person shall file a further objection to the results of deliberation under paragraph (6).

Article 9 (Operation of Meetings of the Korea Communications Standards Commission) (1)

The Chairperson of the Standards Commission (hereinafter referred to as the "Chairperson of the Standards Commission") shall convene and preside at meetings of the Standards Commission.

(2) The Chairperson of the Standards Commission shall convene regular meetings of the Standards Commission twice a month and convene an extraordinary meeting when he/she deems it necessary or at least one-third of its incumbent members request him/her to convene an extraordinary meeting.

Article 10 (Subcommittee) (1) A subcommittee under Article 22 (4) of the Act shall be

comprised of not more than five members of the Standards Commission appointed by the Chairperson of the Standards Commission.

(2) The chairperson of the subcommittee shall be elected by the subcommittee from among its members.

(3) The chairperson of the subcommittee shall convene subcommittee meetings.

(4) In addition to matters provided for in this Decree, matters necessary for establishing and operating the subcommittee shall be prescribed by the Rules of the Standards Commission.

Article 11 (Special Committee) (1) A special committee under Article 22 (4) of the Act shall be comprised of not more than 15 members in each field.

(2) The Chairperson of the Standards Commission shall commission members of the special committee with the consent of the Standards Commission from among experts who have extensive knowledge and experience in a field where they provide advice and suggestions, and shall appoint the chairperson of the special committee from among the members of the special committee.

(3) The chairperson of the special committee shall convene special committee meetings.

(4) The special committee shall hold its meetings when a majority of its incumbent members are present, and adopt resolutions with the concurring vote of a majority of the members present.

(5) In addition to matters provided for in this Decree, matters necessary for establishing and operating the special committee shall be prescribed by the Rules of the Standards Commission.

Article 12 (Secretariat) (1) The Secretary General of the Standards Commission under Article 26 (2) of the Act shall conduct affairs of the Standards Commission under the direction of the Chairperson of the Standards Commission, and direct and supervise personnel under his/her jurisdiction.

(2) The Secretariat of the Standards Commission shall have offices, departments, teams, regional offices, etc. as its subordinate units.

(3) Matters concerning the detailed organizational structure of the Secretariat of the Standards Commission shall be prescribed by the Rules of the Standards Commission.

Article 13 (Processing of Personally Identifiable Information) Where it is inevitable for conducting the following affairs, the Korea Communications Commission may process data containing resident registration numbers under subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act:

1. Affairs concerning the confirmation of grounds for disqualification of members under Article 10 of the Act;
2. Affairs concerning the recommendation of directors and the appointment of the auditor of the Korean Broadcasting System, the appointment of directors and the auditor of the Foundation for Broadcast Culture, and the appointment of president, directors, and the auditor of the Korea Educational Broadcasting System under subparagraphs 2 through 4 of Article 12 of the Act;

3. Affairs concerning the confirmation of grounds for disqualification of members of the Standards Commission under Article 19 of the Act.

[This Article Newly Inserted by Presidential Decree No. 25532, Aug. 6, 2014]

Article 14 (Standards for Imposing Administrative Fines) The standards for imposing administrative fines under Article 30 (1) of the Act shall be as specified in the attached Table.

[This Article Newly Inserted by Presidential Decree No. 28888, May 15, 2018]