Statistical Act of the Republic of Korea


Article 1. (Purpose)

The purpose of this Law shall be to ensure the reliability of statistics and the efficiency of the operation of the statistical systems through a comprehensive coordination of statistical activities and realignment of the statistical regime.

Article 2. (Fundamental Ideology of Statistics)

Statistics shall be compiled in a scientific method and used impartially for social development as a resource to facilitate reasonable decision making.

Article 3. (Definition) For the purpose of this Law,

(1) the term "statistics" means designated statistics and general statistics which shall be compiled by the statistical agency itself or by another delegated or an entrusted agency in order to be utilized for their policy making, evaluation, etc. and be determined by the Presidential Decree;

(2) the term "designated statistics" means statistics which shall be designated and announced publicly by the Commissioner of the National Statistical Office among the statistics compiled by a statistical agency;

(3) the term "general statistics" means statistics other than the designated statistics compiled by statistical agency;

(4) the term "statistical agency" means a central administrative agency, local government or designated agency as prescribed in Article 4 (hereinafter referred to as "statistical agency").

Article 4. (Designation of statistical Agencies, etc.)
(1) The Commissioner of the National Statistical Office shall designate agencies by the application of various agencies. Agencies to be designated and requirements of the designation shall be stipulated by Presidential Decree.

(2) Where a designated agency or a designated statistics fails to fulfill the requirements in Article 4(1), the Commissioner may repeal the designation.

(3) If the Commissioner of the National Statistical Office desires to designate any statistics or repeal them, the commissioner shall notify the general public.

Article 5. (Relation to Other Laws)

(1) The provisions of this Law shall not be applicable to statistical matters performed by other laws.

(2) If the head of a related administrative agency desires to establish or revise the laws and regulations concerning statistical matters, he shall, in advance, confer with the Commissioner of the National Statistical Office.

Article 6. (Request for Improvement of Statistical Matters, etc.)

(1) If it is deemed necessary for performing the function as referred to in Article 1, the Commissioner of the National Statistical Office may request a statistical agency to implement, suspend, change or improve the statistical matters.

(2) The head of a statistical agency receiving a request from the Commissioner of the National Statistical Office under Paragraph (1) shall comply, unless a justifiable reason can be given that he should not.

Article 7. (Request for Data Presentation)

(1) If it is deemed necessary for enforcing this Law, the Commissioner of the National Statistical Office may order the head of a statistical agency to present related data.

(2) The provisions of Article 6(2) shall be applicable to the case as referred to in Paragraph (1).

Article 8. (Approval for Statistical Compilation)
The head of a statistical agency desiring to compile new statistics shall, in advance, obtain the approval of the Commissioner of the National Statistical Office for the statistical compilation. In a case of suspension of the approved statistical compilation or change of the approved items, the same shall be applicable.

Article 9. (Compilation Conference)

(1) For statistics compiled by other laws, the items such as survey method, etc., as referred to in the Presidential Decree, among items not stipulated by the Law shall, in advance, be conferred with the Commissioner of the National Statistical Office. In a case of suspension or change of the conferred statistical compilation the same shall be applicable.

(2) In a case of statistical compilation by conference under Paragraph (1), it shall be read as the Commissioner’s approval under the provisions of Article 8.

Article 10. (Order to Present Material)

If it is deemed necessary for compiling designated statistics, the head of the central administrative agency or local government shall order the individuals, juristic persons, or organizations to present the related materials.

Article 11. (Education for Employee on Statistical Matters)

(1) In order to advance the ability of persons engaged in statistical work of a statistical agency the Commissioner of the National Statistical Office may conduct education on statistical matters or recommend the head of a statistical agency to conduct it.

(2) The scope of persons who shall receive the education and the educational method on statistical matters under the provisions of Paragraph (1) shall be determined by the Ordinance of Presidential Decree.

Article 12. (Field Investigation)

(1) Persons engaged in statistical work may inspect concerned materials, request their submission or ask questions to the persons concerned for the purpose of the investigation or confirmation of
the designated statistics under terms approved in advance by the Commissioner of the National Statistical Office.

(2) A Person requested to submit or inspect concerned materials or asked questions shall comply, unless a justifiable reason exists why he should not.

(3) A Person who conducts the duty under paragraph (1) shall show to related persons a certificate indicating his competence.

Article 13. (Protection of Secrets, etc.)

(1) The secrets belonging to individuals, juristic persons or organizations revealed in the course of carrying out a statistical activity shall be protected.

(2) No fundamental material of a confidential nature belonging to individuals, juristic persons or organizations collected for statistical compilation shall be used for any purpose other than statistical compilation.

Article 14. (Duty of Person Engaged in Statistical Matter)

No person who performs or performed a statistical matter, or who performs or performed an entrusted matter from the statistical agency for a processing of statistical data, shall use that data for a purpose other than the work, such as divulging any secret belonging to individual, juristic person or organization learned in the course of carrying out his work, using it, or offering it to others without authority.

Article 15. (Publication of Statistical Results, etc)

(1) The head of a statistical agency which has compiled statistics shall submit the results of the statistics to the Commissioner of the National Statistical Office, and after consultation with the Commissioner, the results shall be published; Provided, With his permission, it may not be published.

(2) If it is deemed necessary not to consult with the producer of the statistical results submitted under Paragraph (1), the Commissioner may have it published without consultation.

(3) When the Commissioner of the National Statistical Office recognizes the compilation method to be unreasonable or the
reliability of the statistical results to have deteriorated for the
statistics compiled without consultation under Paragraph (2), he
may have it published again after consultation.

(4) When the head of a statistical agency publishes the statistical
results under Paragraphs (1), (2) and (3), he shall submit the
statistical results without delay to the Commissioner of the
National Statistical Office, who shall take the necessary measures
concerning the use of the statistical results for the users of
statistics.

Article 16. (Use of the Statistical Data)
The head of a statistical agency shall have the statistical data
used extensively under the conditions prescribed by the
Presidential Decree in the limit of falling under the provisions
of Article 13.

Article 17. (Classification of Statistical Data)

(1) When the head of a statistical agency classifies the statistical
data, he shall follow the standard classifications established and
announced publicly by the Commissioner of the National Statistical
Office on the basis of international standard classifications. The
Commissioner shall cofer with related agency in advance when he
establishes the standard classifications.

(2) Where the statistical data is unsuitable for the standard
classifications as referred to in Paragraph (1), the head of a
statistical agency may classify, upon approval of the Commissioner
of the National Statistical Office, the statistical data according
to a method other than the standard classifications.

(3) If the Commissioner of the National Statistical Office deems
the content of the standard classifications incorrect due to
alteration, summary or selection through publication, he may order
it corrected.

Article 18. (Printing Statistical Material)
The head of a statistical agency which has printed material
containing the statistics (hereinafter referred to as "printing
material") as referred to in the Presidential Decree shall notify
the Commissioner of the National Statistical Office of its contents
without delay.
Article 19. (Cooperation in Statistical Compilation)

(1) The head of a statistical agency compiling statistics under the provisions of Article 8 or 9(1) may request, if necessary, the cooperation of related statistical agencies. The requested agency shall comply except in special cases.

(2) The statistical agency requesting the cooperation shall, principally, bear the costs needed for the cooperation under Paragraph (1) except cases prescribed in the other laws and regulations; Provided, Where the compiled statistics are to be used by the agency requested for the cooperation, it may bear a part of the needed costs under mutual conference.

Article 20. (Delegation and Entrust of Authority)

(1) The head of a statistical agency may delegate part of his authority under this Law to the head of an agency under his control, a mayor of a special city, a mayor of a metropolitan city or a provincial governor, or he may entrust it to the head of another administrative agency or statistical agency as referred to in the Presidential Decree.

(2) The mayor of a special city, the mayor of a metropolitan city or a provincial governor may delegate again, upon approval of the delegation agency, part of the authority delegated by the provisions of Paragraph (1) to the mayor of an ordinary city, head of a county, head of district of the metropolitan city, or head of another agency under his control.

Article 21. (Assistance of Budget, Manpower And Other areas)

(1) The Commissioner of the National Statistical Office may assist a statistical agency or an organization which conducts business for the education, development or advertizement of statistics with a part of the needed costs for the operation of the business in the limit of the yearly budget, and if necessary, assist with manpower for a defined time.

(2) The commissioner of the National Statistical Office shall help those requesting assistance in obtaining the desired cooperation, if the commissioner is requested for necessary advice or technology in statistical planning, surveys or processing.

Article 22. (Non-approval of Statistical Compilation, etc.)
The Commissioner of the National Statistical Office may repeal the designation of the designated agency, if the agency falls under any of the following cases:

(1) Where it has violated the provisions of Article 6(2), including the case where it is applicable under Article 7(2);

(2) Where it has compiled, changed or suspended the statistics without approval or consultation in contravention of the provisions of Article 8 and 9;

(3) Where it has published the statistical results in contravention of the provisions of Article 15(1) and 15(3);

(4) Where it has not used the standard classifications under Article 17 or used classifications other than the standard classifications under Article 17 without approval of the Commissioner of the National Statistical Office;

Article 23. (Penal Provision)

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

(1) A person who has violated the provisions of Article 14;

(2) A person who has read or been provided, in a false or unfair method, secret materials belonging to individuals, juristic persons or organizations;

(3) A person who has changed or erased the fundamental materials which the statistical agency collected, retained or managed to compile.

(4) A person who uses personal or corporation’s confidentialities, which he/she has obtained for the purposes than originally intended, or who provides them to others without proper permission.

Article 24. (Joint Penal Provision)

If a representative of a juristic person, agent, serviceman or other employee of a juristic person or individual, commits an offense falling under subparagraph (2) or (4) of Article 23, the fine as
prescribed in Article 23 shall also be imposed on such juristic person or individual in addition to the offender.

Article 25. (Fine for Negligence)

(1) Any person who falls under any of the following subparagraphs, shall be punished by a fine for negligence not exceeding one million Won:

① A person who has failed to present material or submitted false materials in contravention of the provisions of Article 10;

② A person who has interfered with the submission of the materials in contravention of the provisions of Article 10;

③ A person who has refused, interfered with, or evaded any investigation conducted by the person engaged in statistical work, submitted false materials or made a false statement in contravention of the provisions of Article 12.

(2) Any statistical agency which has committed an act falling under any of the following subparagraphs, shall be punished by a fine for negligence not exceeding two million Won:

① An agency that has violated the provisions of Article 6(2), including the case where it is applicable under Article 7(2);

② An agency that has compiled, changed or suspended statistics without approval or consultation in contravention of the provisions of Article 8 and 9;

③ An agency that has published the statistical results in contravention of the provisions of Article 15(1) and 15(3);

④ An agency that has not used the standard classifications under Article 17 or used other classifications than the standard classifications under Article 17 without approval of the Commissioner of the National Statistical Office;

(3) Any person who has violated the correction order of the Commissioner of the National Statistical Office, in contravention of the provisions of Article 17(3), shall be punished by a fine for negligence not exceeding three million Won.
Article 26. (Imposition Process of a Fine for Negligence)

(1) The fine for negligence as referred to in Article 25 shall be imposed and collected by the head of a central administrative agency or local government (hereinafter referred to as "person who is entitled to impose it").

(2) Any person who is dissatisfied with the disposition of a fine for negligence as referred to in Paragraph (1), may make an objection against the person who is entitled to impose it within thirty days after he is informed of such disposition.

(3) If a person who is subject to a disposition of fine for negligence as referred to in Paragraph (1), has made an objection under Paragraph (2), the person who is entitled to impose it shall notify the competent court of the above without delay, which shall, upon receiving the notification, bring the case of fine for negligence to a trial under the Non-Contentious Case Procedure Act.

(4) If no objection is made, and no fine for negligence is paid, in the period as referred to in Paragraph (2), it shall be collected according to the examples of the disposition of national or local taxes in arrears.

ADDENDA

(1) (Enforcement Date) This Act shall enter into force as of April 1, 1999.

(2) (Interim Measures concerning Designated Agency, etc)

Any designated agency or designated statistics designated by the previous provisions at the time of the enforcement of this Act shall be considered as those designated 4 (1) by this Act.

(3) (Removal from the designated agency responsibilities)

Agencies designated under the authority of the Commissioner of the National Statistical Office based on the article 4(1) of the old Act may request the Removal from their responsibilities within three months of the enforcement of the Act. In this case the Commissioner shall relieve these agencies from responsibilities and announce their removal publically.