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**PROMOTION OF THE MOTION PICTURES AND VIDEO PRODUCTS
ACT**

[Enforcement Date 19. Nov, 2015.] [Act No.13306, 18. May, 2015., Partial
Amendment]

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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to enhancing the cultural life of the people and promoting the national culture by upgrading the motion pictures and video products qualitatively and promoting the development of the film and video industry.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9096, Jun. 5, 2008; Act No. 9657, May 8, 2009; Act No. 11314, Feb. 17, 2012; Act No. 13306, May 18, 2015>

1. The term "motion picture" means any work, the successive pictures of which are contained in any digital medium, such as films, disks, etc., which is produced for the purpose of public viewing at any place or establishment, such as movie theaters;
2. The term "film industry" means an industry engaged in the production, utilization, distribution, dissemination, exportation, importation, etc. of motion pictures;
3. The term "Korean motion picture" means a motion picture produced by persons (including corporations) headquartered in Korea, and other motion pictures deemed Korean motion pictures pursuant to Article 27;
4. The term "jointly produced motion picture" means a motion picture produced jointly by Korean and foreign motion picture makers so as to cover the production costs through their joint financing, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism;
5. The term "animation" means a motion picture that fictionalizes a real world or an imaginary world to allow viewers to feel the dynamic sense similar to the reality through the utilization of human resources or technology;
6. The term "small film" means a motion picture produced by using film not exceeding 16 millimeters or any digital medium, which is prescribed by Ordinance of the Ministry of Culture, Sports and Tourism;

7. The term "short film" means a motion picture with a running time not exceeding 40 minutes;
8. The term "screening" means presenting motion pictures for public viewing on screen;
9. The term "motion picture enterpriser" means any of the following persons having a profit - making purposes:
 - (a) Motion picture makers: Persons who operate business making motion pictures;
 - (b) Motion picture importers: Persons who operate business importing motion pictures;
 - (c) Motion picture distributors: Persons who operate business distributing motion pictures;
 - (d) Motion picture screeners: Persons who operate business screening motion pictures;
10. The term "movie theater" means any place or establishment where motion pictures are screened for profit: Provided, That such place and establishment (hereinafter referred to as "non - permanent movie theater") shall be excluded, where motion pictures are screened for a period not exceeding the number of days per year prescribed by Presidential Decree;
11. The term "restricted movie theater" means a movie theater where restricted motion pictures provided for in Article 29 (2) 5 are screened;
12. The term "video product" means any work, the successive pictures of which are contained in any digital medium or device, such as tapes or disks, which is produced to be viewed or to be viewed and heard by being played through machines or electrical, electronic, or communication apparatus: Provided, That any of the following products shall be excluded:
 - (a) Game softwares provided for in subparagraph 1 of Article 2 of the Game Industry Promotion Act;
 - (b) Video products operated on computer programs (limited to those without any recorded motion picture);
13. The term "video industry" means an industry engaged in the production, utilization, distribution, supply, export, import, etc. of video products;
14. The term "video product manufacturing business" means any business manufacturing or reproducing video products;

15. The term "video product distribution business" means any business importing video products (including the originals of the video products) or reserving or managing copyrights therein to supply retailers or lenders with video products;
16. The term "video service providing business" means any of the following businesses:
- (a) The business of running a video - viewing establishment: Business offering video products to the public for the purpose of their viewing with multiple partitioned video - viewing compartments and video - viewing apparatuses installed therein (including where customers operate the viewing machine by themselves);
 - (b) The business of running a video - viewing mini - theater: Business specializing in video products offered to the public for the purpose of their viewing, with screens, a number of viewers ' seats, and video - viewing apparatuses installed therein;
 - (c) The business of running a video - viewing mini - theater for video products with a restricted rating: Business exclusively offering restricted - rated video products only to the public, for viewing on screens, a number of spectator's seats, and video - viewing apparatuses installed therein;
 - (d) The business of providing multiple types of visual materials: Business offering incidental facilities for playing with game software or singing to the public, running a video - viewing establishment;
 - (e) Other business of rendering video service: Business offering video products to the public for viewing at places or establishments used for public accommodation, rest, etc. on video - viewing apparatuses installed therein;
17. The term "video product business operator" means a person who runs any business referred to in subparagraphs 14 through 16;
18. The term "juvenile" means a person under the age of 18 (including students who attend high schools pursuant to Article 2 of the Elementary and Secondary Education Act);
19. The term "digital cinema" means showing, to the public, a film work processed in digital file format using a digital projector or telecommunications apparatus via digital media, such as disks, or information communications network under Article 2 (1) 1 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc. (hereinafter referred to as "information communications network"), or providing a user with such film work;

20. The term "content information" means the extent of the theme, obscenity, violence, language, fear factor, drug use, risk of imitation, etc., concerning the contents of a film or video product, and other information related thereto;
21. The term "motion picture worker" means a person prescribed by Presidential Decree, engaged in the film industry;
22. The term "motion picture enterprisers' organization" means an organization of motion picture enterprisers which has the authority to control or regulate the motion picture enterprisers who are the members thereof;
23. The term "motion picture workers union" means an organization formed by motion picture workers as its principal agents for the purpose of maintaining or improving working conditions and promoting the improvement of other economic and social positions of motion picture workers by uniting independently, or a federation thereof.

CHAPTER II MOTION PICTURES

SECTION 1 Formulation and Implementation of Master Plans for Promoting Motion Pictures and Creation of Fair Environments

- Article 3 (Master Plans for Promoting Motion Pictures and Plans for Implementation Thereof)** (1) The Minister of Culture, Sports and Tourism shall formulate and implement a master plan for promoting motion pictures and an implementation plan therefor in order to enhance the film and video culture and develop the film and video industry, by hearing the opinions of the Korean Film Council established pursuant to Article 4 (hereinafter referred to as the "Korean Film Council") and the Korean Film Archive established pursuant to Article 34 (hereinafter referred to as the "Korean Film Archive"). [<Amended by Act No. 8852, Feb. 29, 2008>](#)
- (2) The master plan for promoting motion pictures under paragraph (1) shall contain the following matters: [<Amended by Act No. 9096, Jun. 5, 2008; Act No. 11314, Feb. 17, 2012; Act No. 13306, May 18, 2015>](#)
1. Basic direction - setting for promoting Korean motion pictures;
 2. Surveys and researches for promoting the production of motion pictures, establishment of the motion picture - making infrastructure, and development of related technologies;

3. Surveys, research, and development for promoting the distribution of motion pictures and developing exhibition systems;
4. Exports and overseas advancement of Korean motion pictures;
5. Gathering and preserving film materials;
6. Developing the human resources in the motion picture industry and improving motion picture workers' working environments;
7. Securing financial resources to expand the financial basis necessary for the promotion of motion pictures and devising ways to efficiently manage such resources;
8. International exchange and cooperation in the field of motion picture;
9. Basic direction - setting for promoting digital cinemas, creation of infrastructure for the digital cinema industry, and measures for securing financial resources and efficient operation thereof;
10. Development and standardization of film technology, quality certification of digital cinemas, and facility standards for movie theaters, etc.;
11. Promotion of diversification and public responsibilities of the film and video culture;
12. Other necessary matters for the promotion of the movie arts.

(3) The Minister of Culture, Sports and Tourism may prescribe matters concerning technical standards, quality certification, facility standards, etc. related to paragraph (2) 10 for the development of the digital cinema, and recommend them to relevant enterprisers, such as motion picture enterprisers: Provided, That where the Minister of Culture, Sports and Tourism intends to prescribe the technical standards, the Minister shall consult with the Minister of Trade, Industry and Energy. <Newly Inserted by Act No. 9096, Jun. 5, 2008; Act No. 11690, Mar. 23, 2013>

Article 3 - 2 (Labor - Managerial - Governmental Council for Motion Pictures)

In order to promote the film industry and to improve working environments of motion picture workers, the representatives of motion picture workers unions and motion picture enterprisers or motion picture enterprisers' organization and the Government may organize a labor - managerial - governmental council for motion pictures.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 3 - 3 (Guidelines on Standard Wages) (1) The Minister of Culture, Sports and Tourism shall prepare guidelines on standard wages of motion picture workers ("wages" means all compensation received by motion picture workers in return for their services; hereafter the same shall apply in this Article) in consultation with the labor - managerial - governmental council prescribed in Article 3 - 2, disseminate them, and recommend to implement them.

(2) Motion picture enterprisers and motion picture workers shall comply with the guidelines on standard wages.

(3) The Minister of Culture, Sports and Tourism may cause the Korean Film Council to conduct a fact - finding investigation or research on guidelines on standard wages. In such cases, a person in receipt of a request to submit data for the fact - finding investigation shall comply with such request, except in extenuating circumstances.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 3 - 4 (Specification of Working Conditions)

When a motion picture enterprise concludes a contract with a motion picture worker, the motion picture enterpriser shall specify the wage, working hours, and other working conditions of the motion picture worker in detail.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 3 - 5 (Use and Dissemination of standard - form contract) (1) The Minister of Culture, Sports and Tourism may recommend motion picture enterprisers or motion picture enterprisers' organizations to prepare and use a standard - form contract.

(2) The Minister of Culture, Sports and Tourism and the Korean Film Council may give preference to motion picture enterprisers or motion picture enterprisers' organizations using a standard - form contract referred to in paragraph (1), in the provision of financial support for film and video product industries (including investment in cultural industries made by investment associations funded under the Framework Act on the Promotion of Cultural Industries in accordance with Articles 8 and 9 of the same Act), such as support for the Motion Picture Development Fund under Article 23 of this Act.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 3 - 6 (Protection from Accidents) (1) Motion picture enterprisers shall take appropriate measures to protect motion picture workers from accidents occurring in the course of filming motion pictures.

(2) The State may provide support for the measures referred to in paragraph (1), within budgetary limits.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 3 - 7 (Execution of Vocational Training) (1) The Minister of Culture, Sports and Tourism may execute vocational training for motion picture workers who wish to obtain vocational training.

(2) In order to improve the efficiency of vocational training prescribed in paragraph (1), the Minister of Culture, Sports and Tourism may outsource the execution of vocational training to a vocational education and training institution or a person capable of executing vocational education and training. In such cases, the Vocational Education and Training Promotion Act shall apply mutatis mutandis to the matters necessary for outsourcing, etc. vocational training.

(3) The State may provide financial support necessary for the execution of vocational training under paragraph (1) and pay a vocational training allowance to motion picture workers who participate in vocational training, within budgetary limits.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 3 - 8 (Sanctions against Delayed Payment of Wages, etc.)

If any motion picture enterpriser delays payment of wages of motion picture workers during the production period of a motion picture, violates Article 3 - 4, or fails to use a standard - form contract referred to in Article 3 - 5 (1), the Minister of Culture, Sports and Tourism and the Korean Film Council may exclude such motion picture enterprise from projects executed with financial support for film and video product industries (including investment in cultural industries made by investment associations funded under the Framework Act on the Promotion of Cultural Industries in accordance with Articles 8 and 9 of the same Act), such as the support of the Motion Picture Development Fund under Article 23 of this Act.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

SECTION 2 Korean Film Council

Article 4 (Establishment)

The Korean Film Council shall be established under the jurisdiction of the Ministry of Culture, Sports and Tourism in order to devise a qualitative enhancement of motion pictures and to promote Korean motion pictures and the film industry. <Amended by Act No. 8852, Feb. 29, 2008>

Article 5 (Corporate Personality)

The Korean Film Council shall be a juristic person.

Article 6 (Articles of Association) (1) The articles of association of the Korean Film Council shall contain the following: <Amended by Act No. 11314, Feb. 17, 2012>

1. Objective;
2. Name;
3. Matters related to the principal office;
4. Matters related to executive officers (referring to the members, including the chairperson and vice - chairperson of the Korean Film Council, and auditors thereof; hereafter the same shall apply in this paragraph) and employees;
5. Matters related to standards for remuneration for executive officers;
6. Scope and details of business and matters related to the execution thereof;
7. Matters related to the property and accounting;
8. Matters related to organization and structure;
9. Matters related to the alteration in the articles of association;
10. Matters related to dissolution;
11. Other matters related to the operation of the Council.

(2) When preparing or altering the articles of association, the Council shall obtain authorization from the Minister of Culture, Sports and Tourism. <Newly Inserted by Act No. 11314, Feb. 17, 2012>

Article 7 (Registration) (1) The Korean Film Council shall be deemed to be established by registering its establishment at the location of its principal office.

(2) Necessary matters concerning the establishment registration of the Korean Film Council shall be prescribed by Presidential Decree.

Article 8 (Composition of Korean Film Council) (1) The Korean Film Council shall consist of nine members including one chairperson and one vice chairperson.

(2) The members of the Korean Film Council shall be appointed by the Minister of Culture, Sports and Tourism, from among persons with expertise and abundant experience in the movie arts, the film industry, etc, taking into account the balance of their gender, age, expertise, etc.: Provided, That three or more motion picture enterprisers shall not be included as its members. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11314, Feb. 17, 2012; Act No. 11902, Jul. 16, 2013>

(3) The chairperson of the Korean Film Council shall be appointed by the Minister of Culture, Sports and Tourism, from among the multiple candidates recommended by the Executive Officer Recommendation Committee provided for in Article 29 (1) of the Act on the Management of Public Institutions (hereinafter referred to as the "Executive Officer Recommendation Committee"), whereas the vice - chairperson shall be elected from among and by the members of the Korean Film Council. <Amended by Act No. 11314, Feb. 17, 2012>

(4) Necessary matters concerning the composition and operation of the Korean Film Council including the standards, etc. for nomination of its members shall be prescribed by Presidential Decree.

Article 9 (Chairperson' Duties, etc.) (1) The chairperson of the Korean Film Council shall represent the Korean Film Council, and exercise overall control over its affairs.

(2) If the chairperson of the Korean Film Council is unable to perform his/her duties due to unavoidable reasons, the vice chairperson shall act on behalf of the chairperson, and if both the chairperson and the vice chairperson are unable to perform their duties, a member named in order of seniority shall act on behalf of the chairperson.

(3) Members other than the chairperson of the Korean Film Council shall be non - permanent.

Article 10 (Term of Office of Members) (1) The term of office of the chairperson of the Korean Film Council shall be three years and the term of office of members who are

not the chairperson, two years. <Amended by Act No. 11314, Feb. 17, 2012>

(2) The chairperson and members of the Korean Film Council may be reappointed for a one - year consecutive term.<Newly Inserted by Act No. 11314, Feb. 17, 2012>

(3) When the position of the chairperson or a member of the Korean Film Council becomes vacant, the Minister of Culture, Sports and Tourism shall appoint a successor within 30 days from the date of occurrence of the vacancy. In such cases, the term of office of a person who is appointed as successor, filling the vacant post of the chairperson or a member, shall start anew.<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11314, Feb. 17, 2012>

(4) The members of the Korean Film Council, including its chairperson and vice chairperson, whose term of office has expired pursuant to paragraph (1) and their successors are not yet appointed, shall continue to perform their duties until their successors are to be appointed.<Amended by Act No. 11314, Feb. 17, 2012>

Article 11 Deleted. <by Act No. 11314, Feb. 17, 2012>

Article 12 (Disqualification of Members)

Any of the following persons shall be disqualified for being a member of the Korean Film Council:<Amended by Act No. 11314, Feb. 17, 2012>

1. A public official (excluding a public educational official under the Public Educational Officials Act and a judicial officer);
2. A member of a political party under the Political Parties Act;
3. A person referred to in any subparagraph of Article 33 of the State Public Officials Act;
4. Deleted;<by Act No. 11902, Jul. 16, 2013>
5. A video product business operator who has filed a report or registration pursuant to Article 57 (1) or 58 (1);
6. A person under Article 34 (1) 2 of the Act on the Management of Public Institutions.

Article 12 - 2 (Prohibition on Participation)

No member of the Korean Film Council shall participate in deliberations and resolutions on matters related to the interests of the person in question or any person with whom he/she has kinship under Article 777 of the Civil Act.

[This Article Newly Inserted by Act No. 11314, Feb. 17, 2012]

Article 13 (Independence of Members in Performing Their Duties, and Guarantee of Their Status)

(1) The members of the Korean Film Council shall be free from any instructions or interventions while performing their duties during their terms of office.

(2) The members of the Korean Film Council shall not be dismissed against their will, except for the cases falling under each of the following subparagraphs:

1. Where he/she falls under any disqualification referred to in any subparagraph of Article 12;
2. Where he/she becomes unable to perform the duties for a long time due to a physical or mental impairment.

Article 14 (Korean Film Council's Functions)

(1) The Korean Film Council shall deliberate and resolve on matters falling under each of the following subparagraphs:

<Amended by Act No. 8280, Jan. 26, 2007; Act No. 9096, Jun. 5, 2008>

1. Presentation of views on the formulation and alteration of basic plans, etc. for the promotion of motion pictures;
2. Formulation and implementation of plans for operation of the Korean Film Council;
3. Enactment, amendment and repeal of the articles of association and the rules of the Korean Film Council;
4. Management and operation of the facilities related to the production of films;
5. Management and operation of the Motion Picture Development Fund under Article 23;
6. Survey, research, education and training for promoting Korean motion pictures and fostering the film industry;
7. Support for the distribution of motion pictures;
- 7 - 2. Matters concerning the development of film technology related to digital cinema, establishment and dissemination of standards therefor, quality certification, facility standards, etc. of movie theaters, etc.;
8. Overseas advancement of Korean motion pictures and international exchanges;
9. Development of art films, animations, small films and short films;
10. Handling of dissatisfactions and petitions of moviegoers;

11. Deleted; <by Act No. 9657, May 8, 2009>
 12. Recognition of jointly produced motion pictures as Korean motion pictures under Article 27;
 13. Operation of the integrated computer network for handling movie theater admission tickets under Article 39;
 14. Operation and improvement of a system obliging the operators of movie theaters to screen Korean motion pictures under Article 40;
 15. Implementation of policies for promoting the video industry;
 16. Other matters deemed necessary by the Korean Film Council.
- (2) The Korean Film Council shall be deemed as the deliberative committee on fund management under Article 74 (1) of the National Finance Act, when it deliberates on an important matter related to management and operation of the Motion Picture Development Fund pursuant to paragraph (1) 5. <Newly Inserted by Act No. 8280, Jan. 26, 2007>

Article 15 (Quorum for Resolution)

The Korean Film Council shall adopt resolutions with the affirmative vote of a majority of the incumbent members. <Amended by Act No. 8280, Jan. 26, 2007; Act No. 11314, Feb. 17, 2012>

Article 16 (Meetings Open to Public) (1) Meetings of the Korean Film Council shall be made open to the public as prescribed by its rules: Provided, That the same shall not apply to the case where the Korean Film Council has resolved otherwise because it is deemed especially necessary to conduct its affairs fairly.

(2) The Korean Film Council shall prepare its minutes as prescribed by its rules.

Article 17 (Sectional Committees, etc.) (1) The Korean Film Council may compose and operate sectional committees to perform its duties under Article 14, and matters necessary to compose and operate them shall be prescribed by the Korean Film Council's rules.

(2) Any member who is a motion picture enterpriser shall not be a member of a sectional committee directly related to the field in which he/she runs business by himself/herself among the fields classified in items of subparagraph 9 of Article 2.

<Newly Inserted by Act No. 11902, Jul. 16, 2013>

(3) The Korean Film Council may establish and operate a research institution to perform the duties under Article 14 (1) 6, and matters necessary for the establishment and operation thereof shall be prescribed by the Korean Film Council's rules. <Amended by Act No. 8280, Jan. 26, 2007>

Article 18 (Compilation of Budget, etc.) (1) The Korean Film Council shall obtain approval of the Minister of Culture, Sports and Tourism for the basic direction and scale for the compilation of annual budget, as prescribed by Presidential Decree.

<Amended by Act No. 8852, Feb. 29, 2008>

(2) The Minister of Culture, Sports and Tourism may request the Korean Film Council to furnish the data necessary for the business plans, budget and the settlement of accounts of the Korean Film Council. <Amended by Act No. 8852, Feb. 29, 2008>

Article 19 (Auditor) (1) The Korean Film Council shall have one auditor in order to audit matters related to its business and accounting.

(2) The auditor shall be appointed by the Minister of Strategy and Finance, from among the multiple candidates who have been recommended by the Executive Officer Recommendation Committee and have undergone deliberations and resolutions by the Committee for Management of Public Institutions prescribed in Article 8 of the Act on the Management of Public Institutions, and such auditor shall be a non-standing auditor. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11314, Feb. 17, 2012>

(3) The term of office of the auditor shall be three years, and the auditor may be re-appointed for a one-year consecutive term. <Amended by Act No. 11314, Feb. 17, 2012>

Article 20 (Secretariat) (1) The Korean Film Council shall have a secretariat in order to assist in the handling of the Korean Film Council's affairs.

(2) The secretariat shall have one secretary-general, and the chairperson of the Korean Film Council shall appoint the secretary-general with the consent of the Korean Film Council.

Article 21 (Enactment, Amendment, etc. of Korean Film Council's Rules)

The Korean Film Council shall, when it intends to enact, amend or repeal its rules, make a public notification thereof on the Internet, etc. not less than 20 days in

advance, and when it has enacted, amended or repealed its rules, the Korean Film Council shall without delay publish it on the Internet, etc.

Article 22 (Assistance by National Treasury)

Expenses necessary to operate the Korean Film Council may be assisted by the National Treasury.

SECTION 3 Motion Picture Development Fund

Article 23 (Establishment, etc. of Fund) (1) The Motion Picture Development Fund (hereinafter referred to as the "Fund") shall be established in order to improve motion pictures qualitatively and to promote and develop Korean motion pictures and the film and video product industries.

(2) The Fund shall be managed and operated by the Korean Film Council under Article 4, and shall be separately administered as an independent account.

(3) Matters necessary for the management and operation of the Fund shall be prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8280, Jan. 26, 2007]

Article 24 (Raising of Fund)

The Fund shall be raised from financial resources falling under each of the following subparagraphs:

1. Contributions from the Government;
2. Contributions from private individuals and legal entities;
3. Charges on movie tickets under Article 25 - 2;
4. Earnings from the management of the Fund;
5. Other revenues prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 8280, Jan. 26, 2007]

Article 25 (Use of Fund) (1) The Fund shall be used for any of the following projects:

<Amended by Act No. 8280, Jan. 26, 2007; Act No. 9096, Jun. 5, 2008; Act No. 11314, Feb. 17, 2012>

1. Assistance in the promotion of creation and production of Korean motion pictures;

2. Investment in investment associations specializing in motion pictures;
 3. Assistance in the export and international exchange of Korean motion pictures;
 4. Assistance in the production of small or short films;
 5. Assistance in the repair, maintenance and renovation of the facilities of movie theaters;
 - 5 - 2. Assistance for projects for the improvement of welfare of workers engaged in the film industry;
 6. Assistance for film - related projects of film - related organizations and civic groups recognized by the Korean Film Council;
 - 6 - 2. Assistance for projects for education, training, etc. related to motion pictures;
 7. Assistance for projects related to the development of Korean art movies;
 8. Assistance for projects related to the promotion of diversification and public responsibilities of the film and video culture;
 - 8 - 2. Assistance for projects related to the development of film technology;
 9. Assistance for projects related to the promotion of the video industry;
 10. Assistance for projects for promoting the rights of people with disabilities and other underprivileged people to enjoy movies;
 - 10 - 2. Assistance in the encouragement of the inter - Korean exchanges in motion pictures;
 11. Expenses for raising, operating, and managing the Fund;
 12. Other assistance for projects for the promotion of the film and video industry to which the Korean Film Council resolves to provide supports as necessary.
- (2) The amount of the Fund spendable for the project under paragraph (1) 12 shall not exceed 15/100 of the annual spending of the Fund. <Amended by Act No. 8280, Jan. 26, 2007>

Article 25 - 2 (Collection of Charges) (1) The Korean Film Council may collect charges prescribed by Presidential Decree within five percent of each movie ticket value from audiences entering movie theaters (including non - permanent theaters; hereafter the same shall apply in this Article) for the development of Korean films and promotion of movie and video product industries: Provided, That the same shall not apply to audiences entering any of the following movie theaters: <Amended by Act No. 13306, May 18, 2015>

1. A movie theater that has screened any motion picture falling under Article 38 (1) 2, for a period of at least 60/100 of the annual running days in the immediately preceding year;
2. A movie theater, the movie ticket sales of which (where at least two movie theaters are operated, referring to the aggregate movie tickets sales of each movie theater; and where the period of business in the immediately preceding year is shorter than one year, referring to an amount calculated by converting the sales of movie tickets in the relevant period to annual sales) in the immediately preceding year is less than the amount prescribed by Presidential Decree.
 - (2) Every movie theater operator shall collect the charges under paragraph (1) from the audiences and pay the relevant charges to the Korean Film Council by payment deadline prescribed by Presidential Decree. <Amended by Act No. 13306, May 18, 2015>
 - (3) Whenever paying charges collected pursuant to paragraph (2), every movie theater operator shall submit the materials related to the receipt of such charges, including a copy of the charge receipt ledger, to the Korean Film Council: Provided, That where the Korean Film Council is able to verify the charges that should be collected by every movie theater operator through the integrated computer network for processing movie theater admission tickets referred to in Article 39 (1), no materials related to the receipt of such charges need be submitted. <Amended by Act No. 13306, May 18, 2015>
 - (4) Where any movie theater operator fails to pay charges collected from the audiences by the payment deadline pursuant to paragraph (2), the Korean Film Council may impose additional dues equivalent to 3/100 of the amount in arrears. <Newly Inserted by Act No. 13306, May 18, 2015>
 - (5) Where any movie theater operator fails to pay charges under paragraph (2) and additional dues under paragraph (4), by the payment deadline, the Korean Film Council may collect them in the same manner as delinquent national taxes are collected. <Newly Inserted by Act No. 13306, May 18, 2015>
 - (6) Matters necessary for the method of collecting charges and additional dues and the payment deadline thereof, submission of materials related to the receipt of charges, etc. shall be prescribed by Presidential Decree. <Amended by Act No. 13306, May 18, 2015>

(7) The Korean Film Council may, with approval from the Minister of Culture, Sports and Tourism, pay every movie theater operator an entrustment commission for collecting and paying charges under paragraph (2). In such cases, no amount of commission shall exceed 3/100 of the amount of charges collected pursuant to paragraph (1). <Newly Inserted by Act No. 12857, Dec. 23, 2014>
[This Article Newly Inserted by Act No. 8280, Jan. 26, 2007]

Article 25 - 3 (Evaluation of Performance) (1) The Minister of Culture, Sports and Tourism shall measure and evaluate the performance of spending the Fund for the projects under subparagraphs of Article 25 (1), and shall notify the Korean Film Council of the results thereof no later than the end of March next year. <Amended by Act No. 8852, Feb. 29, 2008>

(2) The Minister of Culture, Sports and Tourism shall establish the target for performance and the guidelines for evaluation subject to the consultation with the Korean Film Council for measuring and evaluating the performance under paragraph (1). <Amended by Act No. 8852, Feb. 29, 2008>

(3) The Minister of Culture, Sports and Tourism may, if it is deemed as a result of the evaluation of performance under paragraph (1) that there is a matter to be corrected, demand the Korean Film Council to correct such a matter. <Amended by Act No. 8852, Feb. 29, 2008>

(4) Matters necessary for the method, procedure, etc. for the evaluation of performance shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 8280, Jan. 26, 2007]

SECTION 4 Report, etc. of Motion Picture Enterprisers

Article 26 (Report, etc. of Motion Picture Enterprisers) (1) A person who intends to become a motion picture enterpriser shall report his/her business to the Mayor of a Special Self - Governing City, the Governor of a Special Self - Governing Province or the head of a Si/Gun/Gu (the head of a Gu refers to the head of an autonomous Gu; hereinafter referred to as "head of a Si/Gun/Gu"). The same shall also apply to where he/she alters the reported matters. <Amended by Act No. 9657, May 8, 2009; Act No. 13306, May 18, 2015>

(2) Matters necessary concerning procedures for the report and altered report under paragraph (1), the issuance and re - issuance of report certificates, etc. shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008 >

Article 27 (Recognition of Jointly Produced Motion Pictures as Korean Motion Pictures)

(1) A person who makes a jointly produced motion picture may be granted the recognition of the jointly produced motion picture as a Korean motion picture if human or material factors involved in the production of the motion picture or the artistic or technical features of the motion picture meet the standards for recognition as Korean motion picture.

(2) A person who intends to be granted the recognition as a Korean motion picture under paragraph (1) shall file an application therefor with the Korean Film Council.

(3) Matters necessary for the procedures and methods of recognition, the standards for recognition as Korean motion pictures, etc. under paragraphs (1) and (2) shall be prescribed by Presidential Decree.

(4) Where a jointly produced motion picture recognized as Korean motion picture no more meets the standards for recognition as Korean motion pictures after completion of its production, the Korean Film Council may cancel the recognition of such motion picture as Korean motion picture.

Article 28 (Supply and Distribution of Motion Pictures) (1) When a motion picture

enterpriser supplies motion pictures to any other motion picture enterpriser, the former shall supply the latter with such motion pictures at fair and rational market prices without discrimination.

(2) The Minister of Culture, Sports and Tourism shall, when he/she makes a judgment that the distribution order of motion pictures is in violation of Article 3 - 2 (1), 19 (1), 23 (1), 26 (1) or 29 (1) of the Monopoly Regulation and Fair Trade Act, notify the Fair Trade Commission of the fact. <Amended by Act No. 8852, Feb. 29, 2008 >

(3) The Minister of Culture, Sports and Tourism shall endeavor to prevent the author's property rights of a motion picture enterpriser and the rights protected under the Copyright Act from being infringed on in the course of manufacturing, screening and distributing the motion picture. <Newly Inserted by Act No. 10109, Mar. 17, 2010 >

Article 28 - 2 (Reporting on Business Closure and Ex Officio Cancellation) (1) Where any person who has reported under Article 26 closes his/her business, he/she shall report on business closure with the head of the competent Si/Gun/Gu within seven days from the date of business closure, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism.

(2) Where any person subject to reporting on business closure under paragraph (1) fails to report thereon, the head of the competent Si/Gun/Gu may ex officio cancel the reported matters after verifying the business closure, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 28 - 3 (Assistance in Shooting of Visual Materials) (1) Where necessary for the promotion of the film and video industries, the State and local governments may provide assistance in filming visual materials, including provision of local sets for filming in Korea.

(2) The head of a local government may request cooperation to the heads of relevant administrative agencies, to assist in filming visual materials under paragraph (1). In such cases, the heads of the relevant administrative agencies in receipt of such request shall provide cooperation, except in extenuating circumstances.

(3) The Minister of Culture, Sports and Tourism may determine and publicly announce standards for cooperation in shooting of visual materials, following consultation with the heads of relevant administrative agencies.

(4) Matters necessary for providing assistance under paragraph (1) and requesting cooperation under paragraph (2) shall be prescribed by municipal ordinance of the relevant local government in accordance with the standards prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 28 - 4 (Film Commission) (1) In order to perform the following affairs, the Special Metropolitan City, a Metropolitan city, a Special Self - Governing City, a Do and a Special Self - Governing Province (hereinafter referred to as "City/Do") may establish a film commission:

1. Invitation of and support in film and video production and shooting;

2. Operation of facilities related to film and video production;
3. Provision of sets for filming films and videos and information related thereto;
4. Promotion of regional film and video culture;
5. Utilization of facilities related to films and videos and sets for filming as tourist attractions;
6. Other matters prescribed by municipal ordinance of the relevant City/Do.

(2) A local government may subsidize expenses incurred in the operation of the film commission, within budgetary limits.

(3) Matters necessary for the organization and operation of the film commission shall be prescribed by municipal ordinance of the relevant City/Do, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

SECTION 5 Film Rating and Restriction on Advertisement and Publicity

Article 29 (Film Rating) (1) Motion picture enterprisers shall be granted the rating for motion pictures (including the trailers and advertising films) produced or imported by themselves, by the Korea Media Rating Board referred to in Article 71 (hereinafter referred to as the "Korea Media Rating Board"), before such motion pictures are shown: Provided, That the same shall not apply to the following motion pictures:

<Amended by Act No. 8852, Feb. 29, 2008>

1. Small films and short films to be shown free of charge at a specific place, exclusively for specific persons not including juveniles;
2. Motion pictures to be shown in the film festivals recommended by the Korean Film Council;
3. Any motion picture recognized by the Minister of Culture, Sports and Tourism as one that does not need a rating, such as those shown for the purpose of the international cultural exchange.

(2) The rating for motion pictures under the main sentence of paragraph (1) shall be classified as detailed in the following subparagraphs depending on the contents of a motion picture and the degree of the presentation of image, etc.: Provided, That advertising films that are shown before or after the showing of the motion picture shall receive a rating only when they fall under subparagraph 1, and trailers shall be

rated according to subparagraph 1 or 4, and trailers rated “ juveniles not admitted ” shall be shown only before or after the showing of motion pictures rated “ juveniles not admitted ” : <Amended by Act No. 9657, May 8, 2009; Act No. 11314, Feb. 17, 2012>

1. All ages admitted: Motion pictures that people of all ages are permitted to view;
2. Persons aged 12 or older admitted: Motion pictures that people aged 12 or more are permitted to view;
3. Persons aged 15 or older admitted: Motion pictures that people aged 15 or more are permitted to view;
4. Juveniles not admitted: Motion pictures that juveniles are not permitted to view;
5. Restricted: Motion pictures that need to be restricted to a certain extent in its screening, advertising and publicity, as they excessively express lewdness, violence, social acts, etc. and thus are likely to markedly hamper the universal human dignity, social values, good morals, or national sentiment.

(3) No one shall screen the motion pictures that have not been rated, in violation of paragraphs (1) and (2).

(4) In cases of a motion picture with any rating provided in paragraph (2) 2 or 3, no one shall admit any person whose age has yet to turn to be permitted to view such motion picture: Provided, That the same shall not apply to a case where such a person is accompanied by his/her parents or other guardians.

(5) In cases of a motion picture with any rating provided in paragraph (2) 4 or 5, no one shall admit any juvenile to view such motion picture.

(6) No one shall alter a rating classified under paragraph (1) or show a motion picture by altering its contents differently from the rated version.

(7) The detailed criteria for rating classifications under subparagraphs of paragraph (2) shall be prescribed by Presidential Decree by taking account of the following matters:<Newly Inserted by Act No. 9657, May 8, 2009>

1. Matters concerning the maintenance of the democratic basic order and the respect for human rights pursuant to the Constitution of the Republic of Korea;
2. Matters concerning the sound domesticity and the protection of children and juveniles;
3. Matters concerning the respect for social ethics;
4. Matters concerning the maintenance of the national identity and diplomatic relations;

5. Matters concerning the violence, lewdness, anti - social acts, etc. of motion pictures in their themes and contents;

6. Matters concerning the universal human dignity and social values, good morals, and national sentiment.

(8) The Korea Media Rating Board shall deliberate on any matter concerning the provision of content information when rating a motion picture pursuant to paragraph (1). <Newly Inserted by Act No. 9657, May 8, 2009>

(9) The Korea Media Rating Board shall deliver the following documents to the applicant when it has rated a motion picture: <Newly Inserted by Act No. 9657, May 8, 2009>

1. A rating classification certificate stating the rating and content information of the motion picture;

2. Documents stating duties to be fulfilled according to the rating classification.

(10) Necessary matters for the procedures and methods of rating classification, procedures and methods of providing the content information, and procedures, etc. of delivering a rating classification certificate under paragraphs (1), (8), and (9) shall be determined by the rules of the Korea Media Rating Board. <Newly Inserted by Act No. 9657, May 8, 2009>

Article 30 Deleted. <by Act No. 9657, May 8, 2009>

Article 31 (Re - classification of Film Rating) (1) A motion picture enterpriser who is dissatisfied with the rating of his/her motion picture granted under Article 29 may raise an objection to the Korea Media Rating Board to review the rating, specifying the reasons therefor, within 30 days from the day when it has been rated.

(2) Upon receipt of an objection under paragraph (1), the Korea Media Rating Board shall make the review thereof and if there exist good reasons for such an objection, shall reclassify the rating of the motion picture and then notify the person who has raised such an objection or his/her agent thereof within 15 days after receipt of the objection, but if there exist no good reasons for such an objection, shall notify the said person or his/her agent as such.

(3) Matters necessary for the application procedures for review, the notification, etc. referred to in paragraphs (1) and (2) shall be prescribed by the rules of the Korea Media Rating Board.

Article 32 (Restrictions on Distribution, Posting, etc. of Advertising or Publicity

Materials) (1) A person who intends to distribute or post advertisements (including advertisements in the form of visual materials) or publicity materials related to motion pictures or to present them for public viewing through the information and communications networks shall in advance obtain a verification from the Korea Media Rating Board as to whether they are harmful to juveniles: Provided, That the same shall not apply to the advertising or publicity materials related to any restricted - rated motion pictures. <Amended by Act No. 9096, Jun. 5, 2008; Act No. 9657, May 8, 2009; Act No. 11314, Feb. 17, 2012>

(2) Advertising or publicity materials verified as harmful to juveniles under paragraph (1) shall not be distributed or posted: Provided, That the distribution or posting of advertising or publicity materials through information and communications networks shall be in accordance with Article 42 - 2 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc.

(3) Necessary matters concerning procedures and methods for verifying whether to be harmful to juveniles under paragraph (1) shall be prescribed by the rules of the Korea Media Rating Board.

Article 33 (Limits on Advertisement and Publicity of Restricted Motion Pictures)

Any person who conducts the advertisement or publicity of any motion picture rated “restricted” shall put up the advertising or publicity materials concerned on the interior walls of restricted movie theaters. In this case, such materials shall be put up in a manner that they cannot be seen from outside such restricted movie theaters.

SECTION 6 Korean Film Archive and Preservation of Motion Picture Films, etc.

Article 34 (Establishment, etc. of Korean Film Archive) (1) The Korean Film Archive shall be established under the Ministry of Culture, Sports and Tourism to collect, preserve and display film materials including motion pictures and video products, documents related thereto, and sound materials, and to facilitate the artistic, historical and educational development of motion pictures and video products.

<Amended by Act No. 8852, Feb. 29, 2008>

(2) The Korean Film Archive shall be a juristic person.

(3) The Korean Film Archive shall have officers and employees as prescribed by its articles of association.

(4) The Korean Film Archive shall perform the following projects:

1. The preservation of motion picture films, etc. submitted pursuant to Article 35 and compensation therefor;
2. The collection of film materials including domestic and foreign motion pictures and video products, documents related thereto, and sound materials;
3. The preservation and restoration of gathered film materials including motion pictures and video products, documents related thereto, and sound materials;
4. The utilization and display of film materials including motion pictures and video products, documents related thereto, and sound materials to facilitate the development of the film and video culture;
5. Projects for the informatization of film materials and the utilization of motion picture contents;
6. Other projects necessary to accomplish the purposes of establishing the Korean Film Archive.

(5) The provisions of the Civil Act concerning the incorporated foundation shall apply mutatis mutandis to the Korean Film Archive except as otherwise provided for in this Act.

(6) Expenses necessary to collect, preserve and utilize film materials as provided in paragraph (4) and to operate the Korean Film Archive may be provided from the National Treasury.

Article 35 (Submission of Motion Picture Films, etc.) (1) When motion picture makers obtain the rating of their motion pictures under Article 29 (1), they shall submit the original films, disks, etc. thereof or the copies and scripts thereof (hereinafter referred to as the "motion picture films, etc.") to the Korean Film Archive, as prescribed by Presidential Decree.

(2) Where any person who imports or produces foreign motion pictures or the motion pictures referred to in subparagraphs of Article 29 (1) wants to preserve such motion pictures, he/she may submit the motion picture films, etc. to the Korean Film Archive.

(3) The Korean Film Archive shall, to those who submit the motion picture films, etc. under paragraphs (1) and (2), give fair compensation as prescribed by Presidential Decree. In this case, financial resources necessary to compensate for the motion picture films, etc. shall be borne by the National Treasury.

SECTION 7 Screening of Motion Pictures

Article 36 (Registration of Movie Theaters) (1) Any person who intends to install and operate a movie theater shall get such movie theater registered with the head of a Si/Gun/Gu having jurisdiction over a place where such movie theater is located after equipping the movie theater with facilities prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. The same shall also apply to cases where he/she alters registered matters. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009>

(2) The Minister of Culture, Sports and Tourism may designate and publish any place or establishment in which the installation of any restricted movie theater is limited, as prescribed by Presidential Decree. <Amended by Act No. 8852, Feb. 29, 2008>

(3) The procedures for the registration of movie theaters and the alteration of such registration under paragraph (1), the delivery of registration certificates, and other matters necessary for registration shall be prescribed by Presidential Decree.

Article 37 (Safety Precautions against Disasters) (1) Any person who has gotten his/her movie theater registered to install and operate it under Article 36 (1) (hereinafter referred to as "movie theater operator") shall draw up a plan for the prevention of a fire or other disaster and a safety - precaution plan that includes the duties to be performed by employees working for his/her movie theater, their disposition plan, etc. in the event of any fire or other disaster and report thereon to the head of Si/Gun/Gu having jurisdiction over it. In this case, the head of Si/Gun/Gu shall promptly notify the head of the competent fire station of the plan for countermeasures against disasters as reported. <Amended by Act No. 8280, Jan. 26, 2007>

(2) Other necessary matters concerning the safety precautions of movie theaters against disasters shall be prescribed by Presidential Decree.

Article 38 (Assistance to Exclusive Movie Theaters) (1) The Minister of Culture, Sports and Tourism may provide assistance to the movie theaters that screen any of the

following motion pictures for not less than 60/100 of the annual running days (hereinafter referred to as "exclusive movie theaters") in order to protect juveniles and proliferate the movie art: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 12353, Jan. 28, 2014>

1. Korean motion pictures;
2. Animations, small films, short films, or the art films recognized by the Korean Film Council;
3. Motion pictures that juveniles are permitted to view (referring to any motion pictures that fall under Article 29 (2) 1 through 3).

(2) In order to guarantee the rights of people with disabilities to enjoy culture, the Minister of Culture, Sports and Tourism may provide assistance to exclusive movie theaters that screen the motion pictures making use of sign language, captions, descriptive video service, etc. for not less than 30/100 of the annual running days among exclusive movie theaters referred to in paragraph (1). <Newly Inserted by Act No. 12353, Jan. 28, 2014>

(3) Matters necessary for assistance to the exclusive movie theaters shall be prescribed by Presidential Decree.

Article 38 - 2 (Improvement of Environments to Enjoy Local Motion Pictures)

In order to improve the right to enjoy motion pictures in local areas, the Ministry of Culture, Sports and Tourism and the Korean Film Council may provide support to local theaters, and assistance for the smooth distribution of motion pictures, public screening, construction of facilities for education in film and video culture, etc.

[This Article Newly Inserted by Act No. 12857, Dec. 23, 2014]

Article 39 (Integrated Computer Network for Processing Movie Theater Admission Tickets)

(1) The Korean Film Council shall operate an integrated computer network for processing movie theater admission tickets to ascertain the number of attending a movie theater and other matters relating to a movie theater promptly and accurately.

<Amended by Act No. 10109, Mar. 17, 2010; Act No. 13306, May 18, 2015>

(2) Each movie theater operator shall connect to the integrated computer network for handling movie theater admission tickets operated by the Korean Film Council.

<Newly Inserted by Act No. 10109, Mar. 17, 2010>

(3) Each person who has joined the integrated computer network for handling movie theater admission tickets under paragraph (2) shall transmit the data related to the matters prescribed by Ordinance of the Ministry of Culture, Sports and Tourism, such as the number of audiences entering the relevant movie theater and the amount of sales of admission tickets, without intentional omission or manipulation. <Amended by Act No. 13306, May 18, 2015>

(4) Matters necessary for operation, joining, etc. of the integrated computer network for handling movie theater admission tickets, in addition to the matters prescribed in paragraphs (1) through (3), shall be prescribed by Presidential Decree. <Newly Inserted by Act No. 13306, May 18, 2015>

Article 40 (Mandatory Screening of Korean Motion Pictures)

Operators of movie theaters shall screen Korean motion pictures for not less than the annual running days as prescribed by Presidential Decree.

Article 41 (Report of Motion Picture Screening) (1) When the operator of any movie theater or the person who installs and operates any non - permanent movie theater intends to screen a motion picture (excluding any motion picture provided for in each subparagraph of Article 29 (1); hereafter in this Article the same shall apply) or to change a motion picture on show into another one, he/she shall file a report with the head of Si/Gun/Gu on the matters prescribed by Ordinance of the Ministry of Culture, Sports and Tourism including the title, running period, etc. of such motion picture. The same shall also apply to a case where he/she intends to suspend or resume the screening of the relevant motion picture or to reduce or extend the running period of the motion picture. <Amended by Act No. 8852, Feb. 29, 2008>

(2) Notwithstanding the paragraph (1), the manager of a film theater who has joined the integrated computer network for handling movie theater admission thickets operated by the Korean Film Council under Article 39 is exempted from filing a report under paragraph (1). In such cases, the Korean Film Council shall notify the head of the relevant Si/Gun/Gu of the matters reported under paragraph (1). <Amended by Act No. 10109, Mar. 17, 2010>

(3) Necessary matters concerning the procedures and methods for report or notification under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008>

Article 42 (Restrictions on Motion Picture Screening)

The head of Si/Gun/Gu shall prohibit or suspend the screening of the motion pictures falling under any one of the following subparagraphs:

1. Motion pictures not rated for showing, in violation of Article 29 (1) and (2);
2. Motion pictures rated for showing by any false or other unjust means;
3. Motion pictures shown by altering or violating their rating;
4. Motion pictures shown by altering their contents differently from the rated ones;
5. Other motion pictures not reported, in violation of Article 41.

Article 43 (Limits on Screening and Distribution of Restricted Motion Pictures) (1) No

one shall screen any restricted motion picture in a place or establishment that is not a restricted movie theater.

(2) No one shall make any motion picture that is the same as any restricted motion picture into any other visual product, including a video product, etc. or screen, sell, transmit or rent such produced visual product or offer it for the purpose of viewing.

(3) Every restricted movie theater shall be prohibited from screening the motion pictures specified in Article 29 (2) 1 through 4.

Article 44 (Qualified Projectionists)

The operators of movie theaters shall get any projectionists who have obtained the national technical qualifications for motion picture projection under the conditions as prescribed by Presidential Decree to screen the relevant motion pictures: Provided, That the same shall not apply to the motion pictures, including small films, prescribed by Presidential Decree.

Article 45 (Suspension of Business and Cancellation of Registration against Movie

Theaters) (1) The head of Si/Gun/Gu may, in case that the operator of a movie theater falls under any one of the following subparagraphs, suspend his/ her business for a fixed period of not more than 3 months or cancel the registration of the movie theater, as prescribed by Presidential Decree: Provided, That in the cases of falling under subparagraph 1 or 8, the registration shall be cancelled:

1. Where he/she has got the movie theater registered in any false or other unjust manner;

2. Where he/she has violated the provisions of Article 29 (3) through (6);
3. Where he/she has put up the advertising or publicity materials, or put them up in such a manner as to be seen from outside the restricted movie theater, in violation of Article 33;
4. Where he/she has failed to meet the standards for facilities referred to in Article 36 (1);
5. Where he/she has failed to screen Korean motion pictures for not less than the annual running days provided for in Article 40;
6. Where he/she has failed to comply with the order to prohibit or suspend the screening of motion pictures under Article 42;
7. Where he/she has been subjected to the business suspension on at least three occasions a year;
8. Where he/she has run the business during the period of the business suspension.
 - (2) Where the head of Si/Gun/Gu intends to cancel the registration in accordance with paragraph (1), he/she shall hold a hearing thereon.
 - (3) The operator of a restricted movie theater whose registration is cancelled under paragraph (1) shall be prohibited from getting his/her restricted movie theater registered at the same place within three years from the date of cancellation of his/her registration.

Article 46 (Succession of Business, etc.) (1) When the operator of any movie theater transfers his/her business or dies or a corporation merger involving such movie theater takes place, the transferee thereof, the successor thereof, a surviving corporation in the wake of the merger or a corporation incorporated by the merger shall succeed to the status of the operator of such movie theater.

(2) A person who acquires any movie theater by auction under the Civil Execution Act, by the realization of properties under the Debtor Rehabilitation and Bankruptcy Act, by sales of properties attached under the National Tax Collection Act, the Customs Act, or the Framework Act on Local Taxes, or by any other similar procedures, shall succeed to the status of the operator of such business. <Amended by Act No. 10219, Mar. 31, 2010>

(3) In case where the status of the operator of any movie theater is succeeded to pursuant to paragraph (1), the effect of an administrative sanction that was imposed

on the previous operator of such movie theater for a violation of Article 45 shall continue in force with the transferee, the successor, or the newly established or surviving corporation after merger for a year following the date on which the aforementioned sanction is taken; and, in case procedures for an administrative sanction are under way, such procedures may be proceeded with against the transferee, the successor, or the newly established or surviving corporation after merger: Provided, That the same shall not apply if the transferee, the successor, or the newly established or surviving corporation after merger was unaware of the disposition of such a sanction or the fact of such a violation at the time of acquisition of the business or the merger.

(4) Any person who has succeeded to the status of the operator of business under paragraph (1) or (2) shall report thereon to the head of Si/Gun/Gu concerned.

Article 46 - 2 (Reporting on Business Closure of Movie Theaters and Ex Officio

Cancellation) (1) Where any person who has filed a report under Article 36 closes his/her business, he/she shall report on such business closure to the head of the competent Si/Gun/Gu, within seven days from the date of business closure, as prescribed by Presidential Decree.

(2) Where any person subject to reporting on business closure under paragraph (1) fails to report thereon, the head of the competent Si/Gun/Gu may ex officio cancel the registered matters after verifying his/her business closure, as prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 47 (Support for Overseeing Activities by Civic Groups, etc.) (1) The Korean Film Council may provide necessary supports to civic groups, etc. which carry out the overseeing activities to protect the right and interest of moviegoers in connection with the screening of motion pictures, the operation of exclusive movie theaters, etc. (2) Matters necessary for the supports, etc. under paragraph (1) shall be determined by the rules of the Korean Film Council.

CHAPTER III VIDEO PRODUCTS

SECTION 1 Promotion of Video Industry

- Article 48 (Framing and Execution of Policies for Promotion of Video Industry)** (1) The Minister of Culture, Sports and Tourism shall frame and carry out such policies as may be necessary for the promotion of the video industry (hereinafter referred to as "policies for promotion"). [<Amended by Act No. 8852, Feb. 29, 2008>](#)
- (2) The policies for promotion shall include the matters set forth in the following subparagraphs with respect to video products:
1. The basic direction of the policies for promotion;
 2. Vitalization of creative activities;
 3. Promotion of export and creation of employment for the related industries;
 4. Development of technologies with respect to video products and improvement of levels thereof;
 5. Expansion of distribution facilities, specialization of distribution enterprises, and improvement of distribution structure;
 6. Acquisition and operation of financial resources for the promotion of the video industry;
 7. Training of experts;
 8. Construction of infrastructure for video products - related industries and the creation and operation of the relevant industrial clusters;
 9. Regulation and control of any video products that are manufactured, imported, distributed, sold, rented, or offered for viewing in violation of this Act (hereinafter referred to as "illegal video products");
 10. Assistance to nonprofit private organizations under Article 2 of the Assistance for Nonprofit Non - Governmental Organizations Act (hereinafter referred to as "nonprofit private organizations") that carry out voluntary overseeing activities to monitor illegal video products;
 11. Other matters relating to the development of the video industry.

- Article 49 (Establishment and Operation of Video Industry Promotion Committee)** (1) The Video Industry Promotion Committee shall be established in the Korean Film Council in order to carry out policies for promotion of the video industry in an efficient manner.

(2) The Video Industry Promotion Committee shall consist of not more than seven members including its chairperson.

(3) The chairperson of the Video Industry Promotion Committee shall be elected by mutual vote among its members, and the members of the Video Industry Promotion Committee shall be commissioned by the chairperson of the Korean Film Council from among the members of the Korean Film Council and the persons with ample expertise and experiences in the field of the video industry.

(4) Such matters as may be necessary for the composition, operation, etc. of the Video Industry Promotion Committee under paragraph (1) shall be determined by the rules of the Korean Film Council.

SECTION 2 Classification

Article 50 (Classification) (1) A person who manufactures or distributes (including importing; hereinafter the same shall apply) video products shall have the contents of video products classified by the Korea Media Rating Board before he/she supplies such products: Provided, That the same shall not apply to any of the following video products: <Amended by Act No. 8852, Feb. 29, 2008; Act No. 11314, Feb. 17, 2012>

1. Video products offered free of charge for viewing by specific persons not including juveniles at a specific place;
2. Video products offered free of charge for public viewing through information and communications networks: Provided, That music and video files manufactured, distributed or provided for public viewing by persons conducting business referred to in subparagraphs 8 through 11 of Article 2 of the Music Industry Promotion Act shall be excluded;
3. Video products offered for viewing at any visual representations contest or exhibition, etc. that is recommended by the Minister of Culture, Sports and Tourism or the head of a central administrative agency concerned;
4. Video products of the same contents as the motion pictures the rating of which has already been granted (excluding any restricted motion pictures). In this case, the rating of the motion pictures shall be deemed to be that of the video products;
5. Video products prescribed by Presidential Decree that are not required to be classified in the light of their producers, types of distribution, etc.

(2) Any person who applies for the classification of video products in accordance with paragraph (1) shall file such application for the classification, accompanied by documents attesting his/her justifiable right to produce or distribute such video products.

(3) The rating of video products under paragraph (1) shall be as follows, depending on the contents of the video product and the degree of the presentation of image, words, etc.: <Amended by Act No. 9657, May 8, 2009>

1. All ages admitted: Video products that people of all ages are permitted to view;
2. Persons aged 12 or older admitted: Video products that people aged 12 or more are permitted to view;
3. Persons aged 15 or older admitted: Video products that people aged 15 or more are permitted to view;
4. Juveniles not admitted: Video products that juveniles are not permitted to view;
5. Restricted: Video products that need to be restricted to a certain extent in offering for its viewing, distribution, etc. as they excessively express lewdness, violence, social acts, etc., and thus are likely to markedly hamper the universal human dignity, social values, good morals, or national sentiment.

(4) Deleted. <by Act No. 9657, May 8, 2009>

(5) Detailed classification criteria concerning the ratings under subparagraphs of paragraph (3) shall be prescribed by Presidential Decree by taking the matters under subparagraphs of Article 29 (7) into account. <Amended by Act No. 9657, May 8, 2009>

(6) The Korea Media Rating Board shall deliver the following documents to the applicant when it has determined the rating of a video product: <Amended by Act No. 9657, May 8, 2009>

1. A rating classification certificate stating the rating and content information of the video product;
2. Documents stating duties to be fulfilled according to the rating classification.

(7) Necessary matters for the procedures and methods of rating classification, and procedures, etc. of delivering a rating classification certificate under paragraphs (1), (2) and (6) shall be determined by the rules of the Korea Media Rating Board. <Newly Inserted by Act No. 9657, May 8, 2009>

Article 51 (Confirmation of Reproduction, etc.) (1) Any person who intends to reproduce video products the rating of which has already been granted into any other video products whose contents are identical to those of the said video products or to distribute such reproduced video products (hereafter in this Article referred to as the "producer, etc.") shall file an application, accompanied by documents attesting his/her justifiable right to reproduce or distribute such video products, with the Korea Media Rating Board for the confirmation as to whether the contents of the reproduced video products are identical to those of the original video products: Provided, That the same shall not apply to a case where the producer, etc. obtains confirmation from the Korea Media Rating Board that he/she holds the right to reproduce video products the rating of which has already been granted into any other video products whose contents are identical to those of the said video products or to distribute such reproduced video products when he/she files an application for their classification under Article 50 (1).

(2) The Korea Media Rating Board shall, when it confirms that the producer, etc. is the justifiable right holder and the contents of the reproduced video products are identical to those of the original video products pursuant to paragraph (1), deliver the certificate of completion of confirmation to the producer, etc.

(3) Necessary matters concerning procedures for the confirmation, the issuance and re - issuance of the certificate of completion of confirmation, etc. under paragraphs (1) and (2) shall be prescribed by the rules of the Korea Media Rating Board.

Article 52 (Revocation of Classification, etc.) (1) In the event that the classification under Article 50 (1) or the confirmation under Article 51 (1) has been obtained by any false or other unjust means or by a person who holds no justifiable right to do so, the Korea Media Rating Board shall revoke the relevant classification or confirmation.

(2) Where the Korea Media Rating Board has revoked the classification or confirmation under paragraph (1), the person who is subjected to the disposition of revocation shall return to the Korea Media Rating Board the certificate of completion of classification under Article 50 (5) or the certificate of completion of confirmation under Article 51 (2) within seven days from the date when he/she is notified of such disposition.

Article 53 (Prohibition of Sales, etc. of Illegal Video Products) (1) No person shall manufacture, supply, sell, rent (hereinafter referred to as "distribution"), offer to the public for viewing, display, or keep the video products falling under any one of the following subparagraphs:

1. The video products that have failed to be classified, in violation of Article 50 (1);
2. The video products that have been reproduced or distributed without obtaining confirmation, in violation of Article 51 (1);
3. The video products for which the classification or confirmation has been revoked pursuant to Article 52 (1);
4. The video products that have been manufactured, imported or distributed by the person who has failed to file a report thereon, in violation of Article 57 (1);
5. The video products the contents of which have been altered differently from the rated ones or the rating of which has been altered.

(2) No person shall offer the public the classified video products for the purpose of their viewing in violation of the rated category as prescribed in Article 50 (3).

(3) The certificate of completion of classification and the certificate of completion of confirmation issued under Articles 50 (5) and 51 (2) shall not be sold and purchased or presented as a gift except where it is done as such through a succession to business under Article 63.

Article 53 - 2 (Restrictions on Offering for Viewing and Distribution of Video Products with Restricted Rating) (1) No person may offer a video product with a restricted rating for viewing at a place or facilities, other than a video - viewing mini - theater for video products with a restricted rating.

(2) No person may distribute a video product with a restricted rating.

(3) No video - viewing mini - theater for video products with a restricted rating may offer a video product under Article 50 (3) 1 through 4 to the general public for their viewing.

[This Article Newly Inserted by Act No. 9657, May 8, 2009]

Article 54 (Reclassification, etc.) (1) Any person dissatisfied with a decision on classifications under Article 50 may raise an objection to the Korea Media Rating Board to review the classification, specifying the reasons therefor, within 30 days from the date he/she is notified of the decision. <Amended by Act No. 11314, Feb. 17,

[2012](#)>

(2) Upon receipt of an objection under paragraph (1), the Korea Media Rating Board shall make the review thereof, and if justifiable reasons exist for such objection, it shall reclassify the video products in question within 15 days from the date of receipt of the objection and notify the person who has raised such objection or his/her agent thereof, but if no justifiable reasons for the objection exist, it shall notify the said person or his/her agent as such. <Amended by Act No. 11314, Feb. 17, 2012>

(3) Necessary matters for the procedures and methods of application, the notification, etc. referred to in paragraphs (1) and (2) shall be determined by the rules of the Korea Media Rating Board.

Article 55 (Notification of Classification, etc.)

When the Korea Media Rating Board has made a decision falling under any one of the following subparagraphs, it shall give a written notice of the decision to the heads of the administrative agencies prescribed by Presidential Decree that are vested with the authority of guidance and control over video products and to the video product organization under Article 87 (hereinafter referred to as the "video product organization"), and also publicly announce it through an information communications network: <Amended by Act No. 9657, May 8, 2009>

1. Decision on the classification under Article 50 (1) and (3);
2. Decision on an application for objection under Article 54.

Article 56 (Request for Submission of Materials)

The Korea Media Rating Board may, if necessary for carrying out the business affairs as prescribed in Articles 50 and 54, request persons who applies for classification, etc. to submit necessary materials related to the examination of such classification.

SECTION 3 Report, Registration and Operation of Business

Article 57 (Report on Video Product Manufacturing Business, etc.) (1) A person who intends to carry on a video product manufacturing business or a video product distributing business shall report thereon to the head of a Si/Gun/Gu: Provided, That in cases falling under any one of the following subparagraphs, such business may be

operated without filing a report thereon: <Amended by Act No. 9657, May 8, 2009>

1. Where such video products are manufactured by the State or local governments;
2. Where such video products are manufactured by educational or training institutions established by Acts and subordinate statutes in order to be used for their internal education or training;
3. Where such video products are manufactured by broadcasting business operators under the Broadcasting Act in order to be used for the broadcast purpose;
4. Where such video products are manufactured by public institutions under the Act on the Management of Public Institutions in order to be used for the publicity of their business;
5. Where such video products are manufactured for the purpose of preserving ceremonial occasions or religious rituals in memory: Provided, That the same shall not include the cases of distributing or offering them to the public for the purpose of their viewing;
6. Where such video products are manufactured and distributed for the purpose of offering them to the public for their viewing only through information and communications networks;
7. Where such video products are manufactured for any other purposes than to distribute or offer them to many and unspecified persons for the purpose of their viewing;
8. Where the video products falling under any subparagraph of Article 50 (1) are manufactured.

(2) Necessary matters pertaining to the procedures, methods, etc. of the reports as prescribed in paragraph (1) shall be determined by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008>

Article 58 (Registration of Video Service Providing Business, etc.) (1) A person who intends to run video service providing business shall register his/her business with the head of a Si/Gun/Gu after being equipped with facilities prescribed by Ordinance of the Ministry of Culture, Sports and Tourism: Provided, That such business may be operated without the registration thereof, in any of the following cases: <Amended by Act No. 8852, Feb. 29, 2008>

1. Where such business falls under an Internet computer game facility providing business under the Game Industry Promotion Act;
2. Where such business is engaged in offering video products to the public for their viewing only through information and communications networks.

(2) The Minister of Culture, Sports and Tourism may, as prescribed by Presidential Decree, designate and publicly announce areas or facilities in which a video - viewing mini - theater for video products with a restricted rating may not be established.

<Newly Inserted by Act No. 9657, May 8, 2009 >

(3) Necessary matters for the procedures, methods, etc. of registration referred to in paragraph (1) shall be determined by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008 >

Article 59 (Restriction on Business)

Where any person who intends to file a report or registration under Article 57 or 58 falls under any one of the following subparagraphs, he/she may not report or register his/her business under Article 57 or 58:

1. Where a person (including, in the case of a corporation, its representative or officers), for whom a year has not passed yet since he/she was subjected to an order given to close his/her business or a disposition to revoke its registration, or for whom the term of business suspension has not expired yet since he/she was subjected to the disposition of business suspension, under Article 67 (1) or (2), intends to operate the same type of business again;
2. Where a person for whom a year has not passed yet since he/she was subjected to an order given to close his/her business or a disposition to revoke its registration, or for whom the term of business suspension has not expired yet since he/she was subjected to the disposition of business suspension, under Article 67 (1) or (2), intends to operate the same type of business at the same place (excluding a video product manufacturing business).

Article 60 (Issuance of Certificate of Report or Registration)

When the head of a Si/Gun/Gu has received a report or effected a registration under Article 57 or 58, he/she shall issue a certificate of report or a certificate of registration to the applicant, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009 >

Article 61 (Alterations of Reported or Registered Matters) (1) In case a person who has made a report or a registration under Article 57 or 58 intends to alter such material matters as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism, he/she shall make the report or registration of alterations to the Mayor/Do Governor or the head of Si/Gun/Gu. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009>

(2) When the report or registration of alterations has been made pursuant to paragraph (1), the head of a Si/Gun/Gu shall renew the certificate of report or the certificate of registration accordingly and issue it, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism.<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009>

(3) Necessary matters for the procedures and methods of the report or registration of alterations, the renewal of the certificates of report or the certificates of registration, etc. as referred to in paragraphs (1) and (2) shall be determined by Ordinance of the Ministry of Culture, Sports and Tourism.<Amended by Act No. 8852, Feb. 29, 2008>

Article 62 (Matters to be Observed by Video Service Providing Business Operator)

A person who carries on a video service providing business shall observe the following matters:<Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009; Act No. 11314, Feb. 17, 2012>

1. To take measures for the prevention of fires or accidents within the place of business;
2. In cases of the business running a video - viewing mini - theater, to admit juveniles thereinto only during the admission hours prescribed by Presidential Decree: Provided, That the same shall not apply to cases where a juvenile is accompanied by his/her parent or other guardian or carries a written consent to admission given by his/her parent or other guardian, or other cases prescribed by Presidential Decree;
3. In cases of the business of running a video - viewing establishment and the business of providing multiple types of visual materials, not to conduct the following acts:

- (a) Selling or offering alcohol;
 - (b) Employing a service man or woman or assisting any other person to employ such person;
 - (c) Deleted; <by Act No. 9657, May 8, 2009>
4. In cases of the business of running a video - viewing establishment, the business of running a video - viewing mini - theater for video products with a restricted rating, and the business of providing multiple types of visual materials, to prohibit juveniles from admitting thereinto after confirming their age;
5. To post the certificate of registration at the place of business, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism.

Article 63 (Succession of Business) (1) When a business operator who has made a report or a registration under Article 57 or 58 transfers his/her business or dies or a corporation merger involving such business takes place, the transferee thereof, the successor thereof, a surviving corporation in the wake of the merger or a corporation incorporated by the merger shall succeed to the status of such business operator.

(2) When a person whose business was closed by filing the report of business closure or whose registration was cancelled under Article 64 makes a report or registration of the same type of business again at the same place within one year, he/she shall succeed to the status of business operator whom he/she had been held at the time of filing the report of business closure.

(3) A person who acquires in whole the business facilities and apparatuses involving video products (referring to the major facilities and apparatuses determined by Presidential Decree) by auction under the Civil Execution Act, by the realization of properties under the Debtor Rehabilitation and Bankruptcy Act, by sales of properties attached under the National Tax Collection Act, the Customs Act, or the Framework Act on Local Taxes, or by any other similar procedures, shall succeed to the status of the operator of such business. <Amended by Act No. 10219, Mar. 31, 2010>

(4) Any person who has succeeded to the status of business operator under paragraph (1) or (3) shall report thereon to the head of a relevant Si/Gun/Gu. <Amended by Act No. 9657, May 8, 2009>

Article 64 (Reporting on Business Closure of video product manufacturing business, video product distribution business or Video Service Providing Business, and Ex

Officio Cancellation) (1) When a business operator who has filed a report under Article 57 or registration under Article 58 closes his/her business, he/she shall make a report on the business closure to the head of a relevant Si/Gun/Gu within seven days from the date of business closure, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009; Act No. 13306, May 18, 2015>

(2) Where a business operator subject to reporting on business closure under paragraph (1) fails to file a report on the business closure, the head of a relevant Si/Gun/Gu may ex officio cancel the matters reported or registered after confirming the fact of his/her business closure, as prescribed by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009; Act No. 13306, May 18, 2015>

SECTION 4 Indication on and Advertisement of Video Products

Article 65 (Obligation of Indication) (1) A person who manufactures, imports, or reproduces video products on a commercial basis shall indicate the trade name of the manufacturer, importer or reproducer (referring to a trade name of a publishing company in the case of video products attached to publications), the rating classified under Article 50 (1), content information, and other matters determined by Ordinance of the Ministry of Culture, Sports and Tourism, on each of the video products concerned. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009>

(2) Necessary matters pertaining to the methods of indicating the rating and content information under paragraph (1) shall be prescribed by Presidential Decree. <Amended by Act No. 9657, May 8, 2009>

Article 66 (Restrictions, etc. on Advertisement and Publicity) (1) A person who intends to distribute or post the advertising or publicity materials related to video products (excluding the video products referred to in Article 50 (3) 1 through 3) or to offer them for public viewing through the information and communications networks shall obtain a verification from the Korea Media Rating Board as to whether they are harmful to juveniles: Provided, That the same shall not apply to the advertising or publicity materials of a video product with a restricted rating. <Amended by Act No.

[9657, May 8, 2009](#)>

(2) Advertising or publicity materials verified as harmful to juveniles under paragraph (1) shall not be distributed or posted.

(3) Notwithstanding the provisions of paragraph (2), any advertising or publicity materials through information and communications networks may be offered to the general public excluding juveniles for the purpose of their viewing in accordance with Article 42 - 2 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc.: Provided, That the same shall not apply where the contents of such advertising or publicity materials are verified by the Korea Media Rating Board as falling under any subparagraph of Article 50 (3) 5.

[<Amended by Act No. 9657, May 8, 2009>](#)

(4) No person shall distribute or post advertising and publicity materials showing any contents or rating that differs from the original contents or rating of a classified video product.

(5) A person who advertises or publicizes a video product with a restricted rating shall post such advertising or publicity materials in a video - viewing mini - theater for video products with a restricted rating. In such cases, the relevant materials posted shall not be visible from outside a video - viewing mini - theater for video products with a restricted rating. [<Newly Inserted by Act No. 9657, May 8, 2009>](#)

(6) Necessary matters concerning procedures for verification as to whether to be harmful to juveniles under paragraph (1) shall be prescribed by the rules of the Korea Media Rating Board.

SECTION 5 Revocation of Registration and Other Administrative Measures

Article 67 (Administrative Disposition, etc.) (1) In case where any person who has filed a report on a video product manufacturing business or a video product distribution business falls under any of the following subparagraphs, the head of a Si/Gun/Gu may order the suspension of the business for a fixed period not exceeding six months or the closure of the business: Provided, That in cases falling under subparagraph 1 or 4, he/she shall order the closure of the business: [<Amended by Act No. 9657, May 8, 2009>](#)

1. Where he/she has filed the report by false or other unjust means;
2. Where he/she has violated the provisions of Article 53 (1);
3. Where he/she has failed to file a report of alteration as prescribed in Article 61 (1);
4. Where he/she has continued to run his/her business in violation of the order given to suspend his/her business.

(2) In case any person who carries on a video service providing business falls under any one of the following subparagraphs, the head of Si/Gun/Gu may order the suspension of the business for a fixed period not exceeding six months or revoke the registration: Provided, That in cases falling under subparagraph 1 or 7, he/she shall revoke the registration: <Amended by Act No. 9657, May 8, 2009>

1. Where he/she has filed the registration by false or other unjust means;
2. Where he/she has violated the provisions of Article 53 (1) or (2);
3. Where he/she has failed to meet the standards for facilities as referred to in Article 58 (1);
4. Where he/she has failed to make the registration of alterations as referred to in Article 61 (1);
5. Where he/she has failed to abide by the matters to be observed as referred to in Article 62;
6. Where he/she conducts sexual traffic, etc., or arranges or provides sexual traffic, etc., referred to in Article 2 (1) of the Act on the Punishment of Acts of Arranging Sexual Traffic;
7. Where he/she has continued to run his/her business in violation of the order given to suspend his/her business.

(3) The head of a Si/Gun/Gu shall, when he/she intends to order the closure of the business or revoke the registration in accordance with paragraphs (1) and (2), hold a hearing thereon. <Amended by Act No. 9657, May 8, 2009>

(4) A person who has been subjected to an order given to close the business or a disposition to revoke the registration under paragraph (1) or (2) shall return the certificate of report or the certificate of registration within 7 days after receipt of the notice of such a disposition.

(5) The detailed standards for administrative dispositions under paragraphs (1) and (2) shall be determined by Ordinance of the Ministry of Culture, Sports and Tourism,

according to the types, degrees, etc. of violations. <Amended by Act No. 8852, Feb. 29, 2008>

Article 68 (Imposition of Penalty Surcharge) (1) Where the head of Si/Gun/Gu is to take a disposition to suspend the business of a video service providing business operator because he/she falls under any one of the following, he/she may, as prescribed by Presidential Decree, impose on such business operator a penalty surcharge not exceeding 30 million won in lieu of the disposition to suspend the business:

1. Where he/she fails to meet the standards for facilities as referred to in Article 58 (1);
2. Where he/she violates the matters to be observed in accordance with subparagraph 2, 4 or 5 of Article 62.

(2) Where a person who is obligated to pay the penalty surcharge pursuant to paragraph (1) fails to pay it within the time limit for payment, the head of a Si/Gun/Gu shall collect it in accordance with the Act on the Collection, etc. of Local Non - Tax Revenue. <Amended by Act No. 11998, Aug. 6, 2013>

(3) The sum of money that is collected as penalty surcharge pursuant to paragraphs (1) and (2) shall be spent for the following purposes:

1. The manufacturing and distribution of wholesome video products;
2. The improvement of harmful environment proper to video products.

(4) Necessary matters pertaining to the sum of penalty surcharge set according to types, degrees, etc. of violations liable to penalty surcharge under paragraph (1), the operational plan for penalty surcharge under paragraph (3), etc. shall be determined by Presidential Decree.

Article 69 (Succession to Effect of Administrative Sanction Disposition) (1) In case the status of any business operator is succeeded to pursuant to Article 63 (1), the effect of an administrative sanction disposition that was imposed on the previous business operator for a violation of any subparagraph of Article 67 (1) or (2) shall continue in force with the transferee, the successor, or the newly established or surviving corporation after merger for a year following the date on which the aforementioned disposition is taken; and, in case procedures for an administrative sanction disposition are under way, such procedures may be proceeded with against the transferee, the successor, or the newly established or surviving corporation after

merger: Provided, That the same shall not apply if the transferee, the successor, or the newly established or surviving corporation after merger was unaware of the fact of such a disposition or violation at the time of acquisition of the business or the merger.

(2) In case the status of any business operator is succeeded to pursuant to Article 63 (2), the effect of an administrative sanction disposition that was imposed for a violation of any subparagraph of Article 67 (1) or (2) before the report of business closure is filed shall continue in force with the person who succeeds to the status of the business operator for a year following the date on which the aforementioned disposition expires; and, in case procedures for an administrative sanction disposition are under way, such procedures may be proceeded with against the person who succeeds to the status of the business operator.

Article 70 (Closure and Removal) (1) When any person operates a business without reporting or registration under Articles 57 and 58, or when any person continues a business after he/she was ordered to close the business or was subject to a disposition taken to revoke the registration in accordance with Article 67 (1) or (2), the head of a Si/Gun/Gu may direct the relevant public officials to take the following actions, in order to close the relevant place of business: [<Amended by Act No. 9657, May 8, 2009>](#)

1. To eliminate signboards or any other signs of business on the business or the place of business;
2. To post a notice informing that the business or the business place is unlawful;
3. To affix seals to such apparatuses or facilities as may be necessary for operation of the business in order to prevent them from being used.

(2) As respects the actions under paragraph (1), the video product business operator concerned or his/her agent shall, in advance, be notified thereof in writing: Provided, That this shall not apply if an urgent action is required for the safety and welfare of the general public. [<Amended by Act No. 9004, Mar. 28, 2008>](#)

(3) When any video product falling under any subparagraph of Article 53 (1) is found, the Minister of Culture, Sports and Tourism, the Special Metropolitan City Mayor, a Metropolitan City Mayor, a Do Governor and the Mayor of a Special Self - Governing City, the Governor of a Special Self - Governing Province (hereinafter

referred to as "Mayor/Do Governor"), or the head of a Si/Gun/Gu may direct the relevant public officials to remove and destroy them. <Amended by Act No. 8852, Feb. 29, 2008; Act No. 9657, May 8, 2009; Act No. 13306, May 18, 2015 >

(4) When a relevant public official has removed the video products concerned pursuant to paragraph (3), he/she shall issue a certificate of removal to their owner or possessor: Provided, That the same shall not apply where he/she refused to receive it.

(5) The Minister of Culture, Sports and Tourism, the Mayor/Do Governor, or the head of a Si/Gun/Gu may, if necessary, request the video product organization to cooperate with the relevant public officials in performing the duties of removal and destruction pursuant to paragraph (3). <Amended by Act No. 8852, Feb. 29, 2008 >

(6) The relevant public officials and the officers and staff members of the video product organization, who take such actions as to post a notice, to affix seals, and to carry out removal and destruction pursuant to paragraphs (1) and (3), shall carry a certificate verifying their authority and produce it to the interested persons.

CHAPTER IV KOREA MEDIA RATING BOARD

Article 71 (Korea Media Rating Board)

The Korea Media Rating Board shall be established to secure the ethical and public responsibilities of motion pictures, video products, and other materials for their advertisement and publicity (hereinafter referred to as "visual representations, etc.") and to thereby protect juveniles.

Article 72 (Functions)

The Korea Media Rating Board shall deliberate and decide upon matters set forth in the following subparagraphs: <Amended by Act No. 9657, May 8, 2009 >

1. Matters concerning the classification, content information of visual representations, etc. and ascertainment as to whether they are harmful to juveniles;
2. Matters concerning the research into the actual conditions of the manufacturing, distribution, and offering of visual representations, etc. for viewing, and concerning other control thereof;

3. Matters concerning the establishment, amendment and repeal of the rules of the Korea Media Rating Board;
4. Matters concerning the application for challenge of members under Article 74 (2);
5. Matters concerning the research, study, international cooperation, and education and public relations for the purpose of securing the objectivity of the classification of visual representations, etc.;
6. Such other matters as determined or entrusted by this Act or other Acts and subordinate statutes as the duties or authority of the Korea Media Rating Board.

Article 73 (Formation) (1) The Korea Media Rating Board shall consist of not more than 9 members including a chairperson and a vice chairperson.

(2) The members of the Korea Media Rating Board shall, on the recommendation of the president of the National Academy of Arts of the Republic of Korea under the National Academy of Arts of the Republic of Korea Act, be commissioned by the Minister of Culture, Sports and Tourism from among those who are engaged in the areas of culture and art, visual representations, etc., juvenile affairs, law, education, and journalism or in nonprofit private organizations, etc. and have expertise and experience in their respective areas. <Amended by Act No. 9657, May 8, 2009 >

(3) The formation of the Korea Media Rating Board shall be based on a balanced arrangement in the gender and age of its members, and detailed matters concerning the appointment standards of its members shall be prescribed by Presidential Decree. <Amended by Act No. 9657, May 8, 2009 >

(4) Other necessary matters concerning the formation and operation of the Korea Media Rating Board shall be determined by the rules of the Korea Media Rating Board. <Newly Inserted by Act No. 9657, May 8, 2009 >

Article 74 (Exclusion, Challenge, and Refrainment of Members) (1) With respect to any case falling under any one of the following subparagraphs, the relevant member of the Korea Media Rating Board shall be excluded from the deliberation or resolution thereof:

1. Where the member or his/her spouse or ex - spouse has made an application under this Act to the Korea Media Rating Board, such as an application for film rating under Article 29 (1) or an application for the classification of video products Article 50 (1) (hereafter in this Article referred to as the "application");

2. Where a person who has any right or liability held jointly with the member or his/her spouse or ex - spouse has made the application;

3. Where a person who is or was in a family relationship with the member has made the application.

(2) Any person who has made the application may, where there exists a good reason why it appears to him/her to be difficult to expect a fair resolution from a member, file an application for the challenge of the member, with a written explanation of such fact.

(3) If a member falls under any such cause as provided for in any subparagraph of paragraph (1) or paragraph (2), he/she may voluntarily refrain from the deliberation and resolution of the case concerned.

(4) Necessary matters concerning the exclusion, challenge and refrainment of members referred to in paragraphs (1) through (3) shall be determined by the rules of the Korea Media Rating Board.

Article 75 (Chairperson, etc.) (1) The chairperson and the vice chairperson of the Korea Media Rating Board shall be elected by mutual vote among the members of the Korea Media Rating Board.

(2) The chairperson of the Korea Media Rating Board shall represent the Korea Media Rating Board and have overall control over the affairs of the Korea Media Rating Board.

(3) In case the chairperson of the Korea Media Rating Board is unable to perform his/her duties for an inevitable reason, the vice chairperson shall act for him/her and, in case both the chairperson and the vice chairperson are unable to perform their duties, members of the Korea Media Rating Board in precedence of age shall act for them.

(4) The members of the Korea Media Rating Board except the chairperson shall be non - standing.

Article 76 (Terms of Office of Members) (1) The terms of office of the members of the Korea Media Rating Board including its chairperson and vice chairperson shall be three years, respectively.

(2) In case the office of any member of the Korea Media Rating Board is vacant, the supplementary member shall be commissioned pursuant to the procedures referred

to in Article 73, and the term of office of the supplementary member shall be the remaining period of the term of office of his/her predecessor.

(3) The members of the Korea Media Rating Board including its chairperson and vice chairperson, whose terms of office have expired under paragraph (1) but successors are not yet appointed, shall continue to perform their duties until their successors are appointed.

Article 77 (Quorum)

Decisions of the Korea Media Rating Board shall require the attendance of a majority of the total members and the concurrent vote of a majority of the members present: Provided, That any decision on the matter as prescribed in subparagraph 3 of Article 72 shall require the concurrent vote of a majority of the total members.

Article 78 (Opening of Sessions to Public) (1) Sessions of the Korea Media Rating Board shall be open to the public under the conditions as prescribed by the rules of the Korea Media Rating Board: Provided, That sessions may be closed to the public by the decision of the Korea Media Rating Board if there exists any special reason, such as protection of trade secrets.

(2) The Korea Media Rating Board shall record the proceedings of sessions under the conditions as prescribed by the rules of the Korea Media Rating Board.

Article 79 (Sectional Committees, etc.) (1) The Korea Media Rating Board may form sectional committees to carry out the matters which the Korea Media Rating Board has delegated to them in connection with the performance of its functions as prescribed in subparagraph 1 of Article 72. In this case, the sectional committees, which may be established by their respective fields, shall consist of not less than 5 but not more than 10 members, respectively.

(2) The Korea Media Rating Board shall form a post - control commission to perform the duties as prescribed in subparagraph 2 of Article 72, which shall consist of not more than 7 members.

(3) Such matters as may be necessary for the formation and operation of the sectional committees and the post - control commission shall be determined by the rules of the Korea Media Rating Board.

Article 80 (Treatment of Members and Prohibition of Concurrent Office) (1) Standing members of the Korea Media Rating Board shall be paid remuneration within the limit of its budget under the conditions as prescribed by the rules of the Korea Media Rating Board, while non - standing members of the Korea Media Rating Board shall be honorary but they may, nevertheless, be paid expenses necessary for performing their duties and other actual expenses under the conditions as prescribed by the rules of the Korea Media Rating Board.

(2) Except as otherwise provided for in the rules of the Korea Media Rating Board, standing members of the Korea Media Rating Board may not concurrently hold another office for profit.

Article 81 (Disqualification for Members)

No person who falls under subparagraphs 1 through 3 of Article 12 may become members of the Korea Media Rating Board.

Article 82 (Independent Exercise of Duties and Guarantee of Status) (1) Members of the Korea Media Rating Board shall not be subject to any instructions or intervention in the exercise of their duties during their terms of office.

(2) No member of the Korea Media Rating Board shall be removed from office or suffer any unfavorable treatment in his/her status against his/her will unless he/she falls under any one of the following subparagraphs:

1. Where he/she falls under any disqualification as referred to in Article 81;
2. Where he/she is unable to perform his/her duties for a long time due to any mental or physical impairment.

(3) Where any member of the Korea Media Rating Board falls under paragraph (2) 1, he/she shall be removed from office, and where he/she falls under subparagraph 2 of the said paragraph, the chairperson of the Korea Media Rating Board may recommend his/her removal from office to the Minister of Culture, Sports and Tourism, subject to a resolution by the Korea Media Rating Board. <Amended by Act No. 9657, May 8, 2009>

Article 83 (Duties, etc. of Korea Media Rating Board Involving Classification) (1) The Korea Media Rating Board shall regularly survey public opinion on the classification of visual representations and reflect the results in the performance of the duties of

classification, etc.

(2) The Korea Media Rating Board may, if necessary to carry out its duties related to classification referred to in subparagraph 2 of Article 72, request motion picture enterprisers and video product business operators to submit related materials, and shall recommend the agency concerned to take necessary measures against an act of violation, if any.

(3) Necessary matters concerning the submission of related materials under paragraph (2) shall be determined by the rules of the Korea Media Rating Board.

[<Newly Inserted by Act No. 9657, May 8, 2009>](#)

Article 84 (Secretariat) (1) There shall be established a secretariat of the Korea Media Rating Board in order to assist the Korea Media Rating Board in doing clerical work.

(2) A secretary general shall be assigned to the secretariat, and the chairperson of the Korea Media Rating Board shall appoint him/her with the approval of the Korea Media Rating Board.

(3) Necessary matters for the formation and operation of the secretariat shall be determined by the rules of the Korea Media Rating Board.

Article 85 (Establishment, Amendment and Repeal of Rules of Korea Media Rating Board)

(1) In case the rules of the Korea Media Rating Board are to be established, amended or repealed, the Korea Media Rating Board shall give an advance notice of the bill of the rules or the bill of their amendment or repeal through the Official Gazette, etc. for a fixed period of not less than 20 days and shall, if the bill has been passed, announce it officially by publishing it through the Official Gazette, etc.

(2) In case standards for classification are to be established or amended pursuant to Article 50 (6), the Korea Media Rating Board shall hear opinions voiced by juvenile organizations, nonprofit private organizations, and academic or industrial circles.

Article 86 (Financial Assistance from National Treasury) (1) The National Treasury may assist the Korea Media Rating Board with such expenses as may be required for its operation.

(2) With respect to such project, etc. as may incur financial obligation on the National Treasury, the Korea Media Rating Board shall in advance consult with the Minister of Culture, Sports and Tourism. [<Amended by Act No. 8852, Feb. 29, 2008>](#)

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 87 (Establishment of Video Product Organization) (1) Video product business operators may establish a video product organization in order to promote a healthy and sound development of business.

(2) The video product organization shall be a juristic person.

(3) A person who desires to establish the video product organization shall obtain permission therefor from the Minister of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008 >

(4) The video product organization shall endeavor to ensure that a healthy and sound operational order may be maintained in doing business pertaining to the manufacture and distribution of video products.

(5) The provisions on an incorporated association as referred to in the Civil Act shall apply mutatis mutandis to the matters that this Act does not prescribe with respect to the video product organization.

Article 88 (Education for Establishing Order of Video Products Distribution)

The head of Si/Gun/Gu may, if deemed necessary to establish a healthy and sound order of distribution of video products, have the video service providing business operators undergo education within the limit of three hours per year under the conditions as prescribed by Presidential Decree.

Article 89 (Assistance to Exemplary Video Product Business Operators) (1) The head of Si/Gun/Gu may, if deemed necessary to establish a healthy and sound order of distribution of video products, designate exemplary video service providing business operators and thereby provide necessary assistance to them.

(2) Necessary matters pertaining to the standards, procedures, etc. for designation as prescribed in paragraph (1) shall be determined by Ordinance of the Ministry of Culture, Sports and Tourism. <Amended by Act No. 8852, Feb. 29, 2008 >

Article 90 (Fees) (1) Deleted. <by Act No. 13306, May 18, 2015 >

(2) Any of the following persons shall pay the Korea Media Rating Board the fees determined by the Korea Media Rating Board, with the approval of the Minister of

Culture, Sports and Tourism: Provided, That a person falling under subparagraph 1 or 4 who does not have a profit - making purpose shall be exempted from such fees:

<Amended by Act No. 8852, Feb. 29, 2008; Act No. 11314, Feb. 17, 2012>

1. A person who applies for film rating pursuant to Article 29 (1);
2. A person who raises an objection pursuant to Article 31;
3. A person who applies for a verification as to whether advertising or publicity materials of motion picture are harmful to juveniles pursuant to Article 32;
4. A person who applies for the classification of video products pursuant to Article 50 (1);
5. A person who applies for the confirmation of reproduced video products, etc. or the re - issuance of the certificate of completion of confirmation pursuant to Article 51;
6. A person who applies for the reclassification pursuant to Article 54 (1);
7. A person who applies for the verification as to whether advertising or publicity materials related to video products are harmful to juveniles pursuant to Article 66 (1).

(3) The following persons shall pay fees, as prescribed by municipal ordinance of each Si/Gun/Gu (referring to an autonomous Gu):<Amended by Act No. 9657, May 8, 2009>

1. A person who applies for the registration or alteration of registered matters pursuant to Article 36 (1);
- 1 - 2. A person who files a report on a motion picture enterpriser or files a report on the change thereof pursuant to Article 26 (1);
- 1 - 3. A person who applies for the re - issuance of a report certificate pursuant to Article 26 (2);
2. A person who files a report on a video product manufacturing business or a video product distributing business pursuant to Article 57 (1);
3. A person who applies for the registration of a video service providing business pursuant to Article 58 (1);
4. A person who files a report on alterations or files for registration of alterations pursuant to Article 61 (1).

(4) Where the Korea Media Rating Board intends to determine the fees referred to in paragraph (2), it shall collect opinions from relevant enterprisers in advance.<Newly

[Inserted by Act No. 13306, May 18, 2015](#)>

Article 91 (Legal Fiction as Public Officials in Applying Penal Provisions)

Any person who falls under each of the following subparagraphs shall be deemed to be a public official for the purposes of Articles 129 through 132 of the Criminal Act:

1. Members of the Korean Film Council and the staff members of its secretariat;
2. Members of the Korea Media Rating Board and the staff members of its secretariat;
3. Members of the sectional committees of the Korea Media Rating Board and the members of its post - control commission;
4. Persons engaged in the duties entrusted under the provisions of Article 92 (2).

Article 92 (Delegation and Entrustment of Authority) (1) The Minister of Culture, Sports and Tourism may delegate part of his/her authority under this Act to a Mayor/Do Governor or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

[<Amended by Act No. 9657, May 8, 2009>](#)

(2) The Korean Film Council may entrust part of its duties to the institutions or organizations established for the purpose of promoting the film and video culture and the film and video industry, as prescribed by Presidential Decree.

CHAPTER VI PENAL PROVISIONS

Article 93 (Penal Provisions)

Any person who has run business in violation of a measure taken pursuant to each subparagraph of Article 70 (1) shall be punished by imprisonment for not more than five years, or by a fine not exceeding 50 million won.

Article 94 (Penal Provisions)

Any of the following persons shall be punished by imprisonment for not more than three years, or by a fine not exceeding 30 million won: [<Amended by Act No. 9657, May 8, 2009; Act No. 11314, Feb. 17, 2012; Act No. 13306, May 18, 2015>](#)

1. A person who screens a motion picture which has not been rated, in violation of Article 29 (3);

2. A person who admits any juvenile who is prohibited from viewing a restricted motion picture to his/her movie theater to view such motion picture, in violation of Article 29 (5);
3. A person who screens any restricted motion picture at a place or establishment that is not a restricted movie theater, in violation of Article 43 (1);
4. A person who has made any restricted motion picture into other visual representations or screened, sold, transmitted, rented or offered such produced visual representations for viewing, in violation of Article 43 (2);
5. A person who offers a video product with a restricted rating for viewing at a place or facilities, other than a video - viewing mini - theater for video products with a restricted rating, in violation of Article 53 - 2 (1);
6. A person who distributes a video product with a restricted rating, in violation of Article 53 - 2 (2);
7. A person who permits a juvenile to be admitted into a video - viewing establishment, a video - viewing mini - theater for video products with a restricted rating or into a business establishment for providing multiple types of visual materials, in violation of subparagraph 4 of Article 62.

Article 95 (Penal Provisions)

Any of the following persons shall be punished by imprisonment for not more than two years, or by a fine not exceeding 20 million won: <Amended by Act No. 9657, May 8, 2009>

1. A person who has screened a motion picture, in violation of Article 29 (6);
2. A person who has posted the advertising or publicity materials related to any restricted motion picture or has posted them in such a manner as to be seen from outside a restricted movie theater, in violation of Article 33;
3. A person who has screened any such motion picture referred to in Article 29 (2) 1 through 4 in a restricted movie theater, in violation of Article 43 (3);
4. A person who has failed to comply with an order given to suspend business under Article 45;
5. A person who has obtained the classification of video products under Article 50 (1) without any justifiable right to such video products in any false or other unjust manner or gotten the confirmation of reproduction, distribution, etc. under Article

51 (1);

6. A person who has manufactured or distributed illegal video products, offered them for viewing, or to this end, displayed or kept them, in violation of Article 53 (1);
7. A person who has sold, purchased or presented as a gift the certificate of completion of classification and the certificate of completion of confirmation, in violation of Article 53 (3);
8. A person who offers a video product under Article 50 (3) 1 through 4 to the general public for their viewing at a video - viewing mini - theater for video products with a restricted rating, in violation of Article 53 - 2 (3);
9. A person who has carried on a video service providing business without registering the business, in violation of Article 58 (1);
10. A person who has failed to abide by the matters to be observed, in violation of subparagraph 2 or 3 of Article 62;
11. A person who posts the advertising or publicity materials of a video products with a restricted rating at places, other than the inside of a video - viewing mini - theater for video products with a restricted rating, or makes them visible from outside a video - viewing mini - theater for video products with a restricted rating, in violation of Article 66 (5);
12. A person who has continued business, in violation of an order given to suspend such business under Article 67 (2).

Article 96 (Penal Provisions)

A person who falls under any one of the following subparagraphs shall be punished by a fine not exceeding 10 million won:

1. A person who has run business without reporting, in violation of Article 57;
2. A person who has continued business, in violation of an order given to suspend such business under Article 67 (1);
3. A person who has refused, obstructed, or evaded any action taken by the relevant public official pursuant to Article 70 (1) or (3).

Article 96 - 2 (Penal Provisions)

A person who enters into a labor contract in violation of Article 3 - 4 shall be punished by a fine not exceeding five million won.

[This Article Newly Inserted by Act No. 13306, May 18, 2015]

Article 97 (Joint Penal Provisions)

Where a representative of a corporation, or an agent, employee or other servant of a corporation or individual commits an offense under any one of Articles 93 through 96 and 96 - 2 in connection with the business of the corporation or individual, not only shall such offender be punished accordingly, but the corporation or the individual shall also be punished by the fine prescribed in the relevant Article: Provided, That the foregoing sentence shall not apply to where such corporation or individual has not been negligent in giving due attention and supervision concerning the relevant duties to prevent such offense. <Amended by Act No. 13306, May 18, 2015 >

[This Article Wholly Amended by Act No. 9657, May 8, 2009]

Article 98 (Fines for Negligence) (1) Any of the following persons shall be subject to imposition of a fine for negligence not exceeding 50 million won: <Amended by Act No. 13306, May 18, 2015 >

1. A person who admits any person prohibited from viewing a motion picture with a film rating provided for in Article 29 (2) 2 through 4 to his/her movie theater to view such motion picture, in violation of Article 29 (4) or (5);
2. A person who distributes or posts advertising or publicity materials without obtaining verification as to whether they are harmful to juveniles or offers such materials for public viewing through the information and communications networks, in violation of Article 32 (1);
3. A person who distributes or posts advertising or publicity materials verified as harmful to juveniles, in violation of Article 32 (2);
4. A person who offers video products for viewing, in violation of Article 53 (2);
5. A person who fails to obtain verification as to whether advertising or publicity materials are harmful to juveniles, in violation of Article 66 (1);
6. A person who distributes or posts advertising or publicity materials which are verified as harmful to juveniles, in violation of Article 66 (2).

(2) Any of the following persons shall be subject to imposition of a fine for negligence not exceeding ten million won: <Amended by Act No. 8280, Jan. 26, 2007; Act No. 9657, May 8, 2009; Act No. 13306, May 18, 2015 >

1. Deleted; <by Act No. 13306, May 18, 2015>

1 - 2. A person who operates business manufacturing, importing, distributing or screening motion pictures without reporting thereon, in violation of Article 26 (1);

2. A person who fails to submit a motion picture film, etc. in violation of Article 35 (1);

3. A person who establishes and operates a movie theater without having such movie theater registered, in violation of Article 36 (1);

4. A person who fails to report on a safety - precaution plan, in violation of Article 37 (1);

5. A person who transmits the data related to the matters prescribed by Ordinance of the Ministry of Culture, Sports and Tourism, such as the number of viewers entering the relevant movie theater and the amount of sales of admission tickets through the integrated computer network for processing movie theater admission tickets, with intentional omission or manipulation, in violation of Article 39 (3);

6. A person who fails to report or makes a false report, in violation of Article 41;

7. A person who allows a person without the national technical qualifications for motion picture projection to screen any motion picture, in violation of Article 44;

8. A person who fails to report or obtain registration of any alteration, in violation of Article 61 (1);

9. A person who fails to indicate a rating or content information of a video product or mistakes such rating or content information, in violation of Article 65 (1) or (2).

(3) Any of the following persons shall be subject the imposition of a fine for negligence not exceeding three million won: <Amended by Act No. 13306, May 18, 2015>

1. A person who fails to report on any alteration, in violation of the latter part of Article 26 (1);

2. A person who has fails to register alteration of any registered matter involving a movie theater, in violation of the latter part of Article 36 (1);

3. A person who fails to report, in violation of Article 46 (4) or 63 (4).

Article 99 (Imposition of Fines for Negligence)

Fines for negligence under Article 98 shall be imposed and collected by the Minister of Culture, Sports and Tourism or the head of a Si/Gun/Gu, as prescribed by Presidential Decree.

[This Article Wholly Amended by Act No. 9657, May 8, 2009]

ADDENDA <No. 8280, 26. Jan, 2007 >

Article 1 (Enforcement Date)

This Act shall enter into force three months after the date of its promulgation: Provided, That preparatory works necessary for the installation and operation of the Motion Picture Development Fund under the amended provisions of Article 23 may be initiated before the enforcement of this Act, and the amended provisions of Article 25 - 2 shall enter into force on July 1, 2007.

Article 2 (Effective Period)

The amended provisions of Article 25 - 2 shall be effective until December 31, 2021. <Amended by Act No. 12857, Dec. 23, 2014 >

Article 3 (Transitional Measures concerning Motion Picture Promotion Fund)

The claims, obligations, and other rights and duties of the Motion Picture Promotion Fund that has been managed and operated by the Korean Film Council pursuant to the former provisions enforced at the time when this Act enters into force shall be imputed to the Motion Picture Development Fund that shall be managed and operated by the Korean Film Council pursuant to this Act: Provided, That the management and operation of Motion Picture Promotion Fund under the former provisions may continue until a draft fund management plan is submitted to the National Assembly pursuant to Article 5 (2) of Addenda for deliberation and approved by it, notwithstanding the provision of Article 1 of Addenda.

Article 4 (Transitional Measure concerning Reporting on Plan for Countermeasures against Disasters)

A person who reported a plan for countermeasures against disaster in accordance with the former provisions enforced at the time when this Act enters into force shall be deemed to have reported it in accordance with the amended provisions of Article 37 (1).

Article 5 (Special Exceptions to Time to Establish Fund Management Plan for 2007)

(1) The Korean Film Council shall prepare a draft fund management plan for 2007 after the promulgation of this Act without delay, and shall submit it to the Minister of Planning and Budget through the Minister of Culture and Tourism.

(2) The Government shall submit the draft fund management plan for 2007 as prepared pursuant to paragraph (1) to the National Assembly within sixty days after the promulgation of this Act. In this case, the National Assembly shall deliberate and make a resolution on the draft fund management plan for 2007 within sixty days from the day on which the plan is submitted to the National Assembly, notwithstanding Article 84 - 2 of the National Assembly Act.

Article 6 Omitted.

ADDENDA <No. 8345, 11. Apr, 2007 >

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)
Articles 2 through 10 Omitted.

ADDENDA <No. 8852, 29. Feb, 2008 >

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)
Articles 2 through 7 Omitted.

ADDENDA <No. 9004, 28. Mar, 2008 >

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

ADDENDA <No. 9657, 08. May, 2009 >

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Formation of Members of the Korea Media Rating Board)

The amended provisions of Article 73 (2) and (3) concerning the formation of the members of the Korea Media Rating Board shall begin applying to the first case where the members of the Korea Media Rating Boards are newly re - formed after the expiry date of the term of office for all members of the Korea Media Rating Board organized under the former provisions as at the time this Act enters into force

(hereinafter referred to as "former Board"): Provided, That the amended provisions shall apply when the vacant position of a member of the former Board is filled.

Article 3 (Applicability to Indication of Content Information of Motion Pictures and Video Products)

The amended provisions concerning the indication of the content information of a motion picture or video product shall begin applying to the first application for the rating of a motion picture or video product made to the Korea Media Rating Board after this Act enters into force.

Article 4 (Transitional Measures concerning Rating)

A motion picture rated "Restricted" under the former provisions as at the time this Act enters into force shall be deemed to have been rated "Restricted" under this Act.

Article 5 (Transitional Measures concerning Report)

A motion picture enterpriser or person who carries on a video product manufacturing business or video product distribution business under the former provisions as at the time this Act enters into force shall be deemed to have filed a report under this Act, respectively.

Article 6 (Transitional Measures concerning Administrative Disposition, etc.)

(1) A disposition, application, report or other acts against an administrative agency before this Act enters into force shall be deemed a disposition, application, report or other acts against an administrative agency under this Act.

(2) The former provisions shall apply when taking an administrative disposition to an act committed before this Act enters into force.

ADDENDA <No. 9676, 21. May, 2009 >

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

ADDENDA <No. 10109, 17. Mar, 2010 >

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

ADDENDA <No. 10219, 31. Mar, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2011.

Articles 2 through 12 Omitted.

ADDENDA <No. 11314, 17. Feb, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force six months after its promulgation.

Article 2 (Applicability to Fees)

The amended provisions of Article 90 (2) shall apply, starting from the first application to be made after this Act enters into force.

Article 3 (Transitional Measures concerning Chairperson, etc. of Korean Film Council)

The members and auditor of the Korean Film Council, including the chairperson and vice - chairperson thereof who are holding office when this Act enters into force shall be deemed to have been appointed in accordance with this Act, but the term of office thereof shall be in accordance with the provisions in force at the time the term of office began.

Article 4 (Transitional Measures concerning Registration of Business of Providing Multiple Types of Visual Materials)

(1) Any person who runs the business of providing multiple types of visual materials which has been registered as the business of running a video - viewing establishment under the former provisions when this Act enters into force shall file a registration provided in Article 58, satisfying facility standards under this Act within one year from the date on which this Act enters into force.

(2) Any person who runs the business of providing multiple types of visual materials which has been registered as the combined distribution and game providing business under the Game Industry Promotion Act when this Act enters into force shall file a registration provided in Article 58, satisfying facility standards under this Act within one year from the date on which this Act enters into force.

ADDENDA <No. 11690, 23. Mar, 2013>

Article 1 (Enforcement Date)

(1) This Decree shall enter into force on the date of its promulgation.

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA <No. 11998, 06. Aug, 2013>

Article 1 (Enforcement Date)

This Decree shall enter into force one year after its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <No. 12353, 28. Jan, 2014>

This Decree shall enter into force six months after its promulgation.

ADDENDA <No. 12857, 23. Dec, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2015.

Article 2 (Applicability to Payment of Entrustment Commission)

The amended provisions of Article 25 - 2 shall begin to apply, from the first charges to a movie theater operator calculated and notified by the Korean Film Council after this Act enters into force.

ADDENDA <No. 13306, 18. May, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force six months after its promulgation: Provided, That the amended provisions of Article 28 - 4 shall enter into force on the date of its promulgation.

Article 2 (Applicability to Exemption from Collection of Charges)

The amended provisions of Article 25 - 2 (1) shall apply to where any audiences enter the relevant movie theater in the month to which the enforcement date of this

Act belongs.

Article 3 (Applicability to Imposition and Compulsory Collection of Additional Dues)

The amended provisions of Article 25 - 2 (4) and (5) shall apply, starting from where the operator of a movie theater fails to pay, until the time limit for payment, the additional dues received from the audiences entered in the month in which this Act enters into force.

Article 4 (Applicability to Reporting on Business Closure)

The amended provisions of Articles 28 - 2 (1) and 46 - 2 (1) shall apply to business closure occurred after this Act enters into force.

Article 5 (Applicability to Ex Officio Cancellation)

The amended provisions of Article 28 - 2 (1) and 46 - 2 (1) shall also apply to business operators who have closed their business before this Act enters into force.

Article 6 (Special Exceptions to Exemption from Collection of Charges from Exclusive Movie Theaters)

Notwithstanding the amended provisions of Article 25 - 2 (1) 1, the collection of charges in the year in which the enforcement date of this Act falls from a movie theater, to which the Minister of Culture, Sports and Tourism has notified to provide assistance under Article 38 (limited to movie theaters which screen motion pictures falling under Article 38 (1) 2 for not less than 60/100 of annual running days), shall be exempted from the collection of charges from the audiences who enter the relevant movie theater from the first date of the month in which the enforcement date of this Act falls until the end date of the year in which the enforcement date of this Act falls.

Article 7 (Transitional Measures concerning Film Commission)

A film commission which has been established and is in operation as at the time the amended provisions of Article 28 - 4 enter into force shall be deemed a film commission under this Act.

Article 8 (Transitional Measures concerning Fines for Negligence)

Notwithstanding the amended provisions of Article 98 (2) 1, a person who fails to pay charges, in violation of the former Article 25 (2), before this Act enters into force, shall be governed by the former provisions.

Article 9 Omitted.