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ACT ON THE PROMOTION OF NEWSPAPERS, ETC.

[Enforcement Date 19. Nov, 2015.] [Act No.13305, 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 expanding the freedom of the press and to democratically molding public opinion by guaranteeing the freedom and independence of publication of newspapers, etc. and the functions thereof, by promoting a sense of social responsibility regarding newspapers, etc. and by assisting and fostering the newspaper industry.

Article 2 (Definitions)

The terms used in this Act shall be defined as follows:

1. The term "newspaper" means a publication published under the same name not less than twice a month in order to spread news, commentaries, public opinion, information, etc. regarding the whole field or specific field of politics, economics, society, culture, industry, science, religion, education, sports, etc., which is listed in the following items:

(a) General daily newspaper: Publication published each day in order to spread news, commentaries, public opinion, etc. regarding politics, economics, society, culture, etc.;

(b) Special daily newspaper: Publication published each day in order to spread news, commentaries, public opinion, etc. regarding matters limited to specific fields (excluding politics), such as industry, science, religion, education, sports, etc.;

(c) General weekly newspaper: Publication published once a week (including a publication published twice a week or not less than twice a month) in order to spread news, commentaries, public opinion, etc. regarding politics, economics, society, culture, etc.;

(d) Special weekly newspaper: Publication published once a week (including a publication published twice a week or not less than twice a month) in order to spread news, commentaries, public opinion, etc. regarding matters limited to specific fields

- (excluding politics), such as industry, science, religion, education, sports, etc.;
2. The term "online newspaper" means an electronic publication published in order to spread news, commentaries, public opinion, information, etc. regarding politics, economics, society, culture, etc. by using equipment capable of processing information, such as computers, and communications networks, which meet the standards prescribed by Presidential Decree, such as the independent production of news articles and continuous publication;
 3. The term "newspaper enterpriser" means a person who publishes a newspaper;
 4. The term "online newspaper enterpriser" means a person who electronically publishes an online newspaper;
 5. The term "online news service" means an electronic publication continuously supplying or intermediating news articles of newspapers, online newspapers, news communications under the Act on Promotion of News Communications, broadcasts under the Broadcasting Act, and magazines, etc. under the Act on Promotion of Periodicals, Including Magazines via the Internet: Provided, That online newspapers under subparagraph 2, Internet multimedia broadcasts under subparagraph 1 of Article 2 of the Internet Multimedia Broadcast Services Act, and those prescribed by Presidential Decree shall be excluded;
 6. The term "online news service provider" means a person who manages an electronic publication under subparagraph 5;
 7. The term "publisher" means a representative who publishes a newspaper or electronically publishes an online newspaper;
 8. The term "editor" means a person in charge of editing a newspaper or of publicly announcing an online newspaper;
 9. The term "news article layout manager" means a person in charge of the layout of news articles of an online news service;
 10. The term "printer" means a person selected and appointed by a newspaper enterpriser or a person who has entered into a printing contract with a newspaper enterpriser, who is in charge of printing such newspaper;
 11. The term "branch office" or "district office" means an office established to cover news, etc. in an area, other than the location where a newspaper is published;
 12. The term "reader" means a person supplied with a newspaper with or without compensation, or a person using an online newspaper or online news service with

or without compensation.

Article 3 (Freedom and Responsibility regarding Newspapers, etc.) (1) The freedom and independence of the press for newspapers and online newspapers shall be guaranteed.

(2) Newspapers and online newspapers shall have a right to free access to information sources as a kind of the freedom of the press under paragraph (1), and have the freedom to freely publish covered information,

(3) Newspapers and online newspapers shall respect the dignity and value of human beings and the fundamental system of democracy.

Article 4 (Freedom and Independence of Editing) (1) The freedom and independence of editing newspapers and online newspapers shall be guaranteed.

(2) Newspaper enterprisers and online newspaper enterprisers shall guarantee editors' self - regulated editing.

Article 5 (Editorial Committees)

Any general daily newspaper enterpriser may have an editorial committee.

Article 6 (Protection of Readers' Rights) (1) Newspaper enterprisers, online newspaper enterprisers and online news service providers shall endeavor to ensure the fundamental principles of editing and production conform to the interests of their readers.

(2) Newspaper enterprisers, online newspaper enterprisers and online news service providers may have a readers' right and interest committee as an advisory organization in order to protect the rights and interests of their readers.

(3) The editors of newspapers and online newspapers, and the news article layout managers of online news services shall edit news articles by clearly distinguishing news articles from advertisements so that readers do not confuse news articles with advertisements.

Article 7 (Prohibition, etc. of Unfair Trade) (1) No newspaper enterpriser shall conclude, extend or terminate any subscription contract against the will of a reader, or offer any free newspaper or any free gift constituting unfair trade.

(2) The Monopoly Regulation and Fair Trade Act shall apply to a decision as to whether a case constitutes unfair trade prescribed in paragraph (1), and to the settlement thereof, etc.

Article 8 (Training) (1) Newspaper enterprisers, online newspaper enterprisers and online news service providers shall build and operate a training system in order to improve the abilities and qualities of their employees.

(2) Where newspaper enterprisers, online newspaper enterprisers and online news service providers jointly build and operate an establishment to train their employees, the Press Promotion Fund under Article 34 may financially support such training establishment.

CHAPTER II OPERATION, ETC. OF NEWSPAPER BUSINESS

Article 9 (Registration) (1) A person who intends to publish a newspaper, or to electronically publish an online newspaper or online news service shall have the following matters registered with the Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor or Governor of a Special Self - Governing Province (hereinafter referred to as "Mayor/Do Governor") having jurisdiction over the address of the principal office, as prescribed by Presidential Decree. The same shall also apply to the modification of registered matters: Provided, That where the State or local governments publish or manage a newspaper, etc., or a juristic person, organization or institution publishes a newspaper, etc. in order to distribute them to their affiliated personnel, and in cases prescribed by Presidential Decree, this shall not apply:

1. Name of newspaper or online newspaper (limited to newspapers or online newspapers);
2. Trade name and name of online news service (limited to online news services);
3. Kind and frequency of publication (limited to newspapers);
4. Name, date of birth and address (where such newspaper enterpriser or printer is a juristic person or organization, the name and address of the principal office thereof, and the name, date of birth and address of the representative thereof) of newspaper enterpriser and the publisher, editor (excluding cases in which a foreign

newspaper is printed and distributed in Korea as it is without any modification of details; hereinafter the same shall apply) and printer of newspaper;

5. Name, date of birth and address of online newspaper enterpriser and the publisher and editor of online newspaper (where such online newspaper enterpriser is a juristic person or organization, the name and address of the principal office thereof, and the name, date of birth and address of the representative thereof);
6. Name, date of birth and address of online news service provider and news article layout manager (where such online news service enterpriser is a juristic person or organization, the name and address of the principal office thereof, and the name, date of birth and address of the representative thereof);
7. Location of publishing office;
8. The objectives and details of publication;
9. Main target of circulation and circulation district (limited to newspapers);
10. Division of publication (with or without compensation);
11. Matters concerning electronic publication, such as web site address, etc.

(2) Where a person (excluding an online news service provider) who intends to make registration as prescribed in paragraph (1) is a juristic person or organization, the representative director or representative thereof shall be the publisher: Provided, That where a justifiable reason for the representative director or representative not to become a publisher exists, another director or executive officer may be made a publisher after resolution by the board of directors.

(3) A person who intends to have a newspaper registered as prescribed in paragraph (1) shall explicitly indicate its frequency of publication according to the following classification:

1. Daily newspaper (including those published on alternate days or not less than three times a week);
2. Weekly newspaper (including those published twice a week or not less than twice a month).

(4) When a newspaper, online newspaper, or online news service has been registered as prescribed in paragraph (1), the Mayor/Do Governor shall deliver a certificate of registration without delay.

(5) No newspaper, online newspaper, or online news service with the same name as that of an already - registered newspaper, online newspaper, or online news service,

periodical registered or reported as prescribed by the Act on Promotion of Periodicals, Including Magazines, or news communications registered as prescribed by the Act on the Promotion of News Communications shall be registered: Provided, That where the competent enterpriser allows to use such name, this shall not apply.

- Article 9 - 2 (Designation, etc. of Persons Responsible for Juvenile Protection)** (1) In order to protect juveniles against information harmful to juveniles (hereinafter referred to as "information harmful to juveniles"), such as obscene information or violence information in online newspapers and online news service, an online newspaper enterpriser and an online news service provider shall designate a person responsible for juvenile protection (hereinafter referred to as "person responsible for juvenile protection"): Provided, That the foregoing shall not apply to a person who should designate a person responsible for juvenile protection pursuant to Article 42 - 3 (1) of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc..
- (2) Where an online newspaper enterpriser or an online news service provider designates a person responsible for juvenile protection pursuant to the main sentence of paragraph (1) above, or Article 42 - 3 (1) of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc., he/she shall make public such a designated person responsible for juvenile protection, as prescribed by Presidential Decree.
- (3) A person responsible for juvenile protection shall be designated from among executive officers of the relevant enterpriser or persons who hold a position of general manager of the department in charge of affairs related to juvenile protection (referring to a person who is in charge of affairs related to juvenile protection, where there is no person who holds a position of general manager of the department).
- (4) A person responsible for juvenile protection shall conduct affairs concerning juvenile protection, such as the interception and management of information harmful to juveniles in the relevant online newspaper or online news service.
- (5) Other necessary matters concerning the designation and affairs of persons responsible for juvenile protection shall be prescribed by Presidential Decree.

[This Article Newly Inserted by Act No. 13305, May 18, 2015]

Article 10 (Matters to be Complied with by Online News Service Providers) (1) Online news service providers shall endeavor to make the basic course of layout of news articles to be loyal to the interests of readers, and open the basic course and news article layout manager to the public, as prescribed by Presidential Decree.

(2) Where an online news service provider intends to correct the title, details, etc. of a news article that he/she has not produced solely, he/she shall obtain approval from the person who supplied such news article.

(3) An online news service provider shall distinguish news articles which he/she supplies or intermediates from opinions, etc. produced by readers, and mark the difference, as prescribed by Presidential Decree, so that readers do not confuse news articles with opinions, etc.

(4) Where an online news service provider has received a re - transmission of news articles because the titles, details, etc. of such news articles that he/she supplied or intermediated were modified, he/she shall immediately substitute the relevant news articles in his/her web site with the retransmitted news articles.

Article 11 (Cessation of Business and Ex Officio Erasure) (1) Where a person who obtains registration as prescribed in Article 9 has closed business, he/she shall report the cessation of business to the Mayor/Do Governor, as prescribed by Presidential Decree, within one month from the day business was closed.

(2) The Mayor/Do Governor may ex officio erase the registration of the person who has not reported the cessation of business in violation of paragraph (1) after ascertaining the cessation of business, as prescribed by Presidential Decree.

Article 12 (Submission of Registered Matters, etc.)

The Mayor/Do Governor who has received an application for registration under Article 9 or a report on the cessation of business under Article 11 shall submit matters of registration (including modified registration) or matters on the cessation of business to the Minister of Culture, Sports and Tourism on a quarterly basis.

Article 13 (Grounds, etc. for Disqualification) (1) No person who falls under any of the following subparagraphs shall be qualified as a publisher, editor or news article layout manager of a newspaper or online newspaper:

1. A person who is not a national of the Republic of Korea;
2. A person who has violated the Act on Promotion of Periodicals, Including Magazines, the Act on the Promotion of News Communications, the Broadcasting Act, the Internet Multimedia Broadcast Services Act or the Copyright Act, or has committed a crime under Articles 87 through 90, 92 and 101 of the Criminal Act, under Articles 5 through 8, 9 (2), and 11 through 16 of the Military Criminal Act, or under Articles 3 through 9 of the National Security Act, is sentenced to imprisonment without labor or heavier punishment, and for whom one year has not passed from the date on which the execution of such sentence terminated (including cases where the execution of such sentence is deemed to have terminated) or exemption from such sentence was made definite or who is still subject to a stay of sentence after having been sentenced to a stayed execution of imprisonment without labor or heavier punishment;
3. A person who has violated the Act on Promotion of Periodicals, Including Magazines, the Act on the Promotion of News Communications, the Broadcasting Act, the Internet Multimedia Broadcast Services Act or the Copyright Act, or has committed a crime under Articles 87 through 90, 92 and 101 of the Criminal Act, Articles 5 through 8, 9 (2), and 11 through 16 of the Military Criminal Act, or Articles 3 through 9 of the National Security Act, and is still subject to a stay of sentence after having been sentenced to a stayed sentence of imprisonment without labor or heavier punishment;
4. A person for whom the disposition for security surveillance under the Security Surveillance Act, or medical treatment and custody under the Medical Treatment and Custody Act is in force;
5. A person who is sentenced to a fine or heavier punishment for violating this Act and for whom two years have not passed from the date on which the execution of sentence terminated or from the date on which it was made definite that he/she would not receive punishment;
6. A person who was the publisher, editor, or news article layout manager of a newspaper, online newspaper, or online news service, and for whom two years have not passed from the date on which its registration was revoked for violation of this Act;

7. A person who is a minor, incompetent, or quasi - incompetent;

8. A person who is not yet reinstated after having been declared bankrupt.

(2) When the publisher, editor or news article layout manager of a newspaper, online newspaper, or online news service registered as prescribed in Article 9 falls under a ground for disqualification referred to in paragraph (1), the change of publisher, editor, or news article layout manager shall be registered within one month from the date such ground for disqualification occurs.

(3) No one who is not a juristic person shall publish any daily newspaper or general weekly newspaper.

(4) No one who falls under any of the following subparagraphs shall publish any newspaper: Provided, That where a newspaper is published in order to deliver only to attached personnel, this shall not apply:

1. Any foreign government, foreign juristic person, or foreign organization;

2. Any juristic person or organization, the representative of which is a person, other than a national of the Republic of Korea;

3. Any entity in which any foreigner, foreign juristic person, or foreign organization holds shares or equities in excess of the rate falling under any of the following:

(a) 30/100 in cases of a daily newspaper;

(b) 50/100 in cases of a newspaper, other than daily newspaper.

Article 14 (Succession to Business) (1) When a newspaper enterpriser or online newspaper enterpriser transfers his/her business or dies, or juristic persons have merged, etc., the transferee, successor, or juristic person surviving such merger or established following such merger, etc. shall succeed to the status of such enterpriser.

(2) A person who has taken over a newspaper or online newspaper at auction under the Civil Execution Act, by conversion under the Debtor Rehabilitation and Bankruptcy Act, by sale of seized property under the National Tax Collection Act, the Customs Tax Act or the Local Tax Act, or according to a procedure corresponding thereto shall succeed to the status of such enterpriser.

(3) A person who has succeeded to the status of newspaper enterpriser or online newspaper enterpriser as prescribed in paragraphs (1) and (2) shall report to the competent Mayor/Do Governor, as prescribed by Presidential Decree.

Article 15 (Investment, etc. by Foreign Funds)

When a person who publishes or intends to publish a newspaper or online newspaper receives investment of property from a foreigner, foreign juristic person, or foreign organization, he/she shall submit to the Mayor/Do Governor a paper certifying that he/she has reported to the Minister of Trade, Industry and Energy, as prescribed in Article 5, 6, or 7 of the Foreign Investment Promotion Act within 15 days from the date of registration or report under Article 9. <Amended by Act No. 11690, Mar. 23, 2013>

Article 16 (Issuing Stocks by Daily Newspapers)

Where a juristic person operating a daily newspaper issues stocks, the stocks shall be registered stocks.

Article 17 (Survey, etc. of Degree of Concentration of Public Opinion) (1) The Minister of Culture, Sports and Tourism may survey and publicly announce the degree of concentration of public opinion of newspapers, online newspapers, online news services, and television broadcasting, radio broadcasting, mobile multimedia broadcasting, etc. under subparagraph 1 of Article 2 of the Broadcasting Act, as prescribed by Presidential Decree. In such cases, the Minister of Culture, Sports and Tourism shall consult with the Chairperson of the Korea Communications Commission in advance.

(2) The Minister of Culture, Sports and Tourism may request individuals, organizations, and institutions to provide data necessary for the survey of the degree of concentration of public opinion under paragraph (1). In such cases, the individuals, organizations, and institutions that have been requested shall comply with such request.

Article 18 (Restriction, etc. on Ownership of General Daily Newspapers by Large

Enterprises) (1) A company belonging to a conglomerate (hereinafter referred to as "large enterprise") falling under the standards prescribed by Presidential Decree, such as total asset, etc. from among the conglomerates under subparagraph 2 of Article 2 of the Monopoly Regulation and Fair Trade Act and companies affiliated therewith (including those in a special relationship prescribed by Presidential Decree) shall not acquire or own in excess of 1/2 of the stocks issued by a juristic person operating a general daily newspaper or in excess of 1/2 of the equities

thereof.

(2) The number of persons in kinship under Article 777 of the Civil Act from among the directors (referring to executive officers in cases of an unlimited partnership, and to partners with unlimited liability in cases of a limited partnership company) of a juristic person operating a general daily newspaper shall not exceed 1/3 of the total number of directors.

Article 19 (Measures, etc. to be Taken in Time of Violation of Restriction on Ownership)

(1) No one who has acquired or owns stocks or equities, in violation of Article 18 shall exercise voting rights in such excess portion.

(2) The Mayors/Do Governors shall order those who have acquired or owned stocks or equities, in violation of Article 18 to correct such violation within a specified period of not more than six months.

(3) In order to ascertain the existence of any restriction on ownership under Article 18, the Mayors/Do Governors may request a newspaper enterpriser to submit necessary data, as prescribed by Presidential Decree. In such cases, the relevant enterpriser shall comply with such request.

Article 20 (Standardization, etc. of Classification System of Digital News) (1) The

Minister of Culture, Sports and Tourism may set standards for matters prescribed by Presidential Decree, such as the classification system, form of digital news, etc. for newspaper enterprisers, online newspaper enterprisers and online news service providers.

(2) Where necessary to set standards under paragraph (1), the Minister of Culture, Sports and Tourism may designate specialized institutions or organizations concerning digital news to set such standards.

(3) The Minister of Culture, Sports and Tourism may assist the institutions or organizations designated as prescribed in paragraph (2) with all or some of expenses necessary to set such standards.

Article 21 (Matters to be Necessarily Published)

Newspaper enterprisers and online newspaper enterprisers shall publish or publicly announce the name, registration number, registration date, title, frequency of publication, publisher, editor, printer, publishing office, and publishing date in the

relevant newspapers and online newspapers in a manner readers can readily ascertain, and where many editors exist, their respective field in charge and name shall be published or publicly announced: Provided, That matters concerning the frequency of publication and publisher shall be excluded, in cases of online newspapers.

Article 22 (Request for Trial on Suspension of Publication and Revocation of

Registration of Newspapers, etc.) (1) Where a person has had a newspaper, online newspaper or online news service registered (hereafter referred to as "newspaper, etc." in this Article and Articles 23 through 26) as prescribed in Article 9 (1) falls under any of the following subparagraphs, the Mayor/Do Governor may order such person to suspend publication (including the suspension of supplying and intermediating news articles; hereinafter the same shall apply) of such newspaper, etc. within a specified period of not more than three months:

1. Where he/she publishes such newspapers, etc. after making arbitrary modification without having the modified matters registered as prescribed in Article 9 (1);
2. Where the publisher, editor or news article layout manager falls under a ground for disqualification prescribed in Article 13.

(2) Where a person who has had a newspaper, etc. registered as prescribed in Article 9 (1) falls under any of the following subparagraphs, the Mayor/Do Governor may order such person to suspend publication of such newspapers, etc. within a specified period of not more than six months or make an application for trial at a court to revoke registration of such newspaper, etc.:

1. Where he/she obtains registration by deceit or other fraudulent means;
2. Where the contents of newspaper, etc. seriously and repetitively violates the purpose or contents of publication;
3. Where he/she publishes a newspaper, etc. containing obscene contents, which seriously violate public morality and social ethics.

(3) The first instance trial on an application for trial referred to in paragraph (2) shall be put under the jurisdiction of the collegiate division of a local court having jurisdiction over the location of the usual place of the newspaper enterpriser, online newspaper enterpriser or online news service provider. The court shall put the case on trial within three months from the date on which it receives the request for trial.

A request on revocation of registration, examination and trial thereof, and other necessary matters shall be prescribed by the Supreme Court Regulations.

(4) The Non - Contentious Case Procedure Act shall apply mutatis mutandis to the trial on the revocation of registration,

Article 23 (Ex Officio Revocation of Registration)

Where a person who has had a newspaper, etc. registered as prescribed in Article 9 (1) falls under any of the following subparagraphs, the Mayor/Do Governor may revoke the registration of such newspaper, etc.:

1. When he/she fails to publish the relevant newspaper, etc. within six months after registration without any justifiable reason;
2. When he/she suspends publication of the relevant newspaper, etc. for not less than one year without any justifiable reason.

Article 24 (Registration Revocation Deliberative Committee) (1) In order to fairly and objectively deliberate on the order of suspension of publication and requests for trial on revocation of registration prescribed in Article 22 (2) and on the disposition for revocation of registration prescribed in Article 23, a registration revocation deliberative committee shall be established under the relevant Mayor/Do Governor.

(2) The organization of registration revocation deliberative committee under paragraph (1), procedures for deliberation and other necessary matters shall be prescribed by Presidential Decree.

Article 25 (Hearings)

Where the Mayor/Do Governor intends to revoke the registration of a newspaper, etc. as prescribed in Article 23, he/she shall hold a hearing.

Article 26 (Restriction on Use of Name of Newspapers, etc.)

When the registration of a newspaper, etc. has been erased ex officio as prescribed in Article 11, or has been revoked by a court ruling on the trial on revocation of registration prescribed in Article 22 (2) through (4) or as prescribed in Article 23, the publisher and persons having a special relationship with such publisher of such newspaper, etc., as prescribed by Presidential Decree, of which the registration has been erased or revoked shall not be allowed to publish a newspaper, etc. with the name of such erased or revoked newspaper, etc. within two years from the date on

which the registration was erased or revoked.

Article 27 (Imposition of Penalty Surcharges) (1) Where the Mayor/Do Governor has to issue disposition for suspension of publication because a newspaper enterpriser, online newspaper enterpriser, or online news service provider falls under Article 22 and such disposition for suspension of publication may bring serious inconvenience to readers or may be detrimental to the public interest, he/she may impose and collect a penalty surcharge not exceeding one billion won in place of such suspension of publication.

(2) The amount of a penalty surcharge according to the kind, seriousness, etc. of the violation for which a penalty surcharge is imposed as prescribed in paragraph (1), and matters necessary for the procedures for imposition, etc. shall be prescribed by Presidential Decree.

(3) Where a person liable to pay a penalty surcharge fails to pay it within the deadline for payment, the Mayor/Do Governor shall collect it pursuant to the Act on the Collection, etc. of Local Non - Tax Revenue. <Amended by Act No. 11998, Aug. 6, 2013>

(4) The Mayor/Do Governor shall contribute penalty surcharges collected as prescribed in paragraph (1) to the Press Promotion Fund under Article 34.

Article 28 (Establishment of Branch Offices, etc. of Foreign Newspapers) (1) A person who intends to establish a branch office or a district office of any foreign newspaper in Korea shall have it registered with the Minister of Culture, Sports and Tourism, as prescribed by Presidential Decree.

(2) Where a person who obtains registration as prescribed in paragraph (1) falls under any of the following subparagraphs, the Minister of Culture, Sports and Tourism may revoke such registration:

1. Where he/she obtains registration by deceit or other fraudulent means;
2. Where such branch office or district office has obviously acted contrary to the purpose of its establishment;
3. Where the relevant foreign newspaper carries news articles that harm the Constitution and significantly endanger national security.

CHAPTER III KOREA PRESS FOUNDATION

Article 29 (Establishment, etc. of Korea Press Foundation) (1) For the healthy development of newspapers and online newspapers, propagation of reading culture, and promotion of the newspaper industry, a Korea Press Foundation shall be established.

(2) The Korea Press Foundation shall be a juristic person.

(3) The Korea Press Foundation shall come into existence upon registration of the establishment thereof at the location of its principal office with the authorization of the Minister of Culture, Sports and Tourism.

(4) The provisions concerning foundational juristic persons of the Civil Act shall apply mutatis mutandis to the Korea Press Foundation except as otherwise prescribed by this Act.

Article 30 (Executive Officers) (1) The Korea Press Foundation shall have not more than nine directors, including one Chairperson and three standing directors, and one non - standing auditor.

(2) The Chairperson of the Korea Press Foundation shall be appointed and dismissed by the Minister of Culture, Sports and Tourism, the standing directors shall be appointed and dismissed by the Chairperson with the approval of the Minister of Culture, Sports and Tourism from among the persons recommended by the board of directors, and the assignment of directors, other than the Chairperson and standing directors, shall be prescribed by the articles of incorporation of the Korea Press Foundation.

(3) The term of office of the Chairperson, standing directors, directors and auditors shall be three years, and they may be reappointed only once.

(4) The Chairperson shall represent the Korea Press Foundation, and take full responsibility of the duties of the Korea Press Foundation.

(5) When the Chairperson is not able to conduct his/her duties due to extenuating circumstances, the standing director in the order determined by articles of incorporation shall perform such duties on the Chairperson's behalf.

(6) The auditor shall audit the performance of duties and accounts of the Korea Press Foundation.

(7) No person who falls under any subparagraph of Article 33 of the State Public Officials Act shall become an executive officer of the Korea Press Foundation.

Article 31 (Duties of Korea Press Foundation)

The Korea Press Foundation shall perform the following duties:

1. Projects necessary for the promotion of journalism;
2. Projects for the development of publication, distribution, etc. of newspapers;
3. Assistance to overseas advancement and international interchanges of Korean press media;
4. Raising, management and operation of the Press Promotion Fund under Article 34;
5. Survey, research, education and training for the promotion, etc. of journalism;
6. Projects entrusted by the Minister of Culture, Sports and Tourism;
7. Other projects necessary to accomplish the purposes of the Korea Press Foundation.

Article 32 (Operating Funds, etc.) (1) The operating funds of the Korea Press

Foundation shall derive from the Press Promotion Fund under Article 34, etc., however, the State may make a contribution to the Korea Press Foundation or grant subsidy within budgetary limits.

(2) The Korea Press Foundation shall obtain approval for the basic direction of the compilation of budget and for the scale of budget from the Minister of Culture, Sports and Tourism, as prescribed by Presidential Decree.

Article 33 (Organization Assisting Distribution of Newspapers) (1) The Korea Press

Foundation may establish and operate an organization to assist the smooth distribution of newspapers.

(2) Matters necessary for the establishment and operation of an organization assisting the distribution of newspapers shall be determined by the articles of incorporation of the Korea Press Foundation.

CHAPTER IV PRESS PROMOTION FUND

Article 34 (Establishment and Raising of Press Development Fund) (1) In order to

promote newspapers, online newspapers, online news service, and magazines under

the Act on Promotion of Periodicals, Including Magazines (hereinafter referred to as "magazines"), the Korea Press Foundation shall establish a Press Promotion Fund.

(2) The Press Promotion Fund shall be raised from the following financial resources:

1. Contributions from the Government;
2. Money transferred from other funds;
3. Contributions and donations from individuals and juristic persons;
4. Revenues accruing from the operation of the Press Promotion Fund;
5. Other revenues prescribed by Presidential Decree.

Article 35 (Use, etc. of Press Promotion Fund) (1) The Press Promotion Fund shall be used for the following projects: [<Amended by Act No. 12408, Mar. 11, 2014>](#)

1. Assistance to promote newspapers, online newspapers, online news services and magazines;
2. Assistance in fostering human resources, conducting research and development, and performing informatization projects concerning newspapers, online newspapers, online news services, and magazines;
3. Assistance in improving the circulation structure of newspapers and magazines;
4. Assistance in conducting projects for the rights and interests of readers and for the public interests of the press;
5. Operation of the Korea Press Foundation;
6. Loans to newspaper enterprisers, online newspaper enterprisers, and magazine enterprisers;
7. Assistance to foreign newspapers in Korean, foreign online newspapers in Korean, foreign online news service in Korean, and foreign magazines in Korean;
8. Other projects prescribed by Presidential Decree.

(2) No assistance from the Press Promotion Fund shall be given to any newspaper enterprisers who publish newspapers without compensation.

(3) The Korea Press Foundation shall publicly announce the standards for financial assistance from the Press Promotion Fund, persons eligible for financial assistance, and other similar matters each year.

Article 36 (Management and Operation of Press Promotion Fund) (1) The Press Promotion Fund shall be managed and operated by the Korea Press Foundation.

(2) In order to deliberate on comprehensive matters concerning the management and operation of the Press Promotion Fund, the Korea Press Foundation shall have a Press Promotion Fund Management Committee.

(3) Matters necessary for the methods of raising the Press Promotion Fund, and management and operation thereof, and for the organization, operation, etc. of the Press Promotion Fund Management Committee shall be prescribed by Presidential Decree.

Article 37 (Evaluation of Outcomes) (1) The Minister of Culture, Sports and Tourism shall measure and evaluate the outcomes of the use of the Fund in the projects under the subparagraphs of Article 31, and notify the Korea Press Foundation of the results by not later than the end of March of the following year.

(2) In order to measure and evaluate the outcomes under paragraph (1), the Minister of Culture, Sports and Tourism shall determine outcome objectives and standards for evaluation after consultation with the Korea Press Foundation.

(3) When the Minister of Culture, Sports and Tourism acknowledges that correction is necessary as a result of evaluation of outcomes under paragraph (1), he/she may request the Korea Press Foundation for correction.

(4) Matters necessary for the methods of evaluation of outcomes, procedures therefor, etc. shall be prescribed by Presidential Decree.

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 38 (Delegation, etc. of Authority) (1) The Minister of Culture, Sports and Tourism may delegate or entrust part of the authority under this Act to the Mayors/Do Governors or the Chairperson of the Korea Press Foundation, as prescribed by Presidential Decree.

(2) The Mayors/Do Governors may delegate part of the authority under this Act to the heads of Sis/Guns/Gus, as prescribed by Presidential Decree.

CHAPTER VI PENALTY PROVISIONS

Article 39 (Administrative Fines) (1) Any of the following persons shall be subject to an administrative fine not exceeding 20 million won:

1. Any person who publishes or publicly announces a newspaper, online newspaper, or online news service without obtaining registration or modified registration under Article 9 (1);
 2. Any person who publishes or publicly announces a newspaper, online newspaper, or online news service after obtaining registration or modified registration under Article 9 (1) by deceit or other fraudulent means;
 3. Any person who fails to perform matters to be complied with, in violation of Article 10;
 4. Any person who fails to report cessation of business, in violation of Article 11;
 5. Any person who falls under any subparagraph of Article 13 (1) and then assumes the role of publisher, editor, or news article layout manager;
 6. Any person who appoints a person falling under any subparagraph of Article 13 (1) as a publisher, editor, or news article layout manager;
 7. Any person who fails to report, in violation of Article 14 (3);
 8. Any person who fails to submit a relevant document, in violation of Article 15;
 9. Any person who fails to submit data after having received a request therefor under Articles 17 (2) and 19 (3);
 10. Any person who possesses stocks or equities, in violation of Article 18;
 11. Any person who fails to publish or publicly announce matters to be necessarily published under Article 21;
 12. Any person who publishes or publicly announces a newspaper or online newspaper, in violation of a disposition for suspension of publication under Article 22 (1) or (2);
 13. Any person who establishes a branch office or district office of foreign newspaper in Korea without obtaining registration under Article 28 (1).
- (2) Any person who fails to designate a person responsible for juvenile protection, in violation of Article 9 - 2 (1), shall be subject to an administrative fine not exceeding ten million won: <Newly Inserted by Act No. 13305, May 18, 2015 >
- (3) The Minister of Culture, Sports and Tourism or the Mayor/Do Governor shall impose and collect administrative fines under paragraphs (1) and (2), as prescribed by Presidential Decree. <Amended by Act No. 13305, May 18, 2015 >

ADDENDA <No. 9974, 25. Jan, 2010 >

Article 1 (Enforcement Date)

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

Articles 2 through 12 Omitted.

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

Article 1 (Enforcement Date)

(1) This Act 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 Act shall enter into force one year after the date of its promulgation.

Articles 2 and 3 Omitted.

ADDENDA <No. 12408, 11. Mar, 2014 >

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

ADDENDA <No. 13305, 18. May, 2015 >

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