SEOUL METROPOLITAN GOVERNMENT ORDINANCE ON DISCLOSURE OF ADMINISTRATIVE INFORMATION FOR OPEN CITY ADMINISTRATION

Enactment No. 3792, Oct. 25, 2000
Partial Amendment No. 4070, Apr. 15, 2003
Partial Amendment No. 4235, Nov. 05, 2004
Amendment of Other Laws No. 4235, Mar. 17, 2005
Partial Amendment No. 4307, Sep. 30, 2005
Amendment of Other Laws No. 4410, Jul. 19, 2006
Amendment of Other Laws No. 4528, May. 29, 2007
Partial Amendment No. 4614, Apr. 03, 2008
Amendment of Other Laws No. 5137, Jul. 28, 2011
Partial Amendment No. 5301, May. 22, 2012
Amendment of Other Laws No. 5308, Jul. 26, 2012
Whole Amendment No. 5553, Aug. 01, 2013
Amendment of Other Laws No. 6386, Jan. 05, 2017
Amendment of Other Laws No. 7046, Mar. 28, 2019
Amendment of Other Laws No. 7156, May. 16, 2019
Amendment of Other Laws No. 7421, Dec. 31, 2019
Amendment of Other Laws No. 7423, Dec. 31, 2019
Partial Amendment No. 7518, Mar. 26, 2020
Partial Amendment No. 7735, Oct. 05, 2020
Partial Amendment No. 8215, Dec. 30, 2021

Article 1 (Purpose)

The purpose of this Ordinance is to secure transparency in the administration and operation of the Seoul Metropolitan Government (hereinafter referred to as "city administration") by providing for matters necessary for the disclosure of administrative information of the Seoul Metropolitan Government pursuant to the Official Information Disclosure Act (hereinafter referred to as the "Act"). <Amended by Ordinance No. 4307, Sep. 30, 2005>

Article 2 (Definitions)

The terms used in this Ordinance shall be defined as follows: <Amended by Ordinance No. 4235, Nov. 5, 2004; Ordinance No. 4235, Mar. 17, 2005; Ordinance No. 4410, Jul. 19, 2006; Ordinance No. 4528, May 29, 2007>

1. The term "executive agency" means the Seoul Metropolitan Government, an administrative agency affiliated to the Seoul Metropolitan Government, or an institution invested or funded by the Seoul Metropolitan Government;
2. The term "petitioner" means a private individual, a legal entity, or an organization that files a petition with an executive agency to disclose administrative information;
3. The term "invested institution" means a local public corporation or authority established by the Seoul Metropolitan Government;
4. The term "funded institution" means the Seoul Development Institute, the Seoul Business Agency, the Seoul City Credit Guarantee Foundation, the Sejong Center for the Performing Arts, the Seoul Foundation of Women and Family, the Seoul Welfare Foundation, or the Seoul Foundation for Arts and Culture, established by the Seoul Metropolitan Government.

Article 3 (Principle of Disclosure of Information)

The administrative information possessed and managed by each executive agency shall be disclosed to the public, as provided for in Acts, subordinate statutes, and this Ordinance.

Article 4 (Responsibilities of Seoul Metropolitan Government)

The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall endeavor to expand the scope of disclosable administrative information and to improve systems therefor to allow citizens to acquire correct administrative information promptly and easily.

Article 5 (Duties of Executive Agencies)

(1) The head of each executive agency shall systematically classify and keep disclosable administrative information so that he/she can promptly respond to any request for disclosure of such administrative information.

(2) The head of each executive agency shall prepare and keep a list of information, disclose such list via the information disclosure system, etc. using an information and communications network, and shall establish and operate a reception desk for the disclosure of administrative information at a place easily accessible by citizens for their convenience. <Amended by Ordinance No. 4235, Nov. 5, 2004>

Article 6 Deleted. <by Ordinance No. 4235, Nov. 5, 2004>

CHAPTER II ADMINISTRATIVE INFORMATION PUBLICATION SYSTEM

Article 7 (Publication of Administrative Information)

CHAPTER II ADMINISTRATIVE INFORMATION PUBLICATION SYSTEM(1) Each executive agency shall disclose the following administrative information on a regular basis, even without a petitioner's request: Provided, That the foregoing shall not apply to administrative information classified as non-disclosable pursuant to an Act or subordinate statute or any other ordinance:

1. The business plan, budget, statements of accounts, and the operation of funds of the Seoul Metropolitan Government for the current year;
2. The budget and the statements of accounts of an institution invested or funded by the Seoul Metropolitan Government;
3. The current status of liabilities of the Seoul Metropolitan Government or a local public corporation or authority of the Seoul Metropolitan Government and the annual repayment plan therefor;
4. The details of business promotional expenses incurred by the Mayor, Vice Mayors, Director Generals, and divisions and institutions headed by a Grade-IV or higher-ranking public official, and the details of business promotional expenses incurred by the heads and executives of invested institutions and funded institutions, and the President, deans and office chiefs of the University of Seoul;
5. The results of evaluation on business performance of local public corporations and authorities among executive agencies;
6. The results of water quality tests conducted by the Seoul Metropolitan Government on a regular basis for raw water and purified water of the city's water supply and the results of tests and measurements conducted in connection with environmental conservation, such as air and noise;
7. The results of major statistical surveys conducted by the Seoul Metropolitan Government on a regular basis on city administration for each sector (such as traffic speed and traffic volume, the amount of waste generated, statistics of population and households, industrial statistics, and statistics related to urban planning);
8. Reports on activities of citizen ombudsmen of the Seoul Metropolitan Government; <Amended by Ordinance No. 4614, Apr. 3, 2008>
9. The results of the quarterly review and analysis of major projects.

(2) When an executive agency establishes a plan for any of the following administrative information or completes a survey thereon, it shall disclose the relevant information even without a petitioner's request: Provided, That the foregoing shall not apply to administrative information classified as non-disclosable pursuant to an Act or subordinate statute or any other ordinance:

1. The Seoul Metropolitan Government's mid to long term comprehensive plan, a mid to long term plan for each sector, and important basic plans;
2. A draft of a plan established by an executive agency at an interim stage in connection with any of the plans referred to in subparagraph 1;
3. A plan for the adjustment of charges, fees, and various public dues levied by an executive agency;
4. The results of evaluations of each autonomous Gu, its affiliated agencies, institutions to which administrative affairs of the Seoul Metropolitan Government are entrusted, and private institutions and business entities that provide public services, such as the level of citizen satisfaction for public services and anti-corruption indexes of institutions and divisions at various levels, which are conducted by a specialized survey and research institute upon the Seoul Metropolitan Government's request;
5. A report on the results of examination and diagnosis on the safety of bridges, tunnels, and subways;
6. The current status of compilation and execution of budget for the safe control and maintenance of bridges, tunnels, etc.;
7. The current status of execution of budget for the safety control in preparation for disasters and floods;
8. A contract for a construction project with a total project cost of one billion won or more or a contract for the purchase of goods or services of 100 million won or more;
9. The results of decisions on an administrative appeal, the results of objections to a local tax, or the results of deliberation on a petition for review;
10. A report on the results of a public hearing held by the Metropolitan Government with regard to city administration;
11. A work process manual containing guidelines and procedures for the processing of civil petitions;
12. Matters concerning the results of major service projects;
13. Goals pursued by each director general and executive director in connection with the goal management system and the current status of execution of budget in relation to such goals;
14. Other affairs that an executive agency acknowledges as proper to disclose for public interest.

(3) The method of disclosure of administrative information under any subparagraph of paragraphs (1) and (2) shall be prescribed by the Enforcement Rule.

Article 8 (On-Line Disclosure System for Processing of Civil Petitions)

(1) The Seoul Metropolitan Government and each autonomous Gu shall disclose the current status of the processing of civil petitions filed for authorization, permission, licensing, or the like, on the Internet or by similar means.

(2) Necessary matters concerning the scope of disclosable civil petitions, etc. under paragraph (1) shall be prescribed by the

Enforcement Rule.

CHAPTER III DISCLOSURE METHODS AND BEARING OF EXPENSES THEREFOR

Article 9 (Disclosure Methods)

CHAPTER III DISCLOSURE METHODS AND BEARING OF EXPENSES THEREFOR(1) Each petitioner shall gain access to administrative information by inspecting or viewing it at the designated date, time, and venue or through copies or duplicates issued, and it may be delivered by e-mail or transmitted by facsimile or through an electronic communications network at the request of a petitioner. <Amended by Ordinance No. 4235, Nov. 5, 2004>

(2) When the disclosure of administrative information is made by the inspection thereof, copies of such administrative information may be used, if the original documents are likely to be mutilated or it is considered reasonable on any other ground to disclose the information in such a manner.

(3) If multiple petitioners apply or if administrative information is published periodically or frequently by an administrative agency, such information may be disclosed via the Internet.

(4) If any overload created by a request for the disclosure of administrative information is likely to cause a serious problem in normal performance of duties, delivery of the copies or duplicates of the administrative information may be made over a specified period or the inspection and delivery of such copies or duplicates may be permitted concurrently. <Amended by Ordinance No. 4235, Nov. 5, 2004>

(5) Deleted. <by Ordinance No. 4235, Nov. 5, 2004>

Article 10 (Bearing of Expenses)

Expenses incurred in the disclosure of administrative information shall be borne by the relevant petitioner, and the amount of such expenses, the procedure for the collection of such expenses, and other necessary matters shall be prescribed by the Seoul Metropolitan Government Ordinance on Collection of Fees. <Amended by Ordinance No. 4235, Nov. 5, 2004; Ordinance No. 4307, Sep. 30, 2005>

CHAPTER IV INFORMATION DISCLOSURE COUNCIL

Article 11 (Establishment and Operation of Information Disclosure Council)

CHAPTER IV INFORMATION DISCLOSURE COUNCIL(1) Each executive agency shall establish and operate an information disclosure council pursuant to Article 12 of the Act (hereinafter referred to as the "Council"). <Amended by Ordinance No. 4307, Sep. 30, 2005>

(2) The Council shall be comprised of not more than seven members, including a chairperson and a vice chairperson, and a majority of members shall be comprised of persons commissioned by the executive agency from among persons outside the executive agency who have considerable expertise and experience in the disclosure of administrative information.

(3) The term of office of a commissioned member shall be two years, which may be renewed consecutively only once: Provided, That the term of office of a member filling a vacancy shall be the remaining term of his/her predecessor. <Amended by Ordinance No. 4235, Nov. 5, 2004>

(4) Commissioned members may be reimbursed for allowances, travel expenses, and other necessary expenses within budget.

(5) Further details about the composition and jurisdiction of the Council of each executive agency shall be prescribed by the Enforcement Rule.

Article 12 (Council's Functions)

The Council shall deliberate on the following matters:

1. Matters on which the head of an executive agency requests to deliberate in connection with decision-making on whether to disclose the administrative information, regarding which a petition for disclosure has been filed, and the scope and method of disclosure;
2. Handling of an objection filed against an executive agency's disposition or inaction in connection with the disclosure of administrative information;
3. Other matters on which the head of an executive agency or the Council chairperson requests deliberation or submits for deliberation in connection with the operation of the administrative information disclosure system.

Article 13 (Operation of Council)

A meeting of the Council shall be duly formed with the attendance of a majority of incumbent members and shall adopt a resolution by a concurrent vote of a majority of members present at the meeting.

Article 14 (Hearing of Opinions)

If the Council deems it necessary, it may seek opinions from related public officials, petitioners, or other interested third parties.

Article 15 (Council Members' Duty)

No Council member shall divulge any confidential information known to him/her in the course of performance of his/her duties, even after he/she is dismissed from his/her office.

Article 16 (Seoul Metropolitan Council)

(1) The Council chairperson shall be elected by and from among commissioned Council members, while the Director General of the Administration Bureau shall serve as the vice chairperson. <Amended by Ordinance No. 4070, Apr. 15, 2003>
(2) The Director General of the Administrative Bureau, the Press Affairs Officer, and the Director of the Urban Planning Division shall serve as ex officio members. <Amended by Ordinance No. 4070, Apr. 15, 2003; Ordinance No. 4307, Sep. 30, 2005>

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 17 (Relationships with Other Systems)

CHAPTER V SUPPLEMENTARY PROVISIONS(1) This Ordinance shall not apply to administrative information disclosable by the inspection, publication public notification, preliminary notice or the issuance of certified transcripts, abstracts, or other copies thereof under any other Act, subordinate statute, or ordinance.
(2) Books and periodicals made available to the general public for reading or loan in an executive agency's reference room, library, or the like shall not be governed by this Ordinance.

Article 18 (Enforcement Rule)

Necessary matters concerning the enforcement of this Ordinance shall be prescribed by the Enforcement Rule.

ADDENDUM

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

ADDENDUM <Ordinance No. 4070, Apr. 15, 2003>

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

ADDENDUM <Ordinance No. 4235, Nov. 5, 2004>

This Ordinance shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 5 (2) shall enter into force on July 30, 2005.

ADDENDUM <Ordinance No. 4307, Sep. 30, 2005>

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

ADDENDA <Ordinance No. 4410, Jul. 19, 2006>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <Ordinance No. 4528, May 29, 2007>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on July 1, 2007.

Article 2 (Transitional Measures concerning Foundation's Name)

(1) The Seoul Women Foundation existing at the time this Ordinance enters into force shall be deemed the Seoul Foundation of Women and Family under this Ordinance.

(2) Acts done by or in relation to the Seoul Women Foundation before this Ordinance enters into force shall be deemed acts done by or in relation to the Seoul Foundation of Women and Family under this Ordinance.

Article 3 Omitted.

ADDENDA <Ordinance No. 4614, Apr. 3, 2008>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Appointment of Ombudsmen)

The citizen auditors appointed before this Ordinance enters into force shall be deemed to have been appointed as citizen

ombudsmen pursuant to this Ordinance. In such cases, the term of office and the consecutive appointment under Article 5 (1) shall be summed up in calculation.

Article 3 Omitted.