

SEOUL METROPOLITAN GOVERNMENT FRAMEWORK ORDINANCE ON INFORMATIZATION

Enactment No. 3460, Mar. 10, 1998
Amendment of Other Laws No. 3565, Mar. 15, 1999
Partial Amendment No. 4069, Apr. 15, 2003
Amendment of Other Laws No. 4588, Dec. 26, 2007
Amendment of Other Laws No. 4743, Mar. 18, 2009
Whole Amendment No. 4910, Jan. 07, 2010
Partial Amendment No. 5176, Sep. 29, 2011
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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONS The purpose of this Ordinance is to improve the quality of life of citizens by developing a smart city and to enhance the city's competitiveness by applying information and communications technologies across the city's overall administration.

Article 2 (Definitions)

If not specifically defined in this Ordinance, terms used herein shall have the same meaning as provided in the Act on the Promotion of Smart City Development and Industry (hereinafter referred to as the "Smart City Act"), the Framework Act on National Informatization, and other statutes or regulations relating to smart cities and informatization.

Article 3 (Basic Principles)

The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall comply with the following principles when formulating and promoting a policy on smart city and informatization (hereinafter referred to as "policy"):

1. Reflect citizens' demand in formulating the policy and incorporate their opinions in the process of promoting the policy;
2. Collaborate with the related private sector such as academic circles and businesses to introduce the latest technology and to efficiently promote the policy;
3. Pro-actively apply state-of-the-art technologies and disseminate the achievements to address urban problems related to traffic, safety, environment, etc.

Article 4 (Relationship to Other Ordinances of the Seoul Metropolitan Government)

Except as otherwise provided in other Ordinances of the Seoul Metropolitan Government, the policy shall be governed by this Ordinance.

CHAPTER II SYSTEM OF POLICY FORMULATION AND PROMOTION

Article 5 (Formulation of Master Plans)

CHAPTER II SYSTEM OF POLICY FORMULATION AND PROMOTION (1) The Mayor shall formulate a master plan for the smart city and informatization of the Seoul Metropolitan Government (hereinafter referred to as "master plan") every five years to efficiently and systematically promote the policy.

(2) The master plan shall include the following:

1. Basic direction of the policy and direction of its mid- to long-term development;
2. Policy goals and strategies and a system to promote the policy;
3. Policy for each field;
4. Collaborating with citizens, organizations, businesses, public institutions, etc.;
5. Information security and protection of user rights;
6. Promoting the information culture, and preventing adverse effects by closing the digital divide or any other means;
7. Funding plans to promote the policy;
8. Other matters necessary to promote the policy.

(3) When formulating master plans, the Mayor shall take into account comprehensive plans for smart cities under Article 4 of the

Smart City Act, master plans for national informatization under Article 6 of the Framework Act on National Informatization, and master plans for electronic government under Article 5 of the Electronic Government Act.

Article 6 (Formulation and Execution of Implementation Plans)

- (1) The Mayor shall formulate and execute an implementation plan for the smart city and informatization of the Seoul Metropolitan Government every year in accordance with a master plan (hereinafter referred to as "implementation plan").
- (2) The Mayor shall give priority to securing financial resources necessary to execute an implementation plan.

Article 7 (Establishment of Committee)

- (1) The Mayor shall establish a Smart City Committee of the Seoul Metropolitan Government (hereinafter referred to as the "Committee") to deliberate on the following matters regarding policy promotion:
 1. Formulating master plans;
 2. Modifying significant matters in master plans;
 3. Evaluating major policy achievements;
 4. Other matters the Committee deems necessary.
- (2) The Committee shall be comprised of not more than 25 members, including one Chairperson and two Vice Chairpersons, taking into account the gender.
- (3) Members of the Committee shall be appointed or commissioned from among the following persons; the Chairperson and one Vice Chairperson shall be elected from among and by the members falling under subparagraph 1; and the Director-General of the Smart City Policy Bureau shall be the other ex officio Vice Chairperson:
 1. Commissioned members: Those with expertise or abundant experience in developing a smart city and informatization from among those in academia, businesses, and civic groups, and members of the Seoul Metropolitan Council;
 2. Ex officio members: Director-General of the Smart City Policy Bureau, and Director of the Seoul Digital Foundation.
- (4) Each member shall hold office for a term of two years and may be reappointed consecutively only once: Provided, That the term of office of a member who is a public official shall be the tenure of office of the relevant public official.
- (5) The Committee shall have one executive secretary to handle its affairs, who shall be a Grade V public official in charge of general supervision and control over affairs relating to smart cities and informatization.
- (6) The Mayor may dismiss any member who falls under Article 8-2 of the Seoul Metropolitan Government Ordinance on the Establishment and Operation of Various Committees even before his or her term of office expires.

Article 8 (Operation of Committee)

- (1) Where the Chairperson of the Committee is unable to perform his or her duties due to unavoidable causes, the commissioned Vice Chairperson, and in his or her absence then the ex officio Vice Chairperson, shall act on behalf of the Chairperson.
- (2) Meetings shall be convened by the Chairperson or at the request of 1/3 of all incumbent members.
- (3) Meetings of the Committee shall be convened with the attendance of a majority of all incumbent members, and resolutions shall be adopted by the affirmative vote of a majority of those present.
- (4) The Committee may hear opinions of public officials or experts related to agenda items subject to deliberation.
- (5) The Mayor may pay allowances or reimburse travel expenses, etc. to the members and experts who attend committee meetings, etc. within the budget in accordance with the Seoul Metropolitan Government Ordinance on the Payment of Committee Allowances and Travel Expenses.

Article 9 (Subcommittees)

- (1) Subcommittees may be established for the efficient operation of the Committee, subject to resolution of the Committee.
- (2) The Chairperson of the subcommittee shall be elected from among and by the subcommittee members.
- (3) Results of deliberation of a subcommittee shall be deemed those of the Committee.
- (4) Article 8 shall apply mutatis mutandis to other matters relating to the operation of a subcommittee.

Article 10 (Participation by Citizens and Private-Public Partnership)

- (1) The Mayor shall share how the policy is being promoted and encourage active participation by citizens.
- (2) The Mayor may actively attract private investment or provide necessary support to relevant businesses, organizations, etc. within the budget to efficiently promote the policy.
- (3) The Mayor may organize and operate a consultative body with private institutions, etc. where deemed necessary to promote the policy smoothly.
- (4) The Mayor may develop and provide new services combined with existing ones offered by individuals, businesses, or other organizations through business agreement or the like.

Article 11 (Officials Responsible for Smart City Initiatives)

- (1) The Mayor shall appoint an official responsible for smart city initiatives in the Seoul Metropolitan Government, who shall exercise overall control over the formulation and implementation of the policy, coordination of projects, and the affairs prescribed in Article 11 (2) of the Framework Act on National Informatization (hereinafter referred to as the "responsible official").

(2) The Director-General of the Smart City Policy Bureau shall serve as the responsible official.

CHAPTER III POLICY PROMOTION

Article 12 (Policy Promotion by Area)

CHAPTER III POLICY PROMOTION(1) The Mayor shall promote a separate policy for each area, such as traffic, safety, and environment.

(2) The head of a division who intends to promote a policy relating to advanced information and communications technologies, such as big data, the Internet of Things (IoT), artificial intelligence, blockchain, and cloud computing shall, in advance, consult with the Director-General of the Smart City Policy Bureau.

Article 13 (Management and Operation of Smart City Infrastructure)

(1) The Mayor may establish, manage, or operate smart city infrastructure under subparagraph 3 of Article 2 of the Smart City Act to ensure the joint use and efficient management of information resources, information and communications, etc.

(2) The Mayor may, where necessary, entrust all or some of the affairs regarding the management and operation of smart city infrastructure to specialized institutions, etc. under the Seoul Metropolitan Government Ordinance on Entrustment of Administrative Affairs to the Private Sector.

Article 14 (Linkage and Integration of Information Systems)

(1) The Mayor shall ensure that the information collected to provide smart city services is linked to smart city infrastructure.

(2) To provide smart city services in an integrated and efficient manner, the Mayor shall manage the information systems within smart city infrastructure to ensure that they can be linked and integrated.

Article 15 (Interworking of Information and Communications Networks)

(1) The Mayor shall formulate policies necessary for the interworking of information and communications networks to facilitate the efficient operation of such networks and the joint use of information.

(2) Where the Mayor intends to build and operate an information and communications network, he or she shall formulate measures to jointly use information and communications networks of other institutions.

Article 16 (Operation of Smart City Exhibition Hall)

(1) The Mayor may operate a smart city exhibition hall (hereinafter referred to as "exhibition hall") to share plans, progress, and achievements of the policy being promoted; and to help businesses enter into overseas markets with innovative technologies, products, and services.

(2) The Mayor may entrust relevant affairs to specialized institutions, etc. under the Seoul Metropolitan Government Ordinance on Entrustment of Administrative Affairs to the Private Sector, where necessary to ensure the exhibition hall is operated and managed smoothly.

Article 17 (Support for World Smart Sustainable Cities Organization)

(1) The Mayor may provide the following support within the budget to ensure smooth operation and activities of the World Smart Sustainable Cities Organization or WeGo (hereinafter referred to as the "Organization"):

1. Expenses to be incurred in operating the Secretariat of the Organization;
2. Dispatch of public officials of the Seoul Metropolitan Government to the Secretariat of the Organization.

(2) Where necessary for appropriate disbursement of expenses and the like prescribed in paragraph (1), the Mayor may inspect projects of the Secretariat of the Organization or have the Secretary General of the Organization (hereinafter referred to as the "Secretary General") report on its projects; and when projects are deemed not contributing to international cooperation, the Mayor may cease supporting such projects.

(3) When the Secretary General intends to obtain support under paragraph (1), he or she shall submit a business plan to the Mayor not later than five months before the relevant business year begins; and shall submit a settlement of accounts for the relevant business year to the Mayor regarding matters the Mayor supported not later than the end of February of the following year.

(4) Upon receiving a business plan and settlement of accounts from the Secretary General under paragraph (3), the Mayor shall submit them to the Seoul Metropolitan Council without delay.

Article 18 (Organizing and Operating Consultative Council for Smart City Projects)

(1) The Mayor shall organize a consultative council for smart city projects (hereinafter referred to as the "Consultative Council") to promote a smart city construction project, etc. under subparagraph 6 of Article 2 of the Smart City Act pursuant to Article 24 of the same Act and Article 28 of the Enforcement Decree of that Act: Provided, That the Consultative Council shall be organized and operated whenever necessary, and shall be automatically dissolved upon closure of its meetings.

(2) The Consultative Council shall be comprised of not more than 25 members, including one Chairperson, who shall be elected from among and by its members.

(3) Members of the Consultative Council shall be appointed or commissioned by the Mayor taking into account the gender, from among those falling under the subparagraphs of Article 24 (2) of the Smart City Act.

(4) The term of office of each member of the Consultative Council shall be a period during which the Consultative Council is organized and operated under paragraph (1); and the Seoul Metropolitan Government Ordinance on the Establishment and Operation of Various Committees shall apply mutatis mutandis to other matters necessary for operating the Consultative Council.

Article 19 (Ensuring Access to and Use of Information)

(1) The Mayor shall ensure accessibility when providing information communications services so that persons with disabilities, aged persons, etc. can easily access websites and software applications installed in a mobile communications terminal.

(2) Matters necessary for enhancing the convenience of access to and use of information for information-poor groups shall be separately prescribed by ordinance of the Seoul Metropolitan Government.

Article 20 (Closing Digital Divide)

(1) The Mayor shall formulate necessary policies to ensure that all citizens have easy access to, and benefit from the use of, information communications services.

(2) The Mayor may promote the following to close the digital divide:

1. Give information-poor groups and others the Mayor deems to be in need, information communications products and information communications services for a charge or free of charge;
2. Fully or partially subsidize operating expenses, including communication expenses incurred in using the information communications products and the information communications services offered under subparagraph 1;
3. Provide education necessary to close the digital divide;
4. Other matters necessary for closing the digital divide.

Article 21 (Protecting Information)

(1) The Mayor shall formulate policies for protecting information to ensure information is distributed safely throughout the entire process of information processing.

(2) The Mayor shall provide security consulting and education, diagnose information security levels, check the status of management of information security; and may audit, investigate, etc. information security.

(3) The Mayor shall formulate information security measures for every stage of an informatization project from planning to completion, and shall examine security.

(4) The Mayor shall operate a 24/7 response system to address cyber attacks including hacking, and to this end, shall establish and operate an integrated control center.

(5) Other matters regarding protection of information may be prescribed by rule of the Seoul Metropolitan Government.

Article 22 (Protection of Personal Information)

(1) When promoting a policy, the Mayor shall formulate measures to protect personal information from planning to completion.

(2) The Mayor shall set policies and standards for protecting personal information; and shall publish them on websites and the like.

(3) For detailed matters regarding safely managing personal information and guaranteeing rights of data subject, the Mayor shall comply with the Seoul Metropolitan Government Ordinance on Protection of Personal Information and the Seoul Metropolitan Government Ordinance on the Installation and Operation of Video Processing System.

CHAPTER IV SUPPLEMENTARY PROVISIONS

Article 23 (Registration of Copyrights)

CHAPTER IV SUPPLEMENTARY PROVISIONS The Mayor shall register programs, content, and other matters requiring copyright protection under relevant regulations; and shall take measures to protect them.

Article 24 (Handling Entrusted Affairs)

(1) The Mayor may perform affairs entrusted to him or her, such as managing information systems, processing data, and developing programs to the extent such affairs do not interfere with his or her duties.

(2) Fees for performing entrusted affairs under paragraph (1) shall be as specified in the attached Table.

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Repeal of Ordinance of the Seoul Metropolitan Government)

The Seoul Metropolitan Government Ordinance on Ubiquitous City Construction Projects shall hereby be repealed.

Article 3 (Transitional Measures concerning Organization and Operation of Committee)

The Informatization Strategy Committee of the Seoul Metropolitan Government organized under Article 7 of the previous Seoul Metropolitan Government Framework Ordinance on Informatization and its members as at the time this Ordinance enters into force, shall be deemed the Smart City Committee of the Seoul Metropolitan Government and its members under the amended provisions of Article 7.

Article 4 (Applicability to Members' Terms of Office)

The amended provisions of Article 7 (4) shall also apply to members already appointed or commissioned as members of the Informatization Strategy Committee of the Seoul Metropolitan Government as at the time this Ordinance enters into force. In such cases, each member's term of office counts from the date of his or her appointment or commission.