

SEOUL METROPOLITAN GOVERNMENT FRAMEWORK ORDINANCE ON INFORMATIZATION

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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
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CHAPTER GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER GENERAL PROVISIONS The purpose of this Ordinance is to provide for matters delegated by the Framework Act on National Informatization, the Enforcement Decree of the same Act and the Enforcement Rule of the same Act, and matters to promote efficient informatization of the Seoul Metropolitan Government.

Article 2 (Definitions)

The definitions of terms used in this Ordinance shall be as follows:

1. The term "information" means all kinds of materials or knowledge processed in an optical or electronic manner for a specified purpose and expressed by signal, letters, voice, sound and images, etc.;
2. The term "spatial information" means location information on any natural or artificial object existing in the space, such as on the ground, underground, on the water, underwater, etc., and information necessary for the spatial recognition and decision making related thereto;
3. The term "informatization" means any policy-driven activity to build an information and communications infrastructure by field, such as public administration, livelihoods of residents, industry, welfare, etc., and providing services for the development of communities and the improvement of the quality of life of citizens by enabling activities in every field of society or by promoting efficiency of such activities through the production, distribution or utilization of information;
4. The term "information and communications" means collecting, processing, storing, searching, transmitting, receiving and using information, and equipment, technology and services related thereto, and a series of other activities and means for the promotion of informatization;
5. The term "protection of information" means providing administrative and technical means (hereinafter referred to as "information protection system") for the prevention of impairment, alteration, disclosure, etc. of information that might occur in the process of collecting, processing, storing, searching, transmitting and receiving information;
6. The term "knowledge information resources" means materials worthy of preservation and use in a national level as digitized materials concerning research, culture, science and technology, administration, etc. or materials the digitalization of which is deemed necessary;
7. The term "information culture" means lifestyles, such as modes of behaviour, values, norms, etc., of members of society formed in the process of utilization of information technology;
8. The term "information gap" means the occurrence of a disparity in opportunities to have access to or use information and communication services due to social, economic, regional or physical conditions;
9. The term "information and communications products" means information and communications equipment and software;
10. The term "information and communications network" means an information and communications system collecting, processing, storing, searching, transmitting or receiving information by making use of telecommunications equipment under subparagraph 2 of Article 2 of the Framework Act on Telecommunications or by utilizing telecommunications equipment, computers and technology using computers;
11. The term "online deliberation" means deliberation with materials prepared, transmitted and received in electronic form by means of equipment capable of processing information, such as computers, without holding a meeting.

Article 3 (Basic Principles for Promotion of Informatization)

The Mayor of the Seoul Metropolitan Government (hereinafter referred to as the "Mayor") shall comply with the following principles

in the formulation and promotion of policies concerning the promotion of informatization:

1. Formulation and execution of policies for improving the quality of life of citizens;
2. Establishment of a cooperative system with external entities and collection of opinions;
3. Preparation of measures for the prevention of adverse effects of informatization, etc.

Article 4 (Relations with other Ordinances)

(1) The Mayor shall endeavor to meet the objectives and basic principles of this Ordinance when he/she establishes or amends other Ordinances concerning the promotion of informatization of the Seoul Metropolitan Government.

(2) Except in cases where there are special provisions in other Ordinances, this Ordinance shall apply to the promotion of informatization of the Seoul Metropolitan Government.

CHAPTER FORMULATION AND PROMOTION SYSTEM OF INFORMATIZATION POLICIES

Article 5 (Formulation of Informatization Master Plans)

CHAPTER FORMULATION AND PROMOTION SYSTEM OF INFORMATIZATION POLICIES(1) The Mayor shall formulate an Informatization Master Plan of the Seoul Metropolitan Government (hereinafter referred to as "Master Plan") every five years for the efficient and systematic promotion of informatization.

(2) The Mayor shall formulate a Master Plan, including informatization plans of autonomous Gus and confirm the same after deliberation by the Informatization Strategy Committee of the Seoul Metropolitan Government.

(3) The Mayor shall include the following matters in a Master Plan:

1. The basic direction of informatization policies;
2. The objectives, strategies and a promotion system of informatization;
3. Matters concerning the promotion of informatization projects by field;
4. The creation and proliferation of a healthy information culture;
5. The narrowing of the information gap, and the prevention and resolution of addiction to the Internet;
6. Linkage between information systems and the utilization thereof;
7. The sharing of administrative information;
8. The development of application services by utilizing information and communications networks and promotion of the utilization thereof;
9. Matters concerning the protection of information and the protection of personal information;
10. Matters concerning the creation of an information and communication infrastructure;
11. Revitalization of international cooperation related to informatization;
12. Raising funds and the operation thereof;
13. Matters concerning cooperation with autonomous Gus and the coordination thereof;
14. Other matters necessary for informatization.

(4) When the Mayor formulates a Master Plan, he/she shall consider a Master Plan for National Informatization pursuant to Article 6 of the Framework Act on National Informatization.

Article 6 (Formulation and Execution of Informatization Implementation Plan)

(1) The Mayor shall formulate and execute an Informatization Implementation Plan of the Seoul Metropolitan Government (hereinafter referred to as "Implementation Plan") each year according to a Master Plan after deliberation by the Informatization Strategy Committee of the Seoul Metropolitan Government.

(2) The Mayor shall first secure funds necessary for the execution of an Implementation Plan.

Article 7 (Informatization Strategy Committee of Seoul Metropolitan Government)

(1) The Mayor shall establish the Informatization Strategy Committee of the Seoul Metropolitan Government (hereinafter referred to as the "Committee") for the deliberation and coordination of matters concerning the promotion of informatization.

(2) The Committee shall be comprised of not more than 31 members, including one chairperson and one vice chairperson.

(3) The Vice Mayor for Administrative Affairs of the Seoul Metropolitan Government shall serve as the chairperson and the person commissioned by the Mayor from among commissioned members shall serve as the vice chairperson.

(4) The Mayor shall commission or appoint as members those who have considerable knowledge and experience in informatization from academic institutions, the press, industry, private organizations and from among councilors and public officials.

(5) In order to ensure the efficient operation of and support to the Committee, the Mayor shall assign one administrative secretary to the Committee, which shall be assumed by the officer in charge of informatization planning.

(6) The term of office of a member shall be two years and he/she may be recommissioned or reappointed only once: Provided, That the term of office of a member who is a public official shall be the period for which he/she holds office.

(7) A meeting of the Committee shall be held by the attendance of a majority of the incumbent members and its resolutions shall be made with the consent of a majority of the members present.

Article 8 (Functions of Committee)

The Committee shall deliberate on and coordinate the following matters:

1. Formulation of a Master Plan and an Implementation Plan;
2. Alteration of important matters in a Master Plan and an Implementation Plan;
3. Decision on and adjustment of the order of priority of the promotion of important informatization policies and projects;
4. Other matters the chairperson deems necessary in connection with the promotion of informatization.

Article 9 (Duties of Chairperson)

(1) The chairperson shall represent the Committee and preside over the business thereof.

(2) When the chairperson is unable to perform his/her duties due to unavoidable circumstances, the vice chairperson shall perform the duties of the chairperson on his/her behalf.

Article 10 (Meetings, etc.)

(1) Meetings of the Committee shall be classified into a regular meeting and extraordinary meeting; a regular meeting may be called once a year and an extraordinary meeting may be called when the chairperson deems it necessary.

(2) Where necessary, the chairperson may replace matters subject to deliberation and coordination of the Committee by online deliberation.

Article 11 (Subcommittees)

(1) The Mayor may establish the following subcommittees for the efficient operation of the Committee:

1. Subcommittee on the promotion of digital administration;
2. Subcommittee on ubiquitous city projects;
3. Subcommittee on the narrowing of the information gap;
4. Subcommittee on the information security and protection.

(2) The results of deliberation and coordination of a subcommittee shall be deemed to be deliberation and coordination of the Committee.

(3) The chairperson of a subcommittee shall be elected by the subcommittee from among its members, except as otherwise prescribed by the Ordinance.

(4) Article 7 (7) shall apply mutatis mutandis to the holding, etc. of a meeting of a subcommittee.

Article 12 (Seeking Opinions, etc.)

The chairperson of the Committee and the chairperson of a subcommittee may, where necessary, seek opinions from related public officials or experts.

Article 13 (Allowances, etc.)

The Mayor may reimburse allowances, etc. to members and experts who attend a meeting of the Committee or participate in online deliberation within budgetary limits: Provided, That this shall not apply to cases where a member who is a public official attends a meeting of the Committee in direct connection with his/her duties.

Article 14 (Director in Charge of Informatization)

(1) The Mayor may appoint the director in charge presiding over the efficient formulation and execution of informatization policies and coordination of informatization projects, etc. (hereinafter referred to as the "director in charge of informatization").

(2) The director of Informatization Planning Office shall serve as the director in charge of informatization.

(3) The director in charge of informatization shall take charge of the following matters:

1. Connection and coordination with an informatization plan in formulating and promoting a policy, plan, etc.;
2. Overall adjustment and assessment of informatization projects;
3. Overall promotion of main informatization projects;
4. Narrowing of the information gap and the prevention of adverse effects of informatization;
5. Overall adjustment and systematic management of the acquisition, distribution, utilization, etc. of information resources;
6. The promotion of standardization of informatization;
7. Education for the improvement of informatization capability;
8. Other matters prescribed as the duties of the Director in charge of informatization in other Acts and subordinate statutes.

Article 15 (Council of Directors in Charge of Informatization)

For the efficient promotion of informatization and the prevention of overlapped investments, when the Mayor intends to promote an informatization project whose results will be shared by the Seoul Metropolitan Government and autonomous Gus, he/she may hold a council of the directors in charge of informatization for the coordination of opinions and consultation.

CHAPTER PROMOTION OF INFORMATIZATION

Article 16 (Promotion of Informatization by Field)

CHAPTER PROMOTION OF INFORMATIZATION(1) In order to improve efficiency in administrative affairs and promote convenience of citizens, etc., the Mayor shall facilitate informatization by field, such as public administration, livelihoods of residents, industry, welfare, education, culture, etc.

(2) In order to efficiently promote informatization under paragraph (1), the Mayor shall formulate a necessary plan, such as introduction and utilization of information technology architecture.

(3) The Mayor shall endeavor to informatize the relevant fields, such as the improvement of the quality of life of citizens, balanced development between regions, the narrowing of the information gap, etc.

(4) Where the Mayor promotes informatization, he/she shall consider the regional needs and characteristics, collect opinions from related agencies, and reflect the results thereof to the greatest extent possible.

Article 17 (Management, etc. of Knowledge Information Resources)

The Mayor shall establish policies suited to the efficient management of knowledge information resources and the promotion of the utilization thereof.

Article 18 (Online Processing of Civil Complaints)

(1) The Mayor may provide administrative information or process civil complaints by making use of information and communications services.

(2) Where the Mayor has been requested to provide a service for which sharing of administrative information is possible, he/she shall utilize the administrative information sharing service on a preferential basis.

Article 19 (Promotion of Digital Administration)

(1) The Mayor shall establish policies necessary for the promotion of digital administration to promote efficiency and transparency of administration through the electronic management and operation of administrative affairs.

(2) Matters necessary for the efficient promotion of digital administration shall be separately prescribed by ordinance of the Seoul Metropolitan Government.

Article 20 (Encouraging Utilization of Information and Communications Services)

(1) The Mayor shall establish and execute policies necessary to increase utilization of information and communications services and to encourage participation of users therein, and may compensate excellent users within budgetary limits.

(2) Matters necessary to increase utilization of information and communications services shall be separately prescribed by ordinance of the Seoul Metropolitan Government.

Article 21 (Establishment and Utilization of Spatial Information)

(1) The Mayor shall establish policies necessary for the efficient establishment, overall utilization and management of a spatial information system to enable citizens to have easy access to and make use of spatial information.

(2) Matters necessary for the efficient promotion of a spatial information system shall be separately prescribed by ordinance of the Seoul Metropolitan Government.

Article 22 (Promotion of Ubiquitous City)

(1) The Mayor shall establish policies necessary to construct the ubiquitous city by utilizing ubiquitous information technology to improve the competitiveness of the city and the quality of life of citizens.

(2) Matters concerning ubiquitous city projects for the efficient promotion of the ubiquitous city shall be separately prescribed by ordinance of the Seoul Metropolitan Government.

Article 23 (Prior Consultation on Informatization Projects)

(1) For the efficient performance and fair management of informatization projects, the Mayor shall provide for matters subject to prior consultation, such as procedures for the promotion of informatization projects.

(2) The department that has direct charge of and performs duties related to informatization policies shall consult with the director in charge of informatization for mutual connection, information sharing, and prevention of overlapped investments, etc., and reflect the results of consultation in the relevant project.

(3) Matters subject to prior consultation and the methods thereof and procedures therefor pursuant to paragraph (2) shall be prescribed by the Enforcement Rule.

Article 24 (Standardization)

The Mayor shall facilitate standardization for the sharing of information, the efficient operation and securing of compatibility, etc. of information and communications in promoting informatization.

Article 25 (Registration of Copyright)

The Mayor shall register programs, various content, etc. that require protection by copyright, and take measures for the protection thereof in accordance with the relevant provisions.

Article 26 (Interconnection, etc. of Information and Communications Networks)

Where the Mayor intends to establish and operate an information and communications network, he/she shall first consider a plan to jointly use information and communications networks of other agencies.

Article 27 (Cooperation with Private Institutions, etc.)

When the Mayor promotes informatization, he/she may actively induce private investment and give necessary support to related private business owners, private institutions or organizations, etc.

Article 28 (International Cooperation for Electronic Government)

(1) The Mayor shall endeavor for international cooperation in informatization.

(2) The Mayor may conduct the following duties for the promotion of international cooperation in informatization:

1. Cooperation with domestic and foreign organizations related to informatization, local governments and the Government;
2. Support for the exchange of technology and human resources related to informatization;
3. International cooperation related to the promotion of an information culture and the narrowing of the information gap;
4. Matters concerning the new establishment of an international organization or the organization and operation thereof, etc.;
5. Other matters the Mayor deems necessary in connection with international cooperation.

Article 29 (Operation of Integration Center)

(1) The Mayor may establish and operate an information integration center that operates and manages various information resources in a combined manner in order to promote informatization efficiently.

(2) The Mayor may establish and operate a comprehensive control and operation center to safely distribute and protect information in interconnecting information and communications networks.

Article 30 (Informatization Education)

(1) The Mayor shall conduct informatization education for public officials and citizens to increase utilization of information and the ability to promote informatization.

(2) The Mayor may secure facilities and equipment necessary for the permanent education centers or education and training institutions of the Seoul Metropolitan Government for effectively conducting informatization education.

(3) The Mayor may give necessary support, such as facilities, equipment and budget, to education centers, etc. of public agencies and private institutions in order to expand infrastructure for informatization education.

Article 31 (Conduct of Business on Commission)

(1) The Mayor may manage information systems, process informatized data, develop programs, and do other things on commission to the extent that does not hinder the conduct of his/her business.

(2) Fees for the conduct of business on commission under paragraph (1) shall be as set out in Table 1.

CHAPTER PREVENTION OF ADVERSE EFFECTS OF INFORMATIZATION

Article 32 (Promotion of Information Culture)

CHAPTER PREVENTION OF ADVERSE EFFECTS OF INFORMATIZATIONThe Mayor shall establish policies for an information culture and the proliferation thereof in consideration of the following matters so that every citizen may enjoy the convenience of informatization:

1. The development and proliferation of education on information culture and content thereof;
2. Education and publicity for the promotion of an information culture;
3. Support to organizations conducting projects or activities for the promotion of an information culture;
4. Other matters necessary for the promotion of an information culture.

Article 33 (Prevention and Resolution of Addiction to Internet)

The Mayor may promote policies necessary for the prevention and resolution of addiction to the Internet, such as consultation, education and publicity, for citizens and public officials.

Article 34 (Promotion of Narrowing of Information Gap)

(1) The Mayor shall establish policies necessary for every citizen to have easy access to information and communications services and make good use of information.

(2) The Mayor may promote the following to narrow the information gap:

1. Financial or technical support to business owners who develop or produce information and communications products, or develop or proliferate related technology for the promotion of access to information and of the convenience of the utilization thereof by the information poor;
2. Support of information and communications products and information and communications services at a cost or free of charge to the information poor and persons the Mayor deems necessary;
3. Subsidizing all or some of the communication expenses and other working expenses, based on the use of information and communications products and information and communications services supported pursuant to paragraph (2);
4. The conduct of education necessary for narrowing the information gap;
5. Other matters necessary for narrowing the information gap.

Article 35 (Guarantee of Access to and Use of Information)

The Mayor shall guarantee access to websites so that disabled persons, aged persons, etc. may have easy access to and make use of information when he/she provides information and communications services, and meet the web standards announced by the Minister of Public Administration and Security lest information and communications services should be subject to any specific technology.

Article 36 (Establishment of Policies for Protection of Information)

The Mayor shall establish policies for the protection of information for the safe distribution of information at every stage of processing information.

Article 37 (Establishment of Policies for Protection of Personal Information)

The Mayor shall establish policies for the protection of personal information when he/she promotes informatization.

Article 38 (Establishment of Healthy Information and Communications Ethics)

The Mayor shall endeavor to prevent the distribution of unhealthy information and protect juveniles therefrom for the establishment of healthy information and communication ethics.

Article 39 (Protection of Rights and Interests of Users, etc.)

The Mayor shall consider the following matters for the protection of rights and interests of users in the promotion of informatization:

1. Publicity and education for the protection of rights and interests of users;
2. Prevention of harm to honor, life, body and property of users;
3. Expeditious and fair steps to relieve grievances of and damages suffered by users;
4. Other matters related to the protection of users.

CHAPTER MANAGEMENT OF INFORMATIZED DATA

Article 40 (Provision of Informatized Data)

CHAPTER MANAGEMENT OF INFORMATIZED DATA(1) The Mayor may provide informatized data in any of the following cases:

1. Where a public agency needs them to achieve public purposes;
 2. Where a private organization, etc. requests them in accordance with the provisions of the relevant Acts and subordinate statutes.
- (2) No public agency, etc. provided with informatized data pursuant to paragraph (1) shall use such data for any purpose other than that directly related to the relevant business.

Article 41 (Fees for Informatized Data)

- (1) Each person who obtains informatized data shall pay fees as set out in Table 2, except in cases where informatization fees are separately prescribed in other Acts and subordinate statutes.
- (2) The method of collecting fees, etc. shall be prescribed by the Enforcement Rule.

Article 42 (Cases Subject to Reduction of and Exemption from Fees)

- (1) The Mayor may reduce or exempt fees in any of the following cases:
1. Where he/she provides a State agency or other local government with data for a public purpose;
 2. Other cases the Mayor deems particularly necessary.
- (2) Detailed matters, such as the rate of reduction of or exemption from fees, shall be prescribed by the Enforcement Rule.

ADDENDA <Ordinance No. 4910, Jan. 7, 2010>

Article 1 (Enforcement Date)

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

Article 2 (Repeal of other Ordinance)

The Seoul Metropolitan Government Ordinance on Narrowing the Information Gap is hereby repealed.

Article 3 (Transitional Measures concerning Informatization Master Plans and Informatization Implementation Plans)

An Informatization Master Plan and Informatization Implementation Plan established at the time this Ordinance enters into force shall be deemed to have been established by this Ordinance.

Article 4 (Applicability concerning Informatization Strategy Committee)

The term of office of a member of the Informatization Strategy Committee of the Seoul Metropolitan Government according to the amendment of Article 7 shall apply with regard to the persons who are commissioned or appointed on or after the date this Ordinance enters into force.

Article 5 Omitted.