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 ensure transparency in the administrative operation of the Seoul Metropolitan Government and its affiliated executive agencies and guarantee citizens' right to know administrative information so as to ultimately realize open city adminstration through communication and cooperation by prescribing matters necessary for the disclosure of administrative information held by the Seoul Metropolitan Government and its affiliated executive agencies pursuant to the Official Information Disclosure Act. <Amended by Ordinance No. 6386 Jan. 5, 2017>

Article 2 (Definitions)

The terms used in this Ordinance are defined as follows: <Amended by Ordinance No. 7156, May 16, 2019>

1. The term "executive agency" means the Seoul Metropolitan Government, an administrative agency affiliated with the Seoul Metropolitan Government, or an institution which have been invested or funded by the Seoul Metropolitan Government;
2. The term "petitioner" means a private individual, legal entity, or organization that files a request with an executive agency for disclosure of administrative information;
3. The term "City-invested institution" means a public corporation or public agency established by the Seoul Metropolitan Government pursuant to the Local Public Enterprises Act;
4. The term "City-funded institution" means a legal entity established by the Seoul Metropolitan Government pursuant to Article 32 of the Civil Act or any special Act.

Article 3 (Principles of Disclosure of Information)

(1) Administrative information possessed and managed by each executive agency is a precious public asset, the disclose of which shall be done in accordance with the provisions of relevant statutes, regulations, and this Ordinance.
(2) To satisfy citizens' right to know administrative information, the scope of administrative information subject to prior disclosure, including principal approved documents, disclosable even without a citizen's request, shall be expanded.
(3) Information to be disclosed shall be classified and managed in a manner readily accessible thereto by citizens, and shall be promptly provided via information and communications networks.
(4) The details of information to be disclosed shall be conscientiously prepared and provided, in accordance with the purpose of providing such information.

Article 4 (Responsibilities of Executive Agencies)

(1) The head of each executive agency shall classify and store administrative information subject to disclosure in a systematic manner so as to be able to promptly respond to requests for the disclosure of administrative information.
(2) The head of each executive agency shall prepare and keep a list of information, publish the list through an information disclosure system, etc. accessible via information and communications networks, and shall install and operate counters for receipt of requests for the disclosure of administrative information at places convenient for citizens' access.
(3) The head of each executive agency shall pro-actively collect opinions from citizens to expand the scope of disclosable

administrative information and to promote communication with citizens, and may provide an agency or organization that implements an appropriate program therefor with administrative and financial assistance.
(4) Where the head of each executive agency discloses administrative information, he or she shall provide information accessible to visually impaired persons, and visually and hearing impaired persons (referring to persons with a combined loss of vision and hearing; hereinafter the same shall apply) and shall take necessary measures to make it convenient for them to request the disclosure of administrative information and to access to information. <Newly Inserted by Ordinance No. 7518, Mar. 26, 2020>
(5) The Mayor shall report the performance records of an implementation plan to the Seoul Metropolitan Council every year. <Newly Inserted by Ordinance No. 7518, Mar. 26, 2020>

Article 5 (Publication of Administrative Information)

(1) Each executive agency shall declassify any of the following administrative information on a regular basis, even without a petitioner's request therefor: Provided, That the foregoing shall not apply to classified administrative information pursuant to a statute, regulation, or any other ordinance: <Amended by Ordinance No. 6386 Jan. 5, 2017; Ordinance No. 7421, Dec. 31, 2019; Ordinance No. 7423, Dec. 31, 2019>
1. Medium- and long-term comprehensive plans, medium- or long-term plans by sector, and important master plans by the Seoul Metropolitan Government;
2. An interim draft plan pertaining to a plan formulated by an executive agency, among the plans set forth in subparagraph 1;
3. The operational plan, budget, and financial statements of the Seoul Metropolitan Government for the pertinent year and reports on the management of its funds;
4. Operational plans and financial statements of institutions which invested or funded by the Seoul Metropolitan Government for the pertinent year;
5. The current status of debts and a plan for annual repayment of debts;
6. Details of business advancement expenses incurred by the Mayor, Vice Mayors, Director Generals, and divisions and institutions headed by a Grade-IV or higher-ranking public official of the Seoul Metropolitan Government; details of business advancement expenses incurred by the heads and executives of City-invested institutions and City funded institutions; and details of business advancement expenses incurred by the President, the Vice President, and Deans of the University of Seoul;
7. A plan for the adjustment of rents, fees, and various public utility charges levied by an executive agency;
8. Findings of major statistical surveys conducted by the Seoul Metropolitan Government in connection with city administration by sector on a regular basis (such as speeds of traffic flow and traffic volume, amounts of waste generated, population and household statistics, industrial statistics, and statistics pertaining to urban planning);
9. The current status of negotiated contracts of a value of at least 10 million won, construction projects with a total construction cost of at least 100 million won, contracts for purchasing goods, and contracts for outsourcing services; matters regarding amendment to a contract; and details of budget implementation in connection with contracts by budget category;
10. Rulings on administrative appeals; decisions on petitions for objection against local taxes; and decisions on petitions for examination;
11. Reports on results of public hearings held by the Seoul Metropolitan Government in regard to various sectors of city administration;
12. Operational manuals containing guidelines, procedures, etc. for handling civil petitions and disclosing information;
13. Outcomes of various outsourced service projects, such as scientific services;
14. Results of meetings of various committees of the Seoul Metropolitan Government, including the investment examination committee, and meeting minutes;
15. The current status of the targets set by each Director General in relation to the target management system and the current status of budget implementation for such targets;
16. Other activities an executive agency deems necessary to disclose for the public good.
(2) The Seoul Metropolitan Government shall pro-actively disclose any of the following administrative information, in addition to the information set forth in paragraph (1): <Amended by Ordinance No. 6386 Jan. 5, 2017; Ordinance No. 7156, May 16, 2019; Ordinance No. 7423, Dec. 31, 2019>
1. Findings of water quality tests conducted by the Seoul Metropolitan Government on a regular basis on raw water and purified water for waterworks and findings of tests and measurements conducted on air, noise, etc. in connection with environmental conservation;
2. Findings of evaluations on business performance of the City-invested institutions;
3. A plan to fulfill commitments of the Mayor of the Seoul Metropolitan Government and results of performance of such commitments;
4. Reports on activities of the citizens' ombudsmen of the Seoul Metropolitan Government;
5. Findings of evaluations conducted by specialized survey and research institutions commissioned by the Seoul Metropolitan Government on the level of citizens' satisfaction with public services provided by each autonomous Gu or affiliated agency, by an institution entrusted with administrative affairs of the Seoul Metropolitan Government, or by a private institution or company

providing social public services;
6. Reports on the findings of inspection and examination of the safety of bridges, tunnels, and subways;
7. The current status of compilation and implementation of the budget for the safety management and maintenance of such structures as bridges and tunnels;
8. The current status of budget implementation for preparation against disasters and floods and for safety management;
9. The current status of outbreaks of infectious diseases;
10. Trends and the current status of the fluctuation of prices for agricultural and livestock products, findings of inspections on pesticide residues in agricultural products, and findings of inspections on the labeling of country of origin;
11. An audit plan and the findings of the audit and a report on the findings of the audit conducted by the Metropolitan Council on administrative affairs for the pertinent year.
(3) The scope of administrative information subject to disclosure under any of the subparagraphs of paragraph (1) or (2) in further detail, the interval, timing, and method of disclosure, the Division in charge of disclosure, etc. shall be prescribed by rules of the Seoul Metropolitan Government. <Amended by Ordinance No. 6386 Jan. 5, 2017>

Article 6 (Bearing of Expenses)
Expenses incurred in the disclosure of administrative information shall be borne by the relevant petitioner, and the amount of such expenses and matters necessary for the procedure for levying fees for such expenses shall be prescribed by the Seoul Metropolitan Government Ordinance on Collection of Fees. <Amended by Ordinance No. 7046, Mar. 28, 2019>

Article 7 (Establishment and Operation of Information Disclosure Council)
(1) Each executive agency shall establish and operate an information disclosure council (hereinafter referred to as "Council") pursuant to Article 12 of the Official Information Disclosure Act (hereinafter referred to as the "Act"). <Amended by Ordinance No. 6386 Jan. 5, 2017>
(2) The Council shall be comprised of not exceeding seven members, including one chairperson and one 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 abundant expertise and experience in the disclosure of administrative information.
(3) The term of office of each 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 or her predecessor.
(4) A meeting of the Council shall be duly formed with the attendance of a majority of incumbent members, and a resolution shall be adopted by concurring votes of a majority of the members present at the meeting.
(5) Commissioned members may be paid allowances, and reimbursed for travel expenses, and other necessary expenses, within budgetary limits. <Amended by Ordinance No. 7423, Dec. 31, 2019>
(6) Further details about methods for the organization and operation of the Council of each executive agency shall be prescribed by rules or regulations.

Article 8 (Council's Functions)
The Council shall deliberate on the following matters: <Amended by Ordinance No. 6386 Jan. 5, 2017>
1. Matters on which the head of an executive agency requests the Council to deliberate in connection with decision-making as to whether to disclose administrative information in response to a request for disclosure and the scope and method of disclosure;
2. An objection filed under Article 18 or 21 (2) of the Act;
3. Other matters on which the head of an executive agency deems necessary to deliberate or on which the Council chairperson requests the Council or brings to the Council, to deliberate, for expanding citizens' right to know administrative information.

Article 9 (Hearings)
If the Council deems it necessary, it may seek opinions from relevant public officials, petitioners, appropriate experts, or other interested third parties. <Amended by Ordinance No. 7423, Dec. 31, 2019>

Article 10 (Council Members' Duty)
No Council member shall divulge any confidential information which becomes known to him or her in the course of performance of his or her duties, even after he or she is dismissed from his or her office.

Article 11 (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.
(2) The Director General of the Administrative Bureau, the Press Affairs Officer, and the Director of the Infrastructure Planning Division shall serve as ex officio members.

Article 12 (Evaluation and Reporting)
(1) The head of each executive agency shall inspect and evaluate the implementation of the information disclosure system at least twice a year and shall publish the findings thereof through its web-site and other information and communications networks.

(2) The method, timing, and procedure for the inspection of implementation of the information disclosure system under the foregoing paragraph shall be prescribed by rules of the Seoul Metropolitan Government.
(3) The Mayor of the Seoul Metropolitan Government shall issue and publish a report annually on the evaluation of each executive agency's implementation of the information disclosure system.

Article 13 (Relationship to other Systems)

(1) This Ordinance shall not apply to administrative information disclosable through inspection, publication, public announcement, preliminary notice or the issuance of certified transcripts, abstracts, or other copies thereof under any other statute, regulation, or ordinance.
(2) No books or periodicals made available to the general public for perusal or loan in an executive agency's reference room, library, or the like shall be governed by this Ordinance.

Article 14 (Enforcement Rules)

Necessary matters concerning the enforcement of this Ordinance shall be prescribed by rules of the Seoul Metropolitan Government.

ADDENDUM

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

ADDENDUM <Ordinance No. 6386 Jan. 5, 2017>

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

ADDENDA <Ordinance No. 7046, Mar. 28, 2019>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDUM <Ordinance No. 7156, May 16, 2019>

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

ADDENDA <Ordinance No. 7421, Dec. 31, 2019>

Article 1 (Enforcement Date)

This Ordinance shall enter into force on January 1, 2020.

Article 2 Omitted.

ADDENDUM <Ordinance No. 7423, Dec. 31, 2019>

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

ADDENDUM <Ordinance No. 7518, Mar. 26, 2020>

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