

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
Partial Amendment No. 5527, Aug. 01, 2013
Amendment of Other Laws No. 5622, Jan. 09, 2014
Partial Amendment No. 6487, May. 18, 2017
Partial Amendment No. 6820, Mar. 22, 2018
Amendment of Other Laws No. 6851, Mar. 22, 2018
Whole Amendment No. 7026, Mar. 28, 2019
Partial Amendment No. 8006, May. 20, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

CHAPTER I GENERAL PROVISIONS The purpose of this Ordinance is to improve citizens' quality of life and to enhance the city's competitiveness by prescribing matters necessary for formulating and implementing policies on informatization such as efficient operation of a smart city and intelligent informatization in accordance with the Act on the Promotion of Smart City Development and Industry and the Framework Act on Intelligent Informatization.

[This Article Wholly Amended on Mar. 20, 2021]

Article 2 (Definitions)

If not specifically defined in this Ordinance, terms used herein 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 Intelligent Informatization, and other statutes or regulations relating to smart city and informatization. <Amended on May 20, 2021>

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 implementing policies on smart city and informatization (hereinafter referred to as "policy"): <Amended on May 20, 2021>

1. Reflect citizens' demand in formulating policies and incorporate citizens' opinions in the process of implementing the policies;
2. Collaborate with related private sectors such as academic circles and businesses to introduce the latest technology and to efficiently implement policies;
3. Pro-actively apply state-of-the-art technologies and disseminate the achievements to address urban problems related to transportation, safety, the environment, etc.;
4. Realize a free and open intelligent information society based on the dignity and value of citizens and continuously develop such society.

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

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

CHAPTER II SYSTEM FOR FORMULATING AND IMPLEMENTING POLICIES

Article 5 (Formulation of Master Plans)

CHAPTER II SYSTEM FOR FORMULATING AND IMPLEMENTING POLICIES (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 three years to efficiently and systematically implement policies. <Amended on May 20, 2021>

(2) A master plan shall include the following:

1. Basic direction of policies and direction of their mid- to long-term development;
2. Policy goals and strategies and a system to implement the policies;
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 implement policies;
8. Other matters necessary for implementing policies.

(3) When formulating master plans, the Mayor shall take into account comprehensive plans for smart cities under Article 4 of the Smart City Act, comprehensive plans for the intelligent information society under Article 6 of the Framework Act on Intelligent Informatization, and master plans for electronic government under Article 5 of the Electronic Government Act. <Amended on May 20, 2021>

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 implementation: <Amended on May 20, 2021>

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 30 members, including two co-chairpersons and two vice chairpersons, taking into account the gender. <Amended on May 20, 2021>

(3) Members of the Committee shall be appointed or commissioned from among the following persons; the chairpersons shall be elected from among and by the Mayor and members falling under subparagraph 1; 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 serve as the other ex officio vice chairperson: <Amended on May 20, 2021>

1. Commissioned members: Those with extensive expertise or experience in smart city and informatization from among those in academia, businesses, civic groups, and members of the Seoul Metropolitan Council;
2. Ex officio members: Director-General of the Smart City Policy Bureau, no more than three public officials of a director-general level or higher of major divisions related to transportation, safety, the environment, welfare, the economy, administration, etc. and the 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 director of a division in charge of general supervision and control of affairs relating to smart city and informatization. <Amended on May 20, 2021>

(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) The chairpersons shall represent the Committee, and where they are unable to perform their duties due to any unavoidable cause, the commissioned vice chairperson shall act on behalf of the chairpersons; and where the commissioned vice chairperson is unable to perform the chairpersons' duties on their behalf, the ex officio vice chairperson shall act on behalf of the chairpersons. <Amended on May 20, 2021>

(2) Meetings shall be convened by the chairpersons 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, 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 by the Committee.

(2) The chairperson of a subcommittee shall be elected from among and by the subcommittee members. <Amended on May 20, 2021>

(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 with citizens how policies are being implemented 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 implement policies.
- (3) The Mayor may organize and operate a consultative body with private institutions, etc. where deemed necessary to implement policies 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 policies, coordination of projects, and the affairs prescribed in Article 6 of the Enforcement Decree of the Framework Act on Intelligent Informatization (hereinafter referred to as the "responsible official"). <Amended on May 20, 2021>
- (2) The Director-General of the Smart City Policy Bureau shall serve as the responsible official.

CHAPTER III POLICY IMPLEMENTATION

Article 12 (Policy Implementation by Area)

CHAPTER III POLICY IMPLEMENTATION(1) The Mayor shall implement a separate policy for each area, such as transportation, safety, and the environment.

- (2) The Mayor shall make efforts to ensure that citizens are provided with digital administrative services using transparent and advanced anti-forgery information and communications technologies, etc. <Newly Inserted on May 20, 2021>
- (3) The head of a division who intends to implement a policy relating to advanced information and communications technologies, such as big data, the Internet of Things (IoT), artificial intelligence, blockchain, and cloud computing and smart city services shall, in advance, consult with the Director-General of the Smart City Policy Bureau. <Amended on May 20, 2021>

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 13-2 (Designation of Model Districts for Smart City)

- (1) The Mayor may designate a model district for a smart city (hereinafter referred to as "model district") to facilitate the creation, management, and operation of a leading smart city and the vitalization of smart city services.
 - (2) Where the Mayor intends to designate a model district pursuant to paragraph (1), he or she shall formulate a plan for creating a model district, including the following:
 1. Matters relating to goals of, and strategies for creating a model district, system for implementing said plan;
 2. Matters relating to smart city services to be implemented in a model district;
 3. Matters relating to securing and managing financial resources;
 4. Other matters necessary to create and support a model district.
 - (3) The Mayor may provide, among other things, necessary administrative, financial, and technical support for a model district designated pursuant to paragraph (1).
- [This Article Newly Inserted on May 20, 2021]

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 policies being implemented; 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 the 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 <Amended on May 20, 2021>
- (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 the results of business operations and 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. <Amended on May 20, 2021>
- (4) The Mayor shall examine the results of business operations and settlement of accounts under paragraph (3) to evaluate performance on matters regarding which support was provided and may devise necessary measures based on the results thereof, such as ceasing support. <Newly Inserted on May 20, 2021>
- (5) 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. <Amended on May 20, 2021>

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 implement 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 the same 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. <Amended on May 20, 2021>
- (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 and 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 and communications services.
- (2) The Mayor may implement the following to close the digital divide:
1. Give information-poor groups and others the Mayor deems to be in need, information and communications products and information and communications services for a charge or free of charge;
 2. Fully or partially subsidize operating expenses, including communication expenses incurred in using the information and communications products and the information and 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 all kinds of cyberattacks 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 implementing 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 of 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.

Article 25 (Awards)

The Mayor may grant an award to individuals, enterprises, organizations, public officials, etc. deemed to have made great achievement in developing and utilizing smart city services and in providing policy support, etc.

[This Article Newly Inserted on May 20, 2021]

ADDENDA <Ordinance No. 7026, Mar. 28, 2019>

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.

ADDENDA <Ordinance No. 8006, May 20, 2021>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Mater Plans)

The master plan formulated under the previous Article 5 as at the time this Ordinance enters into force shall be effective until the master plan is formulated under the amended provisions of Article 5.

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

The Smart City Committee of the Seoul Metropolitan Government organized under the previous Article 7 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.