

PUBLIC INTEREST WHISTLEBLOWER PROTECTION ACT

Act No. 10472, Mar. 29, 2011
Amended by Act No. 12265, Jan. 14, 2014
Act No. 13443, Jul. 24, 2015
Act No. 14830, Apr. 18, 2017
Act No. 15023, Oct. 31, 2017
Act No. 15022, Oct. 31, 2017
Act No. 15616, Apr. 17, 2018
Act No. 17300, May 19, 2020
Act No. 18132, Apr. 20, 2021

CHAPTER I GENERAL PROVISIONS

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Article 1 (Purpose)

The purpose of this Act is to contribute to the stabilization of the livelihood of citizens and the establishment of a transparent and clean social climate by protecting and supporting those who have reported any act that is detrimental to the public interest.

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Article 2 (Definitions)

The terms used in this Act are defined as follows: <Amended on Jul. 24, 2015; Oct. 31, 2017>

1. The term "act detrimental to the public interest" means any of the following acts detrimental to the health and safety of the people, the environment, the interests of consumers, fair competition, and public interest equivalent thereto:

- (a) Any act falling under the penalty provisions of the Acts prescribed in the attached Table;
 - (b) Any act subject to administrative measures prescribed by Presidential Decree, such as measures for the cancellation or suspension of approval or permission, etc. in accordance with Acts prescribed in the attached Table;
2. The term "whistleblowing disclosure" means to file a report of, make representations of, provide information about, make a complaint or bring a charge of the fact that any act detrimental to the public interest has been committed or is likely to be committed, or to provide a lead for investigation into any act detrimental to the public interest to persons who fall under any of the subparagraphs of Article 6: Provided, That the following cases shall not be deemed a whistleblowing disclosure:
- (a) Where the person makes a whistleblowing disclosure despite being aware or in a position to be aware of the fact that the details of the whistleblowing disclosure are untrue;
 - (b) Where the person requests money or other valuables, or a special favor in labor relations in connection with the whistleblowing disclosure, files the whistleblowing disclosure for other unlawful purposes;
3. The term "whistleblowing disclosure, etc." means to file a whistleblowing disclosure and to make a statement, bear witness or provide materials in the inspection, investigation of or lawsuit against a whistleblowing disclosure, and in the inspection or lawsuit related to measures of protection for a whistleblower;
4. The term "whistleblower" means a person who makes a whistleblowing disclosure;
5. The term "whistleblower, etc." means a whistleblower and a person who makes a statement, bears witness, or provides materials in the inspection, investigation of or lawsuit against a whistleblowing disclosure, and in the inspection or lawsuit related to measures of protection for a whistleblower;
7. The term "disadvantageous measure" means any of the following measures:
- (a) Dismissal, release from office, discharge, or other disadvantageous measures against a person's social position equivalent to the loss of social position;
 - (b) Disciplinary actions, suspension from office, curtailment of salary, demotion, restrictions on advancement, or other unfair personnel measures;
 - (c) Transference of position, transference of office, withholding duties, reassignment of duties, or other personnel measures taken against one's will;
 - (d) Discrimination in performance evaluation, colleague evaluation, etc., and discriminative payment of wages, bonuses, etc. attendant thereon;
 - (e) Cancellation of opportunities for self-development, such as education or training, restrictions on or removal of available resources, such as budgets or human resources, suspension of the use of or cancellation of qualifications for dealing with security information or classified information, or other discrimination or measures that have a negative effect on the working conditions, etc.;
 - (f) Preparation of a list of persons subject to surveillance or disclosure of such list, bullying, violence or threatening language, or other acts that cause physical or mental harm;

- (g) An unjust audit or inspection of duties, or disclosure of the results thereof;
- (h) Cancellation of approval or permission, or other acts that give administrative disadvantage;
- (i) Cancellation of a goods or service contract, or other measures that give economic disadvantage;

7. The term "insider whistleblower" means any of the following whistleblowers:

- (a) A person who works or worked for a public institution, enterprise, corporation, organization, etc. subject to a whistleblowing disclosure;
- (b) A person who conducts or conducted affairs in accordance with a construction or service contract or any other contract entered into with a public institution, enterprise, corporation, organization, etc. subject to a whistleblowing disclosure;
- (c) Other persons prescribed by Presidential Decree;

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Article 3 (Responsibilities of the State)

- (1) The State or a local government shall endeavor to prevent any act detrimental to the public interest, to prevent the spread thereof, and to protect and support whistleblowers, etc. <Amended on Oct. 31, 2017>
- (2) Each enterprise shall endeavor to create conditions in which whistleblowers, etc. in the workplace are protected. <Newly Inserted on Jul. 24, 2015>
- (3) The State or a local government may provide support or cooperation so that activities, etc. of enterprises to prevent acts detrimental to the public interest are revitalized. <Newly Inserted on Jul. 24, 2015>

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Article 4 (Formulation of Policies of Anti-Corruption and Civil Rights Commission)

(1) The Anti-Corruption and Civil Rights Commission (hereinafter referred to as the "Commission") shall formulate policies for the following matters to protect and support whistleblowers, etc.: <Amended on Jul. 24, 2015>

- 1. Matters concerning the acceptance of and processing, etc. of whistleblowing disclosures;
- 2. Matters concerning the confidentiality and personal protection, etc. of whistleblowers, etc.;

- 3. Matters concerning the prohibition of taking disadvantageous measures against whistleblowers, etc. and the measures of protection therefor, etc.;
- 4. Matters concerning the payment of a monetary reward or relief fund to whistleblowers, etc.;
- 5. Matters concerning education, public relations, etc. concerning the whistleblower protection system.

(2) Where necessary to efficiently formulate a policy prescribed in paragraph (1), the Commission may conduct a fact-finding survey on the current status of the treatment of whistleblowing disclosures and protective measures on organizations and agencies prescribed in the subparagraphs of Article 6. <Newly Inserted on Jul. 24, 2015>

(3) Matters necessary for methods, procedures, etc. for fact-finding survey prescribed in paragraph (2) shall be prescribed by Presidential Decree. <Newly Inserted on Jul. 24, 2015>

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Article 5 (Relationship to Other Acts)

Where any conflict arises between other Acts and this Act in connection with the protection of whistleblowers, etc., this Act shall prevail over other Acts; however, where the application of other Acts is favorable to whistleblowers, etc., such Acts shall apply thereto.

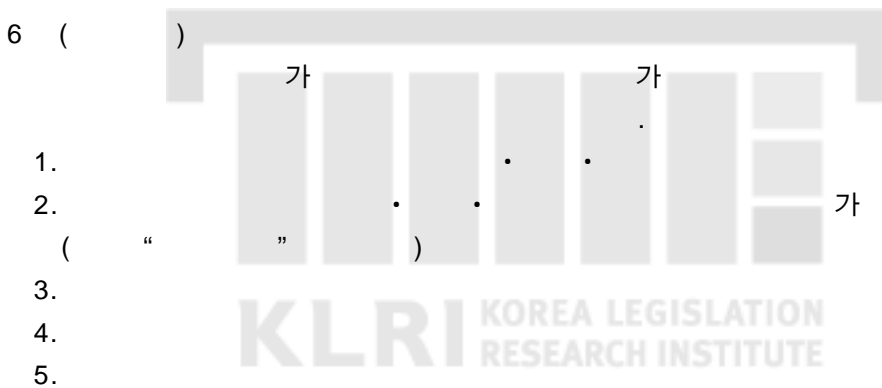
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CHAPTER II WHISTLEBLOWING DISCLOSURE

Article 6 (Whistleblowing Disclosure)

Any person deeming that an act detrimental to the public interest has been, or is likely to be, committed may make a whistleblowing disclosure to any of the following persons:

1. A representative or employer of a person, institution, organization or corporation that commits an offence detrimental to the public interest;
2. An administrative agency or supervisory agency that has guiding, supervisory, regulatory, or investigative authority for an act detrimental to the public interest (hereinafter referred to as "inspection agency");
3. An investigation agency;
4. The Commission;
5. Other persons whose filing a whistleblowing disclosure thereto is deemed necessary for the prevention of the occurrence of an act detrimental to the public interest or the spread of damage caused by the occurrence thereof and prescribed by Presidential Decree.



Article 7 (Duty of Public Officials to File Whistleblowing Disclosure)

Where a public official prescribed in subparagraph 3 of Article 2 of the Act on the Prevention of Corruption and the Establishment and Management of the Anti-Corruption and Civil Rights Commission (hereinafter referred to as "public official") becomes aware of any act detrimental to the public interest in the course of duty, he or she shall report such act to an inspection agency, investigative agency, or the Commission.

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Article 8 (Methods of Whistleblowing Disclosure)

(1) A person who intends to file a whistleblowing disclosure shall submit a document in which the following matters are stated (including an electronic document; hereinafter referred to as "written disclosure") to a person falling under any of the subparagraphs of Article 6 along with evidence, etc. of the relevant act detrimental to the public interest:

1. Personal information about the whistleblower, such as his or her name, resident registration number, domicile, contact details, etc.;
2. The person whose act is detrimental to the public interest;
3. Details of the act detrimental to the public interest;
4. The purport of and reasons for the whistleblowing disclosure.

(2) Notwithstanding paragraph (1), where a person who intends to file a whistleblowing disclosure is under extenuating circumstances that prohibit him or her from submitting a written disclosure, he or she may file a report verbally. In such cases, he or she shall submit evidence, etc.

(3) A person who receives a verbal report under paragraph (2) shall write down the matters told by a whistleblower in a written disclosure, read the same to him or her, and have him or her affix his or her signature or seal.

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Article 8-2 (Non-Real Name Reports by Proxy)

(1) Notwithstanding Article 8 (1), a whistleblower may, without disclosing his or her personal information, have an attorney-at-law file a whistleblowing disclosure on his or her behalf. In such cases, personal information about the whistleblower under Article 8 (1) 1 shall be substituted with personal information about the attorney-at-law.

(2) A whistleblowing disclosure under paragraph (1) shall be filed with the Commission, and the whistleblower or the attorney-at-law who files the whistleblowing disclosure on his or her behalf shall state the purport of the whistleblowing disclosure and submit personal information about the whistleblower, materials proving the identity of the whistleblower, and a letter of attorney to the Commission.

(3) The Commission shall seal and keep the materials submitted pursuant to paragraph (2) and shall not inspect them without consent of the relevant whistleblower.

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Article 9 (Processing of Public Interest Reports by Commission)

(1) The Commission may, upon receipt of a whistleblowing disclosure, verify matters necessary for specifying the details of the disclosure, such as personal information of the whistleblower, the events leading to, purport of, the whistleblowing disclosure, etc. and if the whistleblower fails to provide matters necessary for specifying any details of the disclosure, request the whistleblower to supplement them within a reasonable period of time. *<Amended on Apr. 20, 2021>*

(2) The Commission may request a whistleblower to submit necessary materials within the extent necessary for verifying the authenticity of matters prescribed in paragraph (1).

(3) Upon completing verification prescribed in paragraph (2), the Commission shall without delay refer or transfer the case to an inspection agency or investigative agency (hereafter referred to as "inspection agency, etc." in this Article and Articles 10 and 11), and notify the whistleblower of the fact. *<Amended on Apr. 20, 2021>*

(4) Notwithstanding paragraph (3), where a whistleblowing disclosure falls under any subparagraph of Article 10 (2), the Commission may terminate the case. In such cases, the Commission shall notify the whistleblower of the fact without delay. *<Newly Inserted on Apr. 20, 2021>*

(5) An inspection agency, etc. to which a whistleblowing disclosure has been referred or forwarded pursuant to paragraph (3) shall notify the Commission of the results of inspection or investigation after it has completed the inspection or investigation. *<Amended on Apr. 20, 2021>*

(6) In receipt of the results of inspection or investigation under paragraph (5), the Commission shall notify the whistleblower of the gist of the results, and where the Commission deems it necessary to prevent the spread and recurrence of acts detrimental to the public interest, it may present its opinion through the following measures under relevant statutes or regulations, in addition to necessary measures taken by the relevant inspection agency pursuant to Article 10 (4) in accordance with the results of inspection: <Newly Inserted on Jul. 24, 2015; Apr. 20, 2021>

1. Suspension of the manufacture or sale of, or recall or destruction of, products;
2. Suspension of business, suspension of qualification, etc.;
3. Other measures necessary for elimination, prevention, etc. of the relevant acts detrimental to the public interest.

(7) Any whistleblower, in the receipt of notification prescribed in paragraph (6), may file an objection to the results of inspection or investigation with the Commission, as prescribed by Presidential Decree. <Newly Inserted on Jul. 24, 2015; Apr. 20, 2021>

(8) Where the Commission deems that an inspection or investigation conducted by an inspection agency, etc. is insufficient or that an objection raised under paragraph (7) is well-grounded, it may request the inspection agency, etc. to conduct a reinspection or reinvestigation. <Newly inserted on Jul. 24, 2015; Apr. 20, 2021>

(9) An inspection agency, etc. in receipt of a request for a reinspection or reinvestigation shall notify the Commission of the results thereof after completing such reinspection or reinvestigation. In such cases, the Commission shall notify the relevant whistleblower of the gist of the results of reinspection or reinvestigation. <Newly Inserted on Jul. 24, 2015; Apr. 20, 2021>

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Article 9-2 (Guidance on Protection and Support)

(1) The Commission shall formulate and implement guidance on the following matters:

- 1. Matters concerning maintaining confidentiality provided for in Article 12;
- 2. Matters concerning request for personal protection measures provided for in Article 13;
- 3. Matters concerning request for personnel measures provided for in Article 16;
- 4. Matters concerning requests for protective measures provided for in Article 17;
- 5. Matters concerning requests for the prohibition of disadvantageous measures provided for in Article 22;
- 6. Matters concerning requests for the payment of monetary rewards provided for in Article 26;
- 7. Matters concerning payment of monetary awards provided for in Article 26-2;
- 8. Matters concerning requests for the payment of relief funds provided for in Article 27.

(2) Persons eligible for guidance, methods for providing such guidance, and other necessary matters pursuant to paragraph (1) shall be prescribed by Presidential Decree.

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Article 10 (Handling of Whistleblowing Disclosures by Inspection Agencies)

(1) Upon receiving a whistleblowing disclosure under Article 6 or a referral of a whistleblowing disclosure case from the Commission under Article 9 (3), an inspection agency, etc. shall conduct a necessary inspection or investigation of the details thereof. *<Amended on Apr. 20, 2021>*

(2) Where a whistleblowing disclosure falls under any of the following cases, an inspection agency, etc. may choose not to conduct an inspection or investigation, or discontinue and conclude the inspection or investigation: *<Amended on Apr. 20, 2021>*

1. Where the details of the whistleblowing disclosure are manifestly untrue;
2. Where personal information about the whistleblower is unknown;
3. Where the whistleblower fails to supplement the written disclosure or evidentiary materials, etc. within the period of supplementation, although he or she has received a request for supplementation on two or more occasions;
4. Where the whistleblower files a further report on the matters already notified of the results of processing the whistleblowing disclosure without good cause;
5. Where details of the whistleblowing disclosure fall under those disclosed through news media, etc. and no new evidence is found other than the one already disclosed;
6. Where an inspection of the relevant act detrimental to the public interest has been instituted or already completed according to other statutes or regulations;
7. Where it is prescribed by Presidential Decree that no inspection of the relevant act detrimental to the public interest is required.

(3) Where an inspection agency, etc. decides not to conduct an inspection or investigation pursuant to paragraph (2) or discontinue and conclude inspection or investigation, it shall notify the relevant whistleblower of the fact without delay. *<Amended on Apr. 20, 2021>*

(4) The inspection agency, etc. shall, upon completion of the inspection or investigation of the whistleblowing disclosure, take all necessary measures based on the results of the inspection or investigation and notify the whistleblower of the results thereof. *<Amended on Apr. 20, 2021>*

(5) No person, etc. working with the agency that has received a whistleblowing disclosure pursuant to Article 6 shall disclose the details of the report including personal information, etc. about the person subject to the disclosure before any act detrimental to the public interest is found according to an inspection of the whistleblowing disclosure. *<Amended on Apr. 20, 2021>*

(6) Where a whistleblowing disclosure that falls outside the jurisdiction of an inspection agency, etc. has been received by, or transferred or referred to, the inspection agency, etc. it shall without delay transfer such a report to the competent inspection agency and notify the whistleblower of the fact. <Amended on Apr. 20, 2021>

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Article 10-2 (Construction and Operation of Integrated Information System for Whistleblowing Disclosure)

(1) The Commission may construct and operate an integrated information system that manages the current status of the receipt and treatment of whistleblowing disclosures (hereinafter referred to as "integrated information system").

(2) Where necessary to construct and operate an integrated information system, the Commission may request organizations and agencies under the subparagraphs of Article 6 to provide data and information on the receipt and treatment of whistleblowing disclosures, and retain and use such data and information within the scope of purposes of the provision thereof. In such cases, any person, in the receipt of a request for providing data and information, shall comply with such request unless there is a compelling reason not to do so.

(3) The Commission shall take measures necessary to protect data and information it retains and uses pursuant to paragraph (2).

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CHAPTER III PROTECTION OF WHISTLEBLOWERS

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Article 11 (Omission of Personal Information)

(1) Where there exists a reasonable ground to believe that a whistleblower, etc., or his or her relative or cohabitant is harmed or is likely to be harmed due to a whistleblowing disclosure, etc., Articles 7, 9 through 12 of the Act on Protection of Specific Crime Informants shall apply mutatis mutandis to the inspection thereof and the criminal procedure therefor.

(2) A whistleblower, etc. or his or her legal representative may request an inspection agency, etc. to take measures under paragraph (1). In such cases, an inspection agency, etc. shall comply therewith unless there is a compelling reason not to do so. <Amended on Apr. 20, 2021>

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Article 12 (Duty to Maintain Confidentiality of Whistleblowers)

(1) No person shall inform another person of the personal information about a whistleblower, etc. or any fact from which one can readily infer that he or she is a whistleblower, etc., or disclose or broadcast the same although he or she knows the circumstances: Provided, That this shall not apply to cases where the whistleblower, etc. consents thereto.

(2) Where personal information about a whistleblower, etc. or the fact by which people may become aware that a person is a whistleblower, etc. is disclosed or broadcasted, in violation of paragraph (1), the Commission may confirm how personal information or the fact is disclosed or broadcasted. <Newly Inserted on Jul. 24, 2015>

(3) Where the Commission deems it necessary to confirm circumstances prescribed in paragraph (2), it may request an agency to which the relevant whistleblower, etc. filed a whistleblowing disclosure, etc. to submit relevant data or state its opinion. In such cases, the relevant agency that receives a request for submitting data or stating its opinion shall comply with such request unless there is a compelling reason not to do so. <Newly Inserted on Jul. 24, 2015>

(4) The Commission may request a person who has authority to take disciplinary action against the person who has informed others of personal information about a whistleblower, etc. or the fact by which people may become aware that he or she is a whistleblower, etc., or disclosed or broadcasted personal information or the fact, in violation of paragraph (1), to take necessary measures, such as taking disciplinary action against the relevant person. <Amended on Jul. 24, 2015>

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Article 13 (Personal Protection Measures)

(1) Where it is evident that a whistleblower, etc., his or her relative or cohabitant has suffered or is likely to suffer serious harm to his or her life or body due to a whistleblowing disclosure, etc. he or she may request the Commission to take necessary measures for his or her personal protection. In such cases, where the Commission deems it necessary, it may request the chief of a police station to take measures for his or her personal protection.

(2) The chief of a police station requested to take personal protection measures under paragraph (1) shall immediately comply, as prescribed by Presidential Decree.

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Article 14 (Mitigation of Culpability)

(1) Where a criminal act of a whistleblower, etc. is found in connection with a whistleblowing disclosure, etc., the whistleblower, etc. may face reduced punishment or be exempt from the relevant punishment.

(2) Where a person who has authority to take a disciplinary action or administrative disposition against a whistleblower, etc. takes a disciplinary action or unfavorable administrative disposition against a whistleblower, etc. pursuant to relevant statutes or regulations on the grounds of any illegal act, etc. discovered in relation to the whistleblowing disclosure, etc., he or she may reduce the relevant disciplinary action or unfavorable administrative disposition imposed against the whistleblower, etc. or exempt the whistleblower, etc. from such action or disposition. <Newly Inserted on Apr. 20, 2021>

(3) Where a person who has authority to take a disciplinary action or administrative disposition against a whistleblower, etc. takes a disciplinary action or unfavorable administrative disposition against a whistleblower, etc. on the grounds of any illegal act, etc. discovered in relation to the whistleblowing disclosure, etc., the Commission may request the person who has authority to take a disciplinary action or administrative disposition against a whistleblower, etc. to reduce the relevant disciplinary action or unfavorable administrative disposition imposed against the whistleblower, etc. or exempt the whistleblower, etc. from such action or disposition. In such cases, the person who receives a request shall comply with such request unless there is good cause. <Amended on Jul. 24, 2015>

(4) Even where classified information in respect of a person's duties is included in the details of a whistleblowing disclosure, etc., a whistleblower shall not be deemed to have violated his or her duty of

confidentiality under other statutes or regulations, a collective agreement, the rules of employment, etc.
<Amended on Apr. 20, 2021>

(5) Even where a person subject to the disclosure suffers a loss due to a whistleblowing disclosure, etc., he or she shall not claim damages against a whistleblower, etc.: Provided, That he or she may claim damages in cases falling under subparagraph 2 (a) and (b) of Article 2. <Amended on Apr. 20, 2021>

(6) Where provisions of a collective agreement, employment contract, supply contract, etc. prohibit or restrict a whistleblowing disclosure, etc., such provisions shall be invalidated. <Amended on Apr. 20, 2021>

(7) Where the Commission deems it necessary to request reduction of or exemption from disciplinary action or administrative dispositions under paragraph (2), the Commission may request a person who has authority to take disciplinary action or administrative disposition, or an agency to which the relevant whistleblower, etc. has made a whistleblowing disclosure, etc. to submit relevant data or state his, her, or its opinion. In such cases, the relevant agency that receives a request for submitting data or stating its opinion shall comply with such request unless there is a compelling reason not to do so. <Newly Inserted on Jul. 24, 2015; Apr. 20, 2021>

(8) Where the Commission deems it necessary or at the request of a court, the Commission may present its opinion to the bench of the court, in connection with a criminal trial concerning the crimes of the whistleblower, etc. under paragraph (1), a lawsuit related to a disciplinary action, etc. or unfavorable administrative disposition against the whistleblower, etc., or a civil trial under the proviso of paragraph (5). <Newly Inserted on Apr. 20, 2021>

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Article 15 (Prohibition of Disadvantageous Measures)

- (1) No person shall take disadvantageous measures against a whistleblower, etc. by reason of having filed a whistleblowing disclosure, etc.
- (2) No person shall interfere with filing a whistleblowing disclosure, etc., or compel a whistleblower, etc. to cancel a whistleblowing disclosure, etc.

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Article 16 (Preferential Consideration of Personnel Measures)

Where a whistleblower, etc. requests an employer or a person having personnel authority to take measures concerning personnel management, such as a change of occupation, transference to another office, transference from another office, dispatched service, etc., the employer or person having personnel authority shall consider the request of the whistleblwoer preferentially if he or she deems the details of such request appropriate.

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Article 17 (Request for Protective Measures)

- (1) Where a whistleblower, etc. is subjected to disadvantageous measures (including cases where he or she files a whistleblowing disclosure after he or she has been subjected to disadvantageous measures while preparing a whistleblowing disclosure, such as the collection of corroborating facts about acts detrimental to the public interest) by reason of filing a whistleblowing disclosure, etc., he or she may request the

Commission to take measures for reinstatement or other necessary measures (hereinafter referred to as "protective measures").

(2) A whistleblower, etc. shall request protective measures within 1 year from the date disadvantageous measures are taken (where the disadvantageous measures continue, referring to the date of the termination thereof): Provided, That where a whistleblower, etc. could not request protective measures within 1 year against a natural disaster, war, accident, or other force majeure events, he or she may request the same within 14 days (in cases of a request for protective measures from abroad, referring to 30 days) from the date such a reason ceases to exist. <Amended on Oct. 31, 2017>

(3) Where there is a procedure for administrative relief from disadvantageous measures to which a whistleblower, etc. has been subjected due to filing of a whistleblowing disclosure, etc. in other statutes or regulations, he or she may request the relief according to such procedure: Provided, That this shall not apply to cases where a whistleblower, etc. has requested the protective measures pursuant to paragraph (1).

(4) Matters regarding the methods and procedures for requesting protective measures shall be prescribed by Presidential Decree.

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Article 18 (Dismissal of Requests for Protective Measures without Prejudice)

(1) Where a request for protective measures falls under any of the following subparagraphs, the Commission may, by its decision, dismiss such request without prejudice: <Amended on Apr. 20, 2021>

1. Where a person who is not a whistleblower, etc. or an agent prescribed in Article 12 (1) of the Administrative Procedures Act makes a request;
2. Where a whistleblowing disclosure falls under any of the subparagraphs of Article 10 (2);
3. Where a whistleblower makes a request after the request period prescribed in Article 17 (2);

4. Where a whistleblower makes a request again for taking protective measures against the same disadvantageous measures on which he or she has received a decision of dismissal without prejudice, a decision to take protective measures prescribed in Article 20 (1) or dismissal decision;
5. Where a whistleblower makes a request again for taking protective measures for matters on which the Commission has recommended to take protective measures pursuant to Article 20 (2);
6. Where a whistleblower requests a procedure for relief under other statutes or regulations;
7. Where a whistleblower has already been granted relief according to the procedure for relief prescribed in other statutes or regulations.

(2) Where the Commission dismisses an application for protective measures without prejudice pursuant to paragraph (1), it shall notify both the applicant for protective measures (hereafter referred to as "applicant" in this Article through Article 20 and Article 21) and the person who took disadvantageous measures in writing: Provided, That where notification is likely to make the applicant receive disadvantageous measures, etc., notification may not be given to the person who has taken disadvantageous measures.
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Article 19 (Inspection of Request for Protective Measures)

(1) Where the Commission receives a request to take protective measures, it shall immediately launch an inspection into whether the relevant whistleblower, etc. has been subjected to disadvantageous measures by reason of the whistleblowing disclosure, etc. In such cases, the Commission may notify an inspection agency of the fact that the whistleblower, etc. has made a request for protective measures.

(2) Where the Commission deems it necessary for inspecting a request to take protective measures, it may request any of the following persons to submit relevant materials: <Amended on Apr. 20, 2021>

1. An applicant;
2. A person who has taken disadvantageous measures;
3. A person for reference;
4. A relevant institution, organization or enterprise.

(3) The Commission may request those prescribed in paragraph (2) 1 through 3 to attend a meeting of the Commission to hear their statements, or request them to submit written statements.

(4) The Commission shall give the persons concerned sufficient opportunities for vindication in the course of inspection.

(5) The Commission may request cooperation, such as submission of data related to the inspection into an act detrimental to the public interest, from an inspection agency, when it notifies the agency of the fact that the whistleblower, etc. has made a request for protective measures pursuant to the latter part of paragraph (1). In such cases, the inspection agency shall comply therewith, unless in extenuating circumstances. <Amended on Oct. 31, 2017>

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Article 20 (Decision to Take Protection Measures)

(1) Where the Commission deems that, as a result of inspection, an applicant has been subjected to disadvantageous measures (excluding any disadvantageous measure falling under subparagraph 6 (h) and (i) of Article 2) due to a whistleblowing disclosure, etc. it shall make a decision requesting the person who

has taken disadvantageous measures to take protective measures set forth in the following subparagraphs (hereinafter referred to as "decision to take protective measures") within a fixed period not exceeding 30 days, and where it deems that the applicant has not been subjected to disadvantageous measures due to the whistleblowing disclosure, etc. it shall make a decision dismissing the request for protective measures (hereinafter referred to "dismissal decision"):

1. Measures of reinstatement;
2. Payment of differentiated wages paid, wages in arrears, etc. (including interest);
3. Cancellation or prohibition of other disadvantageous measures.

(2) Where the Commission deems that, as a result of inspection, an applicant has been subjected to disadvantageous measures falling under subparagraph 6 (h) or (i) of Article 2 due to a whistleblowing disclosure, etc., it may recommend (hereinafter referred to as "recommendation") the person who has taken such disadvantageous measures take necessary protective measures, such as maintaining the validity of approval or permission, or a contract, etc., within a fixed period not exceeding 30 days.

(3) A decision to take protective measures and a decision of dismissal without prejudice prescribed in paragraph (1) and a recommendation prescribed in paragraph (2) shall be issued in writing, and notified to both the relevant applicant and the person who has taken disadvantageous measures thereof. <Amended on Apr. 20, 2021>

(4) Where the Commission makes a decision to take protective measures, it may request the person who has the authority to take disciplinary action against the person who has taken disadvantageous measures due to a whistleblowing disclosure, etc. to take disciplinary action against him or her.

(5) The Commission shall periodically verify whether protective measures were actually taken for a person who had received disadvantageous measures and whether any additional disadvantageous measures were taken against the relevant person for two years, as prescribed by Presidential Decree. <Newly Inserted on Oct. 31, 2017>

(6) Matters necessary for the standards for payment of differentiated wages paid, wages in arrears, etc. prescribed in paragraph (1) 2 and the method for computation thereof, etc. shall be prescribed by Presidential Decree. <Amended on Oct. 31, 2017>

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Article 20-2 (Special Protective Measures)

(1) Where it is reasonable to believe that an act detrimental to the public interest takes place at the time an internal whistleblower files a report, the Commission may decide to take protective measures.

(2) Articles 20, 21, and 21-2 shall apply mutatis mutandis to a decision to take protective measures under paragraph (1).

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Article 21 (Finalized Decision to Take Protective Measures)

(1) An applicant or a person who has taken disadvantageous measures may file for an administrative litigation against a decision to take protective measures, dismissal decision, or decision of a dismissal without prejudice within 30 days from the date he or she receives the written decision, as prescribed by the Administrative Litigation Act.

(2) Where an applicant or a person who has taken disadvantageous measures fails to file an administrative litigation by the period prescribed in paragraph (1), the relevant decision to take protective measures, dismissal decision, or decision of a dismissal without prejudice shall become final and conclusive.

(3) An applicant or a person who has taken disadvantageous measures shall not file an administrative appeal under the Administrative Appeals Act against a decision to take protective measures, decision of dismissal or decision of a dismissal without prejudice.

(4) The validity of a decision to take protective measures, dismissal decision, or decision of dismissal without prejudice shall not be suspended by instituting administrative litigation under paragraph (1).
<Newly Inserted on Jul. 24, 2015>

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Article 21-2 (Charges for Compelling Compliance)

(1) The Commission shall impose a charge for compelling compliance of less than 30 million won on a person who fails to take protective measures by the due date after he or she receives a decision to take protective measures under Article 20 (1): Provided, That the foregoing shall not apply to the State or local governments. <Amended on Apr. 17, 2018>

(2) The Commission shall notify in advance its intention to impose and collect a charge for compelling compliance in writing no later than 30 days before it imposes the charge for compelling compliance under paragraph (1).

(3) Where the Commission imposes a charge for compelling compliance under paragraph (1), it shall impose such charge in writing, specifying the amount of the charge for compelling compliance, a reason for the imposition, the deadline for the payment, the receiving institution, methods for filing an objection, an agency with which an objection is filed.

(4) The Commission may repeatedly impose and collect a charge for compelling compliance under paragraph (1) until protective measures are implemented up to twice a year based on the date on which a decision to take protective measures is made. <Amended on Apr. 17, 2018>

(5) Where a person who has taken unfavorable measures takes protective measures, the Commission shall not impose a new charge for compelling compliance, but shall collect the charge for compelling compliance already imposed.

(6) Where a person liable to pay a charge for compelling compliance fails to pay such charge for compelling compliance by the deadline for payment, the Commission shall urge him or her to pay the charge for compelling compliance within a fixed period; and where he or she fails to pay the charge for compelling compliance under paragraph (1) within the fixed period, it may collect the charge for compelling compliance in the same manner as delinquent national taxes are paid.

(7) Matters necessary for the guidelines for imposition, procedures for collection, etc. of charges for compelling compliance under paragraph (1) shall be prescribed by Presidential Decree.

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Article 22 (Request for Prohibition of Disadvantageous Measures)

(1) Where it is evident that a whistleblower, etc. is likely to be subjected to disadvantageous measures due to a whistleblowing disclosure, etc. (including a preparatory act for a whistleblowing disclosure, such as the collection of corroborating facts of acts detrimental to public interest), he or she may request the Commission to prohibit disadvantageous measures.

(2) Where the Commission is requested to prohibit disadvantageous measures, it shall immediately launch an inspection into whether disadvantageous measures to which a whistleblower, etc. is likely to be subjected fall under disadvantageous measures due to a whistleblowing disclosure, etc.

(3) The provisions of Articles 18, 19, and 20 (1) through (3) shall apply mutatis mutandis to requests to prohibit disadvantageous measures.

(4) Where the Commission deems that, as a result of inspection, a whistleblower, etc. is likely to be subjected to disadvantageous measures due to a whistleblowing disclosure, etc., it shall recommend a person who intends to take disadvantageous measures not take such disadvantageous measures.

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Article 23 (Presumption of Disadvantageous Measures)

Where there exist grounds falling under the following subparagraphs, it is presumed that a whistleblower, etc. has been subjected to disadvantageous measures due to the relevant whistleblowing disclosure, etc.:
<Amended on Oct. 31, 2017>

1. Where a person intends to identify the whistleblower, etc., or interferes with the whistleblowing disclosure, etc., or compels the whistleblower, etc. to cancel the whistleblowing disclosure, etc.;
2. Where a person takes disadvantageous measures against the whistleblower, etc. within two years after he or she files the whistleblowing disclosure, etc.;
3. Where a person takes disadvantageous measures although he or she is recommended to prohibit disadvantageous measures under Article 22 (4);
4. Where a whistleblower, etc. makes a request for protective measures to the Commission or file a lawsuit for restoration, etc. to a court pursuant to Article 17 (1) after he or she filed a whistleblowing disclosure.

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Article 24 (Recommendation for Reconciliation)

(1) Where the Commission receives a request for protective measures, it may recommend reconciliation on protective measures and a claim for damages, etc. or make a proposal for reconciliation ex officio or at the request of the persons concerned until it makes a decision to take protective measures, dismissal decision or decision of a dismissal without prejudice. In such cases, the conditions that violate the purpose

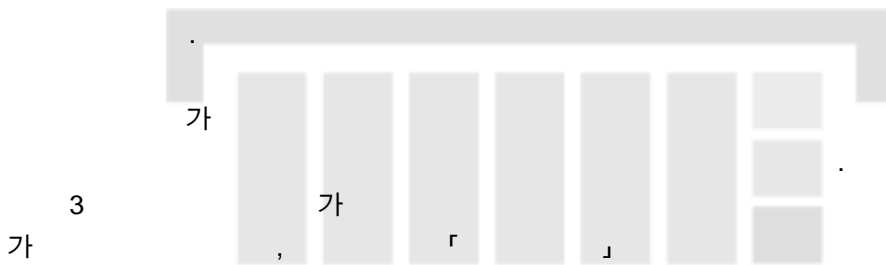
of this Act shall not be included in a proposal for reconciliation.

(2) The Commission shall hear the opinions of the persons concerned in full before preparing a proposal for reconciliation.

(3) Where the persons concerned accept a proposal for reconciliation of the Commission, it shall prepare a reconciliation protocol and have the persons concerned and all of the members of the Commission involved in reconciliation affix their signatures and their seals on the protocol.

(4) Where the Commission prepares a reconciliation protocol pursuant to paragraph (3), an agreement containing the same contents as the reconciliation protocol shall be deemed to have been effected between the persons concerned, and the reconciliation protocol shall have the same force and effect as a consent judgment under the Civil Procedure Act.

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Article 25 (Request for Cooperation)

(1) Where it is necessary for inspecting and processing the details of a report or protective measures, the agency that receives a whistleblowing disclosure pursuant to paragraph (6) or the Commission may request the administrative agencies concerned, counseling centers or medical institutions, and other related organizations, etc. to provide cooperation and assistance.

(2) The administrative agencies concerned, counseling centers or medical institutions, and other related organizations, etc. in receipt of such request prescribed in paragraph (1) shall comply with such request, unless there is good cause.

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Article 25-2 (Special Cases concerning Reporting on Political Campaigns)

(1) Where any public official prescribed in the State Public Officials Act and the Local Public Officials Act (excluding an employee of the National Intelligence Service under Article 2 of the Act on Staff of National Intelligence Service Korea; hereafter in this Article referred to as "State public official, etc.") is instructed to perform any of the following acts, he or she may file an objection in accordance with procedures prescribed by Presidential Decree, and where such instruction is not corrected, he or she may refuse to execute such duties:

- 1. Political campaign prescribed in Article 65 of the State Public Officials Act;
- 2. Political campaign prescribed in Article 57 of the Local public Officials Act;
- 3. Involvement in politics prescribed in Article 94 (1) of the Military Criminal Act.

(2) Where any State public official, etc. reports the fact that he or she is instructed to perform an act falling under the subparagraphs of paragraph (1) to an investigative agency for the sole purpose of public interest when such instruction is not corrected after he or she follows procedures for filing an objection prescribed in paragraph (1), Article 127 of the Criminal Act and Article 80 of the Military Criminal Act shall not apply thereto.

(3) No person shall give a disadvantage to a reporting person prescribed in paragraph (2) by reason of a report he or she has filed.

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CHAPTER IV MONETARY REWARDS, MONETARY AWARDS, AND RELIEF FUNDS

Article 26 (Monetary Rewards)

(1) Where a whistleblowing disclosure leads to a direct recovery of or increase in revenues of the State or a local government through imposition, etc. falling under any of the following subparagraphs, or legal status thereon becomes final and conclusive, an internal whistleblower may request the Commission to pay him or her monetary rewards: *<Amended on Jul. 24, 2015>*

1. The penalty provisions or disposition of notification;
2. Forfeiture or imposition of additional collection charges;
3. Imposition of administrative fines or charges for compelling the performance;
4. Imposition of penalty surcharges (where there is a penalty surcharge system that takes the place of disposition of the cancellation or suspension of approval or permission, etc., including disposition of the cancellation or suspension of approval or permission, etc.);
5. Other dispositions or decisions made by the court prescribed by Presidential Decree.

(2) Where the Commission receives an application for payment of monetary rewards under paragraph (1), it shall pay monetary rewards subject to deliberation and resolution by the Reward Deliberative Committee prescribed in Article 69 of the Act on the Prevention of Corruption and the Establishment and Management of the Anti-Corruption and Civil Rights Commission (hereinafter referred to as the "Reward Deliberative Committee"), as prescribed by Presidential Decree: Provided, That the Commission may reduce monetary rewards or choose not to pay monetary rewards for matters on which a person who is under an obligation to report an act detrimental to the public interest to the relevant administrative agencies, etc. or a public official files a whistleblowing disclosure in connection with his or her duties.

(3) A whistleblower shall request the Commission to pay him or her monetary rewards under paragraph (1) within three years from the date he or she becomes aware that legal status of the recovery or increase in revenues of the State or a local government has become final and conclusive, or within five years from the date such legal status becomes final and conclusive: Provided, That this shall not apply to cases where there is good cause. *<Amended on Apr. 20, 2021>*

(4) Where there is an application for payment of monetary rewards under paragraph (1), unless there is a compelling reason not to do so, the Commission shall decide whether to pay such monetary rewards or the amount of monetary rewards to be paid within 90 days from the date of application.

(5) Where the Commission deems it necessary to conduct an inspection in connection with the payment of monetary rewards, it may request the applicant for payment of monetary rewards, persons for reference, related agencies, etc. to attend, make a statement or submit materials. Where an applicant for payment of monetary rewards, person for reference, related agency, etc. is requested by the Commission to attend, make a statement or submit materials, he or she or it shall comply with such request unless there is good cause.

(6) Where the Commission decides to pay monetary rewards under paragraph (4), it shall immediately notify the applicant for payment of monetary rewards and related local government (limited to cases where

it pays monetary rewards by reason of a direct recovery of or increase in revenues of the local government and the finalization of legal status thereof).

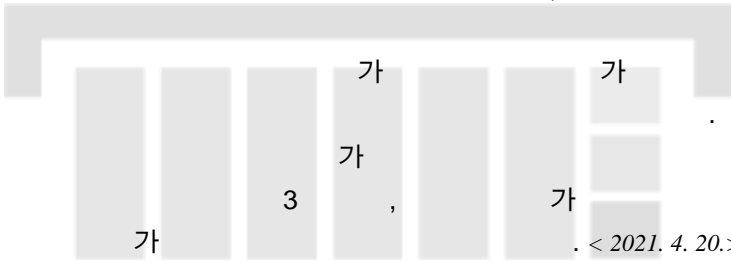
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Article 26-2 (Monetary Awards)

(1) Where a whistleblowing disclosure, etc. brings remarkable property benefits to the State or a local government, prevents loss, or promotes the public interest on any of the following grounds, the Commission may grant monetary awards or recommend granting award pursuant to the provisions of the Awards and Decorations Act: <Amended on Oct. 31, 2017; Apr. 20, 2021>

1. Where a person who has committed an act detrimental to the public interest is granted the suspension of prosecution, the suspension of the sentence, or execution of punishment, etc.;
 2. Where administrative measures that require specific actions, such as an order to take corrective actions, or prohibition are taken;
 3. Where a whistleblowing disclosure, etc. contributes to the improvement of systems, such as the enactment or amendment of relevant statutes or regulations for the prevention of acts detrimental to the public interest;
 4. Other reasons prescribed by Presidential Decree.
- (2) Matters concerning the guidelines for, subject matters of, and procedures for the payment of monetary awards, etc. prescribed in paragraph (1) shall be prescribed by Presidential Decree.

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Article 27 (Relief Funds)

(1) Where a whistleblower, etc., his or her relative or cohabitant suffers a loss or pays any of the following expenses due to a whistleblowing disclosure, etc., he or she may file an application for payment of relief funds with the Commission: <Amended on Apr. 20, 2021>

1. Expenses incurred in physical or mental treatment, etc.;
2. Expenses incurred in transference, dispatched service, etc.;
3. Expenses incurred in litigation procedures caused by a whistleblowing disclosure, etc.;
4. The amount of wages lost during the period of disadvantageous measures;
5. Other material economic losses (excluding subparagraphs 6 (h) and (i) of Article 2).

(2) Where the Commission receives an application for payment of relief funds under paragraph (1), it may pay relief funds subject to deliberation and resolution by the Reward Deliberative Committee, as prescribed by Presidential Decree: Provided, That where the chairperson of the Commission deems it urgent, it may preferentially pay all or some of relief funds before deliberation and resolution by the Reward Deliberative Committee, as prescribed by Presidential Decree. <Amended on Oct. 31, 2017; Apr. 20,

2021.>

(3) The Commission may inspect an applicant for payment of relief funds or an interested party, or inquire of an administrative agency or related organization necessary matters in connection with payment of relief funds. In such cases, the administrative agency or related organization shall comply with such inquiry unless there is a compelling reason not to do so.

(4) Where a whistleblower, etc., his or her relative or cohabitant has received damages due to losses or expenses prescribed in the subparagraphs of paragraph (1), the Commission shall not pay relief funds within the extent of such amount.

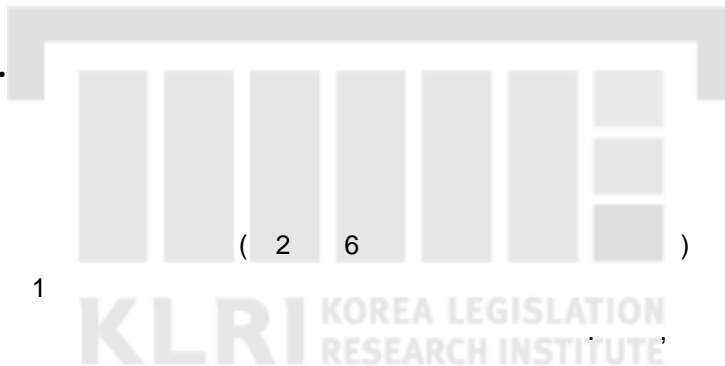
(5) Where the Commission pays relief funds, a claim for damages held by a person who has received the relevant relief funds due to losses or expenses prescribed in the subparagraphs of paragraph (1) shall be subrogated within the extent of the amount paid.

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Article 28 (Prohibition of Overlapping Payment of Monetary Rewards)

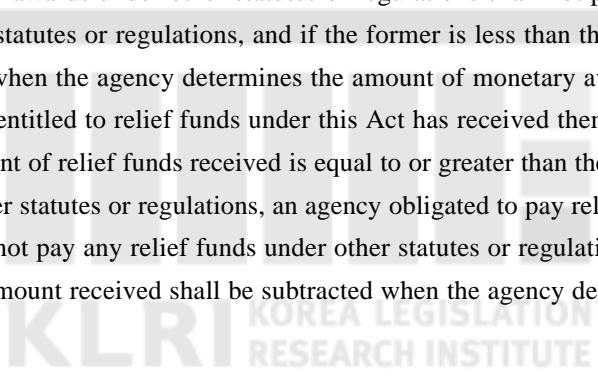
(1) Any person entitled to monetary rewards, monetary awards, or relief money (hereafter in this paragraph and Article 29 referred to as "monetary rewards, etc.") pursuant to this Act may claim monetary rewards, etc. pursuant to other statutes or regulations.

(2) Where a person entitled to monetary rewards or awards under this Act has received them under this Act or other statutes or regulations on the same grounds, if the amount of monetary rewards or awards received is equal to or greater than the amount he or she is entitled to receive under this Act, the Commission shall not pay any monetary reward or award under this Act, and if the former is less than the latter, the amount received shall be subtracted when the Commission determines the amount of monetary awards or rewards.

(3) Where a person entitled to relief funds under this Act has received them under this Act or other statutes or regulations on the same grounds, if the amount of relief funds received is equal to or greater than the amount he or she is entitled to receive under this Act, the Commission shall not pay any relief fund under this Act, and if the former is less than the latter, the amount received shall be subtracted when the Commission determines the amount of relief funds.

(4) Where a person entitled to monetary rewards or awards under this Act has received them under this Act on the same grounds, if the amount of monetary rewards or awards received is equal to or greater than the amount he or she is entitled to receive under other statutes or regulations, an agency obligated to pay monetary rewards or awards under other statutes or regulations shall not pay any monetary rewards or awards under other statutes or regulations, and if the former is less than the latter, the amount received shall be subtracted when the agency determines the amount of monetary awards or rewards.

(5) Where a person entitled to relief funds under this Act has received them under this Act on the same grounds, if the amount of relief funds received is equal to or greater than the amount he or she is entitled to receive under other statutes or regulations, an agency obligated to pay relief funds under other statutes or regulations shall not pay any relief funds under other statutes or regulations, and if the former is less than the latter, the amount received shall be subtracted when the agency determines the amount of relief funds.



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Article 29 (Recovery of Monetary Reward)

(1) The Commission or an agency that has paid monetary rewards, etc. pursuant to other statutes or regulations shall notify the person who has received the monetary rewards, etc. of the amount to be returned and the deadline for returning the monetary rewards, etc., and the person who receives such monetary rewards, etc. shall pay it by the fixed deadline, in any of the following cases: *<Amended on Oct. 31, 2017; Apr. 20, 2021>*

1. Where he or she received monetary rewards, etc. by fraud or other improper means;
2. Where the applicant for payment of relief funds received relief funds pursuant to the proviso of Article 27 (2) but the Reward Deliberative Committee decides not to pay relief funds by its deliberation and resolution;
3. Where the relief funds the applicant received relief funds pursuant to the proviso of Article 27 (2) exceeds the amount the Reward Deliberative Committee decided to pay by its deliberation and resolution;
4. If relief funds are paid in violation of Article 28 (2) through (5);
5. Where the monetary rewards, etc. has been erroneously paid by mistake or the like.

(2) A local government notified by the Commission of a decision to pay monetary rewards pursuant to Article 26 (6) shall reimburse an amount equivalent to the monetary rewards paid by the Commission to the applicant for payment of monetary rewards to the Commission within three months from the date it is notified thereof.

(3) When a person obligated to return monetary rewards, etc. pursuant to paragraph (1) and a local government obligated to return monetary rewards, etc. pursuant to paragraph (2) fails to repay or return the amount by the payment deadline or due date, the Commission may collect it in the same manner as delinquent national or local taxes. *<Amended on Apr. 20, 2021>*

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Article 29-2 (Liability for Damages)

(1) A person who caused damage to a whistleblower, etc. by taking disadvantageous measures on the grounds of whistleblowing disclosures, etc. shall bear the liability for damages by up to three times the damage caused to the whistleblower, etc.: Provided, That the same shall not apply where the person who took disadvantageous measures proves that there was no intent or negligence on his or her part.

(2) Where a court determines the amount of damages under paragraph (1), it shall take into account the following matters:

1. The degree of intent or expectation of damage;
2. The degree of damage the whistleblower, etc. has suffered due to disadvantageous measures;
3. The financial gain the person who took disadvantageous measures earned from such disadvantageous measures;
4. The degree of criminal punishment the person who took disadvantageous measures receives for the relevant disadvantageous measures;
5. The type, period, and number of disadvantageous measures;
6. The assets of the person who took disadvantageous measures;
7. The degree of efforts the person who took disadvantageous measures has made for damage relief of the whistleblower, etc.

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CHAPTER V PENALTY PROVISIONS

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Article 30 (Penalty provisions)

(1) Any of the following persons shall be punished by imprisonment with labor for not more than 5 years or by a fine not exceeding 50 million won: <Amended on Oct. 31, 2017>

- 1. A person who discloses the details of a report including personal information about a person subject to a whistleblowing disclosure, in violation of Article 10 (5);
- 2. A person who advises another person of personal information about a whistleblower or a fact that enables one to infer that he or she is a whistleblower, discloses or broadcasts the same, in violation of Article 12 (1).

(2) Any of the following persons shall be punished by imprisonment with labor for not more than three years or by a fine not exceeding 30 million won: <Amended on Oct. 31, 2017>

- 1. A person who takes any disadvantageous measures falling under subparagraph 6 (a) of Article 2 against a whistleblower, in violation of Article 15 (1);
- 2. A person who fails to implement a decision to take protective measures finalized pursuant to Article 21 (2) or finalized by filing an administrative litigation.

(3) Any of the following persons shall be punished by imprisonment with labor for not more than 2 years or by a fine not exceeding 20 million won: <Amended on Oct. 31, 2017>

- 1. A person who takes disadvantageous measures falling under any of subparagraph 6 (b) through (g) of Article 2 against a whistleblower, etc., in violation of Article 15 (1);

2. A person who interferes with a whistleblowing disclosure, etc., or compels a whistleblower to withdraw a whistleblowing disclosure, etc., in violation of Article 15 (2).

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Article 30-2 (Joint Penalty Provisions)

If the representative of a juristic person, or an agent, a servant or any other employee of a juristic person or an individual commits an offense specified in Article 30 in connection with the affairs of the juristic person or the individual, not only shall such offender be punished accordingly, but the juristic person or the individual shall also be subject to a fine provided for in the Article: Provided, That the foregoing shall not apply where the juristic person or the individual has not been negligent in giving due attention and supervision concerning the relevant affairs to prevent such offense.

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Article 31 (Administrative Fines)

(1) A person who refuses to submit materials, to attend a meeting, to make a statement, in violation of Article 19 (2) and (3) (including cases where Article 22 (3) is applied mutatis mutandis), shall be subject to an administrative fine not exceeding 30 million won.

(2) A person who fails to comply with a decision to take special protective measures prescribed in Article 20-2 shall be subject to an administrative fine of up to 20 million won. <Newly Inserted on Jul. 24, 2015>

(3) The Commission shall impose and collect administrative fines prescribed in paragraphs (1) and (2), as prescribed by Presidential Decree. <Amended on Jul. 24, 2015>

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ADDENDA <Act No. 10472, Mar. 29, 2011>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Applicability)

This Act shall begin to apply the first whistleblowing disclosure made after this Act enters into force.

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ADDENDUM <Act No. 12265, Jan. 14, 2014>

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

<12265, 2014. 1. 14.>

ADDENDA <Act No. 13443, Jul. 24, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Treatment of Content of Reports)

The amended provisions of Article 9 (5) through (8) shall also apply to whistleblowing disclosures under inspection or investigation after being passed on to an inspection agency or investigative agency at the time this Act enters into force.

Article 3 (Applicability to Charges for Compelling Compliance)

The amended provisions of Article 21-2 shall begin to apply to the first person who gives a disadvantage to a whistleblower, etc. after this Act enters into force.

Article 4 (Applicability to Monetary Rewards)

The amended provisions of Article 26 shall begin to apply to the first whistleblowing disclosure made after this Act enters into force.

Article 5 (Applicability to Monetary Awards)

The amended provisions of Article 26-2 shall also apply to whistleblowing disclosures made before this Act enters into force.

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ADDENDUM <Act No. 14830, Apr. 18, 2017>

This Act shall enter into force six months after the date of its promulgation.

<14830, 2017. 4. 18.>

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ADDENDA <Act No. 15022, Oct. 31, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 through 15 Omitted.

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ADDENDA <Act No. 15023, Oct. 31, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Request for Protective Measures)

The amended provisions of Article 17 (2) shall begin to apply to the case where a whistleblower, etc. receives disadvantageous measures for the first time after this Act enters into force.

Article 3 (Applicability to Presumption of Disadvantageous Measures)

The amended provisions of Article 23 (4) shall begin to apply to the first request for protective measures made to the Commission or the first lawsuit for restoration, etc. filed at the court after this Act enters into force.

Article 4 (Applicability to Liability for Damages)

The amended provisions of Article 29-2 shall begin to apply to the first disadvantageous measures taken against a whistleblower, etc. after this Act enters into force.

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ADDENDA <Act No. 15616, Apr. 17, 2018>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Applicability to Charges for Compelling Compliance)

The amended provisions of Article 21-2 shall begin to apply to cases where the Commission makes a decision to take protective measures for the first time after this Act enters into force.

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ADDENDUM <Act No. 17300, May 19, 2020>

This Act shall enter into force six months after the date of its promulgation.

<17300, 2020. 5. 19.>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation: Provided, That the amended provisions of Article 14 (excluding paragraph (2)) shall enter into force three months after the date of its promulgation, and the amended provisions of Articles 18, 19 (2) 1, and 20 (3), and attached Tables 421 and 468 through 471 shall enter into force on the date of its promulgation.

Article 2 (Applicability to Handling of Whistleblowing Disclosure by Inspection Agency)

The amended provisions of Article 10 shall also apply to a whistleblowing disclosure under inspection or investigation after being accepted, transferred, referred, or forwarded by an inspection or investigative agency before this Act enters into force.

Article 3 (Applicability to Reduction of Disciplinary Action)

The amended provisions of Article 14 (2) shall begin to apply to where a disciplinary action or administrative disposition is taken after this Act enters into force.

Article 4 (Applicability to Notice of Application for Statement of Opinion)

The amended provisions of Article 18 (2) shall begin to apply where an application for protective measures is dismissed without prejudice after the same amended provisions enter into force.

Article 5 (Applicability to Period for Applying for Monetary Rewards)

The amended provisions of Article 26 (3) shall begin to apply where an application for a monetary reward is filed on the grounds of a whistleblowing disclosure made after the same amended provisions enter into force.

Article 6 (Applicability to Prohibition of Overlapping Payment of Monetary Awards)

The amended provisions of Articles 26-2 (1) and 28 shall begin to apply where a monetary award is paid on the grounds of a whistleblowing disclosure made after this Act enters into force.

Article 7 (Applicability to Application for Payment of Relief Funds)

The amended provisions of Article 27 (1) 3 shall also apply where expenses incurred from litigation procedures were disbursed before this Act enters into force.

Article 8 (Applicability to Recovery of Monetary Awards)

The amended provisions of Article 29 shall begin to apply to the recovery of a monetary award given on the grounds of whistleblowing disclosure, etc. made after this Act enters into force.

Article 9 Omitted.

<18132, 2021. 4. 20.>

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