

## UPPER LIMIT OF ACCEPTABLE MONEY, GOODS, ETC.

Congratulatory or condolence money, gifts, or food and beverages provided for aids, social relationships or rituals are acceptable as exception

ACCEPTABLE MONEY, GOODS, ETC.	UPPER LIMIT
Congratulatory/condolence money	KRW 50,000 for wedding or funeral cash gifts (KRW 100,000 in case of wreaths or flowers for weddings or funeral)
Gifts	KRW 50,000 (KRW 100,000 in case of agricultural and fishery goods or agricultural and fishery produce)
Food and beverages	KRW 30,000

### NOTE

- If agricultural or fishery products are offered with other gifts, the total acceptable value can be KRW 100,000 or less, but the value of that other gifts should not exceed KRW 50,000
- If condolence or congratulatory money is offered with flowers or wreaths, the total acceptable value can be KRW 100,000 or less, but the condolence or congratulatory money should not exceed KRW 50,000

Marketable securities including gift certificates are excluded from acceptable gifts.

## REPORTING PROCEDURE & PROTECTION • REWARDS

IMPROPER SOLICITATION	MONEY, GOODS, ETC.
<ul style="list-style-type: none"> <li>– Express intention of rejection upon receipt of improper solicitation for the first time</li> <li>– Report in writing to the head of the relevant organization upon receipt of repeated improper solicitations (Reports can be made to supervisory institutions, Board of Audit and Inspection, investigative agencies or ACRC)</li> </ul>	<ul style="list-style-type: none"> <li>– Report to the head of the relevant organization (Reports can be made to supervisory institutions, Board of Audit and Inspection, investigative agencies or ACRC)</li> <li>– Return the received item to the provider (Deliver the item to the head of relevant agency, if returning it is impossible)</li> </ul>

– Audit, inspection or investigation of the report

- Notify an investigative agency of the report if investigation is deemed necessary
- Report violation subject to administrative fine to a competent court (head of the relevant agency)
- Disclose disciplinary actions, other measures such as exclusion from the duties, and details of the improper solicitation and measures taken against it (head of the relevant agency)

### REPORTER PROTECTION • REWARDS

- Protection**
  - Protective measures for reporters such as prohibition of disadvantageous measures, invalidation of unfair measures, confidentiality/personal protection, mitigation of liability
- Rewards**
  - Monetary rewards (up to KRW 3 billion) or awards (up to KRW 200 million)
    - **Monetary rewards** – Monetary rewards are provided if a report recovers or increases revenues of a public institution
    - **Cash awards** – Cash awards are provided when a report leads to financial benefits or prevents financial damages to a public institution



# IMPROPER SOLICITATION AND GRAFT ACT





## PURPOSE & SCOPE

### PURPOSE OF THE ACT

- To enable public officials to perform their duties uprightly and secure public trust in public institutions by removing improper solicitation and graft to public servants

### SCOPE OF THE ACT

#### PUBLIC INSTITUTIONS

- Constitutional institutions, central administrative agencies, local governments
- Public service-related institutions, schools of each level, educational foundations, press organizations, etc

#### PUBLIC SERVANTS, ETC

- Public officials of state or local governments, heads and employees of public service-related institutions
- Heads and faculty members of schools of each level
- Heads and employees of school foundations and press organizations

## PROHIBITION OF IMPROPER SOLICITATION

### PROHIBITED SOLICITATION

- Anyone should not make improper solicitation to a public official performing public duties directly or through a third party

### EXCEPTIONS

- Requesting certain actions according to the procedures or methods prescribed by Acts or standards
- Publicly requesting certain actions
- An elected public servant, political party, civil society organization, etc., conveys a third party's complaints for the public interest
- Requesting or demanding a public institution to complete a certain duty within a statutory deadline, or asking confirmation or inquiring about the progress or outcome thereof
- Requesting or demanding confirmation or certification for duties or legal relations
- Demanding explanation or interpretation of Acts, systems, or procedures, etc. related to duties through inquiry or consultation
- Any other conduct recognized to be consistent with societal rules and norms

### PUNISHMENT

SUBJECT TO PUNISHMENT	PUNISHMENT
A person making improper solicitation through a third party	Administrative fine of up to KRW 10 million
A person making improper solicitation for a third party (A Public servants, etc. making improper solicitation for a third party)	Administrative fine of up to KRW 20 million (Administrative fine of up to KRW30 million)
A public servant, etc. performing duties as solicited	Imprisonment of up to 2 years or fine of up to KRW 20 million

## PROHIBITION OF MONEY, GOODS, ETC.

### PROHIBITED MONEY, GOODS, ETC.

- In relation to duties, public servants are banned from receiving money, goods, etc.
- Regardless of duty-relatedness, public servants are banned from receiving money, goods, etc. exceeding KRW 1 million at a time or KRW 3million for a fiscal year

### EXCEPTIONS

- Money, goods, etc. that public organizations offer to their public officials or that senior public officials offer to their subordinates for consolation, encouragement, or reward
- Food and beverages, congratulatory or condolence money, or gifts offered to facilitate performance of public duties, social relationships, rituals or aids within the limit of value provided by Presidential Decree
- Money, goods, etc. offered from a legitimate source of right
- Money or goods provided by relatives (defined in Article 777 of the Civil Act) of a public servant
- Money, goods, etc. provided by employees' mutual aid societies, clubs, alumni associations, hometown associations, friendship clubs, religious groups, social organizations, etc., to their members according to internal rules.
- Transportation, accommodation, or food provided uniformly in a normally accepted range by an organizer of a duty-related official event
- Souvenirs, promotional goods, etc. distributed to multiple unspecified persons, or awards or prizes given in a contest or a lottery
- Financial or other advantages permitted by other statutes, standards or societal rules and norms

### PUNISHMENT

SUBJECT TO PUNISHMENT	PUNISHMENT
A public official who received money, goods, etc. exceeding KRW 1 million at a time or KRW 3 million for a fiscal year, and the provider	Imprisonment of up to 3 years or a fine of up to KRW 30 million
A public official who received duty-related money, goods, etc. not exceeding KRW 1 million at a time, and the provider	Administrative fine of 2 to 5 times the benefits received