

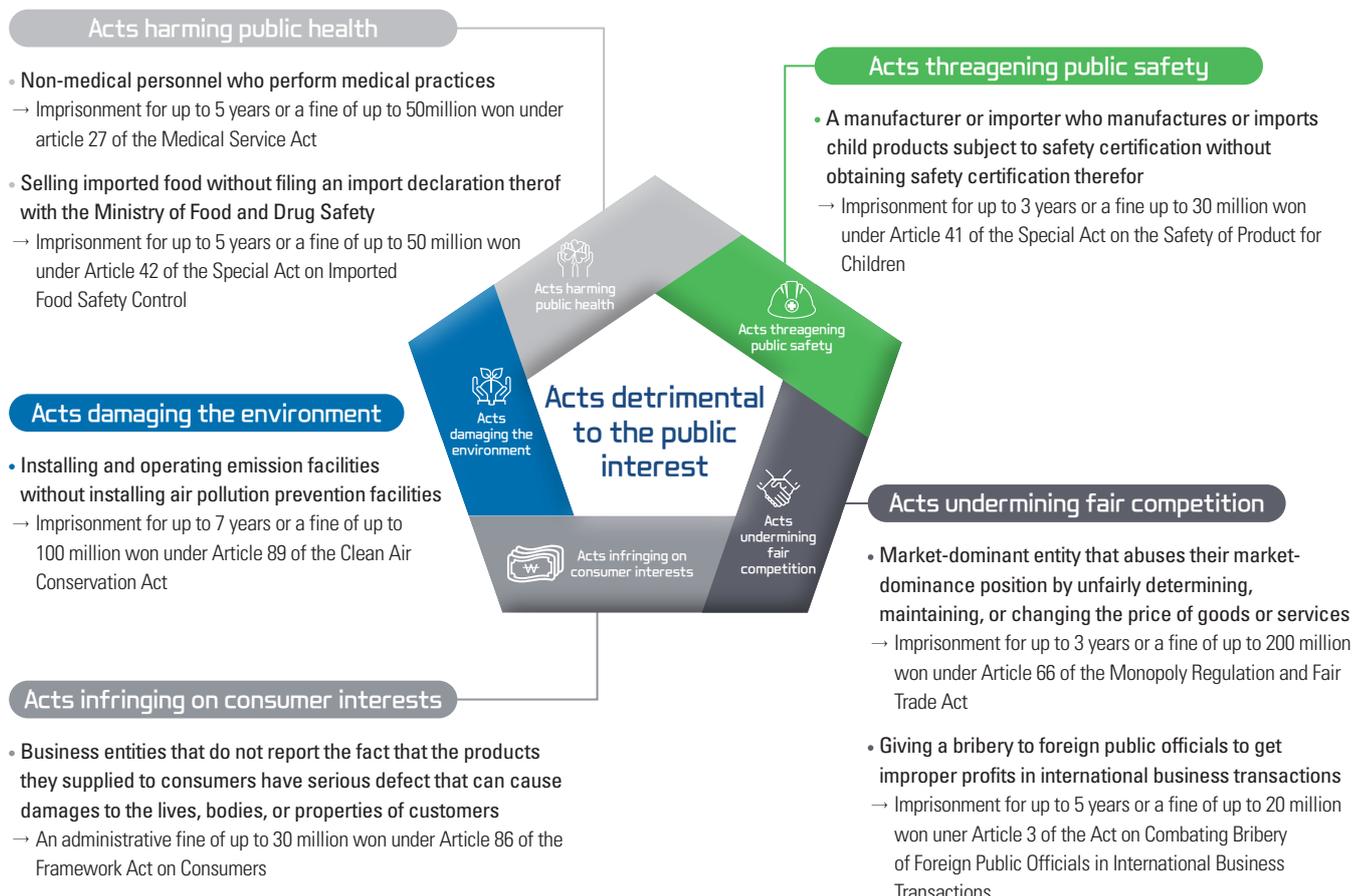
The Protection of Public Interest Reporters Act

The Act on the Prevention of Corruption, since its enactment in 2001, has protected and supported people who report public sector corruption. However, for those who report wrongful acts taking place often in the private sector harming the public interests, such as public health and safety and the environment, there had been lack of legislative protection system. To fill this loophole, the ACRC had pushed the implementation of a separate law dedicated to protecting public interest reporters, and in March 2011, the Protection of Public Interest Reporters Act was enacted.

Scope of Application

- Acts detrimental to the public interests mean acts detrimental to public health and safety, the environment, consumer interests, fair competition, and other public interest equivalent thereto. Filing a report of acts detrimental to the public interests is referred to as whistleblowing disclosure.

Examples of Acts Detrimental to the Public Interest





Whistleblower protection system

- **The confidentiality of whistleblowers' identity is guaranteed.**
 - No one should reveal or publish whistleblowers' personal information without their consent. A violator will face imprisonment for up to 5 years or a fine not exceeding 50 million won.
 - **Disadvantageous measures against whistleblowers are prohibited.**
 - No one should take disadvantageous measures against whistleblowers because of their whistleblowing disclosure. Whistleblowers who faced disadvantageous measures can request the ACRC for protection measures such as reinstatement. Those who do not follow ACRC's protection measures will face imprisonment for up to 3 years or a fine of up to 30 million won.
 - **Whistleblowers can request personal protection measures.**
 - If a whistleblower, or his/her relative or cohabitant has suffered or is highly likely to suffer serious harm to his or her life or body because of the whistleblower disclosure, he or she can request the ACRC to take necessary measures for personal protection. The ACRC will then request the head of a police office to take personal protection for him or her.
 - **Whistleblowers' liability for illegal acts related to their disclosure can be mitigated.**
 - If whistleblowers' illegal acts are discovered in connection with the case they disclosed, their criminal penalty, disciplinary measures or unreasonable administrative disposition could be reduced or exempted. In addition, if their disclosure includes job secrets, they are not deemed to have breached the confidentiality.
- ※ The protection system above are applied to both whistleblowers and their cooperators.



Rewards for Whistleblower

| Type | Subjects | Qualification |
|--------------|-----------------------|---|
| Rewards | Insider whistleblower | Where a whistleblowing disclosure recovered or increased revenues to the State or a local governments directly (4-20% of the amount levied in fines or penalty surcharge due to a whistleblowing disclosure) |
| Awards | Whistleblower | Where a whistleblowing disclosure recovered revenues or prevented losses to the State or local governments or enhanced the public interests |
| Relief Money | Whistleblower | Where due to whistleblowing disclosure, whistleblowers suffered or payed expenses, such as medical treatment, moving, legal procedures, or wage losses |

- ※ Insider whistleblower refers to a person who works or worked for a public institution, enterprise, corporation, organization, etc. that are reported; or a person who conducts or conducted affairs in accordance with a construction or service contract or any other contract signed with a public institution, enterprise, corporation, organization, etc. that are reported.
- ※ If a whistleblower received monetary rewards by an administrative agency and the amount received was less than what he or she should receive according to the payment criteria under the Enforcement Decree of the Protection of Public Interest Reporters Act, the whistleblower can request payment of the difference to the ACRC.