



**Asia-Pacific
Economic Cooperation**

2015/SOM3/ACT/005

Agenda Item: 6

Major Development of Korea's Anti-Corruption Legislation

Purpose: Information
Submitted by: Korea



**21st Anti-Corruption and Transparency Experts'
Working Group Meeting
Cebu, Philippines
22 August 2015**

August 22, 2015

Major development of Korea's anti-corruption legislation



contents

enacted

I. Improper Solicitation and Graft Act

amended

II. Public Interest Whistleblower Protection Act

Background of the new act

Culture of solicitation based on family, regional, or academic ties



Improper Solicitation and Graft Act

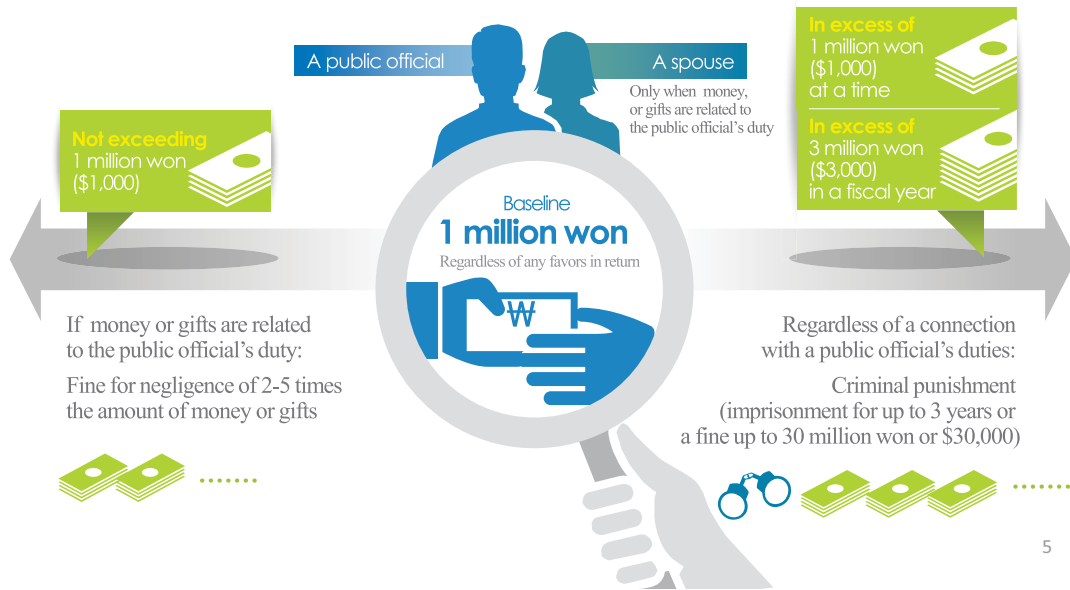
Within public sector

Eradication of improper solicitation + Prohibition of acceptance of bribes



Prohibition of graft

Criteria for sanctions against the acceptance of money or gifts by a public official or his/her spouse



Types of improper solicitations

15 types of improper solicitations in detail

1 Exerting influence over authorization, permission, etc.	2 Mitigating or exempting administrative dispositions or punishments	3 Intervening in personnel management such as appointment or promotion	4 Trading in influence over appointment to a position intervening in the decision-making of public institutions	5 Intervening in selecting winners of award or prize granted by public institutions
6 Disclosing duty-related Confidential information on tender, auction, etc.	7 Intervening in selecting contract winners, etc.	8 Intervening in assignment or provision of subsidies or investment	9 Abnormal transaction practices of goods & services produced or provided by public institutions	10 Handling or manipulating admission or grades at schools
11 Handling matters related to military service including physical examination for conscripts	12 Intervening in assessments and judgments performed by public institutions	13 Manipulating the outcome of administrative guidance, control, etc. or ignoring Discovered violations	14 Intervening in investigation, judgment, etc. of a case	15 Abusing position or authority in regard to solicitation types 1 through 14

Expectation

Public Official



To ensure fair Performance of public officials

Improper Solicitation and Graft Act



General Public



To restore public's trust toward public organizations

Public Interest Whistleblower Protection Act

Report of public interest violations



When finding out **the acts of public interest violation** took place or are highly likely to occur.

Report to agencies in charge of public interest whistleblowing



Legal protection for whistleblowers

Protection and Reward



**Confiden-
tiality**

Ban on disclosure or suggestion of the identity of reporter without consent



**Physical
protection**

Escort service, safe accommodation, patrolling

**Prohibition on
disadvantageous
measures**

Ban on unfair personnel actions and discrimination in working conditions and reinstatement

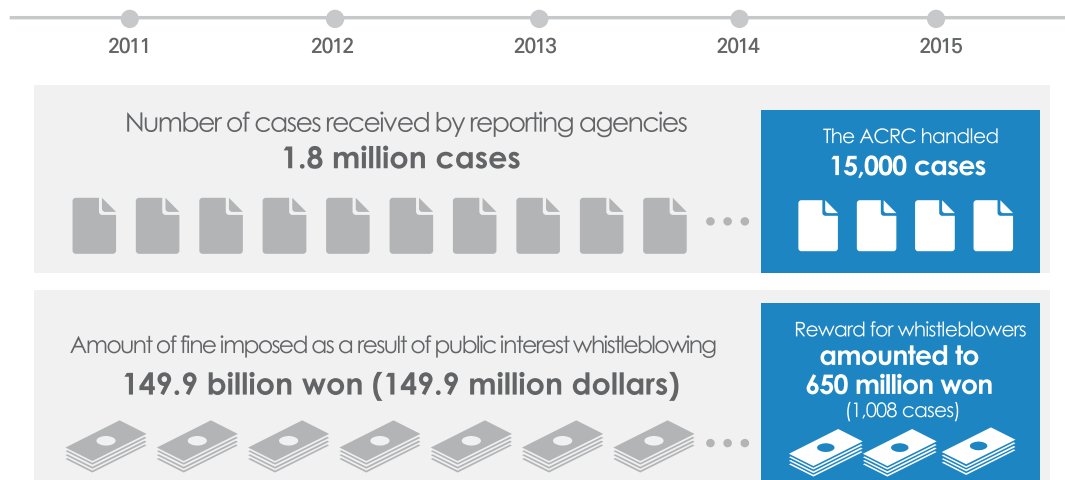


Reward

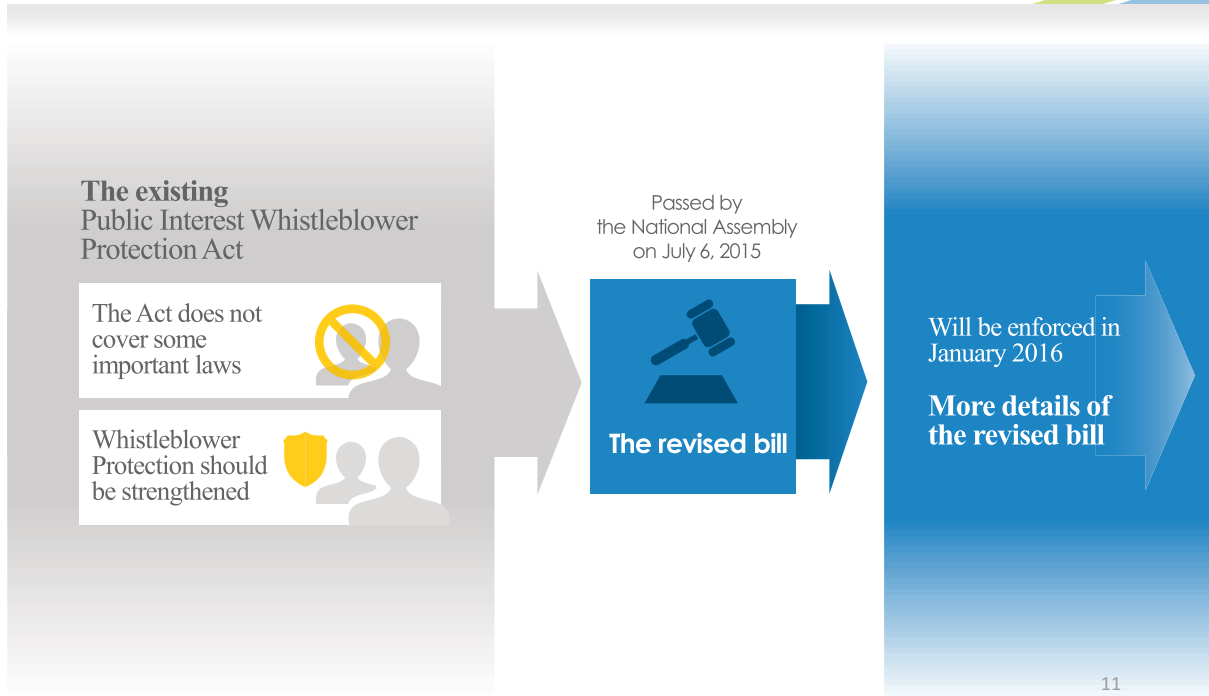
For the recovery of or increase in revenues of the government (up to KRW 1 billion)

Achievements

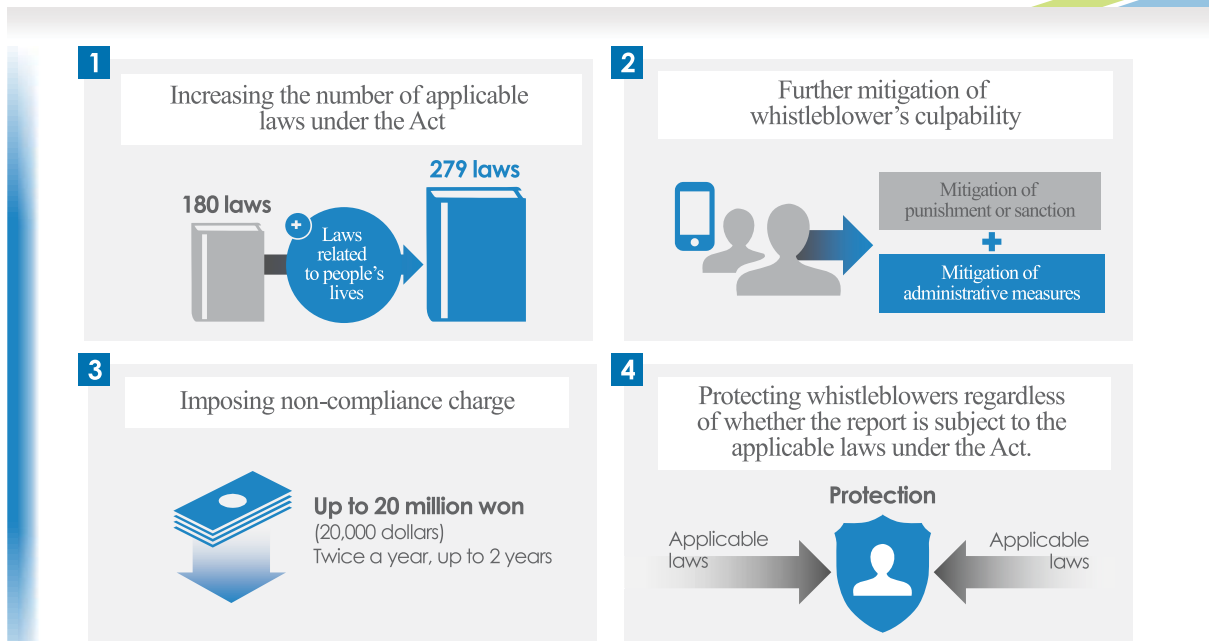
Achievements since the enactment of the Public Interest Whistleblower Protection Act in 2011



Loopholes of the existing Act



Main contents of the revised bill (1)



Main contents of the revised bill (2)

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Paparazzi or bounty hunters cannot receive rewards for whistleblowing



Monetary rewards will only be provided to internal whistleblowers

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Award money will be provided



Enhancing public interest

Financial benefits Prevention of financial loss Institutional improvement

Provide award money to external and internal whistleblowers

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The ACRC strives to build a clean society by preventing and deterring corruption across the society

THANK YOU

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