PUBLIC OFFICIAL ELECTION ACT

Act No. 7681, Aug. 4, 2005
Amended by Act No. 7849, Feb. 21, 2006
Act No. 7850, Mar. 2, 2006
Act No. 8053, Oct. 4, 2006
Act No. 8232, Jan. 3, 2007
Act No. 8244, Jan. 19, 2007
Act No. 8730, Dec. 21, 2007
Act No. 8879, Feb. 29, 2008
Act No. 8871, Feb. 29, 2008
Act No. 8867, Feb. 29, 2008
Act No. 8852, Feb. 29, 2008
Act No. 9402, Feb. 3, 2009
Act No. 9466, Feb. 12, 2009
Act No. 9785, Jul. 31, 2009
Act No. 9974, Jan. 25, 2010
Act No. 9968, Jan. 25, 2010
Act No. 10067, Mar. 12, 2010
Act No. 10303, May 17, 2010
Act No. 10981, Jul. 28, 2011
Act No. 11070, Sep. 30, 2011
Act No. 11071, Nov. 7, 2011
Act No. 11116, Dec. 2, 2011
Act No. 11207, Jan. 17, 2012
Act No. 11212, Jan. 26, 2012
Act No. 11373, Feb. 22, 2012
Act No. 11374, Feb. 29, 2012
Act No. 11485, Oct. 2, 2012
Act No. 11551, Dec. 18, 2012
Act No. 11690, Mar. 23, 2013
Act No. 12111, Aug. 13, 2013
Act No. 12393, Feb. 13, 2014

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Act No. 12583, May 14, 2014
Act No. 12844, Nov. 19, 2014
Act No. 12946, Dec. 30, 2014
Act No. 13334, jun. 19, 2015
Act No. 13497, Aug. 13, 2015
Act No. 13617, Dec. 24, 2015
Act No. 13722, Jan. 6, 2016
Act No. 13755, Jan. 15, 2016
Act No. 14073, Mar. 3, 2016

Article 1 (Purpose)

The purpose of this Act is to contribute to the development of democratic politics by ensuring that elections prescribed by the Constitution of the Republic of Korea and the Local Autonomy Act are held fairly in accordance with the free will of the people and democratic procedures and by preventing any malpractice related to such elections. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 2 (Scope of Application)

This Act shall apply to presidential elections, elections of National Assembly members, elections of local council members, and elections of the heads of local governments.

Article 3 (Definition of Elector)

For the purpose of this Act, the term "elector" means a person who has the right to vote and is enrolled in the electoral register or the overseas electoral register.

Article 4 (Basis of Population)

The population constituting a basis of management of election affairs under this Act shall be in accordance with the latest vital statistics of the nation surveyed according to resident registration cards under the Resident Registration Act. In such cases, the number of foreigners who have the right to vote pursuant to Article 15 (2) 3 shall be included in the population for the election of the local council members and the head of any local government. *<Amended by Act No. 13497, Aug. 13, 2015>*

Article 5 (Cooperation for Election Affairs)

A government agency and other public institutions shall, upon a request by any election commission to cooperate for election affairs, preferentially comply therewith. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 6 (Guarantee for Exercise of Franchises)

(1) The State shall take necessary measures to enable an elector to exercise his/her voting franchise.

(2) In order to stimulate electors to participate in voting, the election commissions at all levels (excluding Eup/Myeon/Dong election commission) may formulate and perform necessary measures, such as providing convenience in transportation to persons who reside in an area that lacks transport facilities or to persons who have difficulty in going out, such as old and feeble persons, disabled persons, etc., or

exempting electors from or giving reduction in the charges for national or public pay facilities to electors who have cast ballots, etc. In such cases, they shall consult with the political parties and candidates on fair execution methods, etc. *<Newly Inserted by Act No. 8879, Feb. 29, 2008>*

(3) A public official, a student or a person employed by another shall be guaranteed the time necessary for reading the electoral register or casting a vote, and the forgoing shall not be regarded as a suspension of service or business.

(4) An elector shall faithfully participate in an election and exercise his/her franchise.

(5) In order to remind electors of the importance and meaning of elections and enhance their awareness of sovereignty, May 10 of each year shall be declared as Elector's Day, and one week from Elector's Day as Elector's Week, while an election commission at each level (excluding Eup/Myeon Election Commissions) may hold a ceremony for Elector's Day and events incidental to the ceremony jointly with institutions or organizations that conduct a campaign for fair election. *<Newly Inserted by Act No. 11207, Jan. 17, 2012>*

Article 6-2 (Guarantee of Voting Leave to Persons Employed by Another)

(1) If a person employed by another person is on duty during the advance polling period and the election day, the person may request his/her employer to permit him/her to have voting leave for hours necessary for voting.

(2) Upon receipt of a request under paragraph (1), an employer shall guarantee the employee to have voting leave for hours necessary for voting.

(3) An employer shall notify his/her employees, through a web-site, in-house newsletter, or in-house bulletin board during a period between seven days and three days before the election day, that they may request voting leave for hours necessary for voting.

Article 7 (Responsibilities of Political Parties, Candidates, etc. for Fair Competition)

(1) A political party and a candidate taking part in an election (including a person who intends to become a candidate; hereafter in this Article, the same shall apply) and a person who canvasses for votes on behalf of a candidate, in conducting an election campaign, shall witness this Act and engage in fair competition, and shall not engage in any conduct detrimental to the good morals and social order in supporting, propagandizing, criticizing or opposing the platform and policy of a political party or the political views of a candidate. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) The election commissions at all levels (excluding Eup/Myeon/Dong election commission) shall positively publicize necessary matters in order to promote policy elections and may subsidize organizations engaged in promoting policy elections in a neutral manner. *<Newly Inserted by Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

Article 8 (Responsibilities of Press for Fair Reports)

Where a person who manages and controls broadcasting, a newspaper, wire service, magazine or other publications, a person who edits, gathers data, writes or reports, or any Internet press agency provided for in the provisions of Article 8-5 (1) reports or comments on the platform or policy of a political party,

political views or other matters of a candidate (including a person who intends to be a candidate; hereafter the same shall apply in this Article) and broadcasts or reports the interview or discussion in which a representative of a political party, a candidate or his/her proxy participates, he/she or it shall be fair. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7681, Aug. 4, 2005>*

Article 8-2 (Election Broadcast Deliberative Committee)

(1) The Korea Communications Standards Commission (hereinafter referred to as the "Korea Communications Standards Commission") under Article 18 (1) of the Act on the Establishment and Operation of Korea Communications Commission shall establish and operate the Election Broadcast Deliberative Committee during a period specified in any of the following subparagraphs, so as to maintain the fairness of election broadcasting: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012>*

1. Elections held due to the expiration of terms: Until 30 days after the election day from the day before the date on which an application for the registration of preliminary candidates commences under Article 60-2 (1);
2. Special elections: Until 30 days after the election day from 60 days before the election day (in cases where grounds for holding special elections are confirmed 60 days before the election day, ten days after the date on which grounds for holding such elections are confirmed).

(2) The Election Broadcast Deliberative Committee shall consist of not more than nine members including a person recommended by each of political parties which set up negotiation groups in the National Assembly and the National Election Commission and persons recommended by broadcasting companies (referring to a person operating or managing the broadcasting facilities under Article 70 (1); hereafter in this Article and Article 8-4 the same shall apply), the community of journalism scholars, the Korea Bar Association, journalists' associations, civil groups, etc. In such cases, when an increase in the number of political parties which set up negotiation groups in the National Assembly after the establishment of the Election Broadcast Deliberative Committee causes the number of members to exceed the fixed number of members, the current number of members shall be deemed fixed number of members. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) No member of the Election Broadcast Deliberative Committee may join a political party.

(4) The Election Broadcast Deliberative Committee shall determine necessary matters to maintain political neutrality, equality, objectivity of election broadcast, and balance in respect of production technology, to redress injuries of rights, and other necessary matters to secure the impartiality of election broadcast, and shall publish them.

(5) The Election Broadcast Deliberative Committee shall inspect whether the election broadcast is impartial, and shall determine the sanctions, etc. pursuant to any subparagraphs of Article 100 (1) of the Broadcasting Act, in cases where deemed that the contents of an election broadcast were not impartial as a result of inspection, and notify the Korea Communications Commission under Article 3 (1) of the Act on the Establishment and Operation of the Korea Communications Commission of these measures, and the Korea Communications Commission shall make, without delay, orders for notified sanctions, etc. against

the broadcasting company which made an election broadcast unfair. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 8867, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

(6) Where a candidate or a person wishing to be a candidate regards the contents of election broadcast as unfair, he/she may request the Election Broadcast Deliberative Committee to make corrections from the date on which the Election Broadcast Deliberative Committee is established under paragraph (1), and the latter shall make, without delay, a deliberation and resolution as to such request. *<Amended by Act No. 9974, Jan. 25, 2010>*

(7) The composition and operation of the Election Broadcast Deliberative Committee, and other necessary matters shall be prescribed by the rules of the Korea Communications Standards Commission. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 8-3 (Election News Deliberative Committee)

(1) The Press Arbitration Committee referred to in Article 7 of the Act on Press Arbitration and Remedies, etc. for Damages Caused by Press Reports (hereinafter referred to as the "Press Arbitration Committee") shall establish and operate the Election News Deliberative Committee during a period classified under each subparagraph of Article 8-2 (1), so as to maintain impartiality in election news (including editorials, comments, advertisements and other content related to election; hereafter in this Article the same shall apply). *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(2) The Election News Deliberative Committee shall consist of not more than nine members, including persons recommended by the community of journalism scholars, the Korea Bar Association, journalists' associations, civil groups, etc. and a person recommended by each of political parties that form negotiating groups in the National Assembly and the National Election Commission. In such cases, the latter part of Article 8-2 (2) shall apply mutatis mutandis to the fixed number of members. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) The Election News Deliberative Committee shall inspect whether the election news appearing in newspapers under Article 2 of the Act on the Promotion of Newspapers, etc., magazines, information publications, electronic publications and other publications under subparagraph 1 of Article 2 of the Act on Promotion of Periodicals, Including Magazines, and news agencies under subparagraph 1 of Article 2 of the Act on Promotion of News Communications (hereafter in this Article and Article 8-4, referred to as "periodicals, etc.") is fair, and shall, where the content of election news is recognized as unfair upon inspection, determine the publication of a written apology or a corrected report concerning the contents of the relevant news and shall notify the Press Arbitration Commission thereof, and the Press Arbitration Commission shall order, without delay, the publication of a written apology or a corrected report to the person (hereafter in this Article and Article 8-4, referred to as "press company") who has published the periodicals, etc. that carried unfair election news. *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 9785, Jul. 31, 2009>*

(4) When any person who publishes the periodicals, etc. publishes any general daily newspaper or any general weekly newspapers provided for in subparagraph 1 (a) or (c) of Article 2 of the Act on the

Promotion of Newspapers, etc. during the operational period of the Election News Deliberative Committee under paragraph (1), he/she shall promptly submit, to the Election News Deliberative Committee, one copy of the relevant periodical, and, if there exists any request from the Election News Deliberative Committee, one copy of any other periodical that he/she publishes. *<Newly Inserted by Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9785, Jul. 31, 2009>*

(5) When there exists any request from the person who has submitted the periodical, etc. under paragraph (4), the Election News Deliberative Committee shall make just compensation. *<Newly Inserted by Act No. 6663, Mar. 7, 2002; Act No. 8879, Feb. 29, 2008>*

(6) Article 8-2 (3), (4) and (6) shall be applicable mutatis mutandis to the Election News Deliberative Committee.

(7) The Press Arbitration Committee shall prescribe matters necessary for the composition and operation of the Election News Deliberative Committee.

Article 8-4 (Requests for Counterargument Report on Election News)

(1) A political party (limited to a central party; hereafter in this Article the same shall apply) or a candidate (including a person wishing to become a candidate; hereafter in this Article the same shall apply) affected by public accusation against his/her personal character, biased propaganda of policies, etc. through broadcast or periodicals, etc. from the date on which the Election Broadcast Deliberative Committee or the Election News Deliberative Committee is established to the election day, may make a written request for a broadcast of the counterargument report to the broadcasting company which made the relevant broadcast, and for a printing of counterargument reports to the press company which printed the relevant news, respectively, within 10 days from the date on which he/she became aware of the relevant broadcast or printing of news: Provided, That this shall not apply where 30 days elapsed from the day of the relevant broadcast or printing of news. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

(2) The broadcasting company or the press company shall, in case where it has received requests under paragraph (1), make, without delay, consultation with the relevant political party or the relevant candidate or his/her proxy about the content, size, frequency, etc. of counterargument reports, and shall broadcast the counterargument report free of charge within 48 hours from the time of receipt of requests in case of broadcasting, and print the counterargument report free of charge on the issue next to the same periodicals, etc., for which an editing is not completed, in case of periodicals. In such cases, where the next issue of periodicals is to be published and distributed after the election day, the counterargument report shall be printed in general daily newspapers under subparagraph 1 (a) of Article 2 of the Act on the Promotion of Newspapers, etc. to be distributed in the very area wherein the relevant periodicals have been distributed, within 48 hours from the time when the request has been made, and the expenditures therefor shall be borne by the relevant press company. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9785, Jul. 31, 2009>*

(3) Where agreement is not reached pursuant to paragraph (2), the relevant political party, candidate, broadcasting company, or press company shall, without delay, refer the case in question to the Election Broadcast Deliberative Committee or the Election News Deliberative Committee, and the Election Broadcast Deliberative Committee or the Election News Deliberative Committee shall deliberate on it within 48 hours from the time of reference to make a resolution of rejection, dismissal or acceptance, and notify without delay the relevant political party, candidate, broadcasting company, or press company thereof. In this case, where such Committee makes a resolution of acceptance of the counterargument broadcast or report, it shall also determine the matters necessary for the counterargument report such as the content, size, frequency and others. *<Amended by Act No. 6663, Mar. 7, 2002>*

(4) The provisions of Article 15 (1), (4) through (7) of the Act on Press Arbitration and Remedies, etc. for Damage Caused by Press Reports shall apply mutatis mutandis to any request for the counterargument report. In such cases, the "request for the correction report" shall be deemed the "request for the counterargument report", the "correction" shall be deemed the "counterargument", the "right to file the request for the correction report" shall be deemed the "right to file the request for counterargument report", the "correction report" shall be deemed the "counterargument report", and the "written correction report" shall be deemed the "written counterargument report", respectively. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 8-5 (Internet Election News Deliberative Committee)

(1) The National Election Commission shall establish and operate the Internet Election News Deliberative Committee in order to maintain impartiality of election report stated on the web-sites (including the editorial, commentaries, photograph, broadcast, motion image and other details concerning an election; hereafter in this Article and Article 8-6, the same shall apply) of the Internet press agencies (referring to Internet newspaper business operators under subparagraph 4 of Article 2 of Act on the Promotion of Newspapers, etc., persons who run and manage Internet homepages, which are used to report, furnish or transmit Articles that are covered, edited and written through the Internet with the aim of propagating reports, commentaries, public opinions and information, etc. pertaining to politics, economy, society, culture and current events and any other persons who run and manage the web-sites that perform the functions of the press similar to those of the former; hereinafter the same shall apply). *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9785, Jul. 31, 2009>*

(2) The Internet Election News Deliberative Committee shall be composed of not more than 11 persons commissioned by the National Election Commission, including a person recommended by each of the political parties that form negotiating groups in the National Assembly and the persons recommended by the Korea Communications Standards Commission, Press Arbitration Committee, community of scholars, legal circles, Internet press organizations, civil groups, etc., and the term of office of the members shall be three years. In such cases, the latter part of Article 8-2 (2) shall apply mutatis mutandis to the fixed number of members. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) The Internet Election News Deliberative Committee shall have one Chairman, and he/she shall be elected from among its members.

(4) The Internet Election News Deliberative Committee shall have one standing member, and he/she shall be nominated by the National Election Commission from among the members of the Internet Election News Deliberative Committee.

(5) No members of political parties shall become the members of the Internet Election News Deliberative Committee.

(6) The Internet Election News Deliberative Committee shall determine matters necessary for guaranteeing the political neutrality, equality, objectivity of Internet election reports, and redress of injuries of rights and impartiality of other election reports, and make a public announcement thereof.

(7) When the Internet Election News Deliberative Committee deems that it is necessary for performing duties, it may hear the opinions of related public officials or specialists by inviting them, or request the related agencies, organizations, etc. to render their cooperation, such as presentation of data or opinions.

(8) The Internet Election News Deliberative Committee shall have the secretariat consisting of the public officials belonging to the election commissions in order to deal with its affairs.

(9) The composition and operation of the Internet Election News Deliberative Committee, treatment of its members and standing members, organization and scope of duties of the secretariat, and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 8-6 (Correction Report, etc. of Internet Press Agencies)

(1) The Internet Election News Deliberative Committee shall inspect whether election reports that are run in the web-sites of Internet press agencies are fair or not and when contents of the election report are deemed unfair as a result of the inspection, the Internet Election News Deliberative Committee shall order the relevant Internet press agencies to take measures necessary to publish a correction report of such election report. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(2) When the political parties or candidates (including person who intends to become a candidate; hereafter in this Article, the same shall apply) deem that any election report of the Internet press agencies is unfair, they may raise objections in writing to the Internet Election News Deliberative Committee within ten days from the date on which they have known that there existed the said report.

(3) When the Internet Election News Deliberative Committee has received an objection under the provisions of paragraph (2), it shall promptly deliberate on whether the election report subject to an objection is impartial, and if it is deemed that the election report is unfair as a result of deliberations, it shall order the relevant Internet press agencies to take measures necessary to publish a correction report of the relevant election report. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) Any political party or candidate subjected to damages due to the distorted election report of the Internet press agencies may demand in writing the relevant Internet press agencies within ten days from the date on which they have known that there existed a public announcement of such a report, to make a broadcast of the objection report or a printing of the counterargument report (hereafter in this Article,

referred to as "counterargument report"). In such case, when 30 days have elapsed from the date of public announcement of the said report, no demand for the counterargument report shall be allowed.

(5) When any Internet press agency has received a demand under paragraph (4), it shall promptly hold a consultation with the relevant political parties, candidates or their agents on the form, content, size, frequency, etc., and thereafter make the counterargument report at its own charge within 12 hours from the time when receiving a demand for it. *<Amended by Act No. 7681, Aug. 4, 2005>*

(6) Where a consultation on the counterargument report under the provisions of paragraph (5) is not attained, the relevant political parties or candidates may promptly make a demand for counterargument report to the Internet Election News Deliberative Committee, and the said Committee shall deliberate thereon and make a decision on rejection, dismissal or acceptance, and thereafter notify the relevant political parties, candidates and Internet press agencies of the details of such decisions. In such case, when such Committee makes a decision on acceptance of the counterargument report, it shall concurrently decide its form, content, size and frequency, etc. and other necessary matters and notify thereof, and the Internet press agency in receipt of such a notice shall promptly perform them. *<Amended by Act No. 7681, Aug. 4, 2005>*

(7) The provisions of Article 15 (1), (4) through (6), and (8) of the Act on Press Arbitration and Remedies, etc. for Damage Caused by Press Reports shall apply mutatis mutandis to any demand for the counterargument report of the election report run by any Internet press agencies unless such provisions are not contrary to their nature. In such cases, the "demand for the correction report" shall be deemed the "demand for the counterargument report", the "correction" shall be deemed the"counterargument", the "right to demand the correction report" shall be deemed the "right to demand the counterargument report", the "correction report" shall be deemed the "counterargument report" and the "text of the correction report" shall be deemed the "text of the counterargument report", respectively. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 11207, Jan. 17, 2012>*

Article 8-7 (Election Debate Broadcasting Committee)

(1) The election commission of each level (excluding the Eup/Myeon/Dong election commission; hereafter in this Article, the same shall apply) shall respectively establish and operate the Election Debate Broadcasting Committee (hereafter in this Article, referred to as "Election Debate Broadcasting Committee of each level") in order to impartially hold and progress an interview or debate under Article 82-2 and a policy debate under Article 82-3 (hereafter in this Article, referred to as "interview or debate, etc."): Provided, That the Gu/Si/Gun Election Debate Broadcasting Committee to be established in the Gu/Si/Gun election commission (hereinafter referred to as "Gu/Si/Gun Election Debate Broadcasting Committee") may be established and operated by the unit of an election district of National Assembly members of local constituency or the unit of a broadcast zone of the composite cable TV business operator under the Broadcasting Act. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) The Election Debate Broadcasting Committee of each level shall be comprised as follows, and the terms of office of members shall be three years, except for cases under the latter part of subparagraph 2. In

such cases, the latter part of Article 8-2 (2) shall apply mutatis mutandis to the fixed number of members: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 13497, Aug. 13, 2015>*

1. The Central Election Debate Broadcasting Committee (hereinafter referred to as "Central Election Debate Broadcasting Committee") to be established in the National Election Commission and City/Do Election Debate Broadcasting Committee (hereinafter referred to as "City/Do Election Debate Broadcasting Committee") to be established in the election commission of the Special Metropolitan City, Metropolitan City, Metropolitan Autonomous City, Do, or the Special Self-Governing Province (hereinafter referred to as "City/Do"): The Central Election Debate Broadcasting Committee shall consist of not more than 11 persons and City/Do Election Debate Broadcasting Committee shall consists of not more than nine persons, including a person recommended by each of political parties which form negotiation groups in the National Assembly and the public broadcasting company (referring to the Korea Broadcasting System and a broadcast business operator, the largest contributor of which is the Foundation for Broadcast Culture under the Foundation for Broadcast Culture Act; hereinafter the same shall apply) and persons commissioned by the National Election Commission or City/Do election commission, from among persons of learning and repute, who are recommended by the Korea Communications Standards Commission, scholars community, legal circles and civil groups;
2. The Gu/Si/Gun Election Debate Broadcasting Committee: The Committee shall consist of not more than nine members, including three members including the chairperson of the relevant Gu/Si/Gun election commission and members recommended by political parties (in cases where members recommended by political parties are not less than three persons, referring to the number including such members) and persons commissioned by the relevant Gu/Si/Gun election commission, from among persons belonging to scholars community, legal circles, civil groups or journalists. In such cases, the terms of office of members who concurrently hold the positions of members of Gu/Si/Gun election commission shall be the period during which they hold their official positions under Article 8 of the Election Commission Act.

(3) The Election Debate Broadcasting Committee of each level shall have one chairperson, and he/she shall be elected from among its members: Provided, That the chairperson of the relevant Gu/Si/Gun election commission shall concurrently hold the office of the chairperson of the Gu/Si/Gun Election Debate Broadcasting Committee. *<Amended by Act No. 9974, Jan. 25, 2010>*

(4) The Central Election Debate Broadcasting Committee shall have one standing member, and he/she shall be nominated by the National Election Commission, from among the members of the Central Election Debate Broadcasting Committee.

(5) No members of political parties shall become the members of the Election Debate Broadcasting Committee.

(6) The Central Election Debate Broadcasting Committee shall determine matters necessary for holding and progress of an interview or debate, etc. and other matters necessary for guaranteeing the impartiality, and make a public announcement thereof.

(7) The Election Debate Broadcasting Committee of each level may, when it is necessary for performing the duties of interviews or debates, etc., demand the public broadcast company or the related agencies or organizations, etc. to render cooperations, and the public broadcast company in receipt of the said demand for cooperations shall preferentially comply with it.

(8) The Central Election Debate Broadcasting Committee or the City/Do Election Debate Broadcasting Committee shall have the Secretariat consisting of the public officials belonging to the relevant election commission in order to deal with its affairs. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(9) When the Election Debate Broadcasting Committee deems it necessary for performing its duties, it may hold a consultation with the heads of related administrative agencies or of the related institutions, organizations, etc., and have the public officials or officers and employees belonging thereto dispatched, or have the public officials belonging to the related administrative agencies concurrently assume the posts of public officials belonging to the Secretariat under paragraph (8).

(10) The composition and operation of the Election Debate Broadcasting Committee of each level, treatment of its members and standing members, organization and scope of duties of the Secretariat, and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 8-8 (Committee for Deliberation on Fairness in Public Opinion Polls on Election)

(1) To ensure the objectivity and reliability of public opinion polls on election conducted for the purpose of publishing or reporting, the National Election Commission and each City/Do election commission shall establish and operate a committee for the deliberation on fairness in public opinion polls on election, respectively. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) The committee established in the National Election Commission for the deliberation on fairness in public opinion polls on election (hereinafter referred to as the “central committee for the deliberation on fairness in public opinion polls on election”) or the committee established in a City/Do election commission for the deliberation on fairness in public opinion polls on election (hereinafter referred to as the “City/Do committee for the deliberation on fairness in public opinion polls on election”) shall be comprised of not more than nine members, including one member recommended by each political party that forms a negotiation body in the National Assembly and members commissioned by the National Election Commission or a City/Do election commission, from among neutral and impartial experts from academic circles, judicial circles, and institutions and organizations engaging in public opinion polls, and the term of office of each member shall be three years. In such cases, the latter part of Article 8-2 (2) shall apply mutatis mutandis to the fixed number of members.

(3) A committee for the deliberation on fairness in public opinion polls on election shall have one chairperson, who shall be elected by and from among members.

(4) The central committee for the deliberation on fairness in public opinion polls on election shall have one standing member, who shall be appointed by the National Election Commission from among members of the central committee for the deliberation on fairness in public opinion polls on election.

(5) No member of a political party shall be qualified for a member of a committee for the deliberation on fairness in public opinion polls on election.

(6) The central committee for the deliberation on fairness in public opinion polls on election shall prescribe and publish matters necessary to ensure the objectivity and reliability of public opinion polls on election conducted for the purpose of publishing or reporting (hereinafter referred to as "guidelines for conducting public opinion polls on election"). *<Amended by Act No. 13617, Dec. 24, 2015>*

(7) Duties of each committee for the deliberation on fairness in public opinion polls on election are as follows: *<Amended by Act No. 13617, Dec. 24, 2015>*

1. Examination of petitions filed for objection under Article 108 (4) and processing of registration under Article 108 (7);
2. Examination of whether a public opinion poll on election conducted for the purpose of publishing or reporting violates this Act or guidelines for conducting public opinion polls.

(8) Public opinion polls subject to examination conducted by a committee for the deliberation on fairness in public opinion polls on election are as follows:

1. The central committee for the deliberation on fairness in public opinion polls on election: Public opinion polls conducted nationwide or on residents in constituencies of at least two Cities/Dos;
2. A City/Do committee for the deliberation on fairness in public opinion polls on election: Public opinion polls conducted on residents in constituencies of the relevant City/Do.

(9) Where a committee for the deliberation on fairness in public opinion polls on election deems that a public opinion poll on election violates this Act or guidelines for conducting public opinion polls, it shall take necessary measures, such as an order to make corrections, warning, and an order to publish a correction, against a person who has committed such violation, and where such violation is deemed to noticeably harm the impartiality of the election or the person who has committed such violation fails to comply with the order to make corrections or the order to publish a correction, it shall notify the competent election commission of the electoral district thereof. *<Amended by Act No. 13617, Dec. 24, 2015>*

(10) If a committee for the deliberation on fairness in public opinion polls on election deems it necessary for performing its duties, it may invite related public officials or experts to hear their opinions or may request relevant institutions or organizations to furnish it with data or opinions or cooperate with it in any other way.

(11) To carry out administrative affairs, a committee for the deliberation on fairness in public opinion polls on election may establish a secretariat comprised of public officials belonging to the election commission.

(12) The organization and operation of a committee for the deliberation on fairness in public opinion polls on election, the treatment of members and standing members, the organization and scope of duties of the secretariat, the methods for the public announcement of guidelines for public opinion polls on election, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 9 (Responsibilities of Public Officials for Neutrality)

(1) A public official or a person who is required to maintain political neutrality (including an agency and organization) shall not exercise any unreasonable influence over the election or perform any act likely to have an effect of the election result.

(2) Where it is deemed that any violation of this Act is committed, the public prosecutor (including the military prosecutor) or national police officer (including the prosecutory investigator and military judicial policeman) shall crack down on and investigate the violation immediately and fairly. *<Amended by Act No. 7849, Feb. 21, 2006>*

Article 10 (Drive of Social Organizations for Fair Election)

(1) A social organization, etc. may be engaged in the drive for a fair election such as monitoring election malpractices: Provided, That an organization falling under any one of the following subparagraphs shall not be engaged in the drive for a fair election under the name of the organization or that of its representative: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

1. A national movement organization established under a special Act, which is contributed or subsidized by the State or local government (referring to the society for a Better Tomorrow, the Saemaul Movement Council, the Korea Freedom Federation);
2. An organization which is banned from political activities or participation in the election of public officials under Acts and subordinate statutes;
3. An organization which is founded or operated by a candidate (including a person intending to become a candidate; hereafter in this Article, the same shall apply), a spouse of the candidate, a lineal ascendant, descendant and sibling of the candidate or his/her spouse, or a spouse of the candidate's lineal descendant or sibling (hereinafter referred to as a "family member of the candidate");
4. An organization established for the purpose of supporting a specific political party (including a preparatory committee for the formation of a political party; hereafter in this Article, the same shall apply) or a specific candidate;
5. Deleted; *<by Act No. 7681, Aug. 4, 2005>*
6. Any trade unions or organizations which advocate making or to make the election campaigns.

(2) Social organizations, etc. shall, when engaging in the drive for a fair election, firmly maintain an impartial position at all time, and shall pay special attention so as not to allow itself to conduct an election campaign in favor of a specific political party or candidate.

(3) The election commission of each level (excluding the Eup/Myeon/Dong election commission) shall issue a warning, suspension or correction order, if the social organization, etc. is engaged in an unfair activity, and shall take necessary measures, such as pressing formal charges, if the activity leads to an election campaign, or the suspension or correction order is not complied with. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 10-2 (Supervisory Group of Vote Rigging)

(1) The election commissions at all levels (excluding Eup/Myeon/Dong election commission) shall set up a supervisory group of vote rigging in order to monitor vote rigging. *<Amended by Act No. 8879, Feb. 29, 2008>*

(2) The supervisory group of vote rigging shall consist of not more than ten persons from among the persons who are eligible to campaign as prescribed by Regulations of the National Election Commission, but are not a member of a political party and take a neutral and impartial stance: Provided, That with 60 days (in cases of special election, etc. for which the reason for holding the election becomes definite after 60 days prior to the election day, the time when the reason for holding the election has become definite) prior to the election day until ten days after the election day, the National Election Commission and Si/Do election commissions may have up to ten additional persons, and Gu/Si/Gun election commissions may have up to 20 additional persons. *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

(3) through (5) Deleted. *<by Act No. 8879, Feb. 29, 2008>*

(6) The supervisory group of vote rigging may, under the direction of the competent election commission, collect evidential data on acts of violations of this Act, or make the survey activities therefor. *<Amended by Act No. 8879, Feb. 29, 2008>*

(7) Allowances or actual expenses may be paid, within budgetary limits, to those belonging to the supervisory group of vote rigging.

(8) The composition and activity processes of the supervisory group of vote rigging, the payment of allowances and actual expenses, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 10-3 (Cyber Supervisory Group of Vote Rigging)

(1) In order to monitor vote rigging utilizing the Internet, the National Election Commission shall establish and operate the cyber supervisory group of vote rigging consisting of five to ten persons as prescribed by National Election Commission Regulations: Provided, That with 60 days (in cases of special election, etc. for which the reason for holding the election becomes definite after 60 days prior to the election day, the time when the reason for holding the election has become definite) prior the election day until ten days after the election day, it may have up to 10 additional persons. *<Newly Inserted by Act No. 8879, Feb. 29, 2008>*

(2) The Si/Do election commission shall establish and operate the cyber supervisory group of vote rigging consisting of not more than 30 persons in order to supervise any vote rigging utilizing the Internet with 120 days prior to the election day (in the special election, etc. for which implementation causes have become definite after 120 days prior to the election day, five days after the implementation causes for such an election have become definite) up to the election day. *<Amended by Act No. 8879, Feb. 29, 2008>*

(3) The cyber supervisory group of vote rigging shall consist of neutral and impartial persons who are not members of any political party.

(4) The provisions of Article 10-2 (6) through (8) shall apply mutatis mutandis to the cyber supervisory group of vote rigging. In such case, the term "competent election commission" shall be read as the "competent election commission" and the term "supervisory group of vote rigging" as the "cyber supervisory group of vote rigging". *<Amended by Act No. 8879, Feb. 29, 2008>*

Article 11 (Status Guarantee of Candidates, etc.)

(1) A candidate for the presidential election shall not be arrested or detained unless he/she is caught while committing a crime, except when he/she commits a crime falling under capital punishment or imprisonment with or without prison labor either for life or for seven or more years, and shall have the call for military service postponed, from the time the candidate completes registration until the ballot counting is finished. *<Amended by Act No. 4949, May 10, 1995>*

(2) A candidate for the election of National Assembly members, local government council members or the head of a local government shall not be arrested or detained unless he/she is caught while committing a crime, except when he/she commits a crime falling under capital punishment or imprisonment with or without prison labor either for life or for five or more years or commits a crime provided for in CHAPTER XVI Penal Provisions, and shall have the call for military service postponed, from the time the candidate completes registration until the ballot counting is finished. *<Newly Inserted by Act No. 4949, May 10, 1995>*

(3) An election campaign manager, the chief of an election campaign liaison office, an election campaign worker, an accountant in charge, a voting witness, an advance polling witness, and a ballot-counting witness (excluding an election campaign manager, an election campaign worker, and an accountant in charge appointed by a preliminary candidate) shall not be arrested or detained unless he/she is caught while committing a crime, except when he/she commits a crime punishable by capital punishment or imprisonment with or without prison labor either for life or for three or more years, or commits a crime under Articles 230 through 235 and 237 through 259, or shall have the call for military service postponed, from the time he/she acquires the relevant status until the ballot counting is finished. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014>*

Article 12 (Election Management)

(1) Except as otherwise provided for in this Act, the National Election Commission shall control and manage all election affairs, and may cancel or change an illegal or unfair disposition taken by a subordinate election commission (including officials in charge of voting management and officials in charge of advance polling management; hereafter the same shall apply in this Article), an overseas election commission under Article 218, and an overseas returning officer under Article 218-2. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9466, Feb. 12, 2009; Act No. 12267, Jan. 17, 2014>*

(2) The City/Do election commission may cancel or change an illegal or unfair disposition taken by a subordinate election commission with respect to an election of local council members and the head of a local government. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 7681, Aug. 4, 2005>*

(3) The Gu/Si/Gun election commission may cancel or change an illegal or unfair disposition taken by a subordinate election commission with respect to the election concerned.

(4) The Gu/Si/Gun election commission prescribed in this Act shall be deemed to include the election commission of Sejong Metropolitan Autonomous City, as far as it is not contrary to its nature. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

Article 13 (Constituency Election Management)

(1) An election commission attending to the election affairs of each constituency (hereinafter referred to as a "constituency election commission") shall be as follows: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 13497, Aug. 13, 2015>*

1. The constituency election affairs for the presidential election and the election of proportional representative National Assembly members in the national constituency (hereinafter referred to as the "proportional representative National Assembly members") shall be attended to by the National Election Commission;

2. The constituency election affairs for the election of the Special Metropolitan City Mayor, Metropolitan City Mayor, Metropolitan Autonomous City Mayor, and Do Governor (hereinafter referred to as the "Mayor/Do Governor") and the election of proportional representative members of the City/Do council (hereinafter referred to as the "proportional representative members of City/ Do council") shall be attended to by the City/Do election commission;

3. The constituency election affairs for the election of National Assembly member of local constituency (hereinafter referred to as a "National Assembly member of a local constituency"), the election of the City/ Do council members of local constituency (hereinafter referred to as the "City/Do council members of local constituency"), the election of the autonomous Gu/Si/Gun council members of local constituency (hereinafter referred to as the "autonomous Gu/Si/Gun council members of local constituency"), the election of proportional representative autonomous Gu/Si/Gun council members (hereinafter referred to as the "proportional representative autonomous Gu/Si/Gun council members") and the election of the head of an autonomous Gu/Si/Gun (hereinafter referred to as the "head of an autonomous Gu/Si/Gun") shall be attended to by the Gu/Si/Gun election commission which has jurisdiction over the relevant constituency (where the Gu/Si/Gun election commission is designated to attend to the constituency election affairs as provided for in Article 29 (3) of this Act or Article 2 (6) of the Election Commission Act, referring to the Gu/Si/Gun election commission so designated).

(2) For the purpose of paragraph (1), the term "constituency election affairs" means the election affairs to be carried out in the relevant constituency as a unit, such as registering candidacy and calling a winner.

(3) Where deemed especially necessary for the election management, a constituency election commission or its immediate superior election commission may, as prescribed by the National Election Commission, adjust the scope of election affairs to be performed by the election commission in the competent constituency in respect to the relevant election, or may have its subordinate election commission or its members attend to the duties of the constituency election commission.

(4) A member of the subordinate election commission attending to the constituency election affairs as provided for in paragraph (3) shall not be counted in the quorum of members of the constituency election

commission, and may not take part in voting of the constituency election commission.

(5) Where the Gu/Si/Gun election commission or the Eup/Myeon/Dong election commission becomes unable to carry out its functions due to natural disasters or other unavoidable reasons, the immediate superior election commission may carry them out as proxy, or may have another election commission carry them out, as proxy, until the competent election commission recovers its functions. Where another election commission carries them out as proxy, the scope of the affairs to be carried out as proxy shall be prescribed together with them. *<Amended by Act No. 7681, Aug. 4, 2005>*

(6) Where the superior election commission carries out the election affairs as proxy or has others carry them out as proxy under paragraph (5), the acting election commission and the scope of relevant affairs shall be publicly notified without delay, and it shall be reported to the immediate superior election commission.

Article 14 (Commencement of Term of Office)

(1) The President's term of office shall begin at zero hours of the day following the expiration date of his/her predecessor's term of office: Provided, That the term of office of the President elected at the election held after the term of his/her predecessor expires and at the election held due to vacancy shall begin from the time when the return is determined. *<Amended by Act No. 6854, Feb. 4, 2003>*

(2) The term of office of the National Assembly member and local council member (hereafter referred to as a "member" in this paragraph) shall begin from the day following the day on which his/her predecessor's term of office expires by the general election: Provided, That the term of office of the member chosen at an election held after the term of office of the member begins or at an election for the membership increase of a local council shall begin from the time his/her election is decided, and shall be the same as the remaining term of office of his/her predecessor or a member in the same category.

(3) The term of office of the head of a local government shall begin from the day following the day on which his/her predecessor's term of office expires: Provided, That the term of office of the head of a local government chosen at an election held after his/her predecessor's term of office expires or at a new election held as provided in Article 30 (1) 1 through 3 shall begin from the time his/her election is decided, and shall be the same as the remaining term of his/her predecessor or the head of a local government in the same category.

Article 15 (Voting Right)

(1) A national of 19 years of age or above shall have a voting right for the elections of the President and the members of the National Assembly: Provided, That a voting right in the elections of National Assembly members of local constituencies shall only be granted to a national of 19 years of age or above who falls under any of the following as of the basis date of preparation of the electoral register pursuant to Article 37 (1): *<Amended by Act No. 11071, Nov. 7, 2011; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. A person who falls under Article 6 (1) 1 or 2 of the Resident Registration Act and whose resident registration has been made in the relevant local constituency for the National Assembly;

2. A person who falls under Article 6 (1) 3 of the Resident Registration Act and has been enrolled in the resident registration card for at least three months consecutively and whose resident registration has been made in the relevant local constituency for the National Assembly.

(2) Any person of 19 years of age or above who falls under any of the following as of the basis date of preparation of the electoral register under Article 37 (1) shall have a right to vote in the elections of local council members and the head of the local government in the relevant district: *<Amended by Act No. 9466, Feb. 12, 2009; Act No. 11071, Nov. 7, 2011; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. Any person who falls under Article 6 (1) 1 or 2 of the Resident Registration Act and who is registered as a resident in a district under the jurisdiction of the relevant local government;

2. Any person who falls under Article 6 (1) 3 of the Resident Registration Act and has been enrolled for at least three consecutive months in the resident registration card and who is registered as a resident in a district under the jurisdiction of the relevant local government;

3. Any person who is enrolled in the register of foreigners of the relevant local government pursuant to Article 34 of the Immigration Act as a foreigner for whom three years have passed after the acquisition date of qualification for permanent residence under Article 10 of the same Act.

Article 16 (Electoral Eligibility)

(1) A national who is 40 years of age or above and who has resided in the Republic of Korea for at least five years as of the election day shall be eligible for election to the Presidency. In such cases, if he/she has been sent to a foreign country in public services or stayed in a foreign country while having a domicile in the Korean territory for a certain period, he/she shall be deemed to have stayed in the Korean territory for that period. *<Amended by Act No. 5262, Jan. 13, 1997>*

(2) A national of 25 years of age or above shall be eligible for election as a member of the National Assembly.

(3) A national who is aged 25 years or above and registered as a resident in a district under the jurisdiction of the relevant local government for at least 60 consecutive days (from the record date of the electoral register up to the election day consecutively, in cases of any person who had been sent to a foreign country in public services and has returned to the Republic of Korea after 60 days before the election day) as of the election day, shall be eligible for election for the relevant local council member and the head of the local government. In such cases, a period of 60 days shall not be interrupted by establishment, abolition, division, or merger of the local government, or change in the boundary of a district (including a change of district under any subparagraph of Article 28). *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 9466, Feb. 12, 2009; Act No. 13497, Aug. 13, 2015>*

(4) In cases falling under the former part of paragraph (3), when the resident registration of the head of a local government is made in the district under the jurisdiction of another local government because the office of the relevant local government is located in the district under the jurisdiction of another local government, it shall be deemed that his/her resident registration is made in the district under the jurisdiction of the relevant local government. *<Amended by Act No. 9466, Feb. 12, 2009>*

Article 17 (Criteria for Calculating Age)

The age of the elector and the person eligible for election shall be calculated as of the election day.

Article 18 (Disfranchised Persons)

(1) Any of the following persons, as of the election day, shall be disfranchised: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 13497, Aug. 13, 2015>*

1. A person who is declared incompetent;
2. A person who is sentenced to imprisonment with or without prison labor for at least one year, but whose sentence execution has not been terminated or whose sentence execution has not been decided to be exempted: Provided, That a person who is under the suspension of the execution of said sentence shall be excluded therefrom;
3. A person who commits an election crime, who commits the crimes provided for in Articles 45 and 49 of the Political Fund Act or who commits the crimes in connection with the duties while in office as the President, member of the National Assembly, member of local council, and head of a local government, which are referred to in Articles 129 through 132 of the Criminal Act (including the case subject to an aggravated punishment pursuant to Article 2 of the Act on the Aggravated Punishment, etc. of Specific Crimes) and Article 3 of the Act on the Aggravated Punishment, etc. of Specific Crimes, and for whom five years have not passed since a fine exceeding one million won is sentenced and the sentence becomes final or ten years have not passed since the suspended sentence becomes final, or for whom ten years have not passed since imprisonment was sentenced and the decision not to execute the sentence became final or since the execution of the sentence was terminated or exempted (including a person whose punishment becomes invalidated);
4. A person whose voting franchise is suspended or forfeited according to a decision by court or pursuant to other Acts.

(2) For the purpose of paragraph (1) 3, the term "person who commits an election crime" means a person who commits a crime provided in CHAPTER XVI Penal Provisions or a crime in contravention of the National Referendum Act. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) A person who concurrently commits the crimes referred to in paragraph (1) 3 and other offences shall be tried and sentenced separately for each offense, notwithstanding Article 38 of the Criminal Act, and, when an election campaign manager, accountant in charge of an election campaign office (including a person who has not been appointed nor reported as an accountant in charge of an election campaign office and who in collusion with a candidate spent for election expenses an amount equivalent to 1/3 or more of the election expense limit) or a lineal ascendant or descendant and spouse of the candidate (including a person intending to become a candidate) concurrently commits offenses under Articles 263 and 265 and other offences under paragraph (1) 3 of this Article and is punished by imprisonment or a fine exceeding three million won (including punishment due to acts committed by an election campaign manager or accountant in charge of an election campaign office before he/she is appointed or reported), such person shall be tried and sentenced separately for each offense. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 19 (Persons Ineligible for Election)

Any of the following persons as of the election day shall be ineligible for election: *<Amended by Act No. 12149, Dec. 30, 2013; Act No. 12393, Feb. 13, 2014>*

1. A person who falls under Article 18 (1) 1, 3, or 4;
2. A person who is sentenced to imprisonment without prison labor or a heavier punishment and whose sentence is not invalidated;
3. A person whose eligibility for election is suspended or forfeited by a court judgment or by any other Act;
4. Any of the following persons who committed a crime under Article 166 of the National Assembly Act (including persons upon whom a sentence imposed has become invalidated):
   (a) A person in whose case five years have not passed yet since a sentence of a fine not exceeding five million won or any heavier punishment, imposed upon the person, became final and conclusive;
   (b) A person in whose case ten years have not passed yet since a sentence of suspension of execution of a punishment, imposed upon the person, became final and conclusive;
   (c) A person in whose case ten years have not passed yet since the person was finally and conclusively exempted from the execution of a sentence of imprisonment with prison labor, imposed upon the person, or since the execution of such sentence was completed or remitted;
5. A person in whose case ten years have not passed yet since the sentence of a fine, imposed upon the person for the commission of a crime under Article 230 (6), became final and conclusive (including a person upon whom such sentence imposed became invalidated).

Article 20 (Election Districts)

(1) The President and proportional representative National Assembly members shall be elected in the whole country as a unit. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(2) The proportional representative City/Do council members shall be elected in the relevant City/Do as a unit and the proportional representative autonomous Gu/Si/Gun shall be elected in the relevant autonomous Gu/Si/Gun as a unit, respectively. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(3) The National Assembly members of local constituency, the local council members of local constituency (referring to the City/Do council members of local constituency and the autonomous Gu/Si/Gun council members of local constituency; hereinafter the same shall apply) shall be elected in the constituency of the members concerned as a unit. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(4) The head of a local government shall be elected in the area under jurisdiction of the relevant local government as a unit.

Article 21 (Fixed Number of National Assembly Members)

(1) The fixed number of the National Assembly members, for local constituency members and proportional representatives combined, shall be 300. *<Amended by Act No. 14073, Mar. 3, 2016>*

(2) The fixed number of the National Assembly members to be elected in a single constituency (hereinafter referred to as "local constituency for electing a member to the National Assembly") shall be one. *<Amended by Act No. 14073, Mar. 3, 2016>*

Article 22 (Fixed Number of City/Do Council Members)

(1) The total number of City/Do council members in a local constituency for each City/Do shall be two times the number of each autonomous Gu/Si/Gun under its jurisdiction (referring to a local constituency for electing a member to the National Assembly where one autonomous Gu/Si/Gun is divided into two or more local constituencies for electing members to the National Assembly, and referring to an administrative district where a local constituency for electing a member to the National Assembly does not coincide with an administrative district due to territorial changes in administrative districts), and such number may be adjusted within the limit of 14/100, in consideration of population, administrative districts, topography, transportation and other conditions: Provided, That the fixed number of City/Do council members in a local constituency in autonomous Gu/Si/Gun shall be at least one person. *<Amended by Act No. 12393, Feb. 13, 2014; Act No. 14073, Mar. 3, 2016>*

(2) Where a Si and a Gun are unified into a Si of the urban and rural complex form under Article 7 (2) of the Local Autonomy Act, the fixed number of the Do council members in charge of the relevant Si and the fixed number of Do council members in the relevant Si shall be determined, in consideration of the number of council members before such unification, only if an election of the City/Do council members at the expiration of their term of office takes place for the first time after such unification, notwithstanding paragraph (1). *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(3) In a Metropolitan City and a Do in which the fixed number of council members calculated in accordance with the criteria provided for in paragraphs (1) and (2) is fewer than 19, the fixed number of such Metropolitan City/Do council members shall be 19. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6663, Mar. 7, 2002; Act No. 9974, Jan. 25, 2010>*

(4) The fixed number of the proportional representative City/Do council members shall be 10/100 of the fixed number of the local constituency City/Do council members calculated as provided for in paragraphs (1) through (3). In such cases, the fraction shall be regarded as one: Provided, That the calculated fixed number of the proportional representative City/Do council members, if fewer than three, shall be three. *<Newly Inserted by Act No. 4947, Apr. 1, 1995>*

Article 23 (Fixed Number of Autonomous Gu/Si/Gun Council Members)

(1) The total fixed number of the autonomous Gu/Si/Gun council members for each City/Do is indicated in attached Table 3 and the fixed number of the autonomous Gu/Si/Gun council members shall be determined by the constituency demarcation committee for the autonomous Gu/Si/Gun council of the relevant City/Do under Article 24-3 within the scope of the total fixed number of the relevant City/Do, taking into account the population and the district representation of the autonomous Gu/Si/Gun, in accordance with the standards set by Regulations of the National Election Commission. *<Amended by Act No. 13334, Jun. 19, 2015>*

(2) The minimum fixed number of the autonomous Gu/Si/Gun council members shall be seven.

(3) The fixed number of the proportional representative autonomous Gu/Si/Gun council members shall be 10/100 of the fixed number of the autonomous Gu/Si/Gun council members. In such cases, the fraction shall be deemed one.

Article 24 (Constituency Demarcation Committee for National Assembly Members)

(1) To ensure the fair delimitation of local constituencies for electing members to the National Assembly, the Constituency Demarcation Committee for the National Assembly Members shall be established and operated, for the period from 18 months before the election of the National Assembly members is held at the expiration of the terms of office to the date the names and districts of local constituencies for electing members to the National Assembly are delimited and they become effective. *<Amended by Act No. 14073, Mar. 3, 2016>*

(2) The Constituency Demarcation Committee for the National Assembly Members shall be established under the National Election Committee, but it shall have an independent authority to its administrative affairs.

(3) The Constituency Demarcation Committee for the National Assembly Members shall be comprised of nine members who are commissioned by the chairperson of the National Election Commission, and its Chairperson shall be elected from among the members.

(4) The competent Standing Committee of the National Assembly or the Special Committee for deliberating on the matters concerning boundary delimitation (hereinafter referred to as the “Committee” in this Article and Article 24-2) shall appoint one person designated by the Chairperson of the National Election Commission and eight persons determined by resolution, from among the persons recommended by the academic circles, legal circles, press circles, civil groups and political parties, etc., and then notify the Chairperson of the National Election Commission of such appointment, by ten days before the Constituency Demarcation Committee for the National Assembly Members is established.

(5) Where any vacancy occurs in the membership of the Constituency Demarcation Committee for the National Assembly Members, the Chairperson of the National Election Commission shall request the Committee to appoint a new member and make a report thereon. In such cases, paragraph (4) shall apply mutatis mutandis to the appointment, etc. of members.

(6) The terms of office of the Constituency Demarcation Committee for the National Assembly Members shall be consistent with the period of existence of the Constituency Demarcation Committee for the National Assembly Members.

(7) Any National Assembly member or political party member (including a person who was a political party member during the last one year from the date the Constituency Demarcation Committee for the National Assembly Members under paragraph (1) was established) shall be prohibited from becoming a member of the Constituency Demarcation Committee for the National Assembly Members.

(8) Any member of the Constituency Demarcation Committee for the National Assembly Members shall serve without pay, but he/she may receive daily allowances, travel expenses, and other actual expenses.

(9) When requested by the Constituency Demarcation Committee for the National Assembly Members to provide materials necessary for boundary delimitation, a government agency or local government shall comply therewith without delay.

(10) In delimiting local constituencies for electing members to the National Assembly, the Constituency Demarcation Committee for the National Assembly Members shall grant an opportunity to state opinions to the political parties that have seats in the National Assembly. *<Amended by Act No. 14073, Mar. 3, 2016>*

(11) The Constituency Demarcation Committee for the National Assembly Members shall submit, to the Speaker of the National Assembly, a draft constituency demarcation which is prepared pursuant to the standards prescribed in Article 25 (1) and is approved by a vote of 2/3 of the members, grounds for approval and a report stating other necessary matters, by 13 months before the election of the National Assembly members.

(12) An organization to support administrative affairs (hereinafter referred to as "support organization") may be established under the Constituency Demarcation Committee for the National Assembly Members from 30 days before the Constituency Demarcation Committee is established.

(13) A person who is or was a member of the Constituency Demarcation Committee for the National Assembly Members shall not divulge any secret which he/she has learned in the course of performing his/her duties. The same shall also apply to the employees of the support organization of the Constituency Demarcation Committee for the National Assembly Members.

(14) Other necessary matters concerning the operation, etc. of the Constituency Demarcation Committee for the National Assembly Members and its support organization shall be prescribed by Regulations of the National Election Commission.

Article 24-2 (Confirmation of Local Constituencies for Electing Members to National Assembly)

(1) The National Assembly shall confirm local constituencies for electing members to the National Assembly by no later than one year before the election day. *<Amended by Act No. 14073, Mar. 3, 2016>*

(2) The Speaker of the National Assembly shall refer the draft constituency demarcation submitted pursuant to Article 24 (11) to the Committee.

(3) Where the draft constituency demarcation is referred pursuant to paragraph (2), the Committee shall immediately review it and then propose a legislative bill to amend provisions concerning the names and districts of local constituencies for electing members to the National Assembly (hereinafter referred to as "election district bill.") In such cases, the Committee shall reflect the draft constituency demarcation as it is, but where the Committee determines that such draft constituency demarcation clearly violates the standards prescribed in Article 25 (1), it may, stating the reasons therefor, request the Constituency Demarcation Committee for the National Assembly Members to re-submit a draft constituency demarcation, approved by a vote of 2/3 of the members only once. *<Amended by Act No. 14073, Mar. 3, 2016>*

(4) The Constituency Demarcation Committee for the National Assembly Members upon receipt of the request under paragraph (3) shall submit a new draft constituency demarcation to the Speaker of the

National Assembly, within ten days from the date it receives such request. In such cases, paragraph (2) shall apply mutatis mutandis to the reference to the Committee of the draft constituency demarcation.

(5) In the election district bill, the names and districts of local constituencies for electing members to the National Assembly shall be excluded from the review for the structure and wording conducted by the Legislation and Judiciary Committee under Article 86 of the National Assembly Act. <*Amended by Act No. 14073, Mar. 3, 2016*>

(6) The Speaker of the National Assembly shall refer the election district bill or any legislative bill including a election district bill to a plenary session that is first held after such bill is proposed. In such cases, the plenary session shall take a vote on the election district bill or the legislative bill including a election district bill without modification, notwithstanding Articles 95 (1) and 96 of the National Assembly Act.

Article 24-3 (Constituency Demarcation Committee for Autonomous Gu/Si/Gun Council Members)

(1) To ensure the fair delimitation of constituencies for the autonomous Gu/Si/Gun council members (hereinafter referred to as "constituencies for the autonomous Gu/Si/Gun council members), a constituency demarcation committee for the autonomous Gu/Si/Gun council members shall be established in each City/Do.

(2) A constituency demarcation committee for the autonomous Gu/Si/Gun council members shall be comprised of not more than 11 members, and they shall be commissioned by a Mayor/Do Governor, from among the persons recommended by the academic circles, legal circles, press circles, civil groups and City/Do council.

(3) Any local council member or political party member shall be prohibited from becoming a member of a constituency demarcation committee for the autonomous Gu/Si/Gun council members.

(4) In preparing a draft boundary delimitation, a constituency demarcation committee for the autonomous Gu/Si/Gun council members shall grant an opportunity to state opinions to the political parties that have the seats in the National Assembly and the council of the relevant autonomous Gu/Si/Gun and the head thereof.

(5) A constituency demarcation committee for the autonomous Gu/Si/Gun council members shall prepare a draft constituency demarcation in accordance with the standards prescribed in Article 26 (2) and submit it to the Mayor/Do Governor by six months before the election is held at the expiration of the terms of office of the autonomous Gu/Si/Gun council members, accompanying with a report stating the reasons for preparing such draft constituency demarcation and other necessary matters.

(6) Where a City/Do council amends its municipal ordinance concerning constituencies for autonomous Gu/Si/Gun council members, it shall respect the draft constituency demarcation prepared by a constituency demarcation committee for the autonomous Gu/Si/Gun council members.

(7) Articles 24 (8) and (9) shall apply mutatis mutandis to a constituency demarcation committee for the autonomous Gu/Si/Gun council members.

(8) The organization and operation of a constituency demarcation committee for the autonomous Gu/Si/Gun council members and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 13617, Dec. 24, 2015>*

Article 25 (Demarcation of Local Constituencies for Electing Members to National Assembly)

(1) The local constituencies for electing members to the National Assembly shall be demarcated in the area within the jurisdiction of a City/Do in accordance with the following standards, in consideration of the population, administrative districts, geographical features, traffic, living and cultural area, etc.: *<Amended by Act No. 14073, Mar. 3, 2016>*

1. A population obtained as a result of a survey conducted in accordance with resident registration record cards under Article 7 (1) of the Resident Registration Act as of the end of the month to which 15 months before the election day belongs shall be the population which becomes standards for demarcation of local constituencies for electing members to the National Assembly;

2. It shall not be allowed to make any part divided from one autonomous Gu, Si, or Gun belong to another local constituency for electing members to the National Assembly: Provided, That where a local constituency for electing a member to the National Assembly that satisfies the range of a population cannot be composed of, according to a method of integrating the whole district within at least one neighboring autonomous Gus, Sis or Guns, each of which does not satisfy the range of a population (referring to the ratio of the range of the population of two to one; hereinafter the same shall apply in this Article), the local constituency for electing a member to the National Assembly may be composed of by dividing part of the neighboring autonomous Gu, Si or Gun.

(2) When local constituencies for electing members to the National Assembly are demarcated, endeavors shall be made so that regional representation of agricultural, mountainous and fishing villages may be reflected within the range which is not beyond the range of a population under paragraph (1) 2. *<Newly Inserted by Act No. 14073, Mar. 3, 2016>*

(3) The names and districts of local constituencies for electing members to the National Assembly shall be as specified in attached Table 1.

Article 26 (Demarcation of Constituencies for Local Council Members)

(1) The election district for a City/Do council member (hereinafter referred to "constituency for a City/Do council member") shall be demarcated by making the autonomous Gu/Si/Gun a zone or dividing the autonomous Gu/Si/Gun (if an autonomous Gu/Si/Gun consists of two or more constituencies for the National Assembly members, it refers to the constituency for the National Assembly member, and if the election district does not coincide with the administrative district due to a territorial change in the administrative district, it refers to the administrative district), in consideration of the population, administrative districts, geographical features, traffic, and other conditions, but the fixed number of the City/Do council members of local constituency to be elected in the single constituency for a City/Do council member shall be one and the names and districts of the constituencies for the City/Do council members shall be shown in attached Table2. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 9974, Jan. 25,*

2010>

(2) The constituency of the autonomous Gu/Si/Gun council members shall be demarcated taking into account the population, the administrative district, the geographical feature, traffic and other conditions, and the fixed number of the autonomous Gu/Si/Gun council members of local constituency to be elected in the single local constituency for the autonomous Gu/Si/Gun council members shall be not less than two to not more than four and the name and the district of the constituency and the fixed number of the autonomous Gu/Si/Gun council members shall be determined by the City/Do Municipal Ordinance. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) Where the constituency for the City/Do council members or the autonomous Gu/Si/Gun council members is demarcated pursuant to the provisions of paragraph (1) or (2), one Eup/Myeon (referring to administrative Myeon in cases where administrative Myeon exists under Article 4-2 (3) of the Local Autonomy Act; hereinafter the same shall apply) and Dong (referring to administrative Dong in cases where administrative Dong exists under Article 4-2 (4) of the Local Autonomy Act; hereinafter the same shall apply) shall not be divided in order to make part of it belong to another constituency for the City/Do council members or other constituency for the autonomous Gu/Si/Gun council members. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(4) The constituency for the autonomous Gu/Si/Gun council members shall be demarcated in the single constituency for City/Do council members and when not less than four members of the autonomous Gu/Si/Gun council of local constituency are elected in the single constituency for the City/Do council members, such single constituency may be divided into not less than two constituencies. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

Article 27 (Postponement of Election in Case of Change in Constituency for National Assembly Members during Terms of Office)

Where any constituency for the National Assembly members changes according to the revision of attached Table 1, due to an increase or decrease of the population or change in the administrative districts, the elections in such increased or decreased constituencies for the National Assembly members shall not be held until the general election is held at the expiration of the terms of office.

Article 28 (Adjustment of Fixed Number of Local Council Members during Terms of Office)

Where the fixed number of members, constituencies, or districts change in accordance with an increase or decrease of the population, or a change in the administrative districts, the elections in such increased or decreased constituencies shall not be held until the general election is held at the expiration of the terms of office: Provided, That if the district of the local government is changed, or the local government is established, abolished, divided or merged, the fixed number of the members of the local council concerned shall be adjusted as provided in the following subparagraphs and an election for the increase in the number of members shall be held in the case of subparagraph 3 (proviso), 5 or 6: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 7681, Aug. 4, 2005>*

1. If the whole district corresponding to a constituency is integrated into another local government due to a district change of local government, the local council member elected in the integrated constituency shall be disqualified as the previous local council member and qualified as a new local council member; if part of the district corresponding to a constituency is integrated into another local government, the local council member elected in the constituency to which the integrated area belongs, shall choose the local council to which he/she intends to belong within 14 days after the district is changed and report in writing to the local council concerned, and if the chosen local council is not the previous one, he/she shall be disqualified as the previous local council member and qualified as a new local council member, but his/her term of office shall be the same as the remaining term of the previous local council membership and, notwithstanding the provisions of Article 22 or 23, the number of incumbent members shall be regarded as the fixed number of the local council members, respectively. In this case, the local council member who has acquired the qualification for the membership of the new local council, if having registered as a resident of the district under jurisdiction of the previous local government, shall register as a resident of the district under jurisdiction of the new local government within 14 days after the district is changed, and the local council member, if failing to report the local council to which he/she intends to belong within 14 days after the district is changed, shall be deemed to have reported to the council of the local government having jurisdiction over the district of which he/she registered as a resident, as of the 14th day after the district is changed;

2. If two or more local governments are integrated to become a new local government, the previous local council member shall become a local council member of a new local government of the same category and hold office for his/her remaining term, and during this remaining term, notwithstanding the provisions of Article 22 or 23, the number of incumbent members shall be the fixed number of council members, respectively;

3. If a local government is divided into two or more local governments, the previous local council member shall become a council member of the local government having jurisdiction over the constituency at the time of his/her candidate registration and hold office for his/her remaining term, and during this remaining term, notwithstanding the provisions of Article 22 or 23, the number of incumbent members shall be the fixed number of council members, respectively. In this case, the proportional representative City/Do council members shall choose the City/Do council to which they intend to belong and report in writing their choice to the City/Do council concerned within 14 days after the City/Do is formed after being divided and the proportional representative autonomous Gu/Si/Gun council members shall choose the autonomous Gu/Si/Gun council to which they intend to belong within 14 days from the date on which the relevant autonomous Gu/Si/Gun is formed after being divided and then report in writing their choice to the relevant autonomous Gu/Si/Gun council: Provided, That if the number of incumbent council members is fewer than two thirds of the new fixed number of members as provided in Article 22 or 23, the election shall be held to fill up the fixed number of members;

4. If a Si becomes a Metropolitan City, the previous Si council member and the Do council member who has been elected in the competent area shall be disqualified as the previous local council member, respectively, and qualified as the Metropolitan City council member, but his/her term of office shall be the remaining term of the previous Do council member and during this remaining term, notwithstanding the provisions of Article 22, the number of incumbent members shall be the fixed number of the council members;

5. When an Eup or a Myeon becomes a Si, a new Si council shall be formed and the fixed number of the newly formed Si council members shall be the number calculated by subtracting the fixed number of the Gun council members who are already elected in the relevant constituency from the fixed number that is newly set by the constituency demarcation committee for the autonomous Gu/Si/Gun council members of the relevant City/Do and the Gun council members who are already elected in the relevant constituency shall become the members of the Si council. In this case, the number combined by the fixed number of newly elected members shall be made the total fixed number of the autonomous Gu/Si/Gun council members by the City/Do provided for in the provisions of Article 23;

6. In the case of subparagraph 4, when any Gu that is not an autonomous Gu becomes an autonomous Gu, an autonomous Gu council shall be newly formed and the fixed number of the autonomous Gu council members shall be newly determined by the constituency demarcation committee for the autonomous Gu/Si/Gun council members of the relevant City/Do. In this case, the number combined by the newly fixed number of members shall be made the total fixed number of the autonomous Gu/Si/Gun council members by the City/Do provided for in the provisions of Article 23.

Article 29 (Election for Membership Increase of Local Council Members)

(1) The election for the membership increase as provided in subparagraph 3 (proviso), 5 or 6 of Article 28 shall be based on the new constituency demarcated as provided in Article 22 , 23, or 26, but shall be held for the constituency in which there are no previous local council members or the number of the previous local council members falls short of the fixed number of members.

(2) In the constituency demarcation of paragraph (1), the constituency for the previous local council member shall be the constituency having jurisdiction over his/her domicile at the time of his/her candidate registration, and if the number of the previous local council members in a newly demarcated constituency exceeds the new fixed number of council members for the constituency, the number of members, including those in excess of the new fixed number, shall be the fixed number of members for the constituency concerned until the general election is held at the expiration of the term, notwithstanding the provisions of Article 22 or 23.

(3) The affairs concerning the election for the membership increase as provided in paragraph (1), where the Gu/Si/Gun election commission concerned is not established, may be attended to by the Gu/Si/Gun election commission designated by the City/Do election commission or having previously had jurisdiction over the district concerned.

Article 30 (Election in Case of Abolition, Establishment, Division, and Merger of Local Governments)

(1) Where a local government is established, abolished, divided, or merged, the head of the local government concerned shall be elected as follows: *<Amended by Act No. 4947, Apr. 1, 1995>*

1. Where a new Si, autonomous Gu or Metropolitan City is established, the head of the local government concerned shall be newly elected;

2. Where a local government is divided into two or more local governments of the same category, the head of the previous local government shall, from among the newly established local governments, become the head of a local government that has jurisdiction over the district in which the office of the previous local government is located and the heads of other new local governments shall be newly elected. In this case, if the office of the previous local government is located in the district under jurisdiction of another local government, which local government shall elect the new head shall be determined at the time when Acts regarding the division of a local government are enacted;

3. Where two or more local governments of the same category are merged to become a new local government, the heads of the previous local governments shall lose their positions of office and the head of the new local government shall be elected;

4. Where a local government is abolished due to the merger into another local government, the head of the abolished local government shall lose his/her position of office.

(2) Where only the name of a local government changes, the head of the previous local government shall become the head of the changed local government and hold office for the remaining term at the time of such change.

(3) For the purpose of this Act, the term "local government of the same category" means a local government of the same category as provided in Article 2 (1) of the Local Autonomy Act. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 31 (Voting Districts)

(1) A voting district shall be established in the Eup/Myeon/Dong.

(2) A Gu/Si/Gun election commission may establish two or more voting districts in a Eup/Myeon/Dong. In such cases, the Ri (referring to an administrative Ri as provided in Article 4-2 (4) of the Local Autonomy Act; hereinafter the same shall apply) of the Eup/Myeon may not be divided so that part of it may belong to another voting district. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(3) A Gu/Si/Gun election commission, upon establishing or changing the voting districts or holding an election, shall publicly notify the names and districts thereof as prescribed by Regulations of the National Election Commission.

Article 32 (Change in Districts)

(1) Even where the area of a constituency, administrative district, or voting district changes somewhere from the record date of the electoral register as provided in Article 37 (1) to the election day, the area shall be deemed not to have changed as far as the election in question is concerned. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) Where the name of a local government or its administrative district changes without an actual change in their territorial jurisdiction, the names of the election district and the constituency for the National Assembly member and the name of the administrative district in the district thereof in the City/Do Municipal Ordinances as provided in the attached Tables 1, 2 and 3 and Article 26 (2) shall be deemed to have changed to the name of the changed local government or administrative district. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 33 (Election Period)

(1) The election period for each election shall be as follows: *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004>*

1. 23 days for the presidential election;

2. 14 days for the election of the National Assembly members, the local council members and the head of a local government;

3. Deleted. *<by Act No. 6663, Mar. 7, 2002>*

(2) Deleted. *<by Act No. 7189, Mar. 12, 2004>*

(3) The term "election period" means the period as specified in the following subparagraphs: *<Amended by Act No. 10981, Jul. 28, 2011>*

1. In cases of presidential elections: from the day following the deadline for candidate registration to the election day;

2. In cases of the elections of National Assembly members, local council members, and heads of local governments: 6 days from the deadline for candidate registration to the election day.

Article 34 (Election Day)

(1) The election day for each election to be held at the expiration of the term shall be as follows: *<Amended by Act No. 5508, Feb. 6, 1998; Act No. 7189, Mar. 12, 2004>*

1. The presidential election shall be held on the first Wednesday from the 70th day before the expiration of the term of office;

2. The election of National Assembly members shall be held on the first Wednesday from the 50th day before the expiration of the term of office;

3. The election of local council members and the head of each local government shall be held on the first Wednesday from the 30th day before the expiration of the term of office.

(2) Where the election day as provided in paragraph (1) falls on a folk festival day or legal holiday closely related with the lives of the people or the day preceding or following the election day is a legal holiday, the election shall be held on the Wednesday of the following week. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 35 (Election Day of Special Election, etc.)

(1) An election to fill up a presidential vacancy or reelection (excluding a reelection provided for in paragraph (3); hereafter the same shall apply in paragraph (2)) shall be held within 60 days from the time when the cause for holding the election becomes definite, but the election day shall be publicly announced

by the President or acting President by not later than 50 days before the election day. *<Amended by Act No. 9466, Feb. 12, 2009>*

(2) The dates of special election, reelection, election for a membership increase, and election of the heads of local governments due to an establishment, abolition, division or merger of local governments shall be as follows: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 10981, Jul. 28, 2011; Act No. 13497, Aug. 13, 2015>*

1. The special election and reelection of the National Assembly members, local council members and heads of local governments, and the election of local council members for a membership increase, shall be held on the first Wednesday of April. In such cases, Article 34 (2) shall apply mutatis mutandis to the election day, and an election for which the reason for holding it becomes definite after 30 days prior to the election day shall be held on the election day of the following special election day, etc.;

2. The election of the heads of local governments due to an establishment, abolition, division or merger of local governments shall be held on a day determined by the chairperson of the competent constituency election commission in consultation with the head of the relevant local government (including his/her proxy) within 60 days from the time when the reason for holding the relevant election becomes definite. In such cases, the election day shall be publicly announced by not later than 30 days before the election day by the chairperson of the competent constituency election commission.

(3) The reelection provided for in Article 197 shall be held within 30 days after the final judgment or decision is notified, but the competent constituency election commission shall determine the reelection day and publicly announce it.

(4) For the purpose of this Act, the term "special election" means an election as provided for in paragraphs (1) through (3) and Article 36.

(5) For the purpose of this Act, the term "time when the cause for holding the election becomes definite" means the following days: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

1. The day when the cause therefor occurs, in cases of an election to be held due to a presidential vacancy;

2. The day when the National Election Commission is in receipt of the notification of relevant causes in cases of a special election for a local constituency National Assembly member, and the day when the competent constituency election commission is in receipt of the said notification in cases of a special election for a member of local council and for the head of a local government;

3. The day when the cause therefor becomes definite in cases of a reelection (where it has become definite by a judgment or ruling of the court, the day when the competent constituency election commission is in receipt of the notification of such a judgment or ruling). In such cases, for reelection under Article 195 (2), the time when a cause for holding the special election becomes definite shall be deemed to be the time when a cause for holding the reelection becomes definite;

4. The day when the attached Table 2 or City/Do municipal ordinance concerning the new constituency becomes effective, in cases of an election for a membership increase of local council members;

5. The day when the Acts regarding the establishment, abolition, division, or merger of the local government enter into force, in cases of an election for the head of a local government due to the establishment, abolition, division or merger of the local government;

6. The day when the postponement of the election is publicly announced as provided for in Article 196 (3), in cases of the postponed election;

7. The day when the revoting day is publicly announced as provided for in Article 36, in cases of revoting.

Article 36 (Election Day of Postponed Election)

Where a postponed election as provided in Article 196 is held, the election day shall be determined and publicly announced by the President, in cases of the presidential election and the election for the National Assembly member, and by the chairman of the competent constituency election commission, in cases of the election for the local council member and the head of the local government, and where a revoting as provided in Article 198 is held, the revoting day shall be determined and publicly announced by the chairman of the competent constituency election commission. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 37 (Preparation of Electoral Register)

(1) Whenever an election is held, the head of a Gu (including a Gu that is not an autonomous Gu), Si (referring to a Si with no Gu established therein), or Gun (hereinafter referred to as "Gu/Si/Gun") shall survey, for each voting district, persons who have the right to vote (including foreigners under Article 15 (2) 3 in cases of the elections of local council members and the head of a local government; excluding persons enrolled in the overseas electoral register determined pursuant to Article 218-13 or the register of reported overseas absentees of another Si/Gun/Gu), and who is registered as a resident in the relevant district pursuant to Article 15, as of 28 days before the presidential election day and 22 days before the election day of members of the National Assembly, local council members, or the head of a local government (hereinafter referred to as the "basis date for preparation of electoral register"), and shall prepare the electoral register within five days from the basis date for preparation of the electoral register (hereinafter referred to as the "period for preparation of electoral register"). In such cases, persons enrolled in the register of reported overseas absentees determined pursuant to Article 218-13 shall be marked with such fact in the column of remarks in the electoral register. *<Amended by Act No. 9466, Feb. 12, 2009; Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

(2) The electoral register shall include the elector's name, address, sex, date of birth, and other necessary matters.

(3) No one may enter him/her in two or more electoral registers in the same election.

(4) The head of a Gu/Si/Gun shall, upon preparing the electoral register, immediately send a certified copy thereof (including a copy of computerized materials for preparation of the electoral register) to the competent Gu/Si/Gun election commission. *<Amended by Act No. 9466, Feb. 12, 2009>*

(5) Where the number of electors in a voting district exceeds 1,000, the electoral register may be divided into fascicles in means that each fascicle can contain approximately the same number of electors.

(6) The electoral register as provided for in paragraph (1) may be prepared through a computer system. *<Amended by Act No. 7681, Aug. 4, 2005>*

(7) Matters necessary for the form of the electoral register and other matters shall be prescribed by Regulations of the National Election Commission.

Article 38 (Reporting of Ballot at Abode or aboard Ship)

(1) Any person who is qualified for the enrollment in the electoral register but who falls under any subparagraph of paragraph (4) 1 through 5 (excluding foreigners defined under Article 15 (2) 3) may file a report in writing with the head of the competent Gu/Si/Gun (hereinafter referred to as "abode ballot report") during the period set for the preparation of the electoral register. In such cases, an abode polling report shall be dispatched by registered mail, and the postal charges therefor shall be borne by the State or the competent local government. *<Amended by Act No. 9466, Feb. 12, 2009; Act No. 12267, Jan. 17, 2014>*

(2) A seafarer who is qualified for the enrollment in the electoral register for a presidential election or an election for National Assembly members at the end of their term of office but is unable to vote at an advance polling station or a regular polling station because he/she is scheduled to be or is on board any of the following ships, he/she may file a report in writing (including where a seafarer on board files a report via facsimile in the relevant ship) with the head of the competent Gu/Si/Gun during the period for preparation of the electoral register (hereinafter referred to as "shipboard polling report"). In such cases, the latter part of paragraph (1) shall apply mutatis mutandis where a shipboard polling report is filed via mail: *<Newly Inserted by Act No. 11374, Feb. 29, 2012; Act No. 11690, Mar. 23, 2013; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. Any of the following ships, the mastership of which is held by a citizen of the Republic of Korea and that is registered as a ship of the Republic of Korea under Article 2 of the Ship Act (including a bareboat chartered under the condition that it shall acquire the nationality of the Republic of Korea):
   (a) A ship used for deep-sea fisheries with a permit granted by the Minister of Oceans and Fisheries under Article 6 (1) of the Distant Water Fisheries Development Act;
   (b) A ship used for overseas passenger transportation services with a license issued by the Minister of Oceans and Fisheries under Article 4 (1) of the Marine Transportation Act;
   (c) A ship used for overseas cargo transportation services after filing for registration with the Minister of Oceans and Fisheries under Article 24 (2) of the Marine Transportation Act;
2. A ship with a foreign nationality, which is managed by a person who engages in a ship management business registered with the Minister of Oceans and Fisheries pursuant to Article 33 (1) of the Marine Transportation Act and the mastership of which is held by a citizen of the Republic of Korea.

(3) A person who intends to file an abode polling report or a shipboard polling report shall state the following matters in the relevant report form, and a person who falls under paragraph (4) 1 or 2 shall obtain confirmation thereon from the head of the institution or facility to which he/she belongs; a person who falls under paragraph (4) 3 (excluding persons registered pursuant to Article 32 of the Act on Welfare of Persons with Disabilities as those with disabilities) from the head of the competent Tong/Ri/Ban; and a

seafarer who falls under paragraph (4) 6 from the owner of the relevant ship (in cases of a ship falling under paragraph (2) 2, referring to a person who engages in a ship management business) or the master of the relevant ship. In such cases, the head of each Gu/Si/Gun shall send a guidebook on the abode polling report and an abode polling report form to each person registered as a person with disabilities pursuant to Article 32 of the Act on Welfare on Persons with Disabilitiest, from among the persons specified in paragraph (4) 3, by not later than ten days before the basis date for the preparation of the electoral register: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9466, Feb. 12, 2009; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. The reason for the polling at the abode or aboard the ship;
2. Name, sex, and date of birth;
3. Address or abode (referring to the name of the ship and the facsimile number in cases of a seafarer specified in paragraph (4) 6).

(4) Any of the following persons may vote at his/her abode (referring to the ship in cases of a seafarer under subparagraph 6): *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. A person who performs his/her service in a military base or aboard a military vessel located too far away from the nearest advance polling station or a regular polling station to vote, among military personnel and police officers who stay for a long term in a military base or aboard a ship in accordance with an Act and subordinate statutes;
2. A person who has been admitted for a long time in a hospital, sanatorium, asylum, prison, or detention center;
3. A person who is unable to move freely on the ground of his/her serious physical disability;
4. A person who resides in an island specified by Regulations of the National Election Commission, among remote and isolated islands too far away for inhabitants to vote at the nearest advance polling station or regular polling station;
5. A person specified by Regulations of the National Election Commission as a person who stays for a long time in an area in which it is impracticable to install an advance polling station or regular polling station;
6. A seafarer who falls under paragraph (2).

(5) Upon receipt of an abode polling report or a shipboard polling report, the head of a Gu/Si/Gun shall verify the facts stated in the relevant report, enter relevant facts in the electoral register, if the abode polling report or shipboard polling report is proper, and prepare separate electoral registers of reported abode voters and of reported shipboard voters (hereinafter referred to as the “electoral registers of reported abode voters and of reported shipboard voters”). *<Amended by Act No. 12267, Jan. 17, 2014>*

(6) When the head of a Gu/Si/Gun completes the preparation of electoral registers of reported abode voters and of reported shipboard voters, he/she shall send certified copies thereof (including photocopies of computerized data) to the competent Gu/Si/Gun election commission. *<Amended by Act No. 9466, Feb. 12,*

2009; Act No. 12267, Jan. 17, 2014>

(7) Article 37 (6) shall apply mutatis mutandis to the preparation of the electoral registers of reported abode voters and of reported shipboard voters. *<Amended by Act No. 12267, Jan. 17, 2014>*

(8) The forms of an abode polling report and a shipboard polling report, the forms of electoral registers of reported abode voters and of reported shipboard voters, the procedure for the verification of reasons for polling at the abode or aboard the ship, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 39 (Supervision, etc. over Preparation of Electoral Registers)

(1) Electoral registers (including electoral registers for abode polling reports and for shipboard polling reports; hereafter the same shall apply in this Article) shall be prepared under the supervision of the competent Gu/Si/Gun election commission and the competent Eup/Myeon/Dong election commission. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(2) When a public official who is engaged in the preparation of the electoral register is appointed or dismissed, the head of the relevant Gu/Si/Gun shall immediately notify the competent Gu/Si/Gun election commission. *<Amended by Act No. 9466, Feb. 12, 2009>*

(3) A person who has the right to appoint and dismiss a public official to be engaged in the preparation of the electoral register shall, when wishing to dismiss the public official during the electoral register preparation period, consult with the competent Gu/Si/Gun election commission or its immediate superior election commission.

(4) If a public official who is engaged in the preparation of the electoral register, without justifiable grounds, fails to comply with directions, orders, or demands for correction from the competent Gu/Si/Gun election commission or the Eup/Myeon/Dong election commission, neglects to perform his/her duties, or commits an illegal or wrongful act, with respect to the preparation of the electoral register, the competent Gu/Si/Gun election commission or its immediate superior election commission may demand that the person who has the right to appoint or dismiss him/her replace him. *<Amended by Act No. 7681, Aug. 4, 2005>*

(5) A person who has the right to appoint or dismiss a public official to be engaged in the preparation of the electoral register shall, upon receiving the demand for replacement as provided for in paragraph (4), comply with it, unless any justifiable ground exists to the contrary.

(6) and (7) Deleted. *<by Act No. 5537, Apr. 30, 1998>*

(8) No person shall interfere with electoral register preparation affairs or take an act having influence on the preparation of the electoral register in any other way. *<Amended by Act No. 5537, Apr. 30, 1998>*

(9) The notification of matters on appointment and dismissal of public officials engaged in the preparation of the electoral register, and other necessary matters, shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 5537, Apr. 30, 1998>*

Article 40 (Public Inspection of Electoral Register)

(1) The head of Gu/Si/Gun shall offer the electoral register for public pursual in a predetermined place for three days from the next day of the date when the period for preparation of electoral register expires. In such cases, the head of Gu/Si/Gun shall take technical measures in order for persons who have the right to vote to peruse the electoral register on the Internet homepage opened and operated by the relevant Gu/Si/Gun. *<Amended by Act No. 9466, Feb. 12, 2009>*

(2) Any elector may freely persue the electoral register: Provided, That the perusal of the electoral register on the Internet homepage referred to in the provisions of paragraph (1) shall be limited to the information pertaining to the elector himself. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) The head of Gu/Si/Gun shall publish the place, the period, the address of the Internet homepage and perusal methods referred to in paragraph (1) by no later than three days before the beginning of public inspection. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9466, Feb. 12, 2009>*

Article 41 (Objection and Decision)

(1) An elector may, upon finding an omitted or misspelled entry or an ineligible elector in the electoral register, file an objection orally or in writing with the head of the Gu/Si/Gun concerned during the inspection period. *<Amended by Act No. 9466, Feb. 12, 2009>*

(2) The head of Gu/Si/Gun shall, upon receiving the objection as provided in paragraph (1), examine and decide on it, by the date following the date when the objection is raised, but if deciding that the objection is well-grounded, shall immediately correct the electoral register and notify the person who has raised the objection, the person concerned and the competent Gu/Si/Gun election commission thereof, and if deciding that the objection is groundless, shall notify the person who has filed the objection and the competent Gu/Si/Gun election commission thereof. *<Amended by Act No. 9466, Feb. 12, 2009>*

Article 42 (Appeal of Dissatisfaction and Decision)

(1) A person who has filed an objection or the person concerned may, when dissatisfied with the decision as provided in Article 41 (2), file an appeal of dissatisfaction in writing with the competent Gu/Si/Gun election commission by the date following the date when the notification is received.

(2) The competent Gu/Si/Gun election commission shall, upon receiving an appeal as provided in paragraph (1), examine and decide on it, by the date following the date when the appeal is filed, but if deciding that the appeal is well-grounded, shall immediately notify the head of the Gu/ Si/Gun concerned thereof so that the head can correct the electoral register and notify the person who has filed the appeal and the person concerned, and if deciding that the appeal is groundless, shall notify the person who has filed the appeal and the head of the Gu/Si/Gun concerned. *<Amended by Act No. 9466, Feb. 12, 2009>*

Article 43 (Relief of Persons Omitted in Electoral Register)

(1) Where the head of Gu/Si/Gun makes an error so that a rightful elector is found to be omitted in the electoral register from the day following the date when the objection period expires as provided in Article 41 (1) to the day preceding the date when the electoral register becomes final as provided in Article 44 (1), the elector in question or the head of the Gu/Si/Gun concerned may request the competent Gu/Si/Gun election commission in writing to enter the omitted person in the electoral register, by appending

explanatory materials, such as a certified copy of such person's resident registration card. <*Amended by Act No. 9466, Feb. 12, 2009; Act No. 10981, Jul. 28, 2011*>

(2) The competent Gu/Si/Gun election commission shall, upon receiving a request as provided in paragraph (1), examine and decide on it, by the day following the date when the request is submitted, but if deciding that it is well-grounded, shall immediately notify the head of the Gu/Si/Gun concerned thereof so that the head can correct the electoral register and notify the person who has submitted the request thereof, and if deciding that it is groundless, shall notify the person who has submitted the request and the head of the Gu/Si/Gun concerned. <*Amended by Act No. 9466, Feb. 12, 2009*>

Article 44 (Finalization and Effects of Electoral Registers)

(1) An electoral register shall be finalized 12 days before the election day, while the electoral registers of reported abode voters and of reported shipboard voters shall be finalized on the day immediately following the end of the period set for the preparation of the electoral registers, and such electoral registers shall be valid only for each relevant election. <*Amended by Act No. 11207, Jan. 17, 2012; Act No. 12267, Jan. 17, 2014*>

(2) The head of a Gu/Si/Gun shall take technical measures in order for an elector to confirm whether he/she is enrolled in the electoral register, the registration number in electoral register, and the location of polling stations on the Internet web-site opened and operated by the relevant Gu/Si/Gun, from the next day of the date when the electoral register becomes final to the closing hour of balloting on the election day.

(3) When publicly notifying pursuant to Article 40 (3), the head of a Gu/Si/Gun shall also publish the address of Internet web-site, period of confirmation, and method for confirmation necessary for confirmation under paragraph (2).

Article 44-2 (Preparation of Integrated Electoral Register)

(1) The National Election Commission shall prepare a single electoral register (hereinafter referred to as “integrated electoral register”) with copies of computerized data of the electoral registers finalized to use at advance polling stations.

(2) When the National Election Commission prepares an integrated electoral register, it shall take technical measures necessary to prevent a single person from casting votes twice or more.

(3) The integrated electoral register shall be prepared with an electronic computer system.

(4) Each Eup/Myeon/Dong election commission shall print out the electoral register, prepared by the National Election Commission, taking technical measures thereto after the end of the period set for advance polling under Article 148 (1) in order to use it at polling stations, and then the head of each Eup/Myeon/Dong election commission shall put it into an envelope, seal and store it, while persons recommended by each political party shall be permitted to witness the process of storing it. In such cases, when a person recommended by a political party fails to appear at the time of storing, such person shall be deemed to renounce his/her right to witness.

(5) No person shall inspect, use, or leak the electoral register printed out in accordance with paragraph (4) in any manner other than the manners prescribed by this Act.

(6) The methods for the preparation of the integrated electoral register and the storage of the electoral registers printed out in order to use them at polling stations on the election day and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 45 (Re-preparation of Electoral Registers)

(1) Where the electoral register (including electoral registers of reported abode voters and of reported shipboard voters; hereafter the same shall apply in this Article) is destroyed or damaged due to a natural disaster or any other accident, the head of a Gu/Si/Gun shall prepare a new electoral register, if it is necessary for the election: Provided, That where a certified copy of the electoral register sent under Articles 37 (4) and 38 (6) exists, it is not required to prepare the electoral register again. *<Amended by Act No. 9466, Feb. 12, 2009; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

(2) The re-preparation, public inspection, finalizations and valid term of the electoral register as provided for in the main sentence of paragraph (1) and other necessary matters, shall be prescribed by Regulations of the National Election Commission.

Article 46 (Delivery of Copy of Electoral Register)

(1) Upon receipt of a request from a candidate [excluding candidates for a proportional representative National Assembly member or candidates for a proportional representative local council member (referring to a proportional representative City/Do council member and a proportional representative autonomous Gu/Si/Gun council member; hereinafter the same shall apply)], an election campaign manager (excluding election campaign managers for the election of a proportional representative National Assembly member or the election of a proportional representative local council member) or the chief of an election campaign liaison office, the head of a Gu/Si/Gun shall issue to the requesting person, within 24 hours, a set of copies of the electoral register or electoral registers of reported abode voters and of reported shipboard voters, already prepared, or a set of copies of computerized data thereof for each candidate. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 9466, Feb. 12, 2009; Act No. 12267, Jan. 17, 2014>*

(2) A request for the issuance of copies of the electoral register under paragraph (1) or copies of the computerized data thereof shall be filed in writing with the head of the competent Gu/Si/Gun before the beginning of the election period. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014>*

(3) A person who files a request for the issuance of copies of the electoral register or copies of the computerized data thereof under paragraph (2) shall pay fees for the preparation of the copies, along with the request for issuance. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 12267, Jan. 17, 2014>*

(4) No person shall transfer or lend the copies of an electoral register or the copies of computerized data, which have been issued pursuant to paragraph (1), to another person or use such copies for a gain on property or any other profit. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 12267, Jan. 17, 2014>*

(5) A request for issuance and the payment of fees under paragraphs (2) and (3) and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 12267, Jan. 17, 2014>*

Article 47 (Recommendation of Candidates by Political Parties)

(1) A political party may recommend its member as a candidate (hereinafter referred to as "party-recommended candidate") within the limit of the fixed number to be elected in each constituency in an election: Provided, That in cases of the proportional representative autonomous Gu/Si/Gun council members, the political party may recommend its members as candidates in excess of the limit of the fixed number. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(2) When any political party intends to recommend its members as candidates pursuant to paragraph (1), it shall do so according to democratic procedures. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) When any political party intends to recommend its members as candidates to run in the proportional representative National Assembly member election and candidates to run in the proportional representative local council member election, such political party shall recommend not less than 50/100 of the candidates from among women and recommend candidates falling under every odd number in order of the candidate roll from among women. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) When any political party intends to recommend its members as candidates to run in the election for National Assembly members of local constituency and in the election for local council members of local constituency after their term of office expires, such political party shall work to recommend not less than 30/100 of the total number of the candidates to run in the election for nationwide constituencies from among women. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(5) When any political party intends to recommend its members as candidates to run in the election for local council members of a local constituency after their term of office expires, such political party shall recommend not less than one woman as a candidate to run in an election, from among the election for City/Do council members in a local constituency or the election for autonomous Gu/Si/Gun council members in a local constituency for each local constituency of National Assembly members (excluding Gun regions, and when some parts of autonomous Gus combine with other autonomous Gus or military regions, becoming a local constituency of National Assembly members, the relevant parts of such autonomous Gus are excluded). *<Newly Inserted by Act No. 9974, Jan. 25, 2010; Act No. 10067, Mar. 12, 2010>*

Article 47-2 (Prohibitions on Accepting Money and Articles concerning Recommendation of Candidates by Political Parties)

(1) No one shall offer, manifest his/her intent to offer, or promise to offer money, goods, any other property interest, or any position, public or private, or shall receive money, goods, any other property interest, or any position, public or private, or accept the intent manifested to offer money, goods, or any other property interest, or any position, public or private, in connection with the recommendation of a specific person as a candidate by a political party. In such cases, if a candidate (including a person who intends to become a candidate) or the spouse of a candidate (hereafter referred to as “a candidate or his/her spouse” in this paragraph) or a lineal ascendant or descendant or a sibling of a candidate or of his/her spouse offers money, goods, or any other property interest under whatsoever name or pretext, such as repayment of a debt or lending of a loan, to a political party, a National Assembly member (including the

representative of the council of party members in the local constituency of a National Assembly member or in an autonomous Gu, Si, or Gun under Article 37 (3) of the Political Parties Act; hereafter in this paragraph referred to as “a National Assembly member, etc.”), the spouse of a National Assembly member, etc., or a lineal ascendant or descendant or sibling of a National Assembly member, etc. or of his/her spouse during a period between 150 days before the election day and 60 days after the election day, other than support payments or the payment of party membership fees under the Political Funds Act, such money, goods, or property interest shall be deemed to be offered in connection with the recommendation of a specific person as a candidate by a political party. *<Amended by Act No. 12393, Feb. 13, 2014>*

(2) No one shall direct, persuade, request or mediate concerning any act prescribed in paragraph (1).

Article 48 (Recommendations of Candidates by Electors)

(1) Electors who have registered as residents in any constituency may recommend anyone who is not a member of any political party as a candidate (hereinafter referred to as "independent candidate") to run in the election for the relevant constituency by each election (excluding the proportional representative National Assembly member election and the proportional representative local council member election). *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) A person who intends to be an independent candidate shall obtain recommendations of electors as provided for in the following, using a letter of recommendation which is approved, sealed and issued by the competent constituency election commission from five days before the beginning of the application for candidate registration (30 days before the beginning of the application for candidate registration, in cases of an election to be held at the expiration of the presidential term; three days after the reason becomes definite, in cases of an election due to the presidential vacancy): *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 11207, Jan. 17, 2012>*

1. In cases of a presidential election: Recommendations of 3,500 to 6,000 electors from five or more Cities/Dos, who shall be comprised of at least 700 electors registered as residents in each City/Do;
2. In cases of an election of a local constituency National Assembly member or the head of an autonomous Gu/Si/Gun: Recommendations of 300 to 500 electors;
3. In cases of an election of a local constituency City/Do council member: Recommendations of 100 to 200 electors;
4. In cases of an election of the Mayor/Do Governor: Recommendations of 1,000 to 2,000 electors who are divided into a third or more autonomous Gu/Si/Gun in the relevant City/Do, each of which includes 50 or more electors who have made resident registrations;
5. In cases of an election of the autonomous Gu/Si/Gun council members of local constituency: Recommendations of 50 to 100 electors: Provided, That in cases of a constituency with a population of fewer than 1,000: Recommendations of 30 to 50 electors.

(3) In cases of paragraph (2), the candidate shall not be recommended with a letter of recommendation with no seal of approval or by electors in excess of the upper limit of recommending electors.

(4) The seal of approval for a letter of recommendation and the application for issuance of a letter of recommendation under paragraph (2) may be obtained and made from 9 a.m. to 6 p.m. every day, regardless of statutory holidays. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

(5) The form, request for issuance, and issuance of a letter of recommendation of elector, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 10981, Jul. 28, 2011>*

Article 49 (Registration, etc. of Candidates)

(1) A candidate shall apply for candidate registration in writing to the competent constituency election commission for two days (hereinafter referred to as "candidate registration period") from the 24th day before the election day in cases of the presidential election, and from the 20th day before the election day in cases of an election of a National Assembly member, a local council member and the head of a local government (hereinafter referred to as "beginning day of the application for candidate registration"). *<Amended by Act No. 10981, Jul. 28, 2011>*

(2) The registration of a party-recommended candidate shall be applied for by the political party which has recommended the candidate for the presidential election or the election of a proportional representative National Assembly member or a proportional representative local council member, and by the person who intends to be a party recommended candidate for the election of a National Assembly member of local constituency, a local council member of local constituency or the head of a local government, but the application for registration shall be accompanied by the letter of recommendation which is signed and sealed by the official stamp or the representative of the recommending political party, and by the acceptance letter of the candidate (limited to cases of the presidential election and the election of a proportional representative National Assembly member and a proportional representative local council member). In such cases, the application for registration of candidates for proportional representative National Assembly members and for proportional representative local council members shall be accompanied by the roll of candidates whose rankings are decided by the recommending political party. *<Amended by Act No. 10981, Jul. 28, 2011>*

(3) A person who intends to be an independent candidate shall submit an application for registration along with letters of recommendation (in a single or plural entry, and the seal between pages is not required) signed and sealed (thumbprint is not permitted) by electors pursuant to Article 48. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

(4) A person who applies for the registration of a candidate under paragraphs (1) through (3) shall submit the following documents and pay the deposit specified in Article 56 (1): *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 7850, Mar. 2, 2006; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014>*

1. Evidentiary documents on eligibility for election as prescribed by Regulations of the National Election Commission;

2. A written report on property subject to registration under Article 10-2 (1) of the Public Service Ethics Act;

3. A report on military service records as provided for in Article 9 (1) of the Act on the Report and Disclosure of Military Service Records of Public Servants, Etc.;

4. A written report on the payment or default (excluding any default of not more than 100,000 won or for not more than three months) of income tax (limited to where it is intended to submit such certificate of the income tax withheld at source pursuant to Article 127 (1) of the Income Tax Act), property tax and comprehensive real estate holding tax for the latest five years by the candidate, his/her spouse, lineal ascendants and descendants (excluding his/her married daughters, maternal grandfather and grandmother, and daughters' children). In such cases, the lineal ascendant of the candidate may refuse to make a report on his/her payment or default of taxes;

5. Evidentiary documents on criminal records (including expired sentences; hereinafter referred to as "criminal records") of a fine not exceeding one million won or any heavier punishment;

6. A certificate of final academic background relating to the regular academic background recognized by the Elementary and Secondary Education Act and the Higher Education Act (hereinafter referred to as "regular academic background"), and each certificate (Korean translations shall be attached) relating to the academic background completed in a foreign educational institution corresponding to the domestic regular academic background. In such cases, an academic background, the certificate of which is required to be submitted shall be limited to the academic background which is stated or to be stated in the campaign materials of preliminary candidates provided for in Article 60-3 (1) 4, campaign promise collections of preliminary candidates provided for in Article 60-4, election posters provided for in Article 64, election campaign bulletins provided for in Article 65 (including the open data on candidates provided for in paragraph (9) of the same Article), written campaign pledges provided for in Article 66 and on the Internet homepage operated by the candidate;

7. A report on past records of registration as a candidate in a presidential election, in an election of a National Assembly member, a local council member, or the head of a local government, or in an election of a member of an Education Committee or a superintendent of education *[referring to the year in which an election was held, the name of election, the name of constituency, the name of the political party to which the candidate belonged (limited to the election in which the recommendation of a candidate by a political party is permitted), and whether the candidate won or lost the election].*

(5) Any one who files an application for the registration of a candidate may not submit documents submitted when he/she files an application for the registration of a preliminary candidate under Article 60-2 (2), notwithstanding paragraph (4): Provided, That where parts of such documents are changed, he/she shall add or supplement such documents until he/she files an application for the registration of a candidate. *<Amended by Act No. 9974, Jan. 25, 2010>*

(6) No member of any political party shall register as an independent candidate, and shall not register as a candidate for the election concerned if seceding from the party, changing his/her membership, or holding

two or more memberships at the same time during the candidate registration period (including the time of application for candidate registration). These provisions shall also apply to where he/she loses his/her party membership due to the dissolution of the party, the cancellation of registration, or the central party's revocation of its approval of the formation of a City/Do party. *<Amended by Act No. 7189, Mar. 12, 2004>*

(7) Applications for candidate registration shall be accepted from 9:00 a.m. through to 6 p.m. each day, regardless of statutory holidays. *<Amended by Act No. 10981, Jul. 28, 2011>*

(8) The competent constituency election commission shall, upon receiving an application for candidate registration, immediately accept it, but shall not accept an application for registration when the written application for registration, a letter of recommendation from the political party and the candidate's acceptance letter, letters of recommendation of electors, deposit money, and the documents under paragraph (4) 2 through 5, are not attached, or the ratio and order in the recommendation of female candidates (limited to the election of the proportional representative local council members) provided for in Article 47 (3) are violated: Provided, That even though the documents attesting to a candidate's eligibility for election are not attached, the competent constituency election commission shall accept such application and then investigate the facts thereof, and the agencies or organizations which receive a request for such investigation shall verify the fact thereof without delay and make a reply to the competent constituency election commission. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8053, Oct. 4, 2006>*

(9) Where the relevant public service ethics committee under Article 9 of the Public Service Ethics Act makes a request, the competent election commission of the electoral district shall send the relevant public service ethics committee a copy of a report on property subject to registration submitted by an elected person pursuant to paragraph (4) 2 within 15 days after the person is elected. *<Amended by Act No. 13617, Dec. 24, 2015>*

(10) Any person who intends to become a candidate or any political party may request a criminal record check on the principal or any party member who intends to become a candidate from the head of the national police station, starting from 150 days before the date on which an election period commences, and the head of the national police station so requested shall make a reply without delay of such criminal record. In such cases, the replied criminal record shall be concurrently submitted at the time of candidate registration, and where such check on the candidate is deemed necessary, the competent constituency election commission may, request the criminal record check on such candidate from the chief of the public prosecutor's office having jurisdiction over the relevant constituency, without delay after the deadline of candidate registration, and the chief of the relevant public prosecutor's office shall without delay make a reply of whether such criminal record is genuine. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 7849, Feb. 21, 2006; Act No. 10981, Jul. 28, 2011>*

(11) Any one may, during the election period, peruse the criminal records which are received by the competent constituency election commission under paragraph (10). *<Newly Inserted by Act No. 6265, Feb. 16, 2000>*

(12) The competent constituency election commission shall make available to the public the documents submitted or received under paragraphs (4) 2 through 7 and (10) so that electors can be informed thereof: Provided, That such documents shall not be made available to the pubic after the election day. *<Newly Inserted by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 12393, Feb. 13, 2014>*

(13) and (14) Deleted. *<by Act No. 7681, Aug. 4, 2005>*

(15) The application form for candidate registration, a form for letter of recommendation for tax payment and declaration of default of taxes and the methods of offering documents that are submitted and delivered for public perusal and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

Article 50 (Prohibition from Cancelling and Changing Recommendation of Candidates)

(1) The political party shall not cancel or change its recommendation of a registered candidate once the candidate is registered, and shall not make an addition to or change the order in the roll of candidates for the proportional representative National Assembly members (including the roll of candidates for the proportional representative local council members; hereafter the same shall apply in this paragraph): Provided, That where the registration becomes invalid due to a ground other than the resignation or death of the party-recommended candidate, the expulsion of him/her from the political party to which he/she belongs, or the central party's revocation of approval of a formation of City/Do party during he/she candidate registration period, an exception shall be made, but if any candidate is added to the roll of candidates for the proportional representative National Assembly members, the order of such candidate shall come after those already registered. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) Every elector shall not cancel or change his/her recommendation for any candidate. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 7681, Aug. 4, 2005>*

Article 51 (Supplementary Registration)

Where a party-recommended candidate for the presidential election dies during or after the candidate registration period, the candidate registration may be applied for as provided in Articles 47 and 49 no later than the fifth day from the close of the candidate registration period. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 52 (Nullification of Registration)

(1) The registration of a candidate shall become null if any of the following events occurs after the candidate is registered: *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8053, Oct. 4, 2006; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. The candidate is found to be ineligible for the election;

2. The recommendation is found to have been made in excess of the fixed number to be elected by constituency, in contravention of the main sentence of Article 47 (1), the ratio and precedence of the recommendation of female candidates to run in the election of the proportional representative local

council members provided for in paragraph (3) of the same Article are found to have violated, or the number of recommending electors provided for in Article 48 (2) is found to be insufficient;

3. The candidate is found to have failed to submit the documents under Article 49 (4) 2 through 5;

4. The candidate is found to have registered, in contravention of Article 49 (6);

5. The candidate is found to have registered, in contravention of Article 53 (1) through (3) or (5);

6. The party-recommended candidate secedes from the party, changes to another party, or is a member of two or more parties (including where he/she is a member of two or more parties at the time of candidate registration); the political party to which he/she belongs is dissolved or cancels its registration; or the central party revokes an approval of the formation of a City/Do party;

7. An independent candidate becomes a member of a political party;

8. The candidate is found to have registered, in contravention of Article 57-2 (2) or 266 (2) and (3);

9. A political party is found to have recommended persons who do not belong to the relevant political party or persons who are not eligible to become party members under Article 22 of the Political Parties Act;

10. The candidate is found to be a person who is restrained from holding a public office under other Acts or a person who is not eligible to become a candidate;

11. A political party or a candidate is found to have failed to submit open data about the information of a candidate without any good cause, in contravention of Article 65 (9).

(2) Where any registration is found to have made in contravention of Article 47 (5), the registration of a candidate for City/Do council members of local constituency, and for autonomous Gu/Si/Gun council members of local constituency who are recommended by the political party in the relevant constituency of a National Assembly member shall become null: Provided, That this shall not apply to where the sum of the number of candidates for City/Do council members of local constituency and the number of candidates for autonomous Gu/Si/Gun council members of local constituency who are recommended by the relevant political party in the area where female candidates need to be recommended under Article 47 (5) is fewer than the number (any fraction less than one shall be deemed one) equivalent to 50/100 of the sum of the fixed number of the City/Do council members of local constituency and the fixed number of autonomous Gu/Si/Gun council members of local constituency and where the registration of a female candidate becomes null. *<Newly Inserted by Act No. 10067, Mar. 12, 2010>*

(3) Where a candidate has registered as a candidate for other constituencies in the same election or as a candidate for other elections, all his/her registrations shall become nullified. *<Amended by Act No. 6265, Feb. 16, 2000>*

(4) Where the registration of a candidate becomes nullified, the competent constituency election commission shall immediately notify the candidate and the political party which has recommended him/her of the facts thereof, specifying the reason for registration nullification.

Article 53 (Candidacy of Public Officials, etc.)

(1) Any of the following persons who intends to be a candidate shall resign his/her post 90 days before the election day: Provided, That the same shall not apply to where any National Assembly member runs for the presidential election or the election of the National Assembly members with his/her present post held, and where any local council member or the head of a local government runs in the election of local council members or the head of the local government with his/her present post held: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 13617, Dec. 24, 2015>*

1. A State public official provided for in Article 2 of the State Public Officials Act and a local public official provided for in Article 2 of the Local Public Officials Act: Provided, That the same shall not apply to a public official (excluding the one in political service) who is eligible to become a party member as provided for in the proviso to Article 22 (1) 1 of the Political Parties Act;
2. A member of the election commission of each level or a member of the educational committee;
3. A person who has the status of a public official as prescribed by other Acts and subordinate statutes;
4. A full-time executive of an institution (including the Bank of Korea), at least 50/100 shares of which are owned by the Government, from among institutions falling under Article 4 (1) 3 of the Act on the Management of Public Institutions;
5. A full-time executive of the cooperatives established under the Agricultural Cooperatives Act, the Fisheries Cooperatives Act, the Forestry Cooperatives Act, the Tobacco Producers Cooperatives Act, or the chairmen of their central organizations;
6. A full-time executive of a local public corporation or local industrial complex provided for in Article 2 of the Local Public Enterprises Act;
7. A private school teacher who is ineligible for a party membership as provided for in Article 22 (1) 2 of the Political Parties Act;
8. A journalist as prescribed by Regulations of the National Election Commission;
9. The representative of an organization (referring to the Society for a Better Tomorrow, the Saemaul Movement Council and the Korea Freedom Federation, and including City/Do organizations and Gu/Si/Gun organizations thereof) invested or subsidized by the State or local governments as a national movement organization established under Special Acts.

(2) In any of the following cases, a candidate shall resign his/her post no later than 30 days prior to the election day, notwithstanding the main sentence of paragraph (1): *<Newly Inserted by Act No. 9974, Jan. 25, 2010; Act No. 13497, Aug. 13, 2015>*

1. When any one runs for the election for proportional representative members of the National Assembly or the election for proportional representative local council members;
2. When any one runs for a special election;
3. When any member of the National Assembly runs for the election for the head of a local government;

4. When any local council member runs for the election for the council member or head of another local government.

(3) When proportional representative members of the National Assembly run for special elections for National Assembly members of local constituency or when proportional representative local council members run for special elections for National Assembly members of local constituency of the relevant local governments, they shall resign their posts before they file an application for the registration of candidates, notwithstanding the proviso to paragraph (1). *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(4) In the application of paragraphs (1) through (3), the relevant person shall be deemed to have resigned his/her office at the time the letter of his/her resignation is accepted by the head of the institution to which he/she belongs, or by the committee to which he/she belongs. *<Amended by Act No. 9974, Jan. 25, 2010>*

(5) Notwithstanding paragraphs (1) and (2), where the head of a local government intends to run for an election of a National Assembly member for a local constituency which is the same as or overlapping with his/her jurisdictional area, he/she shall resign from his/her post no later than 120 days before the election day: Provided, That this shall not apply to where the head of the relevant local government intends to run for the election for National Assembly members of local constituency, which is held 90 days after the date on which his/her term of office expires, after the expiration of his/her term of office. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6988, Oct. 30, 2003; Act No. 9974, Jan. 25, 2010>*

Article 54 (Report on Resignation of Candidates)

A candidate shall, in case where he/she intends to resign, come in person to the competent constituency election commission and report such resignation in writing, but in case where a party-recommended candidate intends to resign, he/she shall submit his/her resignation letter along with a letter of approval on resignation from the political party which recommended him.

Article 55 (Public Notification of Candidate Registration, etc.)

Where a candidate is registered, resigns his/her office or dies, or his/her registration becomes nullified, the constituency election commission concerned shall immediately notify the public thereof, make report to its superior election commission, and notify its subordinate election commission thereof.

Article 56 (Deposit Money)

(1) A person who applies for a candidate registration shall pay the following deposit money per candidate to the competent constituency election commission at the time of the application for registration, pursuant to Regulations of the National Election Commission. In such cases, when a preliminary candidate applies for a candidate registration in the constituency, which is the same as that of the relevant election, he/she shall pay the balance remaining after payment of the deposit money paid under Article 60-2 (2): *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 6518, Oct. 8, 2001; Act No. 6663, Mar. 7, 2002; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012>*

1. 300 million won, in cases of the presidential election;
2. 15 million won, in cases of an election of a National Assembly member;

3. Three million won, in cases of an election of a City/Do council member;

4. 50 million won, in cases of an election of the Mayor/Do Governor;

5. Ten million won, in cases of an election of the head of an autonomous Gu/Si/Gun;

6. Two million won, in cases of an election of an autonomous Gu/Si/Gun council member.

(2) The deposit money provided in paragraph (1) shall not be subject to disposition for arrears or compulsory execution.

(3) Fines for negligence provided in Article 261 and the expenses for any vicarious execution against illegal facilities provided in Article 271 shall be borne with the deposit money (including the deposit money under Article 60-2 (2)) as provided in paragraph (1). *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 57 (Return, etc. of Deposit Money)

(1) The competent constituency election commission shall return amounts classified under the following subparagraphs to the depositor within 30 days after the election day. In such cases, deposit money, which is not returned, shall revert to the State or local governments: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. The presidential election, the election of the National Assembly members of local constituency, the election of the local council members of local constituency and the election of the heads of local governments:

(a) Whole amount of the deposit money in cases where the candidate has been elected or has deceased, and where he/she has obtained 15/100 or more of gross number of valid votes;

(b) Amount equivalent to 50/100 of the deposit money in cases where the candidate has obtained not less than 10/100 but less than 15/100 of gross number of valid votes;

(c) Whole amount of the deposit money paid under Article 60-2 (2), in cases where a preliminary candidate has deceased or any one is not allowed to be registered as a candidate under the main sentence of Article 57-2 (2);

2. The election of the proportional representative National Assembly members and the election of the proportional representative local council members: Whole amount of the deposit money when there exists any elected person from among those listed in the relevant roll of candidates: Provided, That the deposit money of a candidate, who resigns from his/her post before any person is elected, or whose registration is cancelled under Articles 189 and 190-2, shall be excluded.

(2) Expenses to be borne with the deposit money under Article 56 (3) shall be deducted, when the deposit money is returned under paragraph (1), and any one, for whom expenses to be borne exceed the deposit money to be returned, shall pay excessive amount to the constituency election commission and any one, for whom the whole amount of the deposit money reverts to the State or local governments, shall pay the whole amount of expenses to be borne to the constituency election commission, within ten days from the day on which he/she receives a notification, pursuant to the notification of the relevant constituency election commission. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) When the relevant person fails to pay the aforementioned amount within the deadline for payment under paragraph (2), the competent constituency election commission shall entrust the collection of such amount to the head of the competent tax office, and the head of the competent tax office shall collect it by referring to the practices of dispositions on default of national taxes, and pay the collected amount to the State or the relevant local governments. In such cases, the relevant election commission may entrust the collection of expenses for any vicarious execution against illegal facilities, etc. under Article 271 to the head of the competent tax office, after preferentially disbursing such expenses. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(4) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

(5) The return and reversion of the deposit money, and other necessary matters, shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 57-2 (Intra-Party Competition for Recommending Candidates)

(1) Every political party may recommend candidates through intra-party competition (hereinafter referred to as "intra-party competition") to run in the elections for public offices.

(2) Where any political party holds the intra-party competition *[including any poll instead of the intra-party competition, which is conducted on persons who are listed as candidates for the intra-party competition (hereinafter referred to as "candidates for the intra-party competition") according to the party's constitution, regulations or a written agreement that is reached among candidates], anyone who fails to be elected as a candidate of the relevant political party shall be prohibited from being registered as a candidate to run in the relevant election of the same constituency: Provided, That the same shall not apply to cases where anyone who is elected as a candidate is disqualified after he/she renounces his/her candidacy, dies, loses his/her right to be elected or gives up or changes his/her party affiliation.*

(3) Anyone who is disqualified as a member of any political party according to Article 22 of the Political Parties Act shall be prohibited from becoming an elector in the intra-party competition.

Article 57-3 (Intra-Party Competition Campaign)

(1) In the intra-party competition that is held by party members with non-party members granted rights by the relevant political party to vote in such intra-party competition, the competition campaign shall not be waged in ways other than that falling under any of the following subparagraphs: *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 11374, Feb. 29, 2012>*

1. The way provided for in Article 60-3 (1) 1 or 2;
2. The way by which campaign material of one kind, which are prepared by any candidate for the intra-party competition (hereafter in this Article referred to as "competition campaign materials"), are distributed only once;
3. The way (including the way in which a candidate for intra-party competition installs and posts facilities, such as placard, etc. necessary for the publicity of the candidate for intra-party competition at a place where speeches or debates are held as prescribed by National Election Commission Regulations) by which political parties hold joint stump speeches or joint debates indoors.

(2) When any political party distributes the competition campaign material and holds joint stump speeches or joint debates in the ways referred to in paragraph (1) 2 or 3, the political party shall make a report thereon to the competent constituency election commission.

(3) Expenses incurred in waging any competition campaign, in contravention of paragraph (1) shall be deemed election expenses provided for in Article 119.

(4) The preparation of the competition campaign material referred to in paragraph (1) 2, the report referred to in paragraph (2) and other necessary matters shall be determined by Regulations of the National Election Commission.

Article 57-4 (Commission of Intra-Party Competition Clerical Services)

(1) Political parties eligible for the distribution of subsidies according to Article 27 of the Political Funds Act may commission clerical services involving the competition campaign, the voting and the vote counting from among their clerical service of the intra-party competition to the competent constituency election commission in charge of the relevant election.

(2) Where the competent constituency election commission manages the clerical services involving the voting and vote counting of the intra-party competition on commission pursuant to paragraph (1) according to the commission referred to in paragraph (1), expenses incurred therein shall be borne by the State: Provided, That allowances paid to official witnesses in charge of overseeing the voting and vote counting shall be borne by the relevant political parties. *<Amended by Act No. 8879, Feb. 29, 2008>*

(3) Where political parties commission their clerical services involving the intra-party competition pursuant to the provisions of paragraph (1), specific procedures and necessary matters shall be determined by Regulations of the National Election Commission.

Article 57-5 (Prohibition from Buying Party Members, etc.)

(1) No one shall offer any money and goods, property interests or private or public post, or expressing the intention of offering any of them to any competitor (referring to the person who is entered in the electoral register of the intra-party competition) or his/her spouse, lineal ascendant or descendant with the aim of helping him/her win his/her candidacy or preventing him/her from wining the candidacy in the intra-party competition, irrespective of the former's pretext: Provided, That the same shall not apply to any customary act that is prescribed by Regulations of the National Election Commission.

(2) No one shall perform the act of offering the benefits, etc. referred to in paragraph (1) to any candidate (including anyone who intends to become a candidate; hereafter in this paragraph, the same shall apply) with the aim of preventing him/her from becoming a candidate in the intra-party competition or getting him/her to renounce his/her candidacy and every candidate shall not accept the offer of any benefits and any post or approve the intention of offering such benefits and such post.

(3) No one shall direct, induce or coerce to perform the act referred to in paragraphs (1) and (2).

Article 57-6 (Prohibition against Intra-Party Competition Campaign by Public Officials, etc.)

(1) No one, who is not allowed to carry out an election campaign under Article 60 (1), may conduct an intra-party competition campaign: Provided, That this shall not apply to cases where any one eligible to be

a party member in an intra-party competition, in which only affiliated party members can participate, conducts a competition campaign.

(2) No public official may conduct an intra-party competition campaign using his/her status.

Article 57-7 (Raising of Objection to Commissioning of Intra-Party Competition)

Where any political party commissions the holding of its intraparty competition pursuant to Article 57-4, any objection to the effects of the competition and election shall be raised to the relevant political party. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 57-8 (Provision of Safe Numbers for Primary Elections, etc.)

(1) Where a political party that has seats in the National Assembly falls under any of the following cases, it may request a mobile network operator in writing (hereinafter referred to as "written request for providing safe numbers") to provide numbers created to prevent mobile phone numbers of users from being exposed (hereinafter referred to as "safe numbers") via the competent election commission:

1. Where it recruits people who intend to be electors in a primary election under Article 57-2 (1) or conducts public opinion polls for the primary election;
2. Other cases where it is necessary to collect public opinions for activities of the political party.

(2) A political party shall submit a written request for providing safe numbers to the competent election commission within the following periods, and the competent election commission shall send the relevant written request to a mobile network operator within three days from the date on which it receives the relevant written request after examining the indication in the relevant written request:

1. Primary election under paragraph (1) 1: By no later than 23 days before the election day of the relevant primary election;
2. Collection of public opinion under paragraph (1) 2: By no later than ten days before the date of commencement of the period of the collection of the relevant public opinion.

(3) Where a political party makes a request under paragraph (1), it shall mention the following matters in a written request for providing safe numbers:

1. Primary election under paragraph (1) 1:
   (a) Name of the election and the name of the electoral district of the primary election;
   (b) Election day of the primary election;
   (c) Region where the primary election is held and the number of electors in the primary election (where a public opinion poll is conducted for the primary election, referring to a specimen; hereinafter the same shall apply in this paragraph);
   (d) The number of safe numbers each mobile network operator should provide for each gender, age and region. In such cases, the total number of safe numbers each political party may request each mobile network operator to provide shall not exceed 50 times the number of electors in the primary election under item (c);
   (e) Other matters prescribed by Regulations of the National Election Commission.

2. Collection of public opinion under paragraph (1) 2:

(a) Purpose, content and period of the collection of public opinion;

(b) Region intended for the collection of public opinion and the number of people intended for the collection of public opinion;

(c) The number of safe numbers each mobile network operator should provide for each gender, age and region. In such cases, the total number of safe numbers each political party may request each mobile network operator to provide shall not exceed 50 times the number of electors in the primary election under item (b);

(d) Other matters prescribed by Regulations of the National Election Commission.

(4) Where the indications prescribed in paragraph (3) are omitted from a written request for providing safe numbers submitted to the competent election commission or it deems additional data are required to make an examination, the competent election commission may request the relevant political party to complement the written request for providing safe numbers or submit data, and the political party upon receipt of such request shall immediately comply with the request.

(5) Where a mobile network operator receives a request under paragraph (1), it shall provide safe numbers to the relevant political party via the competent election commission within seven days from the date on which it receives such request after creating safe numbers and establishing the period of validity in accordance with the written request for providing safe numbers: Provided, That where the number of safe numbers it may provide is less than that it should provide due to a shortage, etc. in the number of users, the mobile network operator shall immediately notify the competent election commission, and the competent election commission may adjust the number of safe numbers it should provide in consultation with the relevant political party, as prescribed by Regulations of the National Election Commission.

(6) A mobile network operator shall notify users of the fact that their mobile phone numbers are provided to a political party as safe numbers for the primary election of the political party or the collection, etc. of public opinion and that they may refuse the provision thereof.

(7) Where a mobile network operator (including its representative and staff members) provides safe numbers pursuant to paragraph (5), it shall not perform any of the following acts:

1. Providing safe numbers without establishing the period of the validity thereof, or providing safe numbers after establishing the period of the validity thereof exceeding the period from the date on which safe numbers are provided to the election day of the primary election (where a public opinion poll for the primary election is conducted, referring to the period of such public opinion poll) or the period of the collection of public opinion;

2. Providing safe numbers in excess of the number of safe numbers requested;

3. Providing information other than information about safe numbers, genders, ages, and residing areas of users. In such cases, the range of information about ages and residing areas shall be prescribed by Regulations of the National Election Commission;

4. Providing safe numbers to a person other than a political party that makes a request for providing safe numbers;

5. Providing safe numbers of users who have explicitly expressed their intention of refusal after receiving a notification under paragraph (6);

6. Creating and providing safe numbers which are advantageous or disadvantageous to a specific political party or a person who intends to be a candidate in order to have an influence on the results of a public opinion poll.

(8) A political party may provide safe numbers with which it has been provided pursuant to paragraph (5) to polling institutions or organizations in order to conduct public opinion polls or collect public opinion under paragraph (1).

(9) No political party (including its representative and members) or polling institution or organization (including its representative and members) which has been provided with safe numbers pursuant to paragraph (5) or (8) shall perform any of the following acts:

1. Using safe numbers with which it has been provided for purposes other than the purpose of conducting a public opinion poll or collecting public opinion under paragraph (1);

2. Providing safe numbers with which it has been provided to any other persons.

(10) Any person who has been provided with safe numbers (including its representative and members) shall immediately abolish safe numbers whose period of validity expires.

(11) Expenses incurred by a mobile network operator in creating and providing safe numbers pursuant to paragraph (5) shall be borne by the relevant political party which makes a request for providing safe numbers. In such cases, the mobile network operator shall charge the minimum expenses incurred in creating and providing safe numbers.

(12) No person shall file an objection to the results or the effect of the primary election or the results of the collection of public opinion with a mobile network operator that has provided safe numbers.

(13) Methods and procedures for requesting the provision of safe numbers, the establishment of the period of validity of safe numbers, a form of a written request for providing safe numbers, the competent election commission, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 58 (Definitions, etc.)

(1) The term "election campaign" means an act for winning an election, or for making another person be or not be elected: Provided, That the any of the following acts shall not be deemed an election campaign: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 11374, Feb. 29, 2012; Act No. 12111, Aug. 13, 2013>*

1. A simple statement of opinion or manifestation of an intention on the election;

2. An act of preparing candidacy and election campaign;

3. A simple statement of opinion on support or opposition to the recommendation of a political party's candidate, or manifestation of an intention thereof;

4. Ordinary political party activities;

5. Deleted; *<by Act No. 12583, May 14, 2014>*

6. Sending a text message as courtesy greetings on a holiday, such as Lunar New Year's Day, Chuseok (Korean Thanksgiving Day), Buddha's Birthday, and Christmas Day.

(2) Any person may freely canvass for an election. However, where such canvassing is prohibited or restricted by this Act or other Acts, this provision shall not apply.

Article 58-2 (Soliciting to Participate in Voting)

Any person may solicit others to participate in voting: Provided, That the same shall not apply to any of the following acts:

1. Making a house-to-house visit;

2. Soliciting others to participate in voting within a distance of 100 meters from a advance polling station or polling station;

3. Including any content that supports, recommends or opposes a specific political party or candidate (including a person who intends to become a candidate; hereinafter the same shall apply in this Article);

4. Using facilities like placard, printed materials, a loudspeaker or audio or video recorder (including video or audio equipment), shoulder belts, labels, or other marks (limited to where the name of a political party or the name or photograph of a candidate is presented or any content that can be inferred about the name of a political party or candidate is presented.).

Article 59 (Period for Election Campaign)

An election campaign may be allowed during the period from the commencing date of election period to the day before the election day: Provided, That the same shall not apply to cases falling under any one of the following subparagraphs: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012>*

1. Where any preliminary candidate, etc. wages the election campaign pursuant to the provisions of Article 60-3 (1) and (2);

2. Where a person works on an election campaign by sending text messages (excluding voice, images, and video clips without text) at any time other than the election day. In such cases, the persons who are permitted to send such messages by means of automatic broadcast communications with computers and computer applications shall be limited to candidates and preliminary candidates, but the number of times such messages may be sent shall not exceed five times (including the number of times a candidate sent such messages when he/she was a preliminary candidate), and only one telephone number reported in accordance with Regulations of the National Election Commission shall be used every time such messages are sent;

3. Where a person works on an election campaign by posting a writing or video clip on an internet web-site or its bulletin board or chatting room or sending an e-mail (referring to a communication system with which computer users exchange information in the form of text, voice, images, or video clips through a network; the same shall apply hereinafter). In such cases, persons who are permitted to send

e-mails by entrusting the dispatch of e-mails to an agency shall be limited to candidates and preliminary candidates.

Article 60 (Persons Barred from Election Campaign)

(1) Any of the following persons shall not engage in an election campaign: Provided, That the foregoing shall not apply to where a person referred to in subparagraph 1 is the spouse of a preliminary candidate or candidate, or where a person referred to in any provision of subparagraphs 4 through 8 is the spouse of a preliminary candidate or candidate or a lineal ascendant or descendant of a candidate: *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5262, Jan. 13, 1997; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. A person who is not a national of the Republic of Korea: Provided, That the foregoing shall not apply where a foreigner specified in Article 15 (2) 3 engages in a campaign for the relevant election;
2. A minor (referring to a person aged 19 or under; hereinafter the same shall apply);
3. A disfranchised person as provided for in Article 18 (1);
4. A State public official as provided for in Article 2 of the State Public Officials Act and a local public official as provided for in Article 2 of the Local Public Officials Act: Provided, That the foregoing shall not apply to a person who is eligible to become a member of a political party (excluding a public official in political service other than the National Assembly members and local council members) provided for in the proviso to Article 22 (1) 1 of the Political Parties Act;
5. A person who falls under Article 53 (1) 2 through 8 (including a full-time employee in cases falling under subparagraphs 4 through 6);
6. A company commander, or a higher-ranking officer, of the Homeland Reserve Forces;
7. The head of a Tong/Ri/Ban, and the members of the residents' self governing committee (referring to the committee set up by competent district of the Eup/Myeon/Dong offices by municipal ordinances for the purpose of operating the residents' self-governing center; hereinafter the same shall apply) which is established in the self-governing center of Eup/Myeon/Dong residents (collectively calling various facilities for culture, welfare and convenience set up by the municipal ordinance as a part of conversion of the function of Eup/Myeon/Dong offices, regardless of their names; hereinafter the same shall apply);
8. A full-time executive or employee of the organization which is a national movement organization established pursuant to special Acts and which the State or each local government has invested in or subsidized (referring to the Society for a Better Tomorrow, the Saemaul Movement Council, the Korea Freedom Federation), and the representatives of these organizations, etc. (including City/Do organizations and Gu/Si/Gun organizations);
9. The master of the ship aboard which a seafarer who has filed a shipboard polling report is.

(2) If a member of an election commission at any level, a company commander or a higher-ranking officer of the Homeland Reserve Forces, a member of a residents' self-governing committee, or the head of a Tong/Ri/Ban intends to serve as an election campaign manager, the chief of an election liaison office, an

election campaign worker, an assistant under Article 62 (4), an accountant in charge, an election campaign speechmaker, an interviewer, a debater, a voting witness, or an advance polling witness, he/she shall resign from his/her office at least 90 days before the election day (in cases of a special election where the reason to hold the election becomes definite after 90 days prior to the election day, within five days from the time when the reason to hold the election becomes definite), and shall not be reinstated to his/her former office within six months after the election day (until the election day in cases of a member of a residents' self-governing committee). In such cases, Article 53 (4) shall apply mutatis mutandis with respect to the time a person is deemed to resign from his/her office. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11207, Jan. 17, 2012; Act No. 12267, Jan. 17, 2014>*

Article 60-2 (Registration of Preliminary Candidates)

(1) A person who intends to become a preliminary candidate (excluding an election for proportional representative National Assembly members and an election for proportional representative local council members) shall file, in writing, an application for the registration of preliminary candidate with the constituency election commission concerned from any of the following days (in the special election, etc. which the reasons for holding have become definite after any of the following days, the time when the reasons for holding the said election have become definite): *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. The presidential election: 240 days before the election day;
2. The election of the National Assembly members of local constituency and the election of the Mayor/Do Governor: 120 days before the election day;
3. The election of City/Do council members in a local constituency and the election of council members or head of a local constituency of autonomous Gu/Si: 90 days before the date on which an election period commences;
4. The election of council members or head of a local constituency in Gun: 60 days before the date on which an election period commences.

(2) Any one who applies for the registration of a preliminary candidate under paragraph (1) shall submit the following documents and pay amounts equivalent to 20/100 of the deposit money of the relevant election falling under each subparagraph of Article 56 (1) to the competent constituency election commission as deposit money, in accordance with Regulations of the National Election Commission: *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

1. Evidentiary documents concerning qualifications to become a candidate, which are determined by Regulations of the National Election Commission;
2. Evidentiary documents concerning criminal records;
3. Certificates concerning academic background under Article 49 (4) 6 (Korean translations shall be attached).

(3) The election commission in receipt of an application for registration under paragraph (1) shall promptly accept it, but may not accept an application for registration, which is not accompanied by evidentiary documents concerning the deposit money and criminal records under paragraph (2). In such cases, the election commission shall accept an application for registration, when evidentiary documents concerning a right to be elected are not accompanied, but for the preliminary candidate for whom it is deemed a verification is necessary with regard to the right to be elected, the said commission may call on the head of related agency to inquire into the necessary matters, and the head of the relevant agency in receipt of such inquiry shall promptly investigate the relevant matters and make a reply thereto. *<Amended by Act No. 9974, Jan. 25, 2010>*

(4) When any of the following reason exists after a registration of preliminary candidate, the registration of the said preliminary candidate shall be invalid: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. When it is found that he/she has no right to be elected;

1-2. When it is found that he/she has failed to submit evidentiary documents concerning criminal records under paragraph (2) 2;

2. When it is found that he/she corresponds to the person who is incapable of standing as a candidate with holding his/her post under Article 53 (1) through (3) or (5);

3. When it is found that he/she corresponds to the person who is incapable of becoming a candidate under the main sentence of Article 57-2 (2) or Article 266 (2) and (3);

4. When it is found that he/she corresponds to the person who is prohibited from exercising a right to hold a public office or the person who is not eligible to be a candidate under other Acts.

(5) Article 52 (3) shall apply mutatis mutandis to the registration of preliminary candidates. In such cases, the term "candidate" shall be deemed a "preliminary candidate." *<Amended by Act No. 10067, Mar. 12, 2010>*

(6) When a preliminary candidate intends to resign, he/she shall directly file in writing a report thereon with the relevant constituency election commission.

(7) A person who registers himself/herself as a candidate pursuant to Article 49 shall be deemed concurrently a preliminary candidate by the date prior to the commencing date of the election period. In such cases, election campaigns shall follow the practice of an preliminary candidate. *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011>*

(8) With regard to checking criminal records of a preliminary candidate and a bulletin, Article 49 (10) shall apply mutatis mutandis. In such cases, "150 days before the date on which an election period commences" shall be deemed "150 days (referring to 60 days before the date on which an application for the registration of a preliminary candidate commences, in cases of a Presidential election) before the date on which an election period commences." *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(9) A constituency election commission in receipt of an application for registration under paragraph (1) may inquire, of the relevant political party, whether the applicant holds membership therein, as prescribed by Regulations of the National Election Commission, and the political party in receipt of such request

shall confirm it and send reply to the relevant constituency election commission without delay. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

(10) A competent constituency election commission shall make available to the public the documents submitted or received under paragraphs (2) 2 and 3 and (8) so that electors can be informed thereof: Provided, That such documents shall not be made available to the pubic from and after the date application for the registration of candidates commences (excluding where they are made available to the public under Article 49 (12)). *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

(11) An application form for registration as preliminary candidate, evidential documents relating to the right to be elected, methods of disclosing documents submitted or received, and other necessary matters shall be stipulated by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 13497, Aug. 13, 2015>*

Article 60-3 (Election Campaigns by Preliminary Candidates, etc.)

(1) Any preliminary candidate may wage an election campaign in any of the following manners: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11207, Jan. 17, 2012>*

1. Establishing an election campaign office under Article 61 (1) and the proviso to Article 61 (6), or installing or posting the signboards, tablets or hanging placards at the said election campaign office;

2. Personally handing out the name cards of not more than nine centimeters long nor more than five centimeters wide, which include his/her own name, photograph, telephone number, academic background (referring to the regular academic background and the academic background completed in a foreign educational course equivalent thereto; the same shall apply hereafter in subparagraph 4), career and other matters necessary for publicity or appealing for support from voters: Provided, That the same shall not apply to the act of offering such name cards to the voters or appealing for support from them at the premises of subway stations and other open places where the multitudes pass or gather and which are stipulated by Regulations of the National Election Commission;

3. Deleted; *<by Act No. 11374, Feb. 29, 2012>*

4. Sending by mail as stipulated by Regulations of the National Election Commission by three days before the commencing date of election period, after producing the printed matters carrying his/her photograph, name, telephone number, academic background, career and other matters (hereinafter "campaign materials of preliminary candidate") necessary for publicity within a number equivalent to 10/100 of the number of households located within the constituency and obtaining a confirmation on the objects for forwarding and number of sheets, etc. from the competent election commission. In such cases, the preliminary candidates for the presidential election and for the election of heads of local governments shall publish the campaign pledges and the goal, priority order, execution procedures, term of execution and plans for raising funds for each project as a promotion plan therefor on the pages of 50/100 or more of the total pages, including the cover page, and the matters concerning other political parties or persons who intend to be a candidate shall not be inserted on the pages on which the aforesaid

matters are inserted;

5. Wearing shoulder belts or marks indicating a preliminary candidate for conducting an election campaign;

6. Appealing for support by means of direct telephone conversations between a telephoner and a telephonee;

7. Deleted. *<by Act No. 11374, Feb. 29, 2012>*

(2) Any of the following persons may hand out name cards of a preliminary candidate or appeal for support from voters under paragraph (1) 2, in order to conduct an election campaign for a preliminary candidate: *<Amended by Act No. 9974, Jan. 25, 2010>*

1. Spouse and lineal ascendants or descendants of a preliminary candidate;

2. Election campaign manager or election campaign workers who accompany a preliminary candidate or assistants under Article 62 (4);

3. Each person designated by a preliminary candidate or the spouse thereof, from among persons accompanying a preliminary candidate or the spouse thereof.

(3) Any preliminary candidate who intends to mail the campaign materials of preliminary candidate pursuant to paragraph (1) 4 may file an application with the head of each Gu/Si/Gun for the delivery of the names and addresses of householders (hereafter in this Article referred to as the "roll of householders") who are electors within the scope of the number of mails and the head of each Gu/Si/Gun shall, upon receiving the application, prepare and deliver without delay the roll of householders, notwithstanding the provisions of other Acts. *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008>*

(4) The application for the delivery of the roll of householders provided for in paragraph (3) shall be filed in writing within five days before the candidate registration period commences and expenses incurred in preparing the roll of householders shall be paid when the application is filed. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(5) Article 46 (4) shall apply mutatis mutandis to the prohibition against transferring, lending, and using the roll of householders issued under paragraph (3). In such cases, the term "electoral register" shall be deemed the "roll of householders." *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(6) The specification, number of pages and indication of grounds, etc. for drawing up campaign materials of preliminary candidate and the standards of shoulder belts or marks, the application for the delivery of roll of householders, the payment of expenses and other necessary matters shall be determined by Regulations of the National Election Commission. *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

Article 60-4 (Collection of Campaign Pledges of Preliminary Candidate)

(1) The preliminary candidates for the presidential election and the election of the head of local government may publish and distribute one kind of campaign collection of pledges (refers to one published in the form of book; hereinafter "campaign promise collection of preliminary candidate")

describing campaign promises and the goals, priority order, execution procedures, term of execution and plan for raising funds for each project as a promotion plan therefor, and when he/she intends to distribute it he/she shall sell it by an ordinary method: Provided, That it shall not be sold by door-to-door sales method.

(2) In addition to the campaign promises and the matters on a promotion plan therefor, in cases where the preliminary candidate in paragraph (1) inserts his/her photograph, name, academic background (refers to the ordinary academic background and the academic background completed in a foreign educational course equivalent thereto), career and other matters necessary for publicity in the campaign promise collection of preliminary candidate, the number of pages on which aforesaid matters are inserted shall not exceed 10/100 of the total number of pages, including the front cover, and the matters concerning other political parties or a person who intends to be a candidate shall not be inserted in the campaign promise collection of preliminary candidate.

(3) When a preliminary candidate intends to publish and sell the campaign promise collection of preliminary candidate pursuant to paragraph (1), he/she shall submit two copies thereof to the competent constituency election commission on publication without delay.

(4) The indication of grounds, etc. for drawing up and submission of the campaign promise collection of preliminary candidate, and other necessary matters shall be prescribed by National Election Commission Regulations.

Article 61 (Establishment of Election Campaign Organizations)

(1) In order to carry out election campaigns and other affairs concerning an election, a political party or candidate may establish an election campaign office and election campaign liaison office, a preliminary candidate may establish an election campaign office, and a political party may establish election campaign organizations, respectively in the office of its central party and in the office of each of its City/Do parties, in accordance with the following: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 4949, May 10, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

1. For the presidential election: The political party or candidate may establish one election campaign office, and an election campaign liaison office in each City/Do and Gu/Si/Gun (referring to the local constituency for the National Assembly member, where one Gu/Si/Gun consists of two or more constituencies for the National Assembly members; hereafter, the same shall apply in this Article);
2. For the election of a local constituency for the National Assembly member: The candidate may establish one election campaign office in the local constituency for the National Assembly member concerned: Provided, That where one constituency for the National Assembly member consists of two or more Gu/Si/Gun, an election campaign liaison office may be established in each Gu/Si/Gun where the election campaign office is not located;
3. For the election of a proportional representative National Assembly member and a proportional representative local council member: The political party may establish one election campaign office (one election campaign office in each City/Do that submits the roll of the candidates for the

proportional representative City/Do council members in cases of the election of the proportional representative City/Do council members, and one election campaign office in each autonomous Gu/Si/Gun that submits the roll of candidates for the proportional representative autonomous Gu/Si/Gun council members in cases of the election of the proportional representative autonomous Gu/Si/Gun council members);

4. For the election of the local council members of local constituency: The candidate may establish one election campaign office in the constituency concerned;

5. For the election of the Mayor/Do Governor: The candidate may establish one election campaign office in the City/Do concerned, and one election campaign liaison office in each Gu/Si/Gun within the City/Do concerned;

6. For the election of the head of an autonomous Gu/Si/Gun: The candidate may establish one election campaign office in the autonomous Gu/Si/Gun concerned: Provided, That in a Si where non-autonomous Gus are established, an election campaign liaison office may be established in each Gu where the election campaign office is not located, and where one Gu/Si/Gun consists of two or more constituencies for the National Assembly members, an election campaign liaison office may be established in each constituency for the National Assembly member where the election campaign office is not located.

(2) Where the seat of the City/Do or Gu/Si/Gun office is located in a district of another City/Do or Gu/Si/Gun, the election campaign office or election campaign liaison office may be established in the district of the City/Do or Gu/Si/Gun having jurisdiction over the seat of the City/Do or Gu/Si/Gun office, notwithstanding paragraph (1).

(3) The election campaign office or the election campaign liaison office of a political party, party-recommended candidate, or a preliminary candidate belonging to a political party may, when there exists an office of the political party (including the political party's election campaign office under Article 61-2) corresponding thereto, be established in that office. *<Amended by Act No. 7189, Mar. 12, 2004>*

(4) When a preliminary candidate has completed a registration of candidate pursuant to Article 49, the election campaign office of the relevant preliminary candidate shall be deemed the election campaign office of the candidate. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

(5) The election campaign office and election campaign liaison office shall be established in a fixed place or facilities, but shall not be established in a food entertainment business office under the Food Sanitation Act, or a public hygiene business office under the Public Health Control Act. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(6) Signboards, tablets, and placards for election campaigns, election posters under Article 64, campaign bulletins under Article 65, written campaign promises under Article 66 and photographs of candidates may be erected or posted at each election campaign office, election campaign liaison office, or election campaign organization in accordance with Regulations of the National Election Commission: Provided, That only signboards, tablets, and placards may be erected or posted at the election campaign office of a

preliminary candidate. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

(7) When a preliminary candidate has been disqualified, he/she shall close an election campaign office established under paragraph (1), and where he/she has failed to close it, the constituency election commission shall order the relevant preliminary candidate to promptly close the election campaign office. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

Article 61-2 (Establishment of Political Party's Election Campaign Office)

(1) A political party may establish the political party's election campaign office at one place for each Gu/Si/Gun located within the election district (where one Gu/Si/Gun consists of two or more constituencies of the National Assembly members, the local constituency of a National Assembly member) from the days that are set in any of the following subparagraphs (in the special election, etc. which the reasons for holding have become definite after the day falling under any of the following subparagraphs, the time when the reasons for holding the said election have become definite) to 30 days after the election day, in order to deal the election affairs of political party in the relevant election: *<Amended by Act No. 7681, Aug. 4, 2005>*

1. The presidential election: 240 days before the election day;
2. The election of the National Assembly members and the election of the Mayor/Do Governor: 120 days before the election day;
3. The election of the local council members and the election of the head of autonomous Gu/Si/Gun: 60 days before the day when the election period commences.

(2) In a political party's election campaign office, one head of the office shall be appointed from among the party members, nor more than two office clerks on the payroll may be placed.

(3) When the representative of the central party or City/Do party establishes a political party's election campaign office, he/she shall promptly file in writing the following matters with the competent election commission. In such cases, if any change exists in the reported matters, he/she shall promptly file a report on the changed matters: *<Amended by Act No. 7681, Aug. 4, 2005>*

1. Date of establishment;
2. Location and title of the office;
3. Name, address and resident registration number of the head of office;
4. Seal of the office.

(4) In the political party's election campaign office, the signboards, tablets or hanging placards that state the matters necessary for the political party's publicity may be installed or posted, as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010>*

(5) The head of a political party's election campaign office shall represent the relevant political party in any declaration, application, submission, report, recommendation, etc. under the provisions of this Act or other Acts.

(6) When 30 days have elapsed after the election day, a political party shall promptly close its election campaign office under paragraph (1).

(7) Article 61 (2) and (5) shall apply mutatis mutandis to the political party's election campaign office. In such cases, the term "election campaign office or election campaign liaison office" and "election campaign office and election campaign liaison office" shall be deemed "political party's election campaign office".

Article 62 (Appointment of Persons in Charge of Election Campaign Affairs)

(1) A person who has established an election campaign office and an election campaign liaison office provided for in Article 61 shall appoint one manager of the election campaign office and one chief of the election campaign liaison office, from among those who are eligible to engage in an election campaign.

(2) In order to attend to the election campaign affairs, the manager of an election campaign office or the chief of an election campaign liaison office may appoint election campaign workers (referring to those who are paid allowances and actual expenses provided for in the main sentence of Article 135 (1); hereinafter, the same shall apply) from among those who are eligible to engage in an election campaign, as provided for in the following: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5127, Dec. 30, 1995; Act No. 5262, Jan. 13, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. For the presidential election: Not more than six times the number of Cities/Dos in the election campaign office; not more than the number of Gus/Sis/Guns (referring to the constituency for the National Assembly member, where one Gu/Si/Gun consists of two or more constituencies for the National Assembly members; hereafter, the same shall apply in this paragraph) of the relevant City/Do (ten persons, where the number of Gus/Sis/Guns is fewer than ten) in the City/Do election campaign liaison office; not more than the number of Eups/Myeons/Dongs of the relevant Gu/Si/Gun in the Gu/Si/Gun election campaign liaison office;

2. For an election of a local constituency National Assembly member and the head of an autonomous Gu/Si/Gun: Not more than three times the number of Eups/Myeons/Dongs in the Gu/Si/Gun, where the election campaign office and election campaign liaison office are established, plus five persons (where the election campaign liaison office is not established, the number of election campaign workers at the election campaign office may be increased by the number of election campaign workers who could have worked at the election campaign liaison office);

3. For an election of a proportional representative National Assembly member: Not more than two times the number of Cities/Dos in the election campaign office;

4. For an election of a local constituency City/Do council member: Not more than ten persons in the election campaign office;

5. For an election of a proportional representative City/Do council member: Not more than the number (20 persons, where the calculated number is under 20) of Gus/Sis/Guns in the relevant City/Do in the election campaign office;

6. For an election of a Mayor/Do Governor: Not more than the number of Gus/Sis/Guns in the City/Do concerned (ten persons, where the number of relevant Gus/Sis/Guns is fewer than ten) in the election campaign office; the number of Eups/Myeons/ Dongs in the relevant Gu/Si/Gun in the election

campaign liaison office;

7. For an election of an autonomous Gu/Si/Gun council member of local constituency: Not more than eight persons in the election campaign office;

8. For an election of a proportional representative autonomous Gu/Si/ Gun council member: Not more than the number of persons equivalent to the number of Eups/Myeons/Dongs of the autonomous Gu/Si/Gun in the election campaign office.

(3) A preliminary candidate may have election campaign workers, including an election campaign manager under paragraph (1), the number of whom is set according to the following, from among the persons entitled to wage the election campaign: *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. The presidential election: Not more than ten persons;

2. The election of the Mayor/Do Governor: Not more than five persons;

3. The election of the constituency National Assembly members and the election of the head of the autonomous Gu/Si/Gun: Not more than three persons;

4. The election of the local council members of local constituency: Not more than two persons.

(4) Any handicapped preliminary candidate or handicapped candidate determined by Regulations of the National Election Commission may have an assistant (hereinafter referred to as "assistant"), from among persons who may conduct an election campaign to assist such candidate. In such cases, no assistant shall be included in the number of election campaign workers under paragraphs (2) and (3). *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(5) A salaried clerk of a political party who cannot be paid the allowance under the proviso to Article 135 (1), a National Assembly member, his/her assistant, his/her chief secretary, his/her secretary, or a local council member, even when becoming an election campaign worker, shall not be counted in the number of the election campaign workers as provided for in paragraph (2). *<Amended by Act No. 6265, Feb. 16, 2000>*

(6) Where the election campaign manager is not appointed, a candidate (in the cases falling under paragraph (2) 1, 3, 5 and 8, an accountant in charge of a political party) or a preliminary candidate shall be deemed to hold the post of an election campaign manager concurrently. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(7) In the same election, two or more political parties, preliminary candidates or candidates shall not jointly appoint the same person as the election campaign manager, chief of the election campaign liaison office, or election campaign workers. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 7189, Mar. 12, 2004>*

(8) No one shall recruit a person who is to engage in an election campaign, using printed material, facilities, or other advertising material by methods which are not prescribed in this Act: *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 63 (Report on Election Campaign Organizations and Election Affairs-Related Persons)

(1) A political party, candidate or preliminary candidate shall, upon establishing or changing the election campaign office or election campaign liaison office, immediately report, in writing, to the competent

election commission; the political party, candidate, preliminary candidate, election campaign manager or chief of the election campaign liaison office shall, upon appointing or dismissing an election campaign manager, chief of the election campaign liaison office, election campaign worker or assistant (hereafter referred to as "election campaign manager, etc." in this Article), immediately report, in writing, to the competent election commission. In such cases, the number of the replaceable election campaign workers may not exceed twice the number of election campaign workers provided in Article 62 (2) or (3), including those initially appointed. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

(2) Any election campaign manager, etc. (including accountants in charge) shall conduct an election campaign, wearing marks delivered by the relevant election commission. *<Amended by Act No. 9974, Jan. 15, 2010>*

(3) An election commission shall, upon receiving an application for issuance of marks under paragraph (2), immediately issue it. *<Amended by Act No. 9974, Jan. 15, 2010>*

(4) The report form for establishment of an election campaign office and election campaign liaison office, and for the appointment of the election campaign manager, etc. marks of election campaign managers, etc. (including accountants in charge), procedures to be taken when marks are lost and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 15, 2010>*

Article 64 (Campaign Posters)

(1) A campaign poster to be used for an election campaign shall include a photograph (referring to the photograph of a candidate alone), name and mark (referring to the indication of an order by which a political party or a candidate is entered on the ballot paper to be printed under Article 150; hereinafter the same shall apply) of a candidate, the name of the political party to which the party-recommended candidate belongs (an independent candidate shall be indicated as "independent"), his/her career [where an academic background is entered, the regular academic backgrounds and the academic backgrounds completed in a foreign educational course equivalent thereto, shall be entered therein: in such cases, if the regular academic background is entered, the name of school at the time of graduation or completion (in cases of leaving school in mid-course, the period of study shall be entered together) shall be entered therein, and when academic background completed in a foreign educational course equivalent thereto is entered, the name of curriculum, the period of study, and the title of the acquired degree when a degree was acquired shall be entered therein, and the final regular academic background and the academic background completed in a foreign educational course may be entered therein on condition that a certificate of academic background is submitted under Article 49 (4) 6; hereinafter the same shall apply] and political views, the platform and policy of the political party to which he/she belongs, and other matters necessary for publicity (in cases of an election of a National Assembly member of local constituency, the roll of candidates for the proportional representative National Assembly members shall be included, in cases of an election of a City/Do council member of local constituency, the roll of candidates for the proportional representative City/Do council members and in cases of an election of an

autonomous Gu/Si/Gun council member of local constituency, the roll of candidates for the proportional representative autonomous Gu/Si/Gun council members shall be included, and other figure photos than the candidate shall be excluded), and it shall be prepared and pasted at the rate of one sheet for a population of 500 in Dong, one sheet for a population of 250 in Eup, and one sheet for a population of 100 in Myeon: Provided, That it may be adjusted to the rate of one sheet for a population of 1,000 as prescribed by Regulations of the National Election Commission, in consideration of population density, pasting places, etc. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5127, Dec. 30, 1995; Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(2) Campaign posters as provided for in paragraph (1) shall be prepared by the candidate (excluding any candidate for the proportional representative National Assembly member and the proportional representative local council member and in cases of the party-recommended candidate to run in the presidential election, referring to the political party that recommends him; hereafter in this Article the same shall apply), and submitted to the Gu/Si/Gun election commission having jurisdiction over the area in which they are pasted by no later than three days after the closing date of candidate registration with regard to a presidential election (in cases of an additional registration under Article 51, it refers to two days after the closing date of additional registration), and by no later than five days after the closing date of candidate registration with regard to the election of National Assembly members, local government council members or heads of local governments, and the relevant Gu/Si/Gun election commission shall confirm and paste such campaign posters no later than two days (three days, in cases of the presidential election or the islands or the remote and secluded areas in the mountains) after the closing date of submission of campaign posters. In such cases, if some of campaign posters are not submitted, the area where the campaign posters are not to be pasted (making a voting district as a unit) shall be designated and reported in writing when campaign posters are submitted, and if the area wherein no campaign posters are to be pasted is not reported, the relevant Gu/Si/Gun election commission shall designate such area. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11207, Jan. 17, 2012>*

(3) The competent constituency election commission shall publicly announce the quantity of campaign posters to be prepared, kept or submitted by the candidate under paragraph (2) not later than ten days prior to the commencing date of election period. In such cases, a specified quantity may be added as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

(4) The campaign posters, if not submitted by the closing date of the submission period under paragraph (2) or if larger or smaller than the standard, shall not be pasted. *<Amended by Act No. 9974, Jan. 25, 2010>*

(5) The campaign posters submitted under paragraph (2) shall not be corrected or withdrawn: Provided, That a candidate may request for the correction or deletion of parts of campaign posters in writing to the relevant constituency election commission, on the grounds that any false information exists on the name or

mark of a candidate, political party to which a candidate belongs, career, academic background, academic degrees, rewards or punishments (hereinafter referred to as "career, etc.") in campaign posters or that contents violating this Act are included in campaign posters, and the constituency election commission, upon receiving such requests, may allow such candidate to correct or delete the relevant parts within a deadline for submitting campaign posters under paragraph (2). In such cases, no new information shall be added, other than the correction or deletion of the relevant parts, and there should be no changes in the existing arrangement methods, colors and standards, etc. *<Amended by Act No. 9974, Jan. 25, 2010>*

(6) When any one intends to raise an objection against any false information on career, etc. in campaign posters, he/she shall raise such objection in writing to the next higher election commission via the relevant constituency election commission, and the higher election commission may, upon receiving the objection, request a candidate and a person, who has raised an objection, to present evidentiary documents, and when such documents are not presented or turn out to be false, the commission shall publicly announce such fact. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(7) Where the slanders on the private life of another candidate, his/her spouse, his/her lineal ascendant or descendant, or sibling contained in a campaign poster under paragraph (1) are deemed to be in contravention of this Act, the competent constituency election commission shall file a complaint against the facts thereof and publicly announce them. *<Amended by Act No. 9974, Jan. 25, 2010>*

(8) A printer who prints campaign posters shall provide any one with the campaign posters printed in excess of the quantity under paragraph (3). *<Amended by Act No. 9974, Jan. 25, 2010>*

(9) A candidate shall, in case where he/she intends to make a supplementary pasting as the campaign posters pasted by the competent Gu/Si/Gun election commission are spoiled or damaged, paste the new ones over the old ones, within the limit of publicly announced quantity under paragraph (3). *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 9974, Jan. 25, 2010>*

(10) Where the campaign poster is pasted under paragraph (1), the owner or manager of the land, building or other facilities on which the campaign poster is pasted shall cooperate in the pasting of such a campaign poster, unless any special ground exists to the contrary. *<Amended by Act No. 9974, Jan. 25, 2010>*

(11) Any application for correction or deletion of details of campaign posters, public notification of the quantity, standard, preparation, submission, confirmation, and pasting of the posters, and the public notice of an objection filed against a falsity of career, etc. or a slander on the private life of a candidate, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 9974, Jan. 25, 2010>*

Article 65 (Election Campaign Bulletins)

(1) Every candidate (referring to the candidate who is recommended by a political party in a presidential election and the political party that recommends its candidates in an election of the proportional representative National Assembly members or an election of the proportional representative local council members; hereafter in this Article the same shall apply) may prepare booklet-type election campaign bulletins of one kind (including leaflet-type election campaign bulletins of one kind in the presidential

election). In such cases, an election campaign bulletin for an election of proportional representative National Assembly members or an election of proportional representative local council members shall contain the photograph, name, academic background, and career of each candidate recommended by each political party, as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012>*

(2) The booklet-type election campaign bulletins referred to in paragraph (1) shall be printed in not more than 16 sheets for the presidential election, in not more than 12 sheets for the election of the National Assembly members and the election of the heads of local governments, and in not more than eight sheets for the election of the local council members, respectively and the leaflet-type election campaign bulletins shall be printed in one sheet (both sides may be printed).

(3) The number of booklet-type election campaign bulletins provided for in paragraph (1) shall not exceed the aggregate of the number of households in the relevant constituency, the estimated number of persons who are expected to file an abode polling report, and the estimated number of applicants under paragraph (5), while the number of leaflet-type election campaign bulletins shall not exceed the number of the households in the relevant constituency. *<Amended by Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

(4) Any candidate may prepare election campaign bulletins of one kind (hereinafter referred to as "election campaign bulletins in braille") for visually impaired electors (referring to visually impaired persons who are registered pursuant to Article 32 of the Act on Welfare of Persons with Disabilities; the same shall apply hereafter in this Article) within the number of pages of booklet-type election campaign bulletins under paragraph (2), other than the election campaign bulletins referred to in paragraph (1): Provided, That a candidate running in a presidential election, an election of National Assembly members of local constituency, or an election of the head of a local government shall prepare and submit election campaign bulletins in braille; however, such election campaign bulletins may be substituted by booklet-type election campaign bulletins, the content of which is electronically provided through audio output. *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 13497, Aug. 13, 2015>*

(5) A military person or police officer who stays in a military base or military ship for a long term according to an Act or subordinate statute, among electors who can vote at an advance polling station, may request the competent Gu/Si/Gun election commission in writing or through the web-site of the National Election Commission to send booklet-type election campaign bulletins to his/her abode. In such cases, the relevant base commander or the chief of the relevant police agency shall inform the military persons or police officers under his/her control of the fact that they may request the election campaign bulletins to be sent to their abode. *<Newly Inserted by Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

(6) The election campaign bulletins shall be submitted and distributed in any of the following manners: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11207, Jan. 17, 2012; Act No. 12267, Jan. 17, 2014>*

1. A presidential election:

(a) Booklet-type election campaign bulletins (including election campaign bulletins in braille): Every candidate shall submit his/her booklet-type election campaign bulletins to the Gu/Si/Gun election commission having jurisdiction over the constituency, in which they are to be distributed, by not later than six days after the deadline for the registration of candidates (in cases of additional registration under Article 51, by not later than two days after the deadline for the additional registration), and the competent election commission shall inspect them and dispatch them by mail to each household in the constituency under its jurisdiction within three days after the deadline for the submission and shall also dispatch them by mail to the electors listed on the electoral register for reported abode voters along with an abode ballot paper in accordance with Article 154;

(b) Leaflet-type election campaign bulletins: Every candidate shall submit his/her leaflet-type election campaign bulletins to the Gu/Si/Gun election commission having jurisdiction over the constituency, in which they are to be distributed, by not later than ten days after the deadline for the registration of candidates, and the competent election commission shall inspect them and dispatch them by mail to each household in the constituency under its jurisdiction along with voting guidance leaflets referred to in Article 153. If any household is found to have not received booklet-type election campaign bulletins after the finalization of the electoral register, the competent election commission shall dispatch both booklet-type election bulletins and leaflet-type election bulletins to the household;

2. An election of National Assembly members or an election of local government council members or the heads of local governments: Every candidate shall submit his/her election campaign bulletins to the Gu/Si/Gun election commission having jurisdiction over the constituency, in which such bulletins are to be distributed, by not later than seven days after the deadline for the registration of candidates, and the competent election commission shall inspect such bulletins and shall dispatch them by mail to persons requesting to dispatch the bulletins in accordance with paragraph (5), by not later than ten days before the election day, and also dispatch them to each household, along with the voting guidance leaflets referred to in Article 153, and to each elector listed on the electoral register of reported abode voters, along with an abode ballot paper under Article 154, respectively.

(7) The head of a Gu/Si/Gun shall take a census of visually impaired electors referred to in paragraph (4) and the names and addresses of their householders, and inform the competent Gu/Si/Gun election commission of the results of the census by not later than 20 days before the commencement date of the relevant election period.

(8) Where the booklet-type election campaign bulletins are submitted for a presidential election or an election of the National Assembly members from local constituencies, local council members of local constituencies, or the heads of local governments, the following contents (hereafter in this Article referred to as "open data on candidates") shall be published in the second page of such booklet-type election campaign bulletins, as prescribed by Regulations of the National Election Commission, and supporting

documents concerning matters that require explanation about the open data on candidates may be published along with such supporting documents. In such cases, the second page shall contain only open data on candidates and supporting documents therefor, and the contents of the open data on candidates in election campaign bulletins in braille shall be identical with contents published in the booklet-type election campaign bulletins: *<Amended by Act No 7850, Mar. 2, 2006; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011>*

1. Total amount of property: The total amount of property owned respectively by the candidate, his/her spouse, lineal ascendants and descendants (excluding his/her married daughters, maternal grandfather and grandmother and daughters' children; hereafter in subparagraph 3 the same shall apply);
2. Military service: The ranks, the service periods, the area of service by the military branch, matters concerning the military service disposition and the grounds of the military service disposition of the candidate and his/her lineal descendant (excluding where the name of disease or the details of mental and physical impairment are requested not to be disclosed pursuant to Article 8 (3) of the Act on the Report and Disclosure of Military Service Records of Public Servants, Etc.);
3. The payment and default records of the income tax, the property tax and the global real estate tax for the latest five years: The amount of payment by year and the amount of default by year (excluding the default of not more than 100,000 won or for not more than three months) and the time of the payment in full (including the payment records of income tax withheld at source, the certificate of which is submitted pursuant to Article 49 (4) 4 but excluding the payment or default records of the lineal ascendant of the candidate who refuses to submit relevant certificates) of the candidate, his/her spouse and his/her lineal ascendant or descendant;
4. The criminal record: The name of crime, the punishment thereof and the confirmation date;
5. Personal matters concerning occupation, academic background and career: Matters entered in the application filed for the candidate registration.

(9) When a candidate fails to submit all or part of the booklet-type election campaign bulletins publicly notified under paragraph (12), he/she shall separately prepare open data on the candidate and submit them by not later than a deadline for the submission of the booklet-type election campaign bulletins pursuant to paragraph (6), and the open data on the candidate that have been received shall be sent along with the booklet-type election campaign bulletins when they are sent pursuant to paragraph (5). In such cases, when the candidate fails to submit all or part of the open data on the candidate by not later than a deadline due to a justifiable reason, he/she may submit such data before the booklet-type election campaign bulletins are delivered. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

(10) Notwithstanding paragraph (1), the election commission having jurisdiction over a constituency may require each candidate to submit the manuscript of his/her booklet-type election campaign bulletins stored in a magnetic computer disk or any similar medium in accordance with the forms provided by the election commission or to enter such manuscript in the web-site designated by the election commission at the time

the candidate files an application for the registration of his/her candidacy pursuant to Article 49 and then prepare and dispatch the election campaign bulletins of all candidates in one book in the order of the marks of candidates, which are to be entered in ballot papers under Article 150, (such as the order of priority in listing political parties or candidates on ballot papers). In such cases, expenses incurred in printing the election campaign bulletins shall be borne by candidates.

(11) When open data on a candidate are not included in the booklet-type election campaign bulletins (excluding election campaign bulletins in braille; hereafter the same shall apply in this paragraph), in contravention of paragraph (8), when the open data on a candidate are included in a page, other than the second page of the booklet-type election campaign bulletins, (excluding where open data on a candidate are included in the second page and the third page in a row, due to the lack of a space in the second page), when contents, other than the open data on a candidate and materials for explanation, are included in the second page, or when the standards and a deadline for the submission of election campaign bulletins are violated, the competent Gu/Si/Gun election commission shall not accept such data. *<Newly Inserted by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

(12) Article 64 (2) (latter part) through (8) shall apply mutatis mutandis to the election campaign bulletins. In such cases, "campaign posters" shall be deemed "election campaign bulletins", "constituency therein the posters are required not to be pasted", shall be deemed "persons to whom or the constituency to which the election campaign bulletins are not required to be delivered", "posting" shall be deemed "delivery", "exceeding or falling short of the standards" shall be deemed "exceeding the standards" and "career, academic background, degree or reward and punishment (hereinafter referred to as the "career, etc.")" shall be deemed "career, etc. or open data on candidates", respectively. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

(13) The specifications, preparation, submission, confirmation, delivery, and publication of the election campaign bulletins, the application form for the dispatch of booklet-type election campaign bulletins, methods for disclosing data on candidates to the public, the manuscript of the election campaign bulletins, the calculation and payment of printing expenses, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 66 (Written Campaign Promises)

(1) Every candidate (referring to the political party that recommends its candidate in cases of a candidate recommended by a political party in the presidential election; the same shall apply hereafter in this Article except for paragraphs (2) and (5)) who runs for a presidential election and for an election of the heads of local governments may prepare one kind of printed matter (hereinafter "written campaign promises") in which campaign promises and a promotion plan therefor are entered in order to wage campaign. *<Amended by Act No. 8879, Feb. 29, 2008>*

(2) The written campaign promises shall state the campaign promises, the goals, priority order, execution procedures, term of execution and plan for raising fund for each project as a promotion plan therefor, however, shall not state the matters concerning other political parties or candidates. In such cases, the

photograph, academic background, and career of the candidate and other matters necessary for publicity in addition to the name and mark of the candidate, his/her campaign promises and the matters concerning the promotion plan therefor may be inserted in not more than one sheet, out of the sheets under paragraph (3). *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 11207, Jan. 17, 2012>*

(3) The written campaign promises shall be stated on 32 sheets or less for presidential elections, on 16 sheets or less for the election of the Mayors/Do Governors, and on 12 sheets or less for the election of the heads of autonomous Gu/Si/Gun. *<Amended by Act No. 8879, Feb. 29, 2008>*

(4) The number of written campaign promises shall not exceed 10/100 of the number of households in the relevant constituency. *<Amended by Act No. 8879, Feb. 29, 2008>*

(5) Any candidate, his/her family members, election manager, head of election liaison office, election workers, chief accountant and assistants accompanying a candidate may distribute the written campaign promises: Provided, That as for the methods of distributing written campaign promises by mailing (excluding election campaign promises in braille), door-to-door visit or scattering (including a method of keeping in a specific place), they are prohibited. *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

(6) When a candidate intends to distribute written campaign promises, he/she shall report the quantity of the written campaign promises, expenses incurred in printing the written campaign promises and ways to distribute them, etc. to the competent constituency election commission with two copies of the written campaign promises, and submit two copies of the written campaign promises respectively to the Gu/Si/Gun election commission having the jurisdiction over the area in which they are distributed by no later than the time they are distributed. *<Amended by Act No. 8879, Feb. 29, 2008>*

(7) The competent constituency election commission may open to the public written campaign promises by posting them on the Internet homepage of the election commission, etc. so that voters may obtain knowledge thereof, and may post the written campaign promises of the elected person on the Internet homepage of the election commission or on the Internet homepage designated by the National Election Commission after the elected person is decided. In such cases, the competent constituency election commission may require each of the candidates to submit the copy of his/her electronic data or to submit a summary of such electronic data. *<Amended by Act No. 8879, Feb. 29, 2008>*

(8) The provisions of Articles 64 (3) and (8) and 65 (4) (excluding the proviso) shall apply mutatis mutandis to the written campaign promises. In such cases, "campaign posters" or the "booklet-type election campaign bulletins" shall be deemed "campaign promises", "preparation, keeping and submission" shall be deemed "preparation" and "election campaign bulletins in braille" shall be deemed "election campaign promises in braille", respectively, and campaign promises in braille shall be deemed same kind as the written campaign promises. *<Amended by Act No. 9974, Jan. 29, 2010; Act No. 13497, Aug. 13, 2015>*

(9) The specifications and the indication of the grounds of their preparation, etc. of the written campaign promises, the report thereon, their submission and other necessary matters shall be prescribed by

Regulations of the National Election Commission.

Article 67 (Hanging Banner)

(1) Every candidate (excluding any candidate for the proportional representative National Assembly member and any candidate for the proportional representative local council member and in cases of the party recommended candidate in the presidential election, referring to the political party that recommends him/her as the presidential candidate) may set up one hanging banner in every Eup/Myeon/Dong of the relevant constituency in order to wage his/her election campaign. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) Deleted. *<by Act No. 7681, Aug. 4, 2005>*

(3) Matters necessary for the size and hanging methods of banners under paragraph (1) shall be prescribed by Regulations of the National Election Commission.

Article 68 (Props Including Shoulder Belts)

(1) Every candidate, his/her spouse (including one person who is reported by the candidate instead of his/her spouse from among his/her lineal ascendants or descendants), every election campaign manager, every chief of the election campaign liaison office, every election campaign worker, every assistant accompanying a candidate and every accountant in charge may wage the election campaign, wearing or carrying shoulder belts, in which the photograph, name, mark, the name of a political party to which a candidate belongs and other matters necessary for public relations are printed, or jackets, labels, signaling flags, mascots and other props within standards and amounts determined by Regulations of the National Election Commission, during the period of an election campaign.

(2) No one may conduct an election campaign by using shoulder belts, hats and clothes with the same shape and color, labels, signaling flags, mascots, props and other marks during the period of an election campaign. other than cases under paragraph (1).

(3) The standards of shoulder belts under paragraph (1) and other necessary matters shall be determined by Regulations of the National Election Commission.

Article 69 (Newspaper Advertisements)

(1) Any candidate (referring to the political party that recommends its candidate in a presidential election and the political party that recommends its candidates in the election of the proportional representative National Assembly members; hereafter the same shall apply in this Article) may run an advertisement of the platform or policy of the political party to which the candidate belongs, the candidate's political views, political fund-raising (limited to presidential elections), and other matters necessary for the publicity in a daily newspaper provided for in subparagraph 1 (a) or (b) of Article 2 of the Act on the Promotion of Newspapers, Etc. from the commencement date of an election period to two days before the election day, pursuant to the following. In such cases, one run of advertisements in a daily newspaper shall be deemed one instance of a newspaper advertisement in calculating the frequency of advertisements in the daily newspaper: *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9785, Jul. 31, 2009>*

1. Presidential election: Up to 70 times in total;

2. Election of proportional representative National Assembly members: Up to 20 times in total;

3. Election of the Mayors/Do Governors: Up to five times in total: Provided, That in a City/Do with a population of more than three million, one time shall be added for every one million persons exceeding three million persons.

(2) Advertisements under paragraph (1) shall indicate grounds for advertisements and the names of advertisers. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) Two or more candidates who are recommended by the same political party in the election of the Mayors/Do Governors, may jointly run an advertisement. In such cases, each candidate shall be deemed to have run the advertisement once respectively, and the expenses for the advertisement shall be divided among the candidates according to their agreement, but the particulars about the division of expenses shall be specified in an advertisement contract. *<Amended by Act No. 9974, Jan. 25, 2010>*

(4) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(5) A candidate, if intending to run an advertisement, shall do so after obtaining a letter of certification that the advertisement is in conformity with this Act from the competent constituency election commission, and anyone who operates or manages the daily newspaper or who is in charge of the advertisement affairs shall not insert an advertisement of the candidate when the letter of certification is not accompanied.

(6) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(7) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

(8) Any person operating or managing a daily newspaper in which an advertisement is inserted under paragraph (1), may not claim or collect advertisement fees against or from candidates in excess of the minimum fees of the commercial, cultural and other various advertisements inserted in the same size and on the same column during an election period, in calculating the expenses for such an advertisement. *<Newly Inserted by Act No. 5537, Apr. 30, 1998>*

(9) The forms of written certifications, indications of grounds for advertisements and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 70 (Broadcast Advertisements)

(1) A candidate (referring to the political party that recommends its candidate in the presidential election and the political party that recommends its candidates in the election of the proportional representative National Assembly members; hereafter in this Article the same shall apply) may run an advertisement of the platform or policy of the political party to which he/she belongs, his/her political views, and other matters necessary for publicity using television or radio broadcasting facilities [referring to a radio station managed and operated by the broadcasting business operator under the Broadcasting Act and the composite cable broadcasting stations (including channels of the operators using broadcasting channels for specialized news programs); hereafter the same shall apply in this Article] during the election campaign

period, pursuant to the following, but the advertising time shall not exceed one minute at a time. In such cases, the re-broadcasting shall be included in the calculation of the advertisement frequency, but a concurrent use of the relevant broadcasting networks with a selection of one television or radio broadcasting facility shall be deemed one time: *<Amended by Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974 Jan. 25, 2010>*

1. Presidential election: Up to 30 times for television and radio broadcasts, respectively;
2. Election of proportional representative National Assembly members: Up to 15 times for television and radio broadcasts, respectively;
3. Election of Mayor/Do Governor: Up to five times for television and radio broadcasts by using local broadcasting facilities, respectively.

(2) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

(3) Each operator of the broadcasting facilities airing the advertisement according to paragraph (1) shall notify the competent constituency election commission of the date, time, contents, etc. of the broadcast advertisement as prescribed by Regulations of the National Election Commission.

(4) Article 73 (2) of the Broadcasting Act and Article 5 of the Act on Broadcast Advertising Sales Agencies, Etc. shall not apply to the broadcast advertisement provided for in paragraph (1). *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 11373, Feb. 22, 2012>*

(5) Any person operating or managing broadcasting facilities shall treat all candidates equally in consideration of time bands of broadcast, broadcast areas, etc. in making broadcast advertisement under paragraph (1); where the date and time of use of broadcasting facilities for which candidates apply overlaps, allocation of broadcast time shall be as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 5412, Nov. 14, 1997>*

(6) The candidate may, in making a broadcast advertisement under paragraph (1), air the finger language or a caption for the electors with a defected auditory sense. *<Newly Inserted by Act No. 6265, Feb. 16, 2000>*

(7) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

(8) Any person operating or managing broadcasting facilities in which a broadcast advertisement is performed under paragraph (1), may not claim or collect advertisement fees against or from candidates in excess of the minimum fees of the commercial, cultural and other various advertisements broadcasted on the same hours during an election period, in calculating the expenses for such advertisement. *<Newly Inserted by Act No. 5537, Apr. 30, 1998>*

Article 71 (Broadcast Speech of Candidates, etc.)

(1) A candidate and a campaign speechmaker designated by the candidate may deliver a campaign speech using the television and radio broadcasting facilities (referring to the broadcasting facilities under Article 70 (1); hereafter the same shall apply in this Article) for the purpose of manifesting the platform and policy of the political party to which he/she belongs, his/her political views, or other matters necessary for the publicity during the election campaign period pursuant to the following: *<Amended by Act No. 4947, Apr.*

1, 1995; Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>

1. Presidential election: Up to 11 times by television and radio broadcast, respectively, and each time within 20 minutes by the candidate and a campaign speechmaker nominated by the candidate, respectively;

2. Election of the proportional representative National Assembly members: One time by television and radio broadcast, respectively, and each time within ten minutes by two representatives appointed by a political party from among candidates for proportional representative National Assembly members, respectively;

3. Election of the National Assembly members of local constituencies and the heads of autonomous Gus/Sis/Guns: Up to two times by television and radio broadcast, respectively, and each time within ten minutes by a candidate using local broadcasting facilities;

4. Election of the proportional representative City/Do council members: One time within ten minutes by television and radio broadcast, respectively, using local broadcasting facilities by a representative elected by each party from among the candidates for the relevant election at each constituency of proportional representative City/Do council members;

5. Election of the Mayors/Do Governors: Up to five times by television and radio broadcast, respectively, using local broadcasting facilities, each time within ten minutes by candidate.

(2) The term "local broadcasting facilities" in this Act means broadcasting facilities located in the area under the jurisdiction of the relevant City/Do (in cases of Do, including broadcasting facilities located in the Special Metropolitan City or the Metropolitan City which embraces an area of the relevant Do as its broadcast area) and broadcasting facilities located in the Seoul Special Metropolitan City in cases of the relevant City/Do that does not have its own broadcasting facilities in its jurisdictional region and is located adjacent to the Seoul Special Metropolitan City. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 8232, Jan. 3, 2007; Act No. 10981, Jul. 28, 2011>*

(3) The latter part of Article 70 (1), Article 70 (6), and (8), shall apply mutatis mutandis to broadcast speeches of the candidates, etc. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000>*

(4) In cases of any broadcast speech for which television broadcasting facilities are used under paragraph (1), contents, other than the speech scene of a candidate or campaign speechmaker, the name, mark, the name of a political party to which a candidate belongs (including marks or symbols representing the relevant political party), career of a candidate, summary of a speech and statistics, shall not be broadcast; where a candidate or campaign speechmaker intends to broadcast his/her speech by video recording, he/she shall utilize the relevant broadcasting facilities. *<Newly Inserted by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 9974, Jan. 25, 2010>*

(5) A person who runs or manages broadcasting facilities shall notify the competent constituency election commission of the name of broadcasting facilities, date of utilization, time band, etc. for the election campaign speech by a candidate or campaign speechmaker under paragraph (1), by not later than 30 days

before the election day (in cases of a special election, etc., by not later than three days before the beginning day of the electoral register preparation period). *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 11207, Jan. 17, 2012>*

(6) The constituency election commission shall designate and publicly announce, in advance, broadcasting facilities and schedules by unit of constituency which are to be used for the campaign speech under paragraph (1) by not later than three days before the beginning day of application for candidate registration (or the date immediately before the beginning day of application for candidate registration in by-elections), and notify a candidate thereof at the time of the application for candidate registration. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 11207, Jan. 17, 2012>*

(7) A candidate in the presidential election, if intending to make a campaign speech using the broadcasting facilities under paragraph (1), shall submit an application in writing, specifying the name of the broadcasting facilities to be used, the date and time of use, the name of a campaign speechmaker, time needed, method of use no later than three days after the close of candidate registration (the close of supplemental registration, in cases of a supplemental election) to the National Election Commission.

(8) Where the date and time of use of the broadcasting facilities applied for by candidates (referring to the recommending party, in case of the party-recommended candidate) under paragraph (7) overlaps one another, the National Election Commission shall determine the date and time, but the relevant date and time shall be impartial to all candidates. In this case, if candidates fail to make a contract for using broadcasting facilities no later than 24 hours before the determined date and time, any person operating or managing such broadcasting facilities may broadcast any others on such time band. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000>*

(9) The National Election Commission shall, upon determining the date and time of broadcast under paragraph (8), announce it publicly and notify the political parties or candidates thereof. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000>*

(10) In the election of National Assembly members, proportional representative City/Do council members, and heads of local governments, a candidate, if he/she intends to make a campaign speech using the broadcasting facilities under paragraph (1) 2 through 5, shall report the broadcasting facilities' name, date and time of use, time required, method of use, etc. in writing to the constituency election commission concerned, together with a copy of the contract for the use of broadcasting facilities entered into with a person who runs or manages the relevant broadcasting facilities, by no later than three days before the date of broadcast. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5262, Jan. 13, 1997; Act No. 5537, Apr. 30, 1998>*

(11) A person who runs or manages the broadcasting facilities shall cooperate with a campaign speech using the broadcasting facilities under paragraph (1), and treat all candidates equally in consideration of time bands of broadcast, broadcast areas, etc. *<Amended by Act No. 5412, Nov. 14, 1997>*

(12) The CATV broadcasting business operator (including the program providing business operator specializing in the news programs), CATV relay broadcasting business operator and Internet press agency under the Broadcasting Act, may air a relay broadcast of campaign speeches by the candidates, etc. In

such cases, the said person or company shall treat all candidates who have made broadcast speeches, with impartiality. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008>*

(13) The form of the application for a campaign speech using the broadcasting facilities, ways of adjusting overlapped broadcasting dates and times, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 72 (Broadcast of Candidate's Campaign Speeches Supervised by Broadcasting Facilities)

(1) When the television and radio broadcasting facilities (referring to the broadcasting facilities under Article 70 (1); hereafter in this Article, the same shall apply) intend to air at their own expense the speeches of the candidate (in the election of the proportional representative National Assembly members and the election of the proportional representative local council members, referring to the person appointed by the recommending political party from among the candidates for the relevant election; hereafter in paragraph (3), the same shall apply) during the election campaign period, in order to have the electors know of the political party or the candidate, they shall air the contents in the unedited status, and impartially treat all political parties or candidates by the constituency unit: Provided, That when a political party or a candidate gives up the campaign speech, the same shall not apply. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) In making a broadcast of the candidates' campaign speeches under paragraph (1), sign language or a caption may be aired for the hearing impaired electors. *<Newly Inserted by Act No. 6265, Feb. 16, 2000>*

(3) A person who runs or manages broadcasting facilities, if intending to broadcast a campaign speech of a candidate under paragraph (1), shall notify the competent constituency election commission of the name of the broadcasting facilities, broadcast date and time, required hours, etc. by no later than two days before the broadcast as prescribed by Regulations of the National Election Commission.

(4) The provisions of Article 71 (12) shall apply mutatis mutandis to the broadcast of a candidate's campaign speech supervised by broadcasting facilities. *<Amended by Act No. 5537, Apr. 30, 1998>*

Article 73 (Broadcast of Careers)

(1) In the presidential election and the elections of the National Assembly members and heads of local governments, the Korean Broadcasting System shall broadcast a candidate's photograph, name, mark and age, and the name of a political party to which the candidate belongs (in cases of an independent candidate, he/she shall be indicated as "independent"), occupation and other major career provided by the competent constituency election commission, using the television and radio broadcasting facilities during the election campaign period for up to two minutes each time for each candidate, in order to have the electors know of them. In such cases, a relevant local broadcasting station may be used for other elections than the presidential election. *<Amended by Act No. 5262, Jan. 13, 1997; Act No. 6265, Feb. 16, 2000>*

(2) The frequency of career broadcasts under paragraph (1) shall be based on any of the following subparagraphs by television and radio broadcast, respectively: *<Amended by Act No. 6265, Feb. 16, 2000>*

1. Presidential elections: Eight or more times respectively;

2. Election of National Assembly members or heads of autonomous Gus/Sis/Guns: Two or more times respectively;

3. Election of Mayors/Do Governors: Three or more times respectively.

(3) Where a career broadcast is aired, the frequency and contents thereof shall be impartial to all candidates in the constituency as a unit, and the expenses therefor shall be borne by the Korean Broadcasting System.

(4) Articles 71 (12) and 72 (2) shall apply mutatis mutandis to a career broadcast. *<Amended by Act No. 6265, Feb. 16, 2000>*

(5) The submission of a manuscript for a career broadcast to the competent constituency election commission, notification of a career broadcast, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 74 (Career Broadcasts Supervised by Broadcasting Facilities)

(1) Other television and radio broadcasting facilities (referring to the broadcasting facilities under Article 70 (1); hereafter the same shall apply in this Article) than the Korean Broadcasting System shall, in cases where they intend to air the candidate's career at their own expense, base his/her broadcasts on the information provided by the competent constituency election commission, and impartially treat all candidates in the constituency as a unit. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000>*

(2) The provisions of Articles 71 (12) and 72 (2) and (3) shall apply mutatis mutandis to a career broadcast supervised by the broadcasting facilities. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000>*

Articles 75 through 78 Deleted. *<by Act No. 7189, Mar. 12, 2004>*

Article 79 (Campaign Speeches or Interviews at Open Places)

(1) The candidate (excluding any candidate for the proportional representative National Assembly member and the proportional representative local council member; hereafter in this Article the same shall apply) may make a campaign speech or interview at an open place for the purpose of providing information on the platform and policy of the political party to which he/she belongs, his/her political views or other necessary matters during the election campaign period. *<Amended by Act No. 9974, Jan. 25, 2010>*

(2) For the purpose of paragraph (1), the term "campaign speech or interview at an open place" means a campaign speech requesting persons for the support of a political party or candidate or an interview by a candidate, an election campaign manager, the chief of an election liaison office, an election campaign worker (hereinafter referred to as "candidate, etc." in this Article) and persons designated by a candidate, etc., from among persons who are able to conduct an election campaign, with persons in a way of answering questions, rendered at a roadside, square, open space, resident hall, market, shop, or other open places which many people pass through and which is prescribed by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) A motor vehicle, loudspeaker system attached thereto, or portable loudspeaker for a campaign speech or interview may be used at an open place according to the classification of the following subparagraphs: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. In the presidential election: one unit and one set per each candidate and each City/Do and Gu/Si/Gun election campaign liaison office;
2. In the election of the National Assembly member of local constituency and the Mayor/Do Governor: one unit and one set per each candidate and each Gu/Si/Gun election campaign liaison office;
3. In the elections of the local council member of local constituency and the head of autonomous Gu/Si/Gun: one unit and one set per each candidate.

(4) The loudspeaker system provided for in paragraph (3) may be used only for a campaign speech or interview, and the portable loudspeaker may not be used in an area other than where the motor vehicle to be used for a campaign speech or interview comes to a halt. In such cases, such a portable loudspeaker may not be used at the same time with the loudspeaker system attached to the motor vehicle. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(5) Where the loudspeaker system attached to a motor vehicle is used, the number of loudspeakers shall not exceed one. *<Amended by Act No. 7189, Mar. 12, 2004>*

(6) The motor vehicle and loudspeaker system shall be marked under conditions prescribed by Regulations of the National Election Commission, and the campaign poster under Article 64, the campaign bulletins under Article 65, the written campaign promises Article 66, or candidate's photograph may be attached thereto. *<Amended by Act No. 9974, Jan. 25, 2010>*

(7) A candidate, etc. may temporarily attend an indoor meeting which is held by another person, to make a campaign speech or have an interview, and in this case, he/she may use a loudspeaker system installed at the place or a portable loudspeaker. *<Amended by Act No. 9974, Jan. 25, 2010>*

(8) and (9) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(10) When making a campaign speech or having an interview at an open place (or when a candidate, etc. travels by the automobile specified in paragraph (3) or when he/she prepares him/herself or stands by around such automobile in order to make a campaign speech or to have an interview), the candidate, etc. may play music for election campaign or broadcast contents pertaining to election campaign by using one tape recorder and one video camera (including video and audio appliances; hereafter the same shall apply in this Article) for each candidate and for each election campaign liaison office (limited to election campaign liaison offices for a presidential election, election of National Assembly members of local constituency and election of Mayors/Do Governors). In such cases, each tape recorder and video camera shall bear a label as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 13497, Aug. 13, 2015>*

(11) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(12) Size of video cameras and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004>*

Article 80 (Places Barred from Campaign Speech)

A campaign speech or interview under Article 79 shall not be held or made at the facilities or places falling under any of the following subparagraphs: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 11207, Jan. 17, 2012>*

1. A building or facilities owned or managed by the State or each local government: Provided, That the same shall not apply to the park, cultural center, market, playground, citizens' hall, gymnasium, roadside, plaza or school and other open places where the multitudes pass through;
2. Inside of a ship, regular passenger automobile, train, electromotive vehicle and aircraft, and within their terminal premises, and subway station premises;
3. A hospital, clinic, library, research institute, laboratory, and other medical and research facilities.

Article 81 (Interviews or Debates by Organizations Inviting Candidates, etc.)

(1) An organization which does not fall under Article 87 (1) 1 through 6 may invite one or several candidates, interviewers or debaters (limited to the presidential election and the election for the Mayor/Do Governor, and referring to one person nominated by a political party or candidate for each election campaign office or election campaign liaison office, from among those who are eligible to engage in an election campaign; hereafter the same shall apply in this Article), and hold an interview or debate indoors, as prescribed by this Act, to inquire the platform and policy of the political party to which he/she or they belong or the candidate's political views, or other matters: Provided, That the same shall not apply to the trade unions and organizations under Article 10 (1) 6. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) For the purpose of paragraph (1), the term "interview" means that a candidate or an interviewee answers questions made by the organizer or questioner about the platform and policy of the political party to which he/she belongs or candidate's political views and other matters, and the term "debate" means that not less than two candidates or debaters question and answer through the organizer on the subject concerning the platform and policy of the political party to which they belong or candidate's political views and other matters under the direction of the organizer. *<Amended by Act No. 5412, Nov. 14, 1997>*

(3) An organization which intends to hold an interview or debate under paragraph (1) shall report, in writing, the matters concerning the organization such as the name of the host organization, name of its representative, seat of its office, number of its members, and ground for its establishment, and the name of the candidate, interviewer or debater, subject of the interview or debate, name of the moderator, method of proceedings, and the date, time and place, the number of anticipated participants, etc. to the competent constituency election commission or the Gu/Si/Gun election commission having jurisdiction over the meeting place, no later than two days before the beginning of the meeting, as prescribed by Regulations of the National Election Commission. In such cases, a written acceptance of the candidate, interviewer or

debater to be invited shall be appended to the report.

(4) When an interview or debate under paragraph (1) is held, a sign indicating the interview or debate under paragraph (1) shall be placed or posted as prescribed by Regulations of the National Election Commission.

(5) An opportunity for an interview or debate under paragraph (1) shall be impartially offered for all candidates unless a candidate refuses to accept the invitation, and the organization holding the interview or debate shall see to it that the interview or debate proceeds fairly.

(6) No political party, candidate, interviewer, debater, election campaign manager, chief of a election campaign liaison office, election campaign worker, accountant in charge, or company, etc. having relations with a candidate or his/her family under Article 114 (2) shall offer, manifest an intention to offer, or promise to offer money, entertainment, or other interests to the organization sponsoring the interview or debate or the moderator.

(7) An organization holding an interview or debate under paragraph (1) shall not have the candidate bear its expenses.

(8) Article 71 (12) shall apply mutatis mutandis to interviews or debates to which candidates, etc. are invited. *<Newly Inserted by Act No. 5537, Apr. 30, 1998>*

(9) The forms of the report on holding an interview or debate and the sign and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 5412, Nov. 14, 1997>*

Article 82 (Interviews or Debates by Press Inviting Candidates, etc.)

(1) The press, such as a television or radio broadcasting facility (referring to the broadcasting facilities under Article 70 (1); hereafter the same shall apply in this Article), newspaper business operators under subparagraph 3 of Article 2 of the Act on the Promotion of Newspapers, etc. and periodical business operators under subparagraph 2 of Article 2 of the Act on Promotion of Periodicals, Including Magazines (excluding those who publish information publications, electronic publications and other publications), news agencies provided for in subparagraph 3 of Article 2 of the Act on the Promotion of News Communications or Internet press agencies (hereafter referred to as the "press" in this Article) may hold and report on an interview or debate to inquire about the platform and policy of a political party to which the candidate concerned belongs, or the candidate's political views or other matters by inviting the candidate or one or more interviewers or debaters (referring to those designated by the candidate, from among those who are eligible to engage in an election campaign) with the consent of the candidate during the election campaign period: Provided, That an interview or debate inviting any person who intends to be a candidate, may be held and reported from one year before the election day in the presidential election, and from 60 days before the election day in the election of National Assembly members or the election of the heads of local governments to one day before the commencement date of the election period, notwithstanding the provisions of Article 59. In such cases, if the broadcasting facilities intend to hold an interview or debate and to broadcast it, they shall air it in unedited forum, and notify the competent

constituency election commission of the date and time, proceeding methods, etc. of the interview or debate pursuant to Regulations of the National Election Commission. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 8879, Feb. 29, 2008; Act No. 9785, Jul. 31, 2009; Act No. 9974, Jan. 25, 2010>*

(2) An interview or debate under paragraph (1) shall be held autonomously by the press, in consideration of the broadcasting hour, space of newspaper, etc.

(3) An interview or debate under paragraph (1) shall proceed impartially, and matters necessary therefor shall be prescribed by Regulations of the National Election Commission.

(4) The provisions of Articles 71 (12), 72 (2) and 81 (2), (6) and (7) shall apply mutatis mutandis to an interview or debate by the press inviting candidates, etc. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 82-2 (Interviews or Debates Supervised by Election Debate Broadcasting Committee)

(1) The Central Election Debate Broadcasting Committee shall hold interviews or debates in the presidential election and the election for proportional representative National Assembly members under the conditions as prescribed in each of the following during an election campaign period: *<Amended by Act No. 9974, Jan. 25, 2010>*

1. Presidential election: Three or more times by inviting one or more persons, from among the candidates;
2. Election of proportional representative National Assembly members: Two or more times by inviting one or several persons designated by the representative of relevant political party, from among the candidates for proportional representative National Assembly members or persons who are able to conduct an election campaign (excluding candidates for National Assembly members of local constituency).

(2) The City/Do Election Debate Broadcasting Committee shall hold interviews or debates under conditions prescribed in each of the following subparagraphs for the election of the Mayor/Do Governor and the election of the proportional representative City/Do council members during an election campaign period: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. The election of the Mayor/Do Governor: One or more times by inviting several persons, from among the candidates;
2. The election of the proportional representative City/Do council members: One ore more times by inviting one or several persons who are designated by the representatives of the relevant political parties, from among candidates for the proportional representative City/Do council members or persons who are able to conduct an election campaign (excluding candidates for City/Do council members in a local constituency).

(3) The Gu/Si/Gun Election Debate Broadcasting Committee shall hold interviews, debates or joint broadcast campaign speech meeting one or more times by inviting the candidates for the election of National Assembly members of local constituency and the election of the head of an autonomous Gu/Si/Gun during an election campaign period. In such cases, the hour of joint broadcast campaign speech

meeting shall be evenly alloted to each candidate within the limit of ten minutes. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) When the Election Debate Broadcasting Committee of each level holds interviews or debates referred to in paragraphs (1) through (3), it shall hold them by inviting any of the following candidates. In such cases, candidates who are invited by the Election Debate Broadcasting Committee of each level to the interviews and debates shall participate therein unless justifiable grounds exist that make it impossible for them to do so: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. The presidential election:

(a) Candidates recommended by the political parties having five or more National Assembly members belonging thereto;

(b) Candidates recommended by the political parties that have obtained 3/100 or more votes of the total number of nationwide valid ballots in the immediately preceding the presidential election, the election of the proportional representative National Assembly members, the election of the proportional representative City/Do council members or the election of the proportional representative autonomous Gu/Si/Gun council members;

(c) Candidates who occupy 5/100 or more support ratios averaging the results of public opinion poll conducted and publicized by the press under the conditions as set by Regulations of the National Election Commission during the period from 30 days prior to the beginning date of election period to the day immediately preceding the beginning date of election period;

2. The election of the proportional representative National Assembly members and election of the proportional representative City/Do council members:

(a) Candidates designated by the representative of political party falling under subparagraph 1 (a) or (b);

(b) Candidates designated by the representative of political party that has obtained 5/100 or more supports averaging the results of public opinion poll pursuant to subparagraph 1 (c);

3. The election of National Assembly members of local constituency and the election of the heads of local governments:

(a) Candidates recommended by the political parties falling under subparagraph 1 (a) or (b);

(b) Candidates who have obtained 10/100 or more votes of the total number of valid ballots by running for a presidential election, the election for National Assembly members of local constituency or the election for the heads of local governments (including the special elections, etc.) in the relevant constituency in the recent four years (including cases where the district of constituency was altered and the altered district overlaps with the district of immediately preceding election);

(c) Candidates whose support ratio averaging the results of public opinion poll referred to in subparagraph 1 (c) is 5/100 or more.

(5) The Election Debate Broadcasting Committee of each level may hold the interviews or debates for candidates who are not subject to the invitation referred to in paragraph (4). In such cases, the time and

frequency of the interviews and debates may be determined by Regulations of the National Election Commission differently from the interviews and debates held for the candidates subject to the invitation referred to in paragraph (4). *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(6) The Election Debate Broadcasting Committee of each level shall, when any invited candidate fails to participate in the interviews or debates without any justifiable grounds, in contravention of the latter part of paragraph (4), air the political party to which the relevant candidate belongs (any independent candidate is referred to as "independent"), the mark and name of the relevant candidate and the fact of his/her failure to participate therein when it begins the relay broadcasting provided for in paragraph (10) or (11) in order for electors to know the fact. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(7) When the Election Debate Broadcasting Committee of each level holds interviews or debates referred to in paragraphs (1) through (3) and (5) (including the joint broadcast campaign speech meeting; hereafter in this Article referred to as "interviews or debates"), it shall hold it impartially. *<Amended by Act No. 7681, Aug. 4, 2005>*

(8) When any candidate announces the material violating this Act or takes the floor in excess of the alloted time in the interviews or debates, the chairman of an Election Debate Broadcasting Committee of each level or a member nominated in advance by him/her may take necessary measures, such as restraining him/her or making a superimposed explanation.

(9) When there exists any person who obstructs progress or upsets an order at the interviews or debates, the chairman of an Election Debate Broadcasting Committee of each level or a member nominated in advance by him/her may order a suspension of such an act, and when he/she disobeys such order, may order him/her out of the interviews or debates.

(10) The publicly-operated broadcasting company shall make a relay broadcast of the interviews or debates through a TV broadcasting at its own expense, and shall make a relay broadcast of the interviews and debates managed by the National Election Commission between 8 pm and 11 pm of the same day as for the presidential election: Provided, That the same shall not apply to where a justifiable reason exists, such as operating a nationwide broadcasting zone, etc. in the election of the National Assembly members of local constituency and the election of the head of an autonomous Gu/Si/Gun. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008>*

(11) When a publicly-operated broadcasting company is unable to make a relay broadcast under the proviso to paragraph (10) for the election of the National Assembly members of local constituency and the election of the head of an autonomous Gu/Si/Gun, the Gu/Si/Gun Election Debate Broadcasting Committee may order to make a relay broadcast of the interviews or debates through the TV broadcasting by utilizing the broadcasting facilities of other ground wave broadcasting business operator or the composite cable TV business operator. In such cases, any fees for using the relevant broadcasting facilities shall be borne by the State and the relevant local government. *<Amended by Act No. 7681, Aug. 4, 2005>*

(12) When the Election Debate Broadcasting Committee of each level holds the interviews or debates, it may conduct a superimposed broadcasting or a sign language interpretation for the hearing impaired

electors. *<Amended by Act No. 7681, Aug. 4, 2005>*

(13) The broadcasting business operator, CATV relay broadcasting business operator or Internet press agency referred to in Article 2 of the Broadcasting Act may make a relay broadcast of the interviews or debates at his/her own expense. In such cases, he/she shall make a relay broadcast without any editing. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008>*

(14) The procedures for progress of the interviews or debates, publicity for their holdings, computation and payment of the fees for using broadcasting facilities, and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 82-3 (Policy Debates Supervised by Election Debate Broadcasting Committee)

(1) The Central Election Debate Broadcasting Committee shall hold a policy debate (hereafter in this Article, referred to as "policy debates") not less than once each month in order to make it possible for a political party to manifest its platform and policy through the broadcasting, by inviting the representative of the political party falling under each of the following subparagraphs (excluding the political party that has publicly announced that it shall not participate in an election) or the person nominated by him, from 90 days prior to the election day (in the election or reelection due to presidential vacancy, the month next to the day on which the reasons for holding the said election have become definite) of the election due to expiration of term of office (including the election or reelection due to the presidential vacancy) to the day immediately preceding the commencement date of candidates' registrations:

1. Political party to which five or more National Assembly members belong;
2. Political party that has obtained 3/100 or more votes of total number of nationwide valid ballots in the immediately preceding presidential election, election for proportional representative National Assembly members or election for proportional representative City/Do Council members.

(2) The provisions of Article 82-2 (7) through (9), the main sentence of (10), (12) and (13) shall apply mutatis mutandis to the policy debates. In such cases, the term "interviews or debates" shall be deemed "policy debates", and "Election Debate Broadcasting Committee of each level" "Central Election Debate Broadcasting Committee". *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) The operation of, and procedures for progress of, the policy debates, and a publicity for their holdings, and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 82-4 (Election Campaigns by Utilizing Information and Communications Networks)

(1) Any person authorized to run an election campaign may use direct telephone conversations between a caller and a receiver in the election campaign. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 11374, Feb. 29, 2012>*

(2) No one shall disseminate untrue facts about a candidate (including a person who intends to become a candidate; the same shall apply hereafter in this Article), his/her spouse, or any of his/her lineal ascendants or descendants or siblings through an information and communications network under Article 2 (1) 1 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc. (hereinafter referred to as “information and communications network”): Provided, That the

foregoing shall not apply where true facts are related to public interests. *<Amended by Act No. 11374, Feb. 29, 2012>*

(3) When the election commission of each level (excluding the Eup/Myeon/Dong election commission) or a candidate has found that any information violating the provisions of this Act was posted on the Internet homepage or its bulletin board or chatting page etc., or that the fact of transmitting it through the information and communications networks, it may demand the person who manages or operates the Internet homepage posting the relevant information to delete the relevant information, or may demand the manager or operator of the Internet homepage handling the transmitted information, or the provider of information and communications services under the provisions of Article 2 (1) 3 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc. (hereinafter referred to as "provider of information and communications services") to refuse, suspend or restrict the said handling. If a person who manages or operates an Internet homepage or a person who provides information and communications services does not comply with a candidate's request in such cases, the candidate may notify the election commission having jurisdiction over the relevant constituency of the fact in writing, while if the election commission having jurisdiction over the relevant constituency finds that the information that the candidate requests to delete or the information the handling of which the candidate requests to refuse, suspend, or restrict violates any provision of this Act, it may request the person who manages or operates the Internet homepage or the person who provides information and communications services to delete the information or to refuse, suspend, or restrict the handling of such information. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 11374, Feb. 29, 2012>*

(4) The manager or operator of the Internet homepage or the provider of information and communications services who has received a demand from an election commission pursuant to paragraph (3) shall promptly comply with it. *<Amended by Act No. 11374, Feb. 29, 2012>*

(5) The manager or operator of the Internet homepage or the provider of information and communications services who has received a demand from an election commission pursuant to paragraph (3), may raise objections to the election commission that has made such a demand within three days from receiving the said demand, and the person who has posted or transmitted the relevant information may do so within three days from the date on which the relevant information was deleted or any handling thereof was refused, suspended or restricted. *<Amended by Act No. 11374, Feb. 29, 2012>*

(6) The demand for a deletion etc. of posting the illegal information, raising objections and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 82-5 (Restriction on Transmission of Election Campaign Information)

(1) No person shall be allowed to transmit the information for election campaigns in opposition to an expressed intent of the information recipient to refuse any receipt of messages.

(2) When a preliminary candidate or a candidate sends information for election campaign in the form of a text message by means of automatic broadcast communications pursuant to subparagraph 2 or 3 of Article 53 (hereinafter referred to as "information for election campaign") or entrusts a transmitting agency with

the transmission of such information by e-mail, he/she shall clearly state the following matters in the information for election campaign: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012>*

1. The fact that the information is for election campaign;
2. The telephone number by which text messages are sent;
3. Deleted; *<by Act No. 7681, Aug. 4, 2005>*
4. Matters concerning the measures and methods capable of easily making an indication of intent to refuse any receipt of messages.

(3) Deleted. *<by Act No. 11207, Jan. 17, 2012>*

(4) Any person who transmits the election campaign information shall be prohibited from taking any technical measures in order to avoid or obstruct any refusal of receiving the messages by the receiver.

(5) Any person who transmits the election campaign information shall take necessary measures so as to ensure the receiver does not bear any telephone fees and other monetary expenses to be incurred when the receiver refuses to receive any messages.

(6) No person shall be allowed to transmit the election campaign information by utilizing the programs of automatically creating a contact place of the receiver, such as the telephone number, e-mail address, etc. by mixing the numerals, symbols or letters, and other technical apparatuses.

Article 82-6 (Identification of Real Names on Bulletin Boards or Chatting Pages, etc. of Internet Press Agencies)

(1) If any Internet press agency allows anyone to post information (hereinafter referred to as "information, etc." in this Article) including texts, voice, pictures or videos expressing his/her support for or opposition to candidates or political parties on the bulletin board and chatting page, etc., of its Internet homepage during the election campaign period, it shall take technical measures to have his/her real name identified in the methods of identifying real names that are provided by the Minister of Government Administration and Home Affairs or credit information business operator (hereafter in this Article "credit information business operator") under subparagraph 4 of Article 2 of the Credit Information Use and Protection Act: Provided, That where the Internet press agency has taken measures to identify the person himself/herself pursuant to Article 44-5 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc., it shall be deemed that the technical measures to have the real name identified have been taken. *<Amended by Act Nos. 8852 & 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 11690, Mar. 23, 2013; Act No. 12844, No. 19, 2014>*

(2) Where any political party or any candidate allows anyone to post information, etc. expressing his/her support for or his/her opposition to the political party or candidate on the bulletin board and the chatting pages of an Internet homepage opened and operated by the party or the candidate, such party or candidate may take the technical measures referred to in paragraph (1). *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) The Minister of Security and Public Administration and the credit information business operator shall manage the real name certification data furnished pursuant to paragraphs (1) and (2) by persons whose real

names are identified and by the web-sites and shall comply with a request from the National Election Commission to furnish it with real name certification data, upon receipt of such request. *<Amended by Act Nos. 8852 & 8879, Feb. 29, 2008; Act No. 11690, Mar. 23, 2013>*

(4) Where anyone whose real name is identified pursuant to paragraph (1) posts information, etc., the relevant Internet press agency shall take technical measures to get the sign of the "real name identification" to appear on the bulletin board and the chatting page, etc. of its Internet homepage. *<Amended by Act No. 9974, Jan. 25, 2010>*

(5) Any Internet press agency shall be prohibited from requesting anyone who intends to post information, etc. on the bulletin board and the chatting page, etc. of its Internet homepage to post his/her resident registration number thereon. *<Amended by Act No. 9974, Jan. 25, 2010>*

(6) Where any information, etc. expressing the intention of supporting or opposing any political party or any candidate without the sign of "real name certification" are posted on the bulletin board and the chatting page, etc. of the web-site, the relevant Internet press agency shall delete without delay such letter. *<Amended by Act No. 9974, Jan. 25, 2010>*

(7) Where any political party, any candidate and the election commission of each level requests the deletion of the information, etc. referred to in paragraph (6), the relevant Internet press agency shall promptly comply with such request. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 82-7 (Internet Advertisements)

(1) Every candidate (referring to the political party that recommends its candidate in the presidential election and the political party that recommends its candidates in the election of the proportional representative National Assembly members and the election of the proportional representative local council members; hereafter in this Article the same shall apply) may post his/her advertisements for his/her election campaign (hereinafter referred to as "Internet advertisements") on the web-sites of Internet press agencies.

(2) The Internet advertisements referred to in paragraph (1) shall carry the grounds of the advertisements and the names of advertisers thereof.

(3) Not less than two candidates who are recommended by the same political party may jointly post the Internet advertisements referred to in paragraph (1). In such cases, expenses shall be shared by them according to their agreement and details of the sharing of the expenses shall be explicitly indicated in the advertisement contract.

(4) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(5) No one shall post any Internet advertisement for his/her election campaign except in the case of paragraph (1).

(6) Methods of indicating grounds for advertisements and other necessary matters shall be determined by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 83 (Provision of Transportation)

(1) In a presidential election, the President of the Korea Railroad Corporation shall issue each candidate with 50 free nationwide passes to be used continuously for the election campaign during the election campaign period, as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 11207, Jan. 17, 2012>*

(2) When a candidate to whom who free nationwide passes have been issued pursuant to paragraph (1) resigns, dies, has his/her registration nullified, he/she shall return them without delay to the President of the Korea Railroad Corporation. *<Amended by Act No. 11207, Jan. 17, 2012>*

Article 84 (Independent Candidates Prohibited from Professing Political Party)

No independent candidate shall profess that he/she is supported or recommended by a specific political party: Provided, That the same shall not apply to acts falling under any of the following subparagraphs: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

1. Indicating his/her career as a political party member;
2. Where a political party, which has not recommended a candidate in the relevant constituency, supports or aids any independent candidate, the act of professing such fact.

Article 85 (Prohibition of Involvement of Public Officials, etc. in Elections, etc.)

(1) Any public official or any person who shall remain politically neutral in accordance with an Act and subordinate statutes shall not exercise undue influence on an election in connection with his/her duties or by taking advantage of his/her status or commit an act that affects an election otherwise. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(2) No public official shall engage in an election campaign taking advantage of his/her status. Where a public official carries out an election campaign targeted to the staff members under his/her control or executives and employees of an institution provided for in Article 53 (1) 4 through 6, or executives and employees of an employment-restricted institution provided for in Article 17 of the Public Service Ethics Act, it shall be deemed that he/she engages in an election campaign taking advantage of his/her status. *<Amended by Act No. 6388, Jan. 26, 2001; Act No. 7681, Aug. 4, 2005: Act No. 10067, Mar. 12, 2010; Act No. 11207, Jan. 17, 2012; Act No. 12393, Feb. 13, 2014; Act No. 12946, Dec. 30, 2014>*

(3) No one shall have another person carry out an election campaign targeted to the members of an educational, religious or professional institution or organization or have such members carry out an election campaign, taking advantage of any occupational act in the organization thereof, or have another person carry out an election campaign that is targeted to a business organization, enterprise or members thereof or have such organization, enterprise or member thereof carry out an election campaign, taking advantage of a special transaction status, such as a systematization or subcontract.

(4) No one shall carry out an election campaign targeted to a person who has no voting franchise but is under a special educational relation, taking advantage of an educational act.

Article 86 (Public Officials, etc. Prohibited from Acts of Having Effects on Election)

(1) A public official (excluding a National Assembly member, his/her assistant, chief secretary, and secretary, and a local council member), the master of the ship aboard which a seafarer who has filed a shipboard polling report is, a full-time executive or employee of an institution provided for in Article 53 (1) 4 and 6, the head of a Tong/Ri/Ban, the members of residents' self-governing committee, a company commander or a higher-ranking officer of the Homeland Reserve Forces, a full-time executive or employee of a national movement organization established pursuant to a special Act and contributed or subsidized by the State or a local government (referring to the Society for a Better Tomorrow, the Saemaul Movement Council, the Korea Freedom Federation), and the representatives of these organizations, etc. (including City/Do organizations and Gu/Si/Gun organizations) shall not commit any of the following acts: *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. Promoting the achievements of a specific political party or a candidate (including a person who intends to be a candidate; hereafter the same shall also apply in this paragraph) toward the personnel under his/her supervision or the electors, regardless of the pretext of education or whatever;
2. Participating in the planning of an election campaign or in the implementation of such planning by using a status;
3. Surveying or publishing a support rate of the electors for a political party or candidate;
4. Deleted; *<by Act No. 9974, Jan. 25, 2010>*
5. Holding a ground-breaking ceremony, during the election campaign period, for a construction work which is not to be immediately proceeded, from among the projects to be executed out of the budget of the State or local governments;
6. Taking a business trip for something other than a normal business purpose during the election campaign period;
7. Visiting any institution or facilities related to his/her duties, on leave, during an election campaign period.

(2) The head of a local government (including public officials belonging to such local government, in cases falling under subparagraph 4) shall not commit any of the following acts from 60 days prior to the election day (in cases of a special election, etc. holding reasons of which have become definite after 60 days prior to the election day, from the time when the reasons for holding the election have become definite) to the election day: *<Newly Inserted by Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011>*

1. Deleted; *<by Act No. 7189, Mar. 12, 2004>*
2. Advertising or propagating the platforms, policies, doctrine and advocacy of the party to the residents in the constituency: Provided, That the same shall not apply to where he/she becomes a preliminary candidate or a candidate for an election of the head of the relevant local government;

3. Attending all political events held by a political party, such as a lecture meeting on the current situation, campaign meeting, or rally for training and unity of party members, etc. with the exception of a rally for formation of a political party, merger of parties, party reorganization, or election of candidates, or visiting an election campaign organization, election campaign office, or election campaign liaison office: Provided, That the same shall not apply to where he/she becomes a preliminary candidate or a candidate for the election of the head of the local government concerned, or where he/she pays a courtesy call as a member of a political party to any political party's public open meetings organized only for its members by the political party whereto he/she belongs;

4. Holding or supporting cultural lectures, project explanation meetings, public hearings, meetings of professional groups, athletics meetings, entertaining events for the aged, counselling of petition by general public, or other various events, with the exception of those under the following items:

(a) Holding or supporting the events to be held or supported under Acts and subordinate statutes;

(b) Holding or supporting events whose purposes may not be achieved unless they are held on a special day or during a specific period of time;

(c) Relieving or restoring damages or losses from natural disasters, or other hazards;

(d) Holding or supporting vocational support education or provision of cultural lectures at some costs, or supporting cultural lectures to be held by the residents' self-governing center: Provided, That this shall not include supporting the opening of a new lecture in excess of previous scope, or increasing the number of participants, or supporting cultural lectures by the residents' self-governing center to be conducted by relocating its place;

(e) Solving a group civil petition or an urgent civil petition when it takes place;

(f) Acts equivalent to those under items (a) through (e), as prescribed by Regulations of the National Election Commission;

5. Attending the meetings organized by a head of a Tong/Ri/Ban: Provided, That this shall not apply to cases of natural disasters or other hazards, or of a group civil petition or an urgent civil petition when it takes place.

(3) and (4) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(5) Except for any of the following acts, the head of a local government (including public officials belonging to such local government) shall not publish, distribute or broadcast the publicity articles (including publicity papers, news bulletins, publications, facilities, sound recordings, visual records and other publicity articles, and the cases utilizing newspapers and broadcasting) to inform the residents of the plans for projects, process records and other activities of local government in excess of one kind and one time per quarter; may not publish, distribute or broadcast the publicity articles from 180 days (in case of a special election, etc., the day when the ground for holding an election is confirmed; hereafter the same shall apply in paragraph (6)) before the election day of the head of relevant local government to the election day: *<Newly Inserted by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7850, Mar. 2, 2006; Act No. 9974, Jan. 25, 2010>*

1. Publishing, distributing or broadcasting the publicity Articles which are prescribed to do so by Acts and subordinate statutes;

2. Obtaining the consent of persons and residents interested in specially designated projects in order to carry out such projects;

3. Solving a group civil petition or an urgent civil petition when it takes place;

4. Other acts equivalent to those referred to in the above subparagraphs and which are prescribed by Regulations of the National Election Commission.

(6) The head of a local government may not attend the lecture on culture to be held by the residents' self-governing center, any event held by organizations, other than public institutions, (including events held in the buildings of the relevant local governments) during his/her office hours from 180 days before the election day of the head of such a local government to the election day: Provided, That the same shall not apply to events he/she may attend or visit under paragraph (2) 3. *<Newly Inserted by Act No. 5537, Apr. 30, 1998; Act No. 6663, Mar. 7, 2002; Act No. 9974, Jan. 25, 2010>*

(7) No head of local governments may make an appearance in broadcasting, newspapers, magazines or other advertisements, without distinction of tasks under his/her jurisdiction or other pretexts. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

Article 87 (Prohibition of Organization's Election Campaign)

(1) An institution or organization (including the representative, executives or members) falling under any one of the following subparagraphs shall not be allowed to wage election campaigns under its title or that of its representative: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. The State and local governments;

2. Institutions or organizations under Article 53 (1) 4 through 6;

3. Like-minded associations such as native folks society, relatives' society, alumni association, alpine society, etc., and private group of individuals such as fraternity group;

4. National movement organizations established under the special Acts that receive any contribution or subsidy from the State or local governments (referring to the Society for a Better Tomorrow, Saemaul Movement Council, Korea Freedom Federation);

5. Organizations prohibited from participating in the political activities or an election for public officials pursuant to the Acts and subordinate statutes;

6. Institutions or organizations wherein a candidate or his/her family members (hereafter in this paragraph, referred to as "candidates, etc.") serve as executives, or established by contributing the assets of candidates, etc., or the candidate, etc. bear their operational expenses, or exercise the substantial influences in decision-making on their intentions pursuant to the related statutes or rules;

7. Deleted; *<by Act No. 7681, Aug. 4, 2005>*

8. Institutions or organizations a majority of which are comprized of the persons not entitled to make any election campaigns.

(2) No person may establish or set up any private organization or other organizations, such as the research institution, fellow members society, native folks society, alpine society, early rising soccer club, external group of a political party, regardless of their titles or professed purposes, for the election campaigns of a candidate (including a person intending to become a candidate).

Article 88 (Prohibition of Election Campaign in Favor of other Candidates)

A candidate, election campaign manager, chief of the election campaign liaison office, election campaign worker, accountant in charge, election campaign speechmaker, interviewer, or debater shall not carry out an election campaign in favor of another political party or another candidate for the same or partially overlapped constituency: Provided, That where part of an election campaign, while intended for a political party or candidate, leads to an election campaign for another political party or candidate, and where he/she supports the same political party or a candidate recommended by the same political party, or where the election campaign manager jointly appointed under this Act performs an election campaign, this shall not apply. *<Amended by Act No. 11207, Jan. 17, 2012>*

Article 89 (Prohibition of Establishment of Similar Institutions)

(1) No one shall newly establish or install an election promotion committee, supporter's association, research institute, counseling office, resting place, or any similar institution, association, organization, or facility in whatsoever name or use an existing institution, association, organization, or facility for a candidate or a person who intends to become a candidate, in addition to the election campaign office, election campaign liaison office, or election campaign organization under Article 61 (1) or (2): Provided, That the foregoing shall not apply to one election campaign organization established in the election campaign office of a candidate or a preliminary candidate and the supporters' association under the Political Funds Act. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 11485, Oct. 2, 2012; Act No. 12267, Jan. 17, 2014>*

(2) An institution, association, organization, or facility established and operated by a political party or a candidate shall not do anything, to the electors concerned, that may influence the election, or carry out propaganda using a poster, placard, broadcast, newspaper, communications, magazine or printed matter, or other means in the name of the political party or candidate, or in a manner that such a name may be analogized, in order to let the electors know the establishment or activities of such institution, organization or facilities from 180 days before the election day (the time when the reason for holding the election becomes final, in cases of a special election) to the election day: Provided, That the same shall not apply to any notice and any advertisement aimed for raising funds under Article 15 of the Political Funds Act. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 11485, Oct. 2, 2012>*

Article 89-2 Deleted. *<by Act No. 7189, Mar. 12, 2004>*

Article 90 (Prohibition of Installing, etc. of Facilities)

(1) No one shall commit any of the following acts, except for those prescribed by this Act, in an effort to influence an election from 180 days before the election day (in cases of a special election, the time when

the reason for holding such election becomes final) to the election day. In such cases, the use of the name of a political party (including a preparatory committee for the formation of a new political party), the name or photograph of a candidate (including any person who intends to be a candidate; hereafter the same shall apply in this Article), or expressing contents which make it possible to analogize such a name shall be deemed to be aimed at exerting an influence on the election:

1. Installing, displaying, posting or distributing any wreath, balloon, signboard, placard, advertising balloon, advertising tower, other advertising material or facilities;

2. Wearing or distributing a label or other indicating materials;

3. Manufacturing or selling a symbol indicating candidate, such as a doll or mascot.

(2) No acts falling under any of the following subparagraphs shall be deemed to be aimed at exerting an influence on the election, notwithstanding the provisions of paragraph (1):

1. Ordinary political party activities under Article 37 (2) of the Political Parties Act during a period other than the election period;

2. Acts of courtesy, occupation or business, or ordinary political party activities, which are prescribed by Regulations of the National Election Commission.

Article 91 (Restriction on Use of Loudspeaker Systems, Motor Vehicles, etc.)

(1) No one shall use a loudspeaker system for an election campaign, except where it is used for a campaign speech at an open place, a campaign speech, interview or debate at an interview place, or an interview or debate meeting place, as prescribed by this Act. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) Deleted. *<by Act No. 7189, Mar. 12, 2004>*

(3) No one shall carry out an election campaign, using a motor vehicle: Provided, That the same shall not apply to cases where an election campaign is waged aboard any motor vehicle at the place of campaign speech or interview provided for in Article 79, or where a motor vehicle is used by attaching thereon the campaign posters, etc. under paragraph 79 (6) of the said Article. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(4) Except as provided for in the proviso to paragraph (3), a political party, candidate, election campaign manager, or chief of the election campaign liaison office may operate or have another person operate a motor vehicle or ship not exceeding the following numbers carrying marks issued by the competent election commission, to which campaign posters provided for in Article 64, the campaign bulletins provided for in Article 65 and the written campaign promises provided for in Article 66 are attached: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 9974, Jan. 25, 2010>*

1. Presidential election and the election of the Mayor/Do Governor: Up to five motor vehicles or ships for each election campaign office and election campaign liaison office;

2. Election of the National Assembly member of local constituency and the election of the head of an autonomous Gu/Si/Gun: Up to five motor vehicles or ships for each candidate;

3. Election of the City/Do council member of local constituency: Up to two motor vehicles or ships for each candidate;

4. Election of the autonomous Gu/Si/Gun council members of local constituency: One motor vehicle or ship for each candidate.

Article 92 (Prohibition of Election Campaign Using Motion Pictures, etc.)

No one shall distribute, perform, play, show or run writings, entertainment, drama, motion picture or photograph for an election campaign during the election campaign period by means which are not prescribed in this Act.

Article 93 (Prohibition of Unlawful Distribution or Posting, etc. of Documents and Pictures)

(1) No one shall distribute, post, scatter, play, or run an advertisement, letter of greeting, poster, photograph, document, drawing, printed matter, recording tape, video tape, or the like which contains the contents supporting, recommending or opposing a political party (including the preparatory committee for formation of a political party, and the platform and policy of a political party; hereafter the same shall apply in this Article) or candidate (including a person who intends to be a candidate; hereafter the same shall apply in this Article) or showing the name of the political party or candidate with the intention of influencing the election, not in accordance with the provisions of this Act, from 180 days before the election day (when the reason for holding the election becomes final, in case of a special election) to the election day: Provided, That the same shall not apply to any of the following acts: *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. Where any candidate or any person falling under any of the subparagraphs of Article 60-3 (2) (including the chief of an election campaign liaison office, in cases falling under subparagraph 2, and, in such cases, "preliminary candidates" shall be deemed "candidates") personally hands out the name cards of a candidate under Article 60-3 (1) 2 during the election campaign period;

2. Ordinary political party activities under Article 37 (2) of the Political Parties Act during a period, other than the election period.

(2) No one may advertise works, entertainments, drama, motion pictures, photographs and other Articles showing the name of a political party or candidate by means which are not prescribed in this Act from 90 days prior to the election day to the election day, and a candidate may not appear in the advertisements by broadcast, newspaper, magazine and others: Provided, That this shall not apply to ordinary advertisements for the sale of newspapers under subparagraph 1 of Article 2 of the Act on the Promotion of Newspapers, etc. and periodicals under Article 2 of the Act on Promotion of Periodicals, Including Magazines during a period other than the election period. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(3) No one shall issue, distribute or demand, or have others do so, an identification card, document and other printed matter to or of the residents in the constituency in order to induce or promise them to carry out an election campaign. *<Newly Inserted by Act No. 5127, Dec. 30, 1995>*

Article 94 (Prohibition of Advertisements by Broadcast or Newspaper, etc.)

No one shall run an advertisement, by means which are not prescribed in this Act, through press media such as a broadcast, newspaper, communication, magazine or other periodicals for an election campaign during the election campaign period. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 95 (Prohibition of Abnormal Distribution of Newspapers, Magazines, etc.)

(1) Except as otherwise provided by this Act, no one shall distribute, circulate, post, or affix a newspaper, news report, or magazine or a news letter or any other periodical of an institution, organization, or facility, which carries an article about an election, in any manner other than the ordinary manner or make a photocopy of such article to distribute, circulate, post, or affix it. *<Amended by Act No. 11207, Jan. 17, 2012>*

(2) An "article about an election" in paragraph (1) means an article favorable or unfavorable to the success or defeat of a candidate (including a person who intends to become a candidate; the same shall apply hereafter in Articles 96 and 97) or an article in favor of or against a particular political party (including the preparatory committee for the establishment of a political party), while "distribution in the ordinary manner" means issuance and distribution in the ing and distributing in the usual manner within the usual extent. *<Amended by Act No. 11374, Feb. 29, 2012>*

Article 96 (Prohibition of False Criticism or Report)

(1) No one shall distort outcomes of a public opinion poll with regard to an election to publish or report falsified outcomes. *<Amended by Act No. 11374, Feb. 29, 2012>*

(2) A person who operates or manages a broadcasting company, newspaper, news agency, magazine, or any other periodical or a person who edits, collects, writes, and reports news or articles shall not commit any of the following acts: *<Newly Inserted by Act No. 11374, Feb. 29, 2012>*

1. Purposely reporting an untrue fact with regard to an election or reporting a falsified fact or making a comment based on a falsified fact in order to aid and abet a particular candidate to win or lose in the election;
2. Reporting the predicted outcome of an election without presenting objective data, such as outcomes of a public opinion poll.

Article 97 (Restriction on Acts, etc. for Unlawful Use of Broadcast or Newspaper)

(1) No one shall offer, manifest his/her will to offer, or promise to offer money and goods, banquet, or other interests for the election campaign to a person who operates, manages a broadcast, newspaper, communication, magazine, or other publications, or a person who edits, gathers materials, writes, or reports.

(2) No political party, candidate, election campaign manager, chief of an election campaign liaison office, election campaign worker, accountant in charge, campaign speechmaker, interviewer, debater, or company having relations with the candidate or his/her family provided in Article 114 (2) shall offer, manifest his/her will to offer, or promise to offer money and goods, banquet, or other interests to a person who operates or manages a relevant broadcast, newspaper, wire service, magazine, or other publications, or a person who edits, gathers materials, writes, or reports, or his/her assistant, in connection with a news,

criticism, interview or debate on the election.

(3) A person who operates, manages a broadcast, newspaper, wire service, magazine, or other publications, or a person who edits, gathers materials, writes, or reports shall not receive, solicit, demand or promise money, banquet, or other interests provided in paragraphs (1) and (2).

Article 98 (Restriction on Use of Broadcast for Election Campaign)

Except as prescribed by this Act, no one shall broadcast or have someone else broadcast for an election campaign, using the broadcasting facilities, regardless of the way of using it. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000>*

Article 99 (Prohibition of Election Campaign by Internal Broadcast, etc.)

Except as prescribed by this Act, no one shall carry out an election campaign using broadcasting equipment installed in means of transportation building or facilities during the election period.

Article 100 (Prohibition of Use of Recorders, etc.)

No one shall wage the election campaign using any recorder or video camera (including a video and audio device) during the election campaign period, in contravention of the provisions of this Act. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

Article 101 (Prohibition of other Campaign Speech Meetings, etc.)

No one shall hold a campaign meeting to give out his/her personal political views, a lecture meeting on the current situation, a discussion meeting, a debate meeting, other campaign speech meetings, or an interview or debate meeting other than a campaign speech, interview or an interview or debate meeting as prescribed by this Act by gathering many people during the election period, with the intention of influencing an election. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 102 (Restriction on Night Campaign Speeches, etc.)

(1) A campaign speech, interview or an interview or debate meeting (excluding cases where any broadcasting facilities are used) prescribed by this Act shall not be held from 11 p.m. till 6 a.m. on the following day, and any campaign speech or interview at an open place shall not be held from 10 p.m. till 7 a.m. on the following day: Provided, That an interview or debate at an open place may be held from 6 a.m. till 11 p.m. if only a portable loudspeaker is used. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5262, Jan. 13, 1997; Act No. 7189, Mar. 12, 2004>*

(2) Where a speech or interview is held at an open place under Article 79, no tape recorder or video camera (including video and audio equipment) under Article 79 (10) shall be used from 9 p.m. till 7 a.m. on the following day. *<Newly Inserted by Act No 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012>*

Article 103 (Restriction on Various Assemblies, etc.)

(1) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(2) National movement organizations (referring to the Society for a Better Tomorrow, the Saemaul Movement Council and the Korea Freedom Federation) established pursuant to the special Acts with contributions and subsidies provided by the State or local governments and residents' self-governing centers shall be prohibited from holding any meeting and any gathering during the election period

regardless of their names. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(3) No one shall hold a meeting of hometown friends, clan gathering, alumni meeting, rally to strengthen the unity, picnic or other assemblies and meetings during the election period, with the aim of influencing an election. *<Amended by Act No. 9974, Jan. 25, 2010>*

(4) The neighbor's meeting in Ban shall not be held during the election period unless any special reason exists.

(5) No one shall hold a party in honour of the publication of a book relating to a candidate (including the person intending to become a candidate) from 90 days prior to the election day (in the special election holding reasons of which have become definite after 90 days prior to the election day, the time when the holding reasons for said election have become definite) to the election day. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

Article 104 (Prohibition of Disturbing Acts, etc. at Campaign Speech Meeting)

No one shall disturb order at the place of speech or interview, etc., or interfere with its proceeding by violence, threat, or any other means at the place of campaign speech or interview at the open place, of interview or debate meeting, or of a rally of a political party prescribed by this Act, and no torch shall be used except in cases where the person in charge of a speech or interview, etc. uses it for lighting the speech platform and its surroundings. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 105 (Prohibition of Procession, etc.)

(1) No one shall commit the acts falling under any one of the following subparagraphs by forming a group in excess of five persons (ten persons including the candidate in case of accompanying him) in order to wage the election campaign: Provided, That in the case of performing the act referred to in subparagraph 2, the candidate, his/her spouse (including one person who is reported by him/her instead of his/her spouse, from among his/her lineal descendants and ascendants), the election campaign manager, the chief of the election campaign liaison office, the election campaign worker, assistant accompanying a candidate, and the accountant in charge shall not be included in the number: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. Marching along the street;
2. Saluting the multitude of electorates;
3. Shouting repeatedly: Provided, That the same shall not apply to the case of repeated shouts to express supports for the relevant political party or candidates at the speech or interview at an open place under the provisions of Article 79.

(2) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

Article 106 (Restriction on House-to-House Visits)

(1) No one shall make a house-to-house call to persuade other person to join a political party, for an election campaign or during the election period.

(2) Notwithstanding the provision of paragraph (1), a person who is eligible for an election campaign may appeal for support for a political party or candidate at a ceremony of coming-of-age, marriage, funeral and

ancestor worship, road, market, shop, tea room, waiting room, or other open places to which many people have an access.

(3) No one shall make a house-to-house call for the notification of any campaign speech or interview at an open place during the election period. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 107 (Prohibition, etc. of Signature or Seal Campaign)

No one shall obtain a signature or seal from an elector for an election campaign.

Article 108 (Prohibition, etc. of Publication of Results of Public Opinion Poll)

(1) No one shall publish or report, by quoting, the details or results of a public opinion poll (including a mock voting or popularity poll; hereafter the same shall also apply in this Article) that makes it possible to predict the approval rating of each political party or the successful candidate in an election, during a period between six days before the election day and the closing time of balloting on the election day. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7681, Aug. 4, 2005>*

(2) No one shall conduct a public opinion poll on an election using the means based upon models similar to the ballot paper or under the name of the candidate (including any person who intends to be a candidate; hereafter the same shall also apply in this Article) or political party (including the preparatory committee for formation of a political party; hereafter the same shall also apply in this Article) within 60 days prior to the election day (when the reason for holding the election becomes definite in cases of a special election for which the reason for holding the election has become definite after 60 days prior to the election day) to the election day: Provided, That the same shall not apply to a public opinion poll under Article 57-2 (2) *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

(3) If any person, other than the following persons, intends to conduct a public opinion poll (including a public opinion poll not intended for publication or reporting) on election, he/she shall report to the competent election commission on matters specified by guidelines for conducting public opinion polls on elections, such as the purposes of a public opinion poll, the size of each sample, the area subject to a public opinion poll, the date, time, and method of a public opinion poll, and questions in full detail, by not later than two days before the commencement date of the public opinion poll. *<Newly Inserted by Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

1. An institution or organization specializing in public opinion polls, which is requested by a third party to conduct a public opinion poll (excluding where such an institution or organization conducts a public opinion poll on its own, without any request from a third party);
2. A political party (including a preparatory committee for the formation of a new political party and a policy research institute under Article 38 of the Political Parties Act);
3. A broadcasting business operator defined under Article 2 of the Broadcasting Act;
4. The business operator of a newspaper defined under Article 2 of the Act on the Promotion of Newspapers, etc. or the business operator of a periodical defined under Article 2 of the Act on Promotion of Periodicals, Including Magazines, which is distributed nationwide or throughout a City/Do;

5. The business operator of a news agency defined under Article 2 of the Act on the Promotion of News Communications;

6. An Internet mass medium managed and operated by a business operator specified in any provision of subparagraphs 3 through 5;

7. An Internet mass medium accessed by not less than 100,000 users daily on average during three months immediately before the end of the preceding year.

(4) If the competent election commission finds that the contents of a report submitted in accordance with paragraph (3) fail to meet the guidelines for public opinion polls on elections, it may request to supplement the report before conducting the relevant public opinion poll. If a person has an objection to a request for supplementation, he/she may file the objection, in writing, with the competent committee for the deliberation on fairness in public opinion polls on election. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(5) A person who conducts a public opinion poll with regard to an election shall disclose the name and telephone number of the opinion polling institution or organization to each polled person, select persons to be polled, who can represent all the classes subject to the poll, but shall not commit any of the following acts: *<Newly Inserted by Act No. 5412, Nov. 14, 1997; Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

1. Practices in which questions are made of vocabulary or sentences biased to a particular political party or candidate;

2. Practices in which those to be polled are urged to give answers, or where questions are made to lead them to give answers according to the intention of the inquiring person or where the views of those polled are distorted;

3. Practices in which inquiries are made in ways that amusement or other gambling spirit is incited;

4. Practices in which the name of those polled or the contents implicating it are disclosed.

(6) Where any person publishes or reports the results of a public opinion poll on election, he/she shall publish or report matters specified by guidelines for conducting public opinion polls, and an institution or organization conducting a public opinion poll on election shall keep, for a period of six months after the election day, all those materials which are related to the public opinion poll, including necessary materials to evidence credibility and objectivity of polling, such as polling plans, selection of those to be polled, sampling, making of questionnaire, and analysis of outcomes, and collected answer sheets and results analysis materials, etc. *<Newly Inserted by Act No. 5412, Nov. 14, 1997; Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

(7) When an institution or organization that has conducted a public opinion poll on election intends to publish or report the results of the opinion poll, it shall register matters specified by guidelines for conducting public opinion polls on election on the web site of the central committee for the deliberation on fairness in public opinion polls on election. In such cases, where the institution or organization has conducted a public opinion poll on election at the request of a third person, a person who has requested the

relevant public opinion poll shall notify the institution or organization that has conducted the public opinion poll of the scheduled date and time for publishing or reporting the results of the relevant public opinion poll; and the institution or organization that has conducted the public opinion poll shall register the relevant matters before the scheduled date and time for publishing or reporting notified to it. *<Amended by Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

(8) No one shall perform any of the following acts: *<Newly Inserted by Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

1. Publishing or reporting the results of a public opinion poll on election not registered on the web site of the central committee for the deliberation on fairness in public opinion polls on election in accordance with paragraph (7);

2. Conducting a public opinion poll on election for the purpose of publishing or reporting without following guidelines for conducting public opinion polls on election, or publishing or reporting the results thereof.

(9) In any of the following cases, the election commission having jurisdiction over the relevant constituency may request an institution or organization that has conducted a public opinion poll to submit data related to the public opinion poll it keeps pursuant to paragraph (6), and the institution or organization so requested shall comply with such request without delay: *<Newly Inserted by Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

1. Where the competent constituency election commission finds that a reasonal ground exists to believe that a person has violated this Act in relation to a published or reported opinion poll;

2. Where the central committee for the deliberation on fairness in public opinion polls on election receives a written objection against the objectivity and reliability of the published or reported results of the opinion poll, which is filed by a political party or candidate, or determines that it is necessary to conduct deliberation under Article 8-9 (7) 2.

(10) No one shall conduct a public opinion poll on an election by telephone in the nighttime (referring to hours from 10 p.m. to 7 a.m. the following day). *<Newly Inserted by Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014>*

(11) No person shall perform any of the following acts: *<Newly Inserted by Act No. 13755, Jan. 15, 2016>*

1. Instructing, persuading or inducing a number of constituents to give false answers about gender, age, etc. in order to have an influence on the results of public opinion polling for the primary election under Article 57-2 (1);

2. Giving answers at least twice by the same persons by taking action, such as call forwarding of at least two telephone numbers, or instructing, persuading or inducing persons to give answers at least twice in order to have an influence on the results of public opinion polling for the election.

(12) Procedures for filing a report on a public opinion poll or a formal objection and for requesting to submit data and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014; Act No. 13755, Jan.*

15, 2016>

Article 108-2 (Prohibition, etc. of Publication of Comparison and Appraisal concerning Policies and Campaign Promises)

(1) The press (refers to the press under Article 82) and an organization that does not fall under any of the subparagraphs of Article 87 (1) (hereafter in this Article "press, etc.") may compare and appraise the policies and campaign promises of political parties or candidates (including those who intend to be a candidate; hereafter in this Article "candidate, etc."), and may publish the result.

(2) When the press, etc. compare and appraise the policies and campaign promises of candidates, etc. or publish the result, they shall not perform any act falling under any of the following subparagraphs:

1. Forming and operating an appraisal team which is favorable or unfavorable to specific candidates, etc.;

2. Drawing up candidates, etc. in order by a method of awarding points to, or of deciding ranking or class of each candidate, etc.

(3) When the press, etc. publish the result of comparison and appraisal of policies or campaign promises of candidates, etc., they shall publish the details that verify the credibility and objectivity of appraisal, such as the main body of appraisal, composition and operation of appraisal team, and the index, standards, methods, etc. of appraisal, and shall preserve all of the data related with the comparison and appraisal until 6 months after the election day. In such cases, the organization that has campaigned or has claimed to campaign shall publish it together with the candidate, etc. that it supports.

Article 109 (Prohibition of Election Campaign by Letters, Telegrams, etc.)

(1) No one shall carry out any election campaign to electors using letters, telegrams, or facsimiles, or other means of telecommunication, adopting methods which are not prescribed in this Act, during the election period. *<Amended by Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No 9974, Jan 25, 2010>*

(2) No election campaign by telephone under Article 60-3 (1) 6 or 82-4 (1) shall be carried out in the night (referring to the hours between 11 p.m. and 6 a.m. on the following day). *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012>*

(3) No one shall threaten a candidate, election campaign manager, chief of an election campaign liaison office, election campaign worker, accountant in charge, campaign speechmaker, interviewer, debater, or elector, etc. through a telephone or other means, for an election campaign.

Article 110 (Prohibition of Slander against Candidates, etc.)

(1) No person shall publish false information about the place of birth, family relations, social status, occupation, career, property, behavior or organization to which he/she belongs of a candidate (including a person who intends to be a candidate; hereafter the same shall apply in this Article), his/her spouse, lineal ascendants or descendants, or siblings, or about whether the candidate receives support from a specific person or specific organization, or slander his/her privacy by openly pointing out facts, for election campaign: Provided, That the foregoing shall not apply where such information is true and correct and is

for public interest.

(2) No person shall openly disparage or insult a specific region, people of such region or gender for election campaign in relation to a political party, a candidate, his/her spouse, lineal ascendants or descendants, or siblings.

Article 110-2 (Filing Objections to False Information, etc.)

(1) Any person may file an objection, in writing, with the immediately superior election commission through the relevant election commission of the electoral district on the grounds that false information about the place of birth, family relations, social status, occupation, career, organization to which he/she belongs of a candidate or preliminary candidate, and about whether he/she receives support from a specific person or specific organization has been published.

(2) The immediately superior election commission in receipt of a written objection under paragraph (1) may require a candidate, preliminary candidate, political party to which he/she belongs, person who files an objection, related government agency or local government, other institutions or organizations to submit evidentiary documents and related data. In such cases, a person required to submit evidentiary documents and related data shall comply with such requirement except for extenuating circumstances.

(3) Where no evidentiary document and related data are submitted or information published is proved false as a result of verification through evidential documents and related data submitted, the immediately superior election commission shall immediately make an official announcement of the fact. In such cases, it shall disclose a written formal objection and documents and data submitted on its web site without compilation or revision to the extent not violating the Personal Information Protection Act.

(4) A form of a written objection, the disclosure of documents and data submitted, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 111 (Report on Parliamentary Activities)

(1) A National Assembly member or a local council member may report his/her parliamentary activities (including activities in his/her constituency, notification of schedules and other matters necessary for publicity of his/her achievements) to the electorate (including the electorate newly included in the district by a change of the administrative or electorate district; hereafter in this Article the same shall apply), through assemblies such as briefing sessions, written reports (including printed materials, sound recording, video recording, and copies of computerized data), the Internet, text messages, or direct telephone conversations between a caller and a receiver or congratulatory speeches or greeting words (including posting them): Provided, That no one shall report his/her performance of duties and parliamentary activities, in whatsoever name they are, by any means other than publishing them through an Internet homepage or its bulletin board or chatting room or transmitting them by e-mail or by text message during a period beginning on 90 days before the election day for the presidential election or the election of National Assembly members, local council members, or the heads of local governments and ending on the election day. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan 25, 2010; Act No. 11374, Feb. 29, 2012>*

(2) Where a National Assembly member or a local council member holds a briefing session of his/her parliamentary activities, he/she may paste or post notification posters and marks of session venue, and print the session name, date and time, venue and matters to be reported (excluding the contents to propagate the person who intends to be a candidate) on the relevant posters and marks. In such cases, a National Assembly member or local council member who holds a briefing session of his/her parliamentary activities shall, upon the completion of the said session, remove the posters and marks without delay.

(3) Any National Assembly member or any local council member who intends to mail the report pursuant to paragraph (1) may file an application, in writing, with the head of each Gu/Si/Gun for delivering the names and addresses of householders who are the electors (hereafter in this Article referred to as "roll of householders") once in a year within the scope of the quantity of the delivery and the head of each Gu/Si/Gun shall, upon receiving the application, promptly prepare and deliver the roll of householders to the applicant, notwithstanding the provisions of other Acts. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(4) Article 46 (3) and (4) shall apply mutatis mutandis to the payment of expenses incurred in preparing the roll of householders referred to in paragraph (3) and the prohibition on transferring, lending and using the delivered roll of householders. In such cases, the term "electoral register" shall be construed as the "roll of householders". *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(5) The size and quantity of the notification posters and marks of the briefing session of parliamentary activities, the application for the delivery of the roll of householders and other matters necessary for the report on parliamentary activities shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 112 (Definitions, etc. of Acts of Contribution)

(1) For the purpose of this Act, the term "contribution act" means an act of offering money, valuables and other benefits to property, an act of expressing an intention to provide such benefits, or an act of making a promise of such a provision to the persons in a relevant constituency, or an institution, organization, facilities, and to the meetings or events of the electorate, or to the persons having connections with the electorate even if they are outside the relevant constituency, or an institution, organization and facilities. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) Notwithstanding paragraph (1), none of the following acts shall be regarded as contribution: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 12111, Aug. 13, 2013>*

1. Acts relating to ordinary activities of political parties:

   (a) Acts by a political party to support the operational expenses of relevant political party or paying remunerations to the salaried clerks in the political party of each level;

   (b) Acts by the members of political parties to pay the party members fees and other expenses pursuant to the party constitution or regulations and other internal regulations;

   (c) Acts by a political party to subsidize the election expenses of the National Assembly members belonging thereto, or candidates and preliminary candidates to run in elections for public officials

under this Act;

(d) Furnishing the reading material and other printed material for a political party's publicity, cheap badges of a political party, or symbol mascots at the expense of a political party or provide drinks (excluding alcoholic beverages), such as tea or coffee within the ordinary limits, to the participating party members at a rally for the formation of political party, etc. under Article 140 (1), a rally of party members or their training sessions under Article 141 (2) and other rallies exclusive to party members belonging thereto;

(e) Furnishing foods of a kind of snack, such as the snacks, rice cakes (Tteok), scrolled rice with dried sea weed (Gimbap), drinks (excluding alcoholic drinks), etc. within the ordinary limits to the persons visiting the election campaign office, election campaign liaison office or political party's office;

(f) Furnishing foods of a kind of meals within the ordinary limits to the party executives taking part in the meeting of party executives wherein the representatives of central parties participate (referring to the meeting wherein the executives of local responsible person's level above the unit of Gu/Si/Gun and the high-ranking executives equivalent to ten times the number of City/Dos) and the meeting of party executives wherein the representatives of City/Do parties participate (referring to the meeting wherein the executives of local responsible person's level above the unit of Eup/Myeon/Dong and the high ranking executives equivalent to the number of competent Gu/Si/Gun);

(g) Acts by a political party to provide room and board, transportation or travelling expenses at the expense of a political party to salaried clerks attending education and training programs for salaried clerks belonging thereto;

(h) Acts by the representative of a political party to provide foods of a kind of refreshments within the ordinary limits at the expense of a political party to persons attending a New Year's party or year-end party held exclusively for party members belonging thereto;

(i) Acts by a political party to volunteer for citizens in its own name, such as disaster relief, helping disabled persons and helping farm works, or to provide means of transportation (excluding travelling expenses) and the foods of a kind of meals within the ordinary limits at the expense of a political party to party members attending volunteering acts;

(j) Providing foods of a kind of meals at the expense of a political party to the representatives of functional or social organizations, presenters or debaters, etc. attending a social gathering or discussion held by the representative of a political party for the development of policies of a political party;

(k) Awarding the certificate of commendation and ordinary additional prizes at the expense of a political party to exemplary or excellent party members at various events of a political party held by the representative of a political party;

(l) Courtesy acts under the proviso to Article 57-5 (1);

(m) Providing the food of a kind of meals at the expense of a political party to the representative, a person in charge of the political party of each level, or salaried party executives attending a meeting on party affairs held by the representative of a political party;

(n) Inviting the limited range of persons, such as the heads of institutions or organizations in the relevant regions, executives of social organizations and journalists, etc., hold a social gathering and provide the food of a kind of meals to such persons, at the expense of a political party, when the representative of a central party visits City/Do party, so as to understand party affairs and collect the opinions of local people;

(o) Providing transportations means, at the expense of a political party, to its members who attend a nationwide meeting of its supreme representative organ, which is held by its central party pursuant to its constitution;

2. Ceremonial acts:

(a) Offering the money or goods for congratulations or condolences at a ceremony of coming-of-age, marriage, funeral and ancestral worship of relatives under Article 777 of the Civil Act or other congratulations or condolences;

(b) Acts by the representative of a political party to provide congratulatory gifts or condolence money and goods (including a wreath or flowerpot) within the ordinary limits, when the relevant salaried clerks (including the representative and full-time executives of City/Do political party, in cases of the representative of a central party), working for a central party or City/Do political party, spouses thereof or lineal ascendants or descendants thereof are married or die, or provide courtesy gifts to the relevant salaried clerks (including the representative of City/Do political party, in cases of the representative of a central party) in its own name, at the expense of a political party at the year-end, new year, harvest festival, anniversary for the formation of political party or his/her birthday;

(c) Providing courtesy wreath, flowerpot or ceremonial gifts at a memorial service for persons rendering distinguished services to the State, ceremony of a national holiday, ceremony of anniversaries held by the Government under Article 2 of the Regulations on Various Anniversaries, ceremony of opening or relocating public institutions or facilities, joint wedding ceremony, joint ceremony of burning incense, building dedication ceremony of affiliated institutions or organizations, rally for the formation of political party, rally for merging parties, rally for selecting candidates and other events equivalent thereto;

(d) Acts by a foundation or a fund established for serving the public interests to provide money and gifts, which have been given on a regular basis for the purpose of establishment thereof from four years before the election day: Provided, That acts to expand or alter the amounts of money and gifts and the subjects or methods of payment, to pay money and gifts by a candidate (including a person who intends to be a candidate; hereinafter the same shall apply in this Article), or pay money and gifts by methods which make it enable to estimate the names of candidates or political parties, from 120 days before the election day (from the time of confirming reasons for holding the relevant

election, in cases of special elections for which reasons for holding elections are confirmed after 120 days before the election day) to the election day, are excluded;

(e) Acts by the constituents of various social or friendship groups and social organizations, such as friendship club, native folks society, relatives' society, alumni association, etc. to pay membership fees within the previous limits pursuant to the Articles of association, regulations or duties under the operational practices;

(f) Acts by the believers to donate money (including an offer of goods) to the chapel, Catholic church, temple, etc. of their usual call pursuant to ordinary practices;

(g) Offering foods of a kind of meal within the ordinary scope to the companions, when the companions going with the candidate for election campaign or the members of the National Assembly, candidates, preliminary candidates visit the areas within the competent districts. In such cases, the scope of companions shall be stipulated by Regulations of the National Election Commission;

(h) Acts by the representatives of institutions, organizations or facilities to offer money or goods for congratulations or condolences (including wreath or flowerpot) within the ordinary scope when the full-time employee under their command (excluding employees of affiliated administrative agencies and subordinate administrative agencies under Sections 3 and 4 of CHAPTER VI of the Local Autonomy Act and of institutions, organizations and facilities equivalent thereto, regardless of the names thereof; hereafter the same shall apply in this subparagraph), the representatives of affiliated or subordinate institutions, organizations or facilities, their spouses or their lineal ascendants or descendants are married or die, or provide courtesy gifts in the names of the relevant institutions, organizations or facilities to full-time employees under their command or the representatives of affiliated or subordinate institutions, organizations or facilities at the year-end, new year, harvest festival, anniversary for the formation of a political party or his/her birthday, in accordance with their own business plans and budgets;

(i) Granting awards (excluding any supplementary award; hereafter the same shall apply in this subparagraph) within the ordinary limits or award a certificate of commendation only one time per year within the ordinary limits at the regular general meeting of organizations or groups (excluding private meetings, such as meeting of hometown friends, clan gathering, alumni meeting, meeting of club members or meeting for Korean traditional private fund) above the unit of Gu/Si/Gun in cultural, artistic and sports events regularly held in the Eup/Myeon/Dong or superior administrative district, the graduation ceremonies of schools of various levels and events held in the public interest within the scope of ceremony: Provided, That acts to grant awards by any candidate (including anyone who intends to be a candidate) from the date on which the application for the registration of preliminary candidates commences under Article 60-2 (1) to the election day shall be excluded;

(j) Providing drinksexcluding alcoholic beverages), such as tea and coffee, within the ordinary limits, to persons attending a briefing on parliamentary politics, discussion on policies, gathering to

commemorate publication and other events;

(k) Providing foods of a kind of snacks (excluding alcoholic beverages) within the ordinary limits in the relevant offices to party executives and members or persons engaged in election affairs, who are attending the ceremony of opening an election office, an election liaison office or a political party election office, the ceremony of putting up a sign or the signboard hanging ceremony;

(l) Giving official commendations (in cases of local governments, awarding additional prizes to persons who are not belonging to such local governments are excluded) to persons of merit or provide foods of a kind of meal or cheap souvenirs within the ordinary limits, at the expense of companies, to executives belonging thereto, their families, persons engaged in trade or limited range of guests, etc, who are attending a regular anniversary ceremony, athletics competition for employees or a ceremony of completing company buildings, which are held by companies, etc. related with a candidate under Article 114 (2) or his/her family members;

(m) Providing foods or return presents within the ordinary limits to congratulators or guests for condolences, etc., who are attending the ceremony of coming-of-age, marriage, funeral or ancestor worship of any person who is unable to make a contribution under Articles 113 and 114;

3. Remedial or charitable acts:

(a) Offering the subscription of money or goods to the accommodating asylums from among the social protection facilities established under the Acts and subordinate statutes;

(b) Offering the money and goods to the relief institutions (including the National Association for Disaster Relief) under the provisions of the Disaster Relief Act and the Korean National Red Cross under the Organization of the Korean National Red Cross Act for the relief of disasters due to natural disasters;

(c) Offering the subscription of money or goods or relief money or goods to disabled persons' welfare facilities (excluding fee-charging welfare facilities) under Article 58 of the Act on Welfare of Persons with Disabilities;

(d) Offering charitable or relief money and goods to the severely-disabled persons who are the qualified recipients under the National Basic Living Security Act;

(e) Offering charitable or relief money and goods to the juristic persons or organizations established by obtaining permission from the State, local governments, press, social organizations or religious organizations which supervise and implement charitable businesses and other State agencies or local governments: Provided, That in cases where they are subject to the wide-scope electorate, offering them by indicating an official title, name or the name of a political party belonging thereto in individual items provided or packaging thereof shall be excluded;

(f) Providing charitable or relief money and goods, which have been provided on a regular basis by establishing relations with children of families without parents as a sponsor through the State or local governments, which supervise and implement charity and relief projects, and other public institutions or corporations;

(g) Providing money and goods to events, such as the association of supporters for children of families without parents, disabled persons, persons rendering distinguished services to the State, senior citizens without dependents, starving people, refugees or qualified recipients under the National Basic Living Security Act, which are held by national organizations, local governments or relief or charitable organizations: Provided, That offering them by indicating an official title, name or the name of a political party belonging thereto in individual items provided or packaging thereof shall be excluded;

(h) Operating free schools (including evening classes) for working adolescents or teach students in such schools;

4. Functional acts:

(a) Acts by the State or local governments to offer money and goods (in cases where any local government grants official commendations and awards, the granting of any supplementary award shall be excluded; hereafter in item (b) the same shall apply) pursuant to the Acts and subordinate statutes which are implemented under their own project plans and with their budgets;

(b) Acts by the local governments to offer money and goods under their own project plans and with their budgets, under Municipal Ordinance of the relevant local governments which stipulates definitely the objects, methods, scopes, etc.;

(c) Acts of relief or charity which are implemented by the State agencies or local governments executing relief or charity projects under their own project plans and with their budgets after revealing their titles;

(d) Acts by the heads of the State, local governments or public institutions (referring to institutions designated under Article 4 of the Act on the Management of Public Institutions or other institutions determined by Regulations of the National Election Commission) to offer the foods of a kind of meal (referring to the snacks in the cases of the heads of local governments) not later than 60 days prior to the election day within the ordinary limits and in accordance with their own project plans and budgets, to the public officials under their command, officers and employees, heads of the related agencies or organizations, representatives of the residents within customary scopes, who have taken part in the meeting to receive a report on affairs or to hear the residents' public opinions, etc. while they visit the subordinate agencies for the first round of visits or the New Year's visit;

(e) Acts by the national organizations and local governments to provide money and goods or other profits in property in the names of the relevant national institutions or local governments, in accordance with their own business plans and budgets, so as to deal with the urgent pending issues;

(f) Acts by national institutions to give a prize to exemplary sons, devoted daughters-in-law, exemplary citizens or mens of merit, etc. during a period other than the election period, or acts by national institutions or local governments to provide comfort items to street cleaners, shoeblacks, salespersons of newspapers in streets or postmen, etc. within their jurisdictions;

(g) Acts by National Assembly members or local council members to provide an advice on civil petitions for free in their offices, where they perform their duties or tasks, or by a political party to provide such advice in the relevant party headquarters;

(h) Acts by professionals equipped with specific qualifications determined by Acts, such as attorneys-at-law or doctors, to provide an advice for free on their own areas, such as laws or medical services, through their Internet homepage opened to promote their tasks;

(i) Acts by a company related to a candidate under Article 114 (2) or his/her family members to distribute materials for PR activities (excluding materials in which the name, title or photograph of a candidate is indicated), such as calendars, pocket notebooks, desk diary or note pads, etc. for its business activities in its own name to employees, a limited range of business partners or related institutions, organizations or facilities necessary for business activities or give free classes within the scope of business activities of the relevant company, in addition to business activities;

(j) Performing the obligations, such as furnishing the prices for purchase of goods, construction works, provision of services, etc. or paying the shares in expenses, etc.;

5. Supporting, donating or providing money and goods under Acts and subordinate statues, other than acts falling under subparagraphs 1 through 4;

6. Other acts corresponding to any one of the above subparagraphs, which are stipulated by Regulations of the National Election Commission.

(3) The term "food of a kind of meals or drinks provided within the ordinary limits" in paragraph (2) means those offered for consumption at the site to the extent of satisfying every day courtesy not exceeding the amount of money as prescribed by Regulations of the National Election Commission, excluding what are provided as souvenirs or gifts. *<Newly Inserted by Act No. 5412, Nov. 14, 1997; Act No. 9974, Jan. 25, 2010>*

(4) Functional acts of local governments, from among functional acts falling under items of paragraph (2) 4, shall be conducted in the names of the relevant local governments, except for cases where official commendations are given or prizes are awarded under Acts and subordinate statues or Municipal Ordinance, and any act committed by methods of disclosing the titles or names of the heads of the relevant local governments or methods enabling people to estimate that the heads are engaged in such acts, shall be deemed acts of contribution. In such case, cases falling under any of the following subparagraphs shall be deemed to fall under "methods enabling people to estimate that the heads are engaged in such acts": *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

1. When the previous subjects, methods, scopes and periods are expanded without the enactment or revision of Acts and subordinate statues or Municipal Ordinance;

2. When acts to advertise the heads of the relevant local governments, such as PR activities to promote their achievements, are added.

(5) The election commission of each level (excluding the Eup/Myeon/Dong election commission) shall promulgate the subject, contents and period of the restriction on any contribution act and other necessary

matters, by means of advertisement, etc. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

Article 113 (Restriction on Contribution by Candidates, etc.)

(1) A National Assembly member, a local council member, the head of a local government, the representative of a political party, a candidate (including a person intending to become a candidate), and their spouse shall not be allowed to make a contribution act (including officiating at a wedding) to those within the relevant constituency, or institutions, organizations or facilities, or to those having connections with the electorate even if they are outside of the relevant constituency, or institutions, organizations or facilities.

(2) No person shall be allowed to promise, instruct, solicit, mediate or demand the acts referred to in paragraph (1).

Article 114 (Restriction on Contribution by Political Parties and Family, etc. of Candidate)

(1) A political party [including the council of political party members (hereinafter referred to as "council of political party members") under Article 37 (3) of the Political Parties Act and the preparatory committee for formation of a political party; hereafter in this Article, the same shall apply], the head of a political party's election campaign office, a candidate (including the person who intends to be a candidate; hereafter the same shall apply in this Article), or his/her lineal ascendants, descendants, or brothers and sisters, spouse of the candidate's lineal descendants, spouse of a brothers and sisters, election campaign manager, chief of the election campaign liaison office, election campaign worker, accountant in charge, election campaign speechmaker, interviewer, debater, or company or other juristic person or organization (hereinafter referred to as "company, etc.") having a relation with the candidate or his/her family (with respect to the scope of a family, the provision of Article 10 (1) 3 shall apply mutatis mutandis), or its executive or employee shall not make any contributions to the candidate or the political party to which he/she belongs, in connection with the election prior to the election period, and regardless of its relation to the election during the election period. In such cases, making contributions by disclosing the name of the candidate or political party to which he/she belongs or in the manner as presumable that the candidate or the political party to which he/she belongs makes a contribution, shall be considered as a contribution act for the candidate or political party in connection with the election. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

(2) For the purpose of paragraph (1), the term "company having relation to the candidate or his/her family" means a company falling under any one of the following subparagraphs: *<Amended by Act No. 7681, Aug. 4, 2005>*

1. A company or other juristic person or organization of which the candidate is an executive, employee or member, or he/she participates in the establishment and operation through a contribution of funds, or he/she may exert a substantial influence on the decision making as prescribed by related Acts and subordinate statutes or an agreement;

2. A company or other juristic person or organization of which the candidate's family member is an executive or member, or participates in the establishment and operation through a contribution of funds, or he/she may exert a substantial influence on the decision making as prescribed by related Acts and subordinate statutes or an agreement;

3. A supporters' association established for a candidate or political party to which he/she belongs, as prescribed by the Political Funds Act.

Article 115 (Restriction on Contribution by Third Persons)

A person, even though not provided for in Article 113 or 114, shall not make, or have another make contributions to a candidate (including a person who intends to be a candidate; hereafter the same shall apply in this Article) or political party (including the preparatory committee for formation of a new political party; hereafter the same shall apply in this Article) to which he/she belongs, in connection with an election. In such cases, making contributions by disclosing the name of the candidate or political party to which he/she belongs or in the manner as presumable that the candidate or the political party to which he/she belongs makes a contribution, shall be considered as a contribution act for the candidate or political party in connection with the election. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 116 (Prohibition of Solicitation, Request, etc. for Contribution)

No one shall receive contributions from any person, for whom acts of contribution under Articles 113 through 115 are restricted, with respect to elections, or solicit or request such person to make contributions.

Article 117 (Prohibition on Receiving Contributions, etc.)

No one shall demand contributions of or receive contributions from a person who is prohibited from contributing any political fund pursuant to Article 31 of the Political Funds Act, in connection with any election. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 117-2 Deleted. *<by Act No. 7189, Mar. 12, 2004>*

Article 118 (Prohibition of Return Courtesy after Election)

A candidate, his/her family, or the executive staff member of a political party shall not be involved in an act falling under any of the following subparagraphs to the electorate for congratulations, consolation, or other return courtesy in connection with a success or defeat in the election, after the election: *<Amended by Act No. 9974, Jan. 25, 2010>*

1. Offering money, goods or banquet;

2. Advertising through a broadcast, newspaper, magazine or other publications;

3. Making a procession in a motor vehicle, marching along the street in a group, or shouting repeatedly in the street: Provided, That the same shall not apply to an act of greeting in the street for the success or defeat in the election, using a motor vehicle as provided in Article 79 (3);

4. Gathering the electors and holding a meeting for celebrating the success or consoling the defeat in the election;

5. Putting up banners: Provided, That the same shall not apply to acts of putting up a banner for each Eup/Myeon/Dong in the relevant constituency for 13 days from the following day after the election day.

Article 119 (Definition of Election Expenses, etc.)

(1) For the purpose of this Act, the term "election expenses" means money, goods, obligation, or other things of economic value required for the election campaign in the election concerned and borne by a candidate (including a person intending to become a candidate, and including a political party which recommends a candidate in the presidential election, in the election of the proportional representative National Assembly members and in the election of the proportional representative local council members; hereafter in this paragraph, the same shall apply) and expenses falling under any of the following subparagraphs: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. Any expenses disbursed by a candidate for an election campaign, in contravention of this Act or the provisions concerning the restriction on contributions;

2. Any expenses disbursed by a political party, the head of a political party's election campaign office, the spouse and lineal ascendants or descendants of a candidate, election campaign manager, the chief of the election campaign liaison office and accountants in charge, for election campaigns (including illegal election campaigns; hereafter the same shall apply in this paragraph) of the relevant candidates and expenses disbursed, in contravention of provisions concerning the restriction on contributions;

3. Any expenses disbursed by persons, who have been appointed as election campaign manager, the chief of the election campaign liaison office and accountants in charge, for election campaigns of the relevant candidates until they are appointed and reported, and expenses disbursed, in contravention of provisions concerning the restriction on contributions;

4. Any expenses disbursed by any person, even if he/she does not fall under subparagraphs 2 and 3, in collusion with a candidate or persons prescribed under subparagraph 2 or 3, for election campaigns of the relevant candidates, and expenses disbursed, in contravention of provisions concerning the restriction on contributions.

(2) For the purpose of this Act, the term "revenue" means money, goods convertible into money, or other economic interests or promise to receive economic interests, for an appropriation for election expenses.

(3) For the purpose of this Act, the term "disbursement" means any provision or delivery of election expenses, or promise to do so.

(4) For the purpose of this Act, the term "accountant in charge" means the persons in charge of accounting who are each selected, appointed and reported pursuant to Article 34 (1) 5 and 6 or (3) of the Political Funds Act. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

Article 120 (Expenses not Recognized as Election Expenses)

Any of the following expenses shall not be considered as election expenses prescribed by this Act: *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

1. Expenses incurred in preparing an election campaign, such as those needed for obtaining recommendations of the electors;

2. Expenses for a rally to elect the candidate of a political party, and other expenses incurred for party activities related to an election;

3. Deposit money, payments and fees to be paid to the State, local government or election commission in connection with an election;

4. Electricity, telephone and water bills and other maintenance expenses of an election campaign office and election campaign liaison office, which have been disbursed by a political party or candidate before and since the beginning of the election campaign period;

5. Expenses for installation and maintenance of an election campaign office and election campaign liaison office;

6. Expenses for operating an automobile *[including a motor vehicle and ship as provided in Article 91 (4)] used by a political party, candidate, election campaign manager, chief of the election campaign liaison office, election campaign worker, accountant in charge, election campaign speechmaker, interviewer and debater;*

7. Expenses such as telegram charges, etc. disbursed by a third person for an election campaign of a certain candidate, without collusion with the political party, candidate, election campaign manager, chief of the election campaign liaison office or accountant in charge;

8. Expenses incurred in an act not considered as a contribution act under Article 112 (2): Provided, That expenses for acts under subparagraphs 1 (e) (excluding cases where foods are provided to persons visiting the office of a political party) and 2 (g) (excluding cases where travelling expenses, etc. are provided by National Assembly members, other than a candidate or preliminary candidate) of the same paragraph shall be deemed election expenses;

9. Expenses for putting remaining affairs in order, the cause for disbursement of which occurs after the election.

Article 121 (Computation of Restricted Amount of Election Expenses)

(1) The restricted amount of election expenses shall be the amount to be computed for each election pursuant to each of the following. In such cases, any fraction falling short of one million won shall be deemed one million won: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 13497, Aug. 13, 2015>*

1. A presidential election: Number of population × 950 won;

2. The election of National Assembly members of local constituency: 100 million won + (number of population × 200 won) (the number of Eup/Myeon/Dong × 2 million won);

3. The election of proportional representative National Assembly members: Number of population × 90 won;

4. The election of City/Do council members of local constituency: 40 million won (number of population × 100 won);

5. The election of proportional representative City/Do council members: 40 million won (number of population × 50 won);

6. The election of Mayors/Do Governors:

(a) The election of Special Metropolitan City Mayor, Metropolitan City Mayors, and Metropolitan Autonomous City Mayor: 400 million won (200 million won when population number is short by two million) (number of population × 300 won);

(b) The election of Do Governors: 800 million won (300 million won when population number is short by one million) (number of population × 250 won);

7. The election of autonomous Gu/Si/Gun council members of local constituency: 35 million won (number of population × 100 won);

8. The election of proportional representative autonomous Gu/Si/Gun council members: 35 million won + (number of population × 50 won);

9. The election of heads of autonomous Gus/Sis/Guns: 90 million won(number of population × 200 won) (the number of Eup/Myeon/Dong × 1 million won).

(2) When computing the restricted amount of election expenses under paragraph (1), it may be increased or reduced by applying the ratio (hereinafter referred to as "ratio of computing the restricted amount") set by taking account of the fluctuation ratio of national consumer price (referring to the fluctuation ratio of national consumer price publicly announced annually by the Commissioner of the Statistics Korea under Article 3 of the Statistics Act) from the end of the month whereto belongs the election day of the election due to an expiration of terms of office immediately preceding the relevant election to the end of the month prior to immediately preceding one next to the month whereto belongs the notification day under Article 122. In such cases, the ratio of computing the restricted amount shall be decided by the competent constituency election commission for each relevant election. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) The standard date of population numbers for computing the restricted amount of election expenses, a decision on ratio of computing the restricted amount, and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 122 (Public Notification of Restricted Amount of Election Expenses)

Each constituency election commission shall publicly notify the restricted amount of election expenses which have been computed for each election under Article 121, under conditions stipulated by Regulations of the National Election Commission.

Article 122-2 (Filling, etc. of Election Expenses)

(1) In accordance with the following provisions, the constituency election commission shall, after the election day, replenish the election expenses (referring to the election expenses deemed to have been lawfully paid, which are stated in the accounting report that is submitted pursuant to Article 40 of the Political Funds Act) paid by the candidate (referring to the political party that recommends its candidate in the presidential election, in the election of the proportional representative National Assembly members or in the election of the proportional representative local council members; hereafter the same shall apply in

this Article) for the election campaign under this Act, at the expenses of the State in the presidential election and the election of National Assembly members, and at the expenses of relevant local governments in the election of local council members and the heads of local governments, within the limit of expenses publicly notified under Article 122: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

1. The presidential election, the election of National Assembly members of local constituency, the election of the local council member of local constituency and the election of the heads of local governments:

(a) Where a candidate has been elected or deceased, or where the number of votes obtained by a candidate has been 15/100 or more of the total number of valid ballots: Whole amount of election expenses paid by a candidate;

(b) Where the number of votes obtained by a candidate has been not less than 10/100 but less than 15/100 of the total number of valid ballots: Amounts equivalent to 50/100 of election expenses paid by a candidate;

2. The election of the proportional representative National Assembly members and the election of the proportional representative local council members: Whole amount of election expenses paid by the relevant political party where there is an elected person, from among the candidates listed in the candidates roster.

(2) The following expenses shall not be replenished in the replenishment of the election expenses provided for in paragraph (1): *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011>*

1. Election expenses spent by preliminary candidates;

2. Expenses that are not reported or falsely reported in the accounting report that is submitted pursuant to Article 40 of the Political Funds Act;

3. Expenses that are spent to wage the election campaign that violates this Act or the regulations for the restriction on contribution act;

4. Expenses for correcting or deleting the details of campaign posters and campaign bulletins, after they are submitted to the competent Gu/Si/Gun election commission under Article 64 or 65;

5. Allowances, actual expenses and other expenses that are paid in connection with the election campaign, except those provided for in this Act;

6. Expenses for which legitimate receipts and documentary evidence that prove their spending are not attached, without any justifiable grounds;

7. Expenses that are not actually paid by candidates and political parties by using vehicles, equipment and goods, etc. owned by candidates or vehicles, equipment and goods, etc. that are furnished or rented free of charge by or from the families of candidates, political parties to which they belong or third persons;

8. Where the claimed amount of expenses is extremely high without any justifiable grounds compared with normal trading prices or rental prices that are calculated according to the standards set by Regulations of the National Election Commission, the expenses of excessive value;

9. Expenses incurred in renting, purchasing and manufacturing vehicles, equipment and goods, etc. that are not used for the election campaign;

10. Charges for mobile phone calls and fees for information usage; Provided, That call charges borne by a candidate shall be replenished, from among charges for mobile phone calls used for election campaigns during the election campaign period by a candidate, his/her spouse, election campaign manager, the chief of an election liaison office and accountants in charge;

11. Other expenses prescribed by Regulations of the National Election Commission as being corresponding to the expenses referred to in each of above subparagraphs.

(3) The following expenses shall be borne by the State or a local government for candidates. In such cases, the expenses specified in subparagraphs 3-2 and 5 shall be borne by the State: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. Expenses for pasting and removing campaign posters under Article 64;

2. Expenses for preparing campaign bulletins in braille and expenses for sending and postage of booklet-type election campaign bulletins (including election campaign bulletins in braille and the open data on candidates under Article 65 (9)) and leaflet-type campaign bulletins pursuant to Article 65;

3. Expenses for making campaign bulletins in braille under Article 66 (8);

3-2. Allowances and actual expenses for assistants (including assistants appointed when the candidate was a preliminary candidate);

4. Expenses for holding the interviews or debates (including a joint broadcast speech meeting) under Article 82-2;

5. Expenses for holding the policy debates under Article 82-3;

6. Allowances and the cost of meals for the voting witnesses under Article 161 and for the advance polling witnesses under Article 162;

7. Allowances and the cost of meals for the ballot counting witnesses under Article 181.

(4) Methods of calculating expenses and filing the claim for the replenishment provided for paragraphs (1) through (3) and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 7681, Aug. 4, 2005>*

Articles 123 through 134 Deleted. *<by Act No. 7681, Aug. 4, 2005>*

Article 135 (Allowance and Compensation for Actual Expenses for Election Campaign Workers)

(1) The election campaign manager, chief of the election campaign liaison office, election campaign worker, assistant and accountant in charge (hereafter referred to as "election campaign manager, etc." in this Article) may be paid an allowance and actual expenses: Provided, That if a salaried clerk of a political party, or a National Assembly member and assistant, chief secretary or secretary thereof, or a local council

member concurrently holds the post of election campaign manager, etc., only the actual expenses may be compensated, and a election campaign manager, etc. reported as a candidate shall not be paid an allowance and actual expenses from the beginning day of the application for candidate registration to a day before the beginning day of the election period. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011>*

(2) The kinds and amounts of allowances and actual expenses provided in paragraph (1) shall be prescribed by Regulations of the National Election Commission.

(3) No one may offer, or manifest the intention to offer, money and goods or other benefits, or promise, instruct, solicit, mediate, demand or receive such offer, in connection with the election campaign, regardless of the title of such offer including allowance and actual expense, or other compensation for volunteers, etc. except in cases where he/she offers an allowance, actual expenses, and other benefits prescribed by this Act. *<Amended by Act No. 5149, Feb. 6, 1996; Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000>*

(4) Deleted. *<by Act No. 7681, Aug. 4, 2005>*

(5) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

Article 135-2 (Restriction on Filling Election Expenses)

(1) Every constituency election commission shall not, in filling the election expenses pursuant to this Act, fill the relevant expenses, in cases where the accountant in charge of the election office failed to submit the accounting report provided for in Article 40 of the Political Funds Act by the closing day of submission, without any justifiable reason. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) Every constituency election commission shall not, where the candidate, preliminary candidate, election manager or accountant in charge of the election office committed the crimes provided for in this Act or Article 49 of the Political Funds Act, with respect to the relevant election, and the judgment of conviction was finalized, or where the expenses were disbursed in excess of the restricted amount of election expenses, fill the amount equivalent to two times the expenses required for the relevant offenses or those disbursed in excess of the restricted amount of election expenses. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) Notwithstanding paragraph (2), where a person who had received a donation from by a political party, a candidate (including a preliminary candidate) or his/her family member, a campaign manager, the head of an election liaison office, an election worker, a chief accountant or election speechmaker was punished by a fine for negligence under Article 261 (9), the constituency election commission shall not fill the amount equivalent to five times the expenses incurred in the donation from the expenses to be compensated for under this Act. *<Newly Inserted by Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

(4) Where those provided for in paragraph (2) are indicted for committing any crime provided for in this Act or Article 49 of the Political Funds Act or accused by the election commission, the filling of the amount equivalent to two times the expenses incurred for the relevant offenses shall be deferred until the

sentence is finalized. *<Amended by Act No. 7681, Aug. 4, 2005>*

(5) Every constituency election commission shall, where the ground for not filling the election expenses under paragraphs (1) through (3) is found after the filling thereof is made to the political party or candidate, notify the relevant political party or candidate of the relevant fact, and order the return of the amount equivalent to paragraphs (1) through (3) from among the filled expense amounts. In such cases, the political party or candidate shall return it to the relevant constituency election commission within 30 days from the date on which it or he/she receives the order for return. *<Amended by Act No. 8879, Feb. 29, 2008>*

(6) The constituency election commission shall, where the political party or candidate has failed to return the relevant amount within the deadline under the latter part of paragraph (5), entrust the head of the competent tax office with its collection in cases of presidential election and elections of National Assembly members, and the head of the competent tax office shall collect it in the same manner as default national taxes are collected and pay to the State, and entrust the head of a local government with its collection in case of the election of local council members and the head of the local government, and the head of the local government shall collect in the same manner as default local taxes are collected and pay to the local government. *<Amended by Act No. 8879, Feb. 29, 2008>*

(7) The calculation of expenses not to be filled and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 136 Deleted. *<by Act No. 7681, Aug. 4, 2005>*

Article 137 (Restriction on Newspaper Advertisement, etc. of Party Platform and Policies)

(1) Where a political party intends to run any advertisement for the promotion of platform and policies of a political party, the recruitment of political party members and applicants for candidacy, membership dues or political fund-raising (limited to cases of presidential elections), or opinion gathering on slogans, design, policy and others to be used by a political party or party-recommended candidate during an election in newspapers under subparagraph 1 of Article 2 of the Act on the Promotion of Newspapers, etc., and periodicals under subparagraph 1 of Article 2 of the Act on Promotion of Periodicals, Including Magazines (hereafter referred to as "daily newspaper, etc." in this Article) at the time when an election is close at hand, it shall make such advertisement according to the following subparagraphs and shall not make such advertisement during the election period: *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

1. Election due to the expiration of term: It shall be made by the central party of a political party up to 70 times in total by means of a daily newspaper, etc. from 90 days before the election day to a day before the beginning day of the election period;

2. Election, reelection (excluding a reelection provided in Article 197; hereafter the same shall apply in this paragraph), or postponed election due to a presidential vacancy: It shall be made by the central party of a political party up to 20 times in total by means of a daily newspaper, etc. from the time when the cause for holding the election becomes final to a day before the beginning day of the election

period;

3. Special election, reelection, or postponed election other than those provided in subparagraph 2: It shall be made by the central party of a political party up to ten times in total by means of a daily newspaper, etc. from the time when the cause for holding the election becomes final to a day before the beginning day of the election period.

(2) The size of one advertisement in a daily newspaper, etc. provided in paragraph (1) shall be 37 centimeters in width and 17 centimeters in length at the most, and the photograph, name (including particulars by which it is possible to analogize the name) of a person intending to be a candidate, and other contents leading to an election campaign, shall not be inserted therein.

(3) The provisions of the latter part of Article 69 (1) (referring to frequency of advertisements), (2), (5), (8) and (9), shall apply mutatis mutandis to the advertisement to be run in a daily newspaper, etc. under paragraph (1). In such cases, the term "candidate" shall be deemed "political party". *<Amended by Act No. 5262, Jan. 13, 1997; Act No. 5537, Apr. 30, 1998; Act No. 9974, Jan. 25, 2010>*

Article 137-2 (Restriction on Broadcast Speech of Platform and Policy)

(1) Where a political party conducts a broadcast speech for publicizing its platform and policies using a broadcast facility (referring to a broadcast facility under Article 70 (1); hereafter the same shall apply in this Article) it shall be done within the limit falling under any of the following subparagraphs: *<Amended by Act No. 7189, Mar. 12, 2004>*

1. Election due to the expiration of term: It shall be done by the representative of the central party of a political party or a person designated by him, from among those eligible for the election campaigns, but from the first day of the month whereto 90 days prior to the election day belong, to the day immediately preceding the commending day of election period, within twice per month (once in cases where the day immediately preceding the beginning day of election period corresponds to less than ten days of relevant month), within 20 minutes per time by televisions or radio broadcasts;

2. Election, reelection (excluding the reelection under Article 197), or postponed election due to the presidential vacancy: It shall be done by the representative of the central party of a political party or a person designated by him, from among those eligible for the election campaigns, up to five times by each television or radio broadcast respectively from the time when the reason for holding the election becomes final to a day before the beginning day of election period, within ten minutes per time.

(2) Where a broadcast speech is conducted using a television broadcast facility under paragraph (1), other contents than the figures of making a speech, names of political parties (including marks and symbols of the relevant parties), the outlines of speeches and statistics shall not be telecasted, and where intending to broadcast through video recording of broadcast speeches, the competent broadcast facility shall be used. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) In case of making a broadcast speech under paragraph (1), the speech with contents leading to an election campaign shall not be made.

(4) Expenses for a broadcast speech under paragraph (1) shall be borne by the political party concerned, but in cases where a political party which has formed a negotiation body in the National Assembly makes a broadcast speech using a public broadcasting company, the expenses for broadcast speeches (excluding those for producing) once per month conducted by each television and radio broadcast respectively at each public broadcasting company shall be borne by the public broadcasting company concerned. *<Amended by Act No. 7189, Mar. 12, 2004>*

(5) Where intending to make a broadcast speech expenses of which shall be borne by a public broadcasting company under paragraph (4), date and time, time bands and other necessary matters for the relevant broadcast speech shall be determined under the consultation between the relevant public broadcasting company and the relevant political party.

(6) The provisions of Article 70 (1) (latter part), (6), and (8) and Article 71 (10) and (12) shall be applicable mutatis mutandis to a broadcast speech under paragraph (1).

(7) The forms of a written report on broadcast speech under paragraph (6) and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 138 (Restriction on Distribution, etc. of Brochures on Platform and Policies)

(1) As for the campaign material concerning the party platform and policies of a political party which may be distributed during the election period to party members of the constituency or electoral area for which the candidate is recommended, there shall be one type of booklet-type platform or brochures on policy produced by the central party of the political party. *<Amended by Act No. 5412, Nov. 14, 1997>*

(2) The quantity of brochures on the platform and policies provided in paragraph (1) to be distributed shall not exceed the number of the party members in the constituency that has recommended the candidate. *<Amended by Act No. 5412, Nov. 14, 1997>*

(3) When the brochures on the platform and policies provided in paragraph (1) are prepared and distributed, the term "for party members only" shall be indicated on the cover.

(4) When a political party intends to distribute the brochures on platform and policies provided in paragraph (1), it shall submit two copies thereof to the National Election Commission and such copies may be substituted by electronic files. *<Amended by Act No. 9974, Jan. 25, 2010>*

(5) No matters related to a candidate, other than the mark, name, photograph and career, etc. of a candidate recommended by the relevant party, shall be printed on the brochures of platform and policy under paragraph (1). *<Amended by Act No. 9974, Jan. 25, 2010>*

(6) The campaign material concerning the party platform and policies referred to in paragraph (1) shall be prepared within 27 centimeters in length and 9 centimeters in width and within 16 sheets in the case of the presidential election and within eight sheets in the case of the election of the National Assembly members of local constituency, the election of the local council members of local constituency and the election of the heads of local governments, respectively. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 138-2 (Restrictions on Distribution, etc. of Policy Promise Collection, etc.)

(1) When any political party intends to distribute its policy promise collection (referring to the collection that is published in the form of book; hereinafter referred to as "policy promise collection") in which its policies and campaign promises are described, the political party shall sell the policy promise collection in an ordinary manner: Provided, That the policy promise collection shall not be sold by means of door-to-door sales.

(2) Every political party may sell its policy promise collections in its headquarters and open places where candidates recommended by the relevant political party deliver their campaign speeches and speaking places pursuant to Article 79, in addition to its sales made in an ordinary manner pursuant to paragraph (1). In such cases, when they are sold at the headquarters of a political party, they shall be sold in a method by which the fact of selling policy promise collections can be confirmed in public, such as installing a separate stand in an open place. *<Amended by Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

(3) When any political party intends to sell its policy promise collection pursuant to paragraphs (1) and (2), the political party shall submit two copies of the policy promise collection to the competent election commission tasked with performing the clerical work involving the registrations of political parties provided for in the Political Parties Act, and such copies may be substituted by electronic files. *<Amended by Act No. 9974, Jan. 25, 2010>*

(4) Matters related to candidates, including the marks, names, photographs, academic attainments and careers, etc. of candidates, and matters concerning their political parties shall be prohibited from being described in a policy promise collection.

(5) The indication of the basis for compiling a policy promise collection, the submission thereof and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 139 (Restrictions on Publication and Distribution of Party Organs)

(1) A central party of a political party shall not publish and distribute a party organ during the election period in anything but a normal way: Provided, That where the frequency of publication in the ordinary cycle is fewer than twice during the election period, it may be published and distributed up to twice (including the enlarged edition, extras, temporary edition, and even where part of the contents inserted in is different from area to area where it is distributed, it shall be deemed identical). In such cases, where issued by a party branch other than the central party of a political party, distributed at the place of campaign speech or interview at an open place or the place of interview or debates, or sold, distributed, pasted, posted, diffused on the street, shall not be deemed to have been distributed in a normal way. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) The party organ under paragraph (1) shall not contain other matters related to the publicity of a candidate than the mark, name, photograph, education, career, etc. of the candidate recommended by the political party concerned. *<Newly Inserted by Act No. 6265, Feb. 16, 2000>*

(3) A political party, upon publishing a party organ provided in paragraph (1), shall immediately submit two copies to the National Election Commission, and such copies may be substituted by electronic files.

<Amended by Act No. 9974, Jan. 25, 2010>

Article 140 (Restriction on Holding and Announcing Rally for Formation of Political Parties)

(1) A political party, where holding a rally for its formation, merger, or reorganization, or the election for selecting candidates (hereafter in this Article, referred to as "political party formation rally, etc.") during the period from 120 days before the election day (in cases of a special election etc. whose reasons for holding have become definite after 120 days prior to the election day, the time when the reason for holding the said election has become definite) to the election day, shall hold it only with the party members (in cases of a rally for selection of candidates, including those who are not the party members having the voting right to select the candidate for an election for public officials of the relevant political party) at a place which is not an open place where the multitudes pass on, but any persons who are not members of the party may be invited to a socially acceptable extent. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) A political party supervising a rally for party formation or others under paragraph (1) may put up five or fewer signs at the place where a rally for party formation is held, in addition to a public announcement inserted in a newspaper provided for in the provisions of Article 10 of the Political Parties Act. In such cases, the public announcement of the newspaper and sign shall not include a photograph and name (including particulars by which the name may be analogized) of the candidate (including the person who intends to be a candidate; hereafter the same shall apply in this paragraph), or an advertisement of the candidate such as a propaganda slogan. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) The term "rally for reorganization" referred to in paragraph (1) means an assembly such as the general meeting of party members or the meeting of representative organs which is held for dealing with a matter concerning structural reorganization in regard to party constitution or party regulations such as a change of the party representative, and "rally for election of a candidate" means an assembly which is held under Article 57-2 of the Political Parties Act for the election, by party branches of various classes, of the candidate recommended by the relevant political party for the election under this Act. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(4) The signs provided in paragraph (2) shall be removed by the sponsor promptly after the rally concerned is finished. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 141 (Restriction on Rally of Party Members)

(1) A political party (including the council of political party members) shall not hold a rally for training of party members (hereafter referred to as "party members' rally" in this Article) within the election district in which an election is in progress, or subject to party members who are the electors, regardless of any pretext such as solidarity, drill, training, education and others of party members from 30 days before the election day to the election day: Provided, That an interview temporarily held among party members for liaison, instruction, etc. as to the party affairs shall not be considered as a party members' rally. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

(2) When a political party holds a party members' rally (excluding cases where a central party holds it at its training facility) from 90 days before the election day (in cases of a special election, etc. holding reasons of which have become definite after 90 days prior to the election day, from the time when the reasons for holding the relevant election have become definite), it shall file a report thereon with the Gu/Si/Gun election commission having jurisdiction over the area of its holding, and thereafter hold it at the office of relevant political party, citizens' hall, public institution, office of an organization, other public facilities, or an open place which is not a place where the multitudes pass on. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

(3) A political party subject to an allotment of subsidies under Article 27 of the Political Funds Act may gratuitously use for a place of party members' rally the citizens' hall, gymnasium or cultural center, which is owned or managed by the State or local governments (including the institutions referred to in Article 53 (1) 4 or 6) and other facilities or places where the multitudes may gather, under conditions stipulated by Regulations of the National Election Commission. In such cases, when any property damages have occurred, such as the damage of installations or use of power, etc., the relevant political party shall make the compensations therefor. *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(4) The signs indicating that it is a party members' rally under this Act shall be posted or put up at the outside of the place for such a rally under paragraph (2), but its sponsor shall promptly remove them after the completion of relevant rally. In such cases, the said signs shall not indicate any photograph and name or propaganda slogan of the person intending to become the candidate and any contents of advertising him. *<Amended by Act No. 7189, Mar. 12, 2004>*

(5) Any manager of public facilities in receipt of an application for use under paragraph (3) shall not refuse the said use without any justifiable ground. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

(6) A report on a party members' rally, or number of sheets of the signs and other necessary matters shall be stipulated by Regulations of the National Election Commission. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

Articles 142 and 143 Deleted. *<by Act No. 7189, Mar. 12, 2004>*

Article 144 (Restriction on Recruitment, etc. of Party Members)

(1) A political party shall not recruit members or distribute the forms of application for joining the political party during the election period: Provided, That if a rally for the formation or reorganization of a City/Do party is held, this shall not apply until the day when the rally is held. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) Deleted. *<by Act No. 7850, Mar. 2, 2006>*

Article 145 (Restriction on Propaganda Material, etc. to be Posted at Headquarters of Political Party)

(1) A political party (excluding a political party that has an election campaign organization established in its office pursuant to Article 61 (1)) may, during an election period, install and put up signboards, tablets, or placards containing slogans and other contents necessary for public information about the political party, and the names of the party headquarters concerned, the name of its representative and matters

concerning the mark, name, photograph and career, etc. of a candidate recommended by the relevant party, on the external walls or roofs of the party headquarters, as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

(2) The office of a supporters' association under the Political Funds Act may post signs, as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

Article 146 (Method of Election)

(1) An election shall be made by a vote marked on the ballot papers.

(2) A vote shall be made in person or by mail, and one person shall be entitled to one vote: Provided, That, in the election of the National Assembly members, the election of the City/Do council members and the election of the autonomous Gu/Si/Gun council members, it shall be one vote per person at each election of local constituency members and of proportional representative members. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) In voting, the elector shall not indicate his/her name or anything by which he/she can be analogized.

Article 146-2 (Officials in Charge of Voting Management and Officials in Charge of Advance Polling)

(1) Each Gu/Si/Gun election commission shall appoint one official in charge of voting management in each voting district and one official in charge of advance polling management at each advance polling station in order to have them carry out administrative affairs for voting. *<Amended by Act No. 12267, Jan. 17, 2014>*

(2) Officials in charge of voting management and officials in charge of advance polling management shall be commissioned from among public officials who work for the State or a local government or school employees, but officials in charge of advance polling management may be appointed from among commissioned officials in charge of voting management. *<Amended by Act No. 12267, Jan. 17, 2014>*

(3) Upon receipt of a request to recommend persons eligible for an official in charge of voting management or an official in charge of advance polling management, the head of a state agency or local government or the head of a school shall comply with such request preferentially. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(4) Matters concerning the commissioning and dismissal of officials in charge of voting management and officials in charge of advance polling management, allowances for such officials, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014>*

Article 147 (Establishment of Polling Stations)

(1) The Eup/Myeon/Dong election commission shall set up a polling station in every voting district under its jurisdiction by no later than the day before the election day. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) A polling station shall be established at the schools within the voting districts, governmental offices, such as Eup/Myeon/Dong offices, etc., public institutions, offices of organizations, citizens' hall, and other places where the electors may conveniently make their voting: Provided, That where there is no adequate

place to establish a polling station in the relevant voting district, it may be established within other neighboring voting districts. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) When the heads of schools, public offices, public institutions and organizations have received a request for cooperation in the use of places for establishing the polling stations from the election commission, they shall preferentially comply therewith. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

(4) A polling station shall not be established in a military camp and religious facilities: Provided, That the same shall not apply to religious facilities, when an appropriate place for polling stations can not be found. *<Amended by Act No. 9974, Jan. 25, 2010>*

(5) A polling station shall be provided with balloting booths, voting boxes, seats for witnesses, and other facilities necessary for the management of voting. *<Amended by Act No. 7681, Aug. 4, 2005>*

(6) A balloting booth shall be installed in such a manner that other persons can not peep into it, and shall have no marks.

(7) A political party, candidate, election campaign manager, or chief of the election campaign liaison office may demand any correction to the installation of a polling station.

(8) Upon installing polling stations provided in paragraph (1), the Eup/ Myeon/Dong election commission, shall publicly announce the names and seats of the polling stations by no later than ten days before the election day: Provided, That if any natural disaster, terrestrial upheaval, or other inevitable reasons exist, the election commission concerned may change them, and in such cases, it shall immediately announce them to the electors. *<Amended by Act No. 7681, Aug. 4, 2005>*

(9) The Eup/Myeon/Dong election commission shall commission the voting clerks, from among the following persons, but their names shall be announced by no later than three days before the election day: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 9974, Jan. 25, 2010; Act No. 10303, May. 17, 2010>*

1. State public officials under Article 2 of the State Public Officials Act and local public officials under Article 2 of the Local Public Officials Act: Provided, That public officials in the occupational categories of correction, protection, prosecutory affairs, narcotics investigation, immigration control and railroad police, from among public officials in general service in the occupational group of administrative service, public officials in extraordinary service other than educational public officials, and public officials in political service shall be excluded;
2. Teachers and staff of schools of each level;
3. Employees of banks under Article 2 of the Banking Act;
4. Employees of the agencies provided in Article 53 (1) 4 through 6;
5. Impartial and neutral persons who have an ability to assist the voting affairs.

(10) Upon receipt of a request from an election commission to recommend voting clerks, the head of an institution or organization specified in any provision of paragraph (9) 1 through 4 shall comply with such request preferentially. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(11) The installation of a polling station, the public announcement of the names of voting clerks, and other necessary matters shall be prescribed by the Regulations of the National Election Commission.

Article 148 (Establishment of Advance Polling Stations)

(1) Each Gu/Si/Gun election commission shall establish and operate one advance polling station for each Eup/Myeon/Dong under its jurisdiction (where a constituency is smaller than a district under the jurisdiction of the relevant Gu/Si/Gun, referring to the relevant constituency) for two days from five days before the election day (hereinafter referred to as the "advance polling period"): Provided, That where there is an area, etc. where military units are concentrated within a district under the jurisdiction of the Eup/Myeon/Dong, additional advance polling stations may be established and operated in the relevant district. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) When a Gu/Si/Gun election commission establishes advance polling stations pursuant to paragraph (1), it shall publicly announce the names and locations of the polling stations and the period of establishment and operation by not later than nine days before the election day, notify the manager of each election campaign office or the chief of each election campaign liaison office, and post the public announcement at five places in each voting district within its jurisdiction. The foregoing shall also apply where it is intended to change the place for the establishment of an advance polling station.

(3) Each Gu/Si/Gun election commission shall appoint clerks in charge of advance polling, from among the persons specified in Article 147 (9) in order to have them serve as assistants in administrative affairs for voting in the advance polling stations established pursuant to paragraph (1).

(4) Article 147 (3) through (7) and (10) shall apply mutatis mutandis with regard to the restrictions on places for the establishment of advance polling stations, cooperation in providing such places, facilities, cooperation in recommending clerks in charge of advance polling, etc. *<Amended by Act No. 12393, Feb. 13, 2014>*

(5) The National Election Commission shall establish a telecommunications network exclusively for election for the use of the integrated electoral register at advance polling stations. *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

(6) Matters concerning the establishment, public announcement, and notification of advance polling stations and the appointment of clerks in charge of advance polling, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 13617, Dec. 24, 2015>*

Article 149 (Balloting Booths in Organizations or Facilities)

(1) The head of any of the following institutions and facilities that accommodate persons reported for polling at the abode under Article 38 (1) (hereafter in this Article referred to as "institutions and facilities") shall report the name and location of the institution or facility, the number of persons reported for polling at the abode, etc. to the competent Gu/Si/Gun election commission by not later than three days after the end of the period set for the preparation of the electorial register:

1. A hospital, sanitarium, asylum, prison, or detention center;

2. A residential facility for disabled persons, as defined under Article 58 (1) 1 of the Act on Welfare of Persons with Disabilities.

(2) Upon receipt of a report under paragraph (1), the competent Gu/Si/Gun election commission shall publicly announce the name and location of each institution or facility that accommodates persons reported for polling at the abode, the number of persons reported for polling at the abode, etc.

(3) The head of an institution or facility that accommodates not less than ten persons reported for polling at the abode shall determine the date, time, and place for the installation of balloting booths and shall install balloting booths for the persons reported for polling at the abode.

(4) A candidate (referring to the political party recommending a candidate, in cases of a candidate recommended by a political party for a presidential election; hereafter the same shall apply in this Article) or the manager of an election campaign office or the chief of an election campaign liaison office may request the head of an institution or facility that accommodates less than ten persons reported for polling at the abode to install balloting booths for polling at the abode within two days after the date of public announcement under paragraph (2). In such cases, the head of such institution or facility shall comply with such request, unless there is a good cause to the contrary.

(5) When the head of an institution or facility intends to install balloting booths in accordance with paragraph (3) or (4), he/she shall report thereon to the competent Gu/Si/Gun election commission by not later than two days before the scheduled date of installation of the balloting booths, and the competent Gu/Si/Gun election commission shall make a public announcement thereof upon receipt of such report.

(6) A candidate or the manager of an election campaign office or the chief of an election campaign liaison office may select one elector to observe the polling process at the balloting booths installed and operated by the head of an institution or facility.

(7) The head of an institution or facility shall provide the place for the installation of balloting booths, along with balloting booths, chairs for witnesses, and other necessary facilities.

(8) The form of the public announcement of the number of persons reported for polling at an institution or facility and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 149-2 Deleted. *<by Act No. 12267, Jan. 17, 2014>*

Article 150 (Order, etc. of Names of Political Parties and Candidates Printed on Ballot Papers)

(1) The marks of candidates, names of political parties to which the party recommended candidates belong, and names of candidates shall be indicated on the ballot papers: Provided, That the independent candidates shall be indicated as "independent" in the column in which the names of political parties to which the party-recommended candidates belong are to be entered and in the election of the proportional representative National Assembly members and the election of the proportional representative local council members, the marks and names of the political parties which recommend the candidates shall be indicated. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) The marks shall be indicated as figures such as "1, 2, and 3" in the order of political parties or candidates by which they are entered in the ballot papers, and names of political parties and candidates shall be entered in Hangeul: Provided, That if there are candidates whose names in Hangeul are same, the Chinese characters shall be entered together in parentheses. *<Amended by Act No. 6663, Mar. 7, 2002>*

(3) In determining the printing order of candidates, a candidate who is recommended by a political party holding seats in the National Assembly as of the closing day of candidate registration shall be first, followed by a candidate who is recommended by a political party holding no seats in the National Assembly and then independent candidates, and in determining the printing order of political parties, a political party holding seats in the National Assembly as of the closing day of candidate registration shall be first, followed by that holding no seats in the National Assembly. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005>*

(4) A political party falling under any of the following subparagraphs shall be preferentially given nationally unified marks, in determining the printing order of political parties holding seats in the National Assembly under paragraph (3): *<Amended by Act No. 9974, Jan. 25, 2010>*

1. Political party which has not less than five National Assembly members of a local constituency in the National Assembly;
2. Political party which has won votes of not less than 3/100 of the total number of national valid ballots in the immediately preceding Presidential election, the election for proportional representative members of the National Assembly or the election for proportional representative local council members.

(5) Where the competent constituency election commission determines the printing order of political parties or candidates under paragraph (3) and (4), it shall follow the provisions of the following subparagraphs: *<Amended by Act No. 9974, Jan. 25, 2010>*

1. The printing order among political parties holding seats in the National Assembly as of a deadline for the registration of candidates or among candidates recommended by such political parties, shall follow the order of majority seat numbers in the National Assembly; Provided, That the printing order among not less than two political parties holding the same seats in the National Assembly shall follow the order of the number of the votes in the election of the proportional representative National Assembly members, which is recently held;
2. The printing order among political parties holding no seats in the National Assembly as of a deadline for the registration of candidates or candidates recommended by such political parties shall follow the Korean alphabetical order of the names of such political parties;
3. The printing order among independent candidates shall follow the order determined by lottery of the competent constituency election commission.

(6) Where two or more political parties or candidates fall into the same printing order in the case of paragraph (5), the competent constituency election commission shall determine it by lottery in the presence of the representatives of the political parties concerned, or candidates or their deputies, after the candidate registration is closed: Provided, That if a representative of the political party concerned,

candidate or his/her deputy fails to participate in the lottery on time, the chairman of the competent constituency election commission or the person designated by him/her may draw the lot on behalf of the political party or candidate. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 9974, Jan. 25, 2010>*

(7) Where any political party recommends not less than two candidates in the same constituency for the election of the autonomous Gu/Si/Gun council members of local constituency, the printing order of candidates recommended by such political party on ballot papers shall follow the order determined by the relevant political party, and when the relevant party fails to determine the order, the competent constituency election commission shall determine the order by lottery. In such cases, the printing order shall be indicated as 1-a, 1-b and 1-c, etc. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(8) Even when a candidate resigns or dies or his/her registration becomes nullified after the candidate registration period expires, such mark, the name of the political party, and his/her name shall not be crossed off the ballot papers. *<Amended by Act No. 6663, Mar. 7, 2002>*

(9) Where an additional registration provided in Article 51 is carried out in the presidential election, the printing order of a candidate of the political party to which he/she belongs shall take that of the party-recommended candidate that has been already determined.

(10) A serial number shall be printed on each ballot paper.

Article 151 (Preparation of Ballot Papers and Boxes)

(1) Each Gu/Si/Gun election commission shall prepare and make ballot papers and boxes to deliver them to Eup/Myeon/Dong election commissions by the day before the election day and the Eup/Myeon/Dong election commissions shall, upon receiving them, turn over them to the officials in charge of voting management after keeping the ballot papers in the sealed state together with ballot boxes. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) In the voting for one election, two ballot boxes shall not be used at the same time at each voting district, and by voting district. *<Amended by Act No. 7189, Mar. 12, 2004>*

(3) The ballot boxes to be used at an advance polling station (hereinafter referred to as "advance ballot boxes") and the ballot boxes to be used for keeping ballot papers received by mail safe (hereinafter referred to as "mail ballot boxes") shall be prepared separately, but the number of such ballot boxes shall be determined by each Gu/Si/Gun election commission in consideration of the estimated number of advance voters, the number of persons reported for polling at the abode, and the number of persons reported for shipboard polling. *<Amended by Act No. 12267, Jan. 17, 2014>*

(4) A ballot paper shall bear the official seal of the competent Gu/Si/Gun election commission as prescribed by Regulations of the National Election Commission. In such cases, the official seal may be substituted by a printed seal.

(5) When the Gu/Si/Gun election commission delivers ballot papers that it prints to the Eup/Myeon/Dong election commission that shall in turn keep them after sealing them and then turn over the sealed ballot papers together with ballot boxes to the officials in charge of voting management, the Gu/Si/Gun or Eup/Myeon/Dong election commission shall allow party recommended members of the relevant election

commission to observe a series of these courses. In such cases, if any party-recommended member fails to observe them, he/she shall be deemed to renounce his/her observation. *<Amended by Act No. 7681, Aug. 4, 2005>*

(6) Notwithstanding paragraphs (1) and (5), the Gu/Si/Gun election commission shall instruct the official in charge of advance polling management to produce ballot papers to be distributed at advance polling stations with a ballot paper printer at advance polling stations. In such cases, the serial numbers printed on the ballot papers shall be marked in the form of bar code (referring to a code marked in the shape of a bar for recognition by computer), and such bar code may contain the name of election, the name of constituency, and the name of the competent election commission. *<Newly Inserted by Act No. 12267, Jan. 17, 2014>*

(7) When preparing ballot papers under paragraph (1) or (6), a space shall be inserted between each column of a political party or candidate, and the detailed preparation method shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

(8) If necessary for the elector who is unable to record his/her vote in person due to a visual impairment, the Gu/Si/Gun election commission may make and use a special ballot paper or voting aid as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 13497, Aug. 13, 2015>*

(9) Standards for ballot papers and boxes, the sealing, keeping and transferring of the ballot papers and other necessary matters shall be determined by Regulations of the National Election Commission. *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 13497, Aug. 13, 2015>*

Article 152 (Public Announcement of Ballot Paper Model, etc.)

(1) Each Gu/Si/Gun election commission shall publicly announce the model of ballot paper by no later than seven days before the election day. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) The Gu/Si/Gun election commission, upon designating a printing office to print ballot papers, shall immediately announce the name and seat of the printing office.

Article 153 (Mailing of Voting Guidance Leaflets)

(1) Each Gu/Si/Gun election commission shall prepare voting guidance leaflets for each household, including the names of electors, the registration number in the electoral register, the location of polling station, balloting hours, things that each elector shall carry for voting, or other contents to invite such electors to participate in the voting, and shall mail the leaflet to each household in the area under its jurisdiction by two days after the date on which the electoral register is finally determined. In such cases, voting guidance leaflets in braille shall be enclosed and sent to the households reported pursuant to Article 65 (7). *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014>*

(2) Postal charges needed to mail the voting guidance leaflet referred to in paragraph (1) shall be borne by the State or the relevant local government. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) The voting guidance leaflet may be prepared by means of a computer system.

(4) The form of and size for the voting guidance leaflet, and matters to be entered therein, procedure for mailing, and other necessary matters shall be prescribed by Regulations of the National Election

Commission.

Article 154 (Mailing of Ballot Papers to Abode Voters)

(1) Each Gu/Si/Gun election commission shall put a ballot paper (hereinafter referred to as "ballot paper for abode polling") that shall be mailed to each elector listed on the electoral register of reported abode voters (hereinafter referred to as "abode voter") into an envelope for return with a bar code (referring to a code in the shape of a bar for recognition by computers, which shall contain records of the abode and name of the abode voter and the registration number on the electoral register necessary for the acceptance of the abode vote) marked thereon after cutting off the serial number of such ballot paper, put the envelope into another envelope for dispatch, seal the envelope in the presence of party-recommended members of the Gu/Si/Gun election commission, and then dispatch to the abode voter by mail by not later than ten days before the election day. In such cases, a party-recommended member who fails to be present on time shall be deemed to renounce his/her right to witness the process. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

(2) Notwithstanding paragraph (1), the Gu/Si/Gun election commission concerned may resolve not to send a ballot paper for abode polling to a person who made a misrepresentation in his/her report or whose report is not deemed to have been made of his/her own free will. In such cases, the resolution shall be entered in the records of mailing of ballot papers for abode polling. *<Amended by Act No. 12267, Jan. 17, 2014>*

(3) The Gu/Si/Gun election commission shall prepare a list of abode voters to whom it resolved not to send a ballot paper for abode polling under paragraph (2) and abode voters whose ballot papers for abode polling have been returned by not later than two days before the election day and notify the list to the competent Eup/Myeon/Dong election commissions by not later than the day immediately before the election day, and each Eup/Myeon/Dong election commission shall notify the list to the officials in charge of voting management without delay. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(4) Ballot papers for abode polling shall be dispatched or returned by registered mail, but postal charges therefor shall be borne by the State or each local government. *<Amended by Act No. 12267, Jan. 17, 2014>*

(5) The Gu/Si/Gun election commission shall enclose a letter informing of the voting method and other matters concerning the election with a ballot paper dispatched for abode polling. *<Amended by Act No. 12267, Jan. 17, 2014>*

(6) Specifications and descriptions of envelopes for dispatching and returning ballot papers for abode polling and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

Article 154-2 (Transmission, etc. of Ballot Papers to Shipboard Voters)

(1) Each Gu/Si/Gun election commission shall prepare ballot papers (hereinafter referred to as "ballot papers for shipboard polling") that shall be dispatched to each elector listed on the electoral register of reported shipboard voters (hereinafter referred to as "shipboard voter") and transmit them by facsimile to the master of the ship (hereinafter referred to as "shipmaster") aboard which the shipboard voter is, by not

later than nine days before the election day. In such cases, Article 154 (2) shall apply mutatis mutandis to shipboard voters who made a misrepresentation in his/her report or whose report is not deemed to have been made of his/her own free will. *<Amended by Act No. 12267, Jan. 17, 2014>*

(2) In preparing ballot papers for shipboard polling, the competent Gu/Si/Gun election commission shall divide them into the front section and the voting section and shall put a blank for the identification of the elector, the Internet homepage address of the National Election Commission, from which the elector can find information about political parties and candidates for the competent constituency, and matters regarding the method for shipboard polling on the front section.

(3) Upon receipt of a ballot paper delivered for shipboard polling pursuant to paragraph (1), the shipmaster shall transfer it to the relevant shipboard voter immediately.

(4) Specifications and descriptions of ballot papers for shipboard polling, the participation of party-recommended members in the course of dispatching ballot papers for shipboard polling, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 155 (Balloting Hours)

(1) A polling station shall open at 6 a.m. and close at 6 p.m. (8 p.m. in the special election, etc.) on the election day: Provided, That if there are electors waiting to vote at the polling station at the time it is closed, the number tickets shall be given to them and the polling station shall be closed after they finish voting. *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) An advance polling station shall open at 6 a.m. and close at 6 p.m. every day during the advance voting period. In such cases, the proviso to paragraph (1) shall apply mutatis mutandis to an advance polling station. *<Amended by Act No. Act No. 11485, Oct. 2, 2012; Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014>*

(3) The officials in charge of voting management, upon beginning the voting, shall inspect whether the ballot box, inside and outside of the balloting booths are normal, and the voting witness shall be present at this time: Provided, That if the voting witness fails to be present at the time when the voting begins, they shall require the elector who comes first to cast his/her vote to witness such inspection. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) Prior to the commencement of voting at an advance polling station, the official in charge of advance polling management shall inspect the ballot box and balloting booths for advance polling to make sure that there is no problem, and advance polling witnesses shall be present at the scene of such inspection: Provided, That if there is no advance polling witness present at the time of commencement of advance polling, the elector who first arrives in the polling station to vote shall be required to be present at the scene of such inspection. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

(5) Votes cast in advance polling, abode polling, or shipboard polling shall arrive at the competent Gu/Si/Gun election commission by 6 p.m. (8 p.m. in cases of a special election) on the election day. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 12267, Jan. 17, 2014>*

Article 156 (Restriction on Voting)

(1) A person who is not listed on the electoral register shall not vote: Provided, That a person may vote, appearing with a notice to the effect that there exist justifiable reasons provided for in Article 41 (2), 42 (2), or 43 (2).

(2) Even though a person is listed on the electoral register, he/she shall not vote if he/she has no voting franchise on the election day.

(3) An abode voter shall vote at his/her abode in accordance with Article 158-2: Provided, That any of the following persons may vote at the relevant polling station on the election day: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

1. A person to whom a ballot paper for abode polling has not been dispatched because he/she falls under Article 154 (2);
2. A person who has not received a ballot paper for abode polling because the ballot paper was returned;
3. A person who fails to vote with the ballot paper that he/she received for abode polling but who returns the ballot paper for abode polling, along with the envelope for return, to the official in charge of voting management at the relevant polling station on the election day.

(4) When an abode voter votes at the relevant polling station on the election day under the proviso to paragraph (3), the official in charge of voting management shall verify and identify the voter with the electoral register or the list of abode voters notified pursuant to Article 154 (3) and record the fact in the column for notes in the electoral register. *<Newly Inserted by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

Article 157 (Procedure for Receiving and Recording Ballot Papers)

(1) An elector shall go, in person, to a polling station, and shall present his/her resident registration card (referring to a certificate with a photograph attached thereto, which is issued by a government office or public agency, such as a passport, driver's license or public official identification card, or other identification cards prescribed by Regulations of the National Election Commission, to identify such person, if the person does not have a resident registration card; hereinafter referred to as "identification card") in the presence of voting witnesses, and shall, after the identification is confirmed, affix his/her signature or seal or thumbmark to the electoral register, and then shall receive a ballot paper. *<Amended by Act No. 10981, Jul. 28, 2011>*

(2) When the officials in charge of voting management issue ballot papers to the electors on the election day, they shall cut off a serial number paper in the presence of the said electors and than issue them to the electors after affixing his/her private seal in the column of private seal affixing, but if deemed necessary, they may issue them after affixing his/her private seal within the limit of 100 sheets in advance. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) The officials in charge of voting management shall not issue a ballot paper to the elector who fails to present his/her identification card. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) An elector, after receiving the ballot paper, shall enter a balloting booth, select one candidate (referring to one political party in the election of the proportional representative National Assembly members and the election of the proportional representative local council members), from among those entered in the ballot paper, make a mark in the corresponding column of the ballot paper, fold the ballot paper on the spot so that other persons can not see the contents, and then put it in the ballot box in the presence of the voting witnesses. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(5) If the ballot paper is damaged or spoiled after issued to an elector for any reason attributable to him/her, no new ballot paper shall be issued.

(6) An elector may enter a polling station (in cases of a child who is a primary school pupil, excluding the balloting booth) along primary school pupil or younger child within the limit of not impeding the order of the polling station, and one who is unable to record his/her vote for himself due to a visual or physical impairment may be accompanied by his/her family or two persons nominated by him/her to assist in his/her voting. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

(7) Except as provided for in paragraph (6), two or more persons shall not enter the same balloting booth at the same time.

(8) Methods of sealing and delivering ballot papers and procedures for marking on ballot papers and other necessary matters shall be determined by Regulations of the National Election Commission. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 158 (Advance Polling)

(1) Any elector (excluding abode voters and shipboard voters) may vote at an advance polling station during the advance polling period.

(2) An elector who intends to vote in advance polling shall present his/her identification card at an advance polling station to have his/her identity verified and then imprint his/her thumbmark or affix his/her signature electronically to receive a ballot paper. In such cases, the National Election Commission shall save part of his/her identification card as an electronic image file to verify the fact that a ballot paper has been issued to the relevant elector and shall keep it until the closing hour of balloting. *<Amended by Act No. 13497, Aug. 13, 2015>*

(3) The official in charge of advance polling management shall print ballot papers for the relevant election with a ballot paper printer, affix his/her seal on the blank for “official in charge of advance polling management”, and give a ballot paper to an elector without cutting off the serial number, along with an envelope for return.

(4) Upon receipt of a ballot paper and an envelope for return, an elector shall enter a balloting booth, choose one candidate (referring to one political party in cases of an election of proportional representative National Assembly members or an election of proportional representative local council members), put a mark in the corresponding column of the balloting paper, fold it on the spot so that no one can see the balloting, put it into the envelope for return, seal it, and then put the envelope into the advance polling

box.

(5) Notwithstanding paragraphs (3) and (4), the official in charge of advance polling management may elect not to give an envelope for return to an elector in an area specified by Regulations of the National Election Commission.

(6) The official in charge of advance polling management shall transfer ballot papers after the closing of advance polling each day during the advance polling period or after the end of the advance polling period, in the presence of advance polling witnesses, in accordance with the following procedures: *<Amended by Act No. 12393, Feb. 13, 2014>*

1. If ballot papers have been given for voting along with an envelope for return in accordance with paragraph (3) or (4), the advance polling box shall be opened, the number of advance voters shall be counted, and then ballot papers shall be transferred to the head of the competent post office to dispatch the ballot papers by registered mail;

2. If an envelope for return has not been given for voting in accordance with paragraph (5), the relevant advance polling box shall be transferred directly to the competent Gu/Si/Gun election commission. In such cases, Article 170 shall apply mutatis mutandis to the delivery of advance polling boxes.

(7) Article 157 (3) and (5) through (7) shall apply mutatis mutandis to where a ballot paper is not given and the entry to a polling station.

(8) The procedure for advance polling when a problem occurs to a telecommunications system and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 158-2 (Abode Polling)

An abode voter shall choose one candidate (referring to one political party in cases of an election of proportional representative National Assembly members or an election of proportional representative local council members), put a mark in the corresponding column of the balloting paper received from the competent Gu/Si/Gun election commission, put the ballot paper into the envelope for return, seal the envelope, and then dispatch the envelope by registered mail.

Article 158-3 (Shipboard Polling)

(1) A shipmaster shall set the date and time to vote on shipboard, taking into consideration the number of shipboard voters and circumstances in operation, during a period between eight and five days before the election day (hereinafter referred to as "period for shipboard polling"), and shall install a shipboard polling place. In such cases, a shipmaster shall notify shipboard voters, without delay, of the date and time to vote shipboard and the place where a shipboard polling place is installed. *<Amended by Act No. 13497, Aug. 13, 2015>*

(2) When a shipmaster installs a shipboard polling place, he/she shall prepare equipment for transmitting shipboard votes by facsimile after voting while ensuring the secrecy of shipboard voter’s votes.

(3) A shipmaster shall appoint one or more fair and impartial citizens of the Republic of Korea to attend as observers while voting shipboard is going on, from among seafarers who are on board the ship: Provided, That the foregoing shall not apply where only one citizen of the Republic of Korea is on board the ship.

(4) A shipmaster shall put his/her signature in the blank for signature on the ballot paper brought for shipboard polling by a shipboard voter to the shipboard polling place under paragraph (1) along with the observers specified in the main sentence of paragraph (3) (hereinafter referred to as “observers”). In such cases, a ballot paper already filled in before being brought to the shipboard polling place for casting shall be collected and shall be sealed in a separate envelope.

(5) A shipboard voter to whom a ballot paper is delivered pursuant to paragraph (4) shall put his/her signature in the blank for confirmation by the elector, fill in the blank for one candidate (referring to one political party in cases of an election of proportional representative National Assembly members) chosen by him/her on the ballot paper, and then transmit it directly to the competent City/Do election commission by facsimile installed at the shipboard polling place.

(6) A shipboard voter who has finished transmitting his/her shipboard vote pursuant to paragraph (5) shall seal it in an envelope by him/herself and submit it to the shipmaster.

(7) After completing shipboard polling on a ship, the shipmaster shall sort out the envelopes of shipboard votes submitted pursuant to paragraphs (6) and the envelopes of shipboard votes under the latter part of paragraph (4) with observers present at the scene, put them into a package, affix his/her and observers’ seals on the package, and then keep the package safely.

(8) Upon completion of shipboard voting on a ship, the shipmaster shall prepare the record of the management of shipboard voting, transmit the record by facsimile to the City/Do election commission having jurisdiction over the seat of the regional maritime affairs and port office responsible for the management of the original ship register of the relevant ship (referring to the place of registration of the relevant shipping company, if the ship is a bareboat chartered under the condition that the ship shall acquire the nationality of the Republic of Korea, or the seat of the regional maritime affairs and port office with which the relevant ship management business is registered, if the ship has a foreign nationality) by not later than the day immediately before the election day and shall submit the record of the management of shipboard voting and the envelopes that he/she has kept pursuant to paragraph (7) to the competent City/Do election commission immediately upon arrival in the Republic of Korea. In such cases, such record and envelopes may be submitted from a foreign country by international mail even before the ship arrives in the Republic of Korea.

(9) A City/Do election commission shall install a technical device in the facsimile machine for receiving shipboard votes pursuant to paragraph (5) to ensure the secrecy of voting.

(10) A City/Do election commission shall cut the front section of each shipboard vote received pursuant to paragraph (5) to put it into an envelop, attach the front section to the envelop with its seal affixed thereon, and then send it to the Gu/Si/Gun election commission having jurisdiction over the address of the relevant shipboard voter. If it is impossible to identify who is the elector who cast a shipboard vote, such shipboard vote shall be sealed in an envelop and shall be kept safely with a cover stating the reason therefor.

(11) A City/Do election commission shall keep records of receipt and dispatch of shipboard ballot papers in the register of management of shipboard ballot papers.

(12) A Gu/Si/Gun election commission shall receive shipboard ballot papers sent by the competent City/Do election commission and shall put them into a mail ballot box by the closing time of voting on the election day.

(13) A shipboard voter who arrives in the Republic of Korea before the commencement date of the period for shipboard polling may vote at the polling station installed at the voting district having jurisdiction over his/her domicile after filing a report with the competent Gu/Si/Gun election commission, accompanied with documents prescribed by Regulations of the National Election Commission. In such cases, a person who has received in advance a ballot paper for shipboard polling on board the relevant ship shall return the same ballot paper when he/she files a report with the competent Gu/Si/Gun election commission. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

(14) The procedure for shipboard voting, technical requirements for facsimile for ensuring the secrecy of voting, preparation and submission of the records of management of shipboard voting and the register of management of shipboard ballot papers, procedure for voting by shipboard voters who arrive in the Republic of Korea before the commencement date of the period for shipboard polling, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 13497, Aug. 13, 2015>*

Article 159 (Method of Marking on Ballot)

An elector, upon putting a mark on the ballot paper, shall use the balloting aid on which the mark "" is carved: Provided, That an abode voter who votes at his/her abode (including shipboard polling) may put the mark "". *<Amended by Act No. 11374, Feb. 29, 2012>*

Article 160 Deleted. *<by Act No. 7681, Aug. 4, 2005>*

Article 161 (Voting Witnesses)

(1) The officials in charge of voting management shall have the voting witnesses observe the ballot paper issuing and the balloting. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) The voting witnesses shall be selected by a political party, a candidate, the election manager or the chief of the election campaign liaison office in proportion of two persons for each candidate by polling station and a written report thereon shall be sent to the Eup/Myeon/Dong election commission by two days before the election day. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) Voting witnesses shall be comprised of eight persons for every polling station, but if the number of persons selected and reported under paragraph (2) exceeds eight, those designated by the Eup/Myeon/Dong election commission by lottery shall be the witnesses: Provided, That if witnesses are not selected or the number of selected and reported persons is fewer than four, those who are selected up to four persons by the Eup/ Myeon/Dong election commission shall be the witnesses upon consenting, from among electors residing in the Gu/Si/Gun having jurisdiction over the voting district concerned. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(4) Where the Eup/Myeon/Dong election commission designates voting witnesses under paragraph (3), one person for each candidate shall be first selected, if the number of candidates exceeds eight, and

thereafter eight of them shall be designated by lottery; if the number of candidates is fewer than eight but the number of persons selected and reported by the candidates exceeds eight, those selected as per one for each candidate shall be first designated, and thereafter the remaining number shall be filled by lottery. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(5) The political party, candidate, election campaign manager, or chief of the election campaign liaison office may, if necessary, replace a voting witness whom he/she has selected, at any time after reporting it to the Eup/Myeon/Dong election commission and may, on the election day, report the replacement at the polling station. *<Amended by Act No. 7681, Aug. 4, 2005>*

(6) A voting witness selected by the Eup/Myeon/Dong election commission under the proviso to paragraph (3) shall not refuse being a witness or resign his/her position without a justifiable reason. *<Amended by Act No. 7681, Aug. 4, 2005>*

(7) A person who is not a national of the Republic of Korea, or a minor, or the person who falls under any of subparagraphs of Article 18 (1) or who falls under any of subparagraphs of Article 53 (1), a candidate or a spouse of candidate shall not become a voting witness. *<Amended by Act No. 7189, Mar. 12, 2004>*

(8) Where the officials in charge of voting management deem it necessary for smooth management of voting, they may have the voting witnesses observe the voting in shifts. In such cases, they shall have them witness the voting by turns, one half of the number of witnesses at a time by political party and candidate. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(9) The officials in charge of voting management shall provide the voting witnesses with seats at a place where they can easily see the ballot paper issuing and the voting. *<Amended by Act No. 7681, Aug. 4, 2005>*

(10) No voting witnesses shall interfere with the voting, solicit the voting, or conduct any act of having an effect on the election in any way.

(11) Where a voting witness finds an interference with the voting, unlawful voting, or other things in contravention of the provisions of this Act, and demands the correction thereof, the officials in charge of voting management shall correct them if the demand is deemed justifiable. *<Amended by Act No. 7681, Aug. 4, 2005>*

(12) If any accident occurs in a balloting booth, a voting witness may take a photograph of the voting situation.

(13) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

(14) The form of the voting witness report, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 162 (Advance Polling Witnesses)

(1) An official in charge of advance polling management shall permit advance polling witnesses to observe the polling process. *<Amended by Act No. 12267, Jan. 17, 2014>*

(2) A political party, a candidate, an election campaign manager, or the chief of an election campaign liaison office shall select two advance polling witnesses for each candidate for each advance polling station and shall report on the selection in writing to the competent Gu/Si/Gun election commission by not

later than seven days before the election day, but may replace the witnesses with other persons at any time after reporting, as necessary, and may report on such replacement at an advance polling station during the advance polling period. *<Amended by Act No. 12267, Jan. 17, 2014>*

(3) If there is no advance polling witness selected in accordance with paragraph (2) or if there are advance polling witnesses selected only by a candidate, the competent Gu/Si/Gun election commission may select advance polling witnesses to fill the vacancies to the extent that the number of witnesses reaches four persons, from among electors, with the electors' consent thereto. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(4) Article 161 (6) through (12) shall apply mutatis mutandis to advance polling witnesses. In such cases, the term "Eup/Myeon/Dong election commission" shall be construed as the "competent Gu/Si/Gun election commission", the term "official in charge of voting management" as "official in charge of advance polling management", and the term "voting witness" as "advance polling witnesses". *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

(5) The form of the report on advance polling witnesses and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 163 (Restriction on Access to Polling Stations, etc.)

(1) No one shall enter a polling station, except for an elector, voting witness, official in charge of voting management, the members and employees of the Eup/Myeon/Dong election commission and the superior election commission, and voting clerks. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) A member and employee of an election commission, official in charge of voting management, voting clerk of an election commission and voting witness shall, upon entering or leaving a polling station, wear or attach the mark prescribed by Regulations of the National Election Commission, and shall not wear or attach anything else in relation to the election other than the mark provided for in this provision. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) The mark provided for in paragraph (2) shall not be transferred or conceded to another person.

(4) Paragraphs (1) through (3) shall apply mutatis mutandis to the restriction on entry into advance polling stations (including places where balloting booths are installed in accordance with Article 149). *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 164 (Maintenance of Order in Polling Stations, etc.)

(1) Where it is deemed impossible to hold a fair election due to serious disturbance of the order at a polling station, officials in charge of voting management or voting clerks may request for assistance to a police officer in uniform or the chief of a police station to maintain the order at a polling station. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) Any police officer or chief of a police station, upon receiving a request for assistance provided for in paragraph (1), shall immediately comply therewith.

(3) Any police officer or chief of a police station who enters the polling station in receipt of request under paragraph (1) shall follow the instructions of officials in charge of voting management and when order is restored or the officials in charge of voting management request, he/she shall immediately withdraw from the polling station. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) Paragraphs (1) through (3) shall apply mutatis mutandis to the maintenance of order in advance polling stations. In such cases, the term "official in charge of voting management" shall be construed as "official in charge of advance polling management", the term "official in charge of voting management" as “official in charge of advance polling management”, and the term “voting clerks” as “clerks in advance polling.” *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 165 (Prohibition of Carrying Arms, Deadly Weapons, etc.)

(1) Except as provided for in Article 164 (1), no person shall carry a weapon, deadly weapon, or explosive into a polling station.

(2) Paragraph (1) shall apply mutatis mutandis to the prohibition against carrying a weapon or deadly weapon into an advance polling station (including places where balloting booths are installed in accordance with Article 149). *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 166 (Prohibition, etc. of Noisy Speeches and Behaviors Inside and Outside of Polling Stations)

(1) If a person makes a noisy speech or behavior or makes a speech or behavior supporting or opposing a specific political party or candidate within 100 meters from the polling station, officials in charge of voting management or voting clerks shall restrain it, and if he/she refuses complying therewith, he/she shall be compelled to withdraw from the polling station or beyond the restricted distance. In such cases, the officials in charge of voting management or voting clerks, if necessary, may request for assistance to a police officer in uniform or the chief of a police station. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) Any elector who is compelled to withdraw from a polling station under paragraph (1) shall vote after all others: Provided, That officials in charge of voting management, if deeming that there is no possibility that the elector disturbs the order of the polling station, may have him/her vote even before all others. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) No one shall carry any mark that may have an effect on the election, such as wearing an armband and breastband, except where he/she wears or attaches a mark provided for in Article 163 (2).

(4) Article 164 (2) and (3) shall apply mutatis mutandis to the prohibition of a noisy speech and behavior inside and outside a polling station.

(5) Paragraphs (1) through (4) shall apply mutatis mutandis to the prohibition, etc. of noisy speeches and behaviors inside and outside of advance polling stations. In such cases, the “official in charge of voting management” shall be construed as “official in charge of advance polling management,” the term “voting clerk” as “advance polling clerk,” and the term “on election day” as “inside of an advance polling station.” *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 166-2 (Prohibition of Photographing Ballot Papers)

(1) No one shall photograph ballot papers in the polling stations.

(2) If an elector photographs a ballot paper inside a polling station, the official in charge of voting management or the official in charge of advance polling management shall confiscate photographs from the elector and shall enter the reasons therefor in the voting records. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 167 (Ensuring Secrecy of Voting)

(1) The secrecy of voting shall be ensured.

(2) No elector is obligated to disclose the name of the candidate for whom he/she has voted or the name of the political party to any one or in any case, and no one may ask it or demand an elector to state it until the voting hours are closed on the election day: Provided, That where a TV or radio broadcasting station or daily newspaper under items (a) and (b) of subparagraph 1 of Article 2 of the Act on the Promotion of Newspapers, etc. asks questions, by means of not infringing on the secrecy of voting, in order to forecast the result of the election, at a distance of 50 meters from the polling station, this shall not apply, and in such cases, the details and result thereof may not be published until the last minute of the voting hours. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012>*

(3) An elector shall not make the ballot paper on which he/she has recorded his/her vote open to the public, and any disclosed ballot paper shall become nullified.

Article 168 (Closing and Sealing Ballot Boxes, etc.)

(1) Any official in charge of voting management shall shut the entry of the polling station at the predetermined time to close the polling station, and when the electors in the polling station finish voting, he/she shall close and seal the slots of the ballot box and the locks thereof in the presence of voting witnesses: Provided, That if a member refuses to witness the voting without any justifiable ground, he/she shall be considered to have waived his/her competence to do so, and the fact thereof shall be stated in the voting record. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) The keys to the ballot box, and remaining ballot papers and number papers shall be sealed under paragraph (1).

Article 169 (Preparation of Voting Records)

Officials in charge of voting management shall make voting records, and register their names thereon and affix their signatures or seals thereto. *<Amended by Act No. 10981, Jul. 28, 2011>*

Article 170 (Sending Ballot Boxes, etc.)

(1) Any official in charge of voting management shall send the ballot box, keys thereof, voting record, and remaining ballot papers to the competent Gu/Si/Gun election commission, without delay after voting is closed. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) The ballot box, when being sent under paragraph (1), shall be accompanied by one voting witness for each candidate and up to two police officers in uniform required for the escort. *<Amended by Act No. 7681, Aug. 4, 2005: Act No. 10067, Mar. 12, 2010>*

Article 171 (Handing Over Documents Related to Voting)

Any official in charge of voting management shall, upon closing the voting, hand over the electoral register and all other documents related to the election to the chairperson of the competent Gu/Si/Gun election commission. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 172 (Management of Ballot Counting)

(1) The ballot-counting affairs shall be carried out by a Gu/Si/Gun election commission.

(2) Where two or more ballot-counting places are set up pursuant to Article 173 (2), the members of the relevant Gu/Si/Gun election commission shall be equally designated and posted at each ballot-counting place; the matters to be resolved by the relevant Gu/Si/Gun election commission with respect to the ballot-counting under this Act shall be determined by a resolution of a majority of members posted at the relevant ballot-counting place (including the assistant members under Article 4 (13) of the Election Commission Act; hereafter the same shall apply in this Chapter); the duties of the chairman of the relevant Gu/Si/Gun election commission shall be performed by the relevant chairman or vice-chairman, or the member designated by the chairman, respectively. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(3) A majority of the registered members of the Gu/Si/Gun election commission concerned (referring to the members posted at the relevant ballot-counting place, where two or more ballot-counting places are set up under Article 173 (2)) shall be present at the ballot-counting place after the ballot counting begins. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 6265, Feb. 16, 2000>*

(4) Articles 4 (13) and 5 (4) of the Election Commission Act shall apply mutatis mutandis to the election where two or more ballot-counting places are set up. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

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Article 173 (Ballot-Counting Places)

(1) A Gu/Si/Gun election commission shall publicly announce the ballot counting place to be established in the seat of the relevant Gu/Si/Gun office or its territorial jurisdiction (including other adjacent districts, if there is no appropriate place in the competent district) by no later than five days before the election day: Provided, That if any natural disaster, terrestrial upheaval, or other unavoidable reason exists, it may be changed, and in such cases, it shall be immediately announced. *<Amended by Act No. 5537, Apr. 30, 1998>*

(2) A Gu/Si/Gun election commission may set up two or more ballot counting places. *<Newly Inserted by Act No. 6265, Feb. 16, 2000>*

(3) Article 147 (3) shall apply mutatis mutandis to the ballot-counting place. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

(4) Procedures for and methods of ballot-counting where two or more ballot-counting places are set up, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 6265, Feb. 16, 2000>*

Article 174 (Ballot-Counting Assistants)

(1) A Gu/Si/Gun election commission shall appoint ballot-counting assistants to assist in ballot-counting affairs, and shall publicly announce their names no later than three days before the election day.

(2) A ballot-counting assistant shall be commissioned from among the persons falling under Article 147 (9) 1 through 4 or the impartial and neutral persons. *<Amended by Act No. 7189, Mar. 12, 2004>*

(3) Upon receipt of a request from an election commission to recommend ballot-counting assistants, the head of an institution or organization specified in any provision of Article 147 (9) 1 through 4 shall comply with the request preferentially. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(4) Deleted. *<by Act No. 7189, Mar. 12, 2004>*

Article 175 (Commencement of Ballot Counting)

(1) Deleted. *<by Act No. 7189, Mar. 12, 2004>*

(2) Where two or more constituencies exist in the extent of jurisdiction, the Gu/Si/Gun election commission shall count the ballots by the unit of constituency. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

Article 176 (Receipt of Delivered Advance Votes, Abode Votes, and Shipboard Votes and Counting thereof)

(1) Upon receipt of advance votes, abode votes, and shipboard votes delivered by mail, a Gu/Si/Gun election commission shall immediately put them into mail ballot boxes in the presence of the party-recommended members of the Gu/Si/Gun election commission and keep them safe. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(2) Upon receipt of advance ballot boxes transferred in accordance with Article 158 (6) 2, a Gu/Si/Gun election commission shall inspect the closing and sealing of the ballot boxes in the presence of the party-recommended members of the Gu/Si/Gun election commission and keep them safe. *<Newly Inserted by Act No. 12267, Jan. 17, 2014>*

(3) The ballot boxes delivered by mail as referred to in paragraph (1) and the ballot boxes containing advance votes as referred to in paragraph (2) shall be transferred to the ballot-counting place at or after 6 p.m. (8 p.m. in cases of a special election) on the election day may be opened for ballot counting, separately from ballot papers in ordinary ballot boxes. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 7189, Mar. 12, 2004; Act No. 12267, Jan. 17, 2014>*

Article 177 (Opening of Ballot Boxes)

(1) When ballot boxes are opened, the chairman of the Gu/Si/Gun election commission shall open those ballot boxes after checking the closing and sealing of the ballot boxes in the presence of ballot-counting witnesses: Provided, That where any ballot-counting witness refuses to witness the ballot counting without any justifiable grounds, the chairman of the Gu/Si/Gun election commission shall enter the unjustifiable grounds in the ballot counting record after judging that the ballot-counting witness renounces his/her authority to witness the ballot counting. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) The chairman of the Gu/Si/Gun election commission shall count the number of votes after opening the ballot box, and check it with the number of issued ballot papers entered in the voting record. In such cases,

if any of the members delays the ballot-counting affairs without any justifiable reason, he/she shall be deemed to renounce his/her authority and the fact thereof shall be entered in the ballot-counting record.

Article 178 (Proceeding of Ballot Counting)

(1) The ballot counting and the calculation of votes shall proceed under classifications by voting district. *<Amended by Act No. 6663, Mar. 7, 2002>*

(2) In order to make it easier to count ballot papers, a Gu/Si/Gun election commission may sort ballot papers into valid votes and invalid votes or sort ballot papers for each candidate (referring to a political party in cases of an election of proportional representative National Assembly members or an election of proportional representative local council members) or may use machines or electronic computer systems necessary for computing. *<Newly Inserted by Act No. 12267, Jan. 17, 2014>*

(3) The number of the votes obtained by each candidate (referring to the number of votes obtained by each political party, in an election of proportional representative National Assembly members or an election of the proportional representative local council members; hereafter in this Article, the same shall apply) shall be announced by the chairperson of a Gu/Si/Gun election commission in the voting district unit on the basis of the ballot-counting briefing chart totalized and prepared by voting district, but all the members of the Gu/Si/Gun election commission who are present shall inspect the number of votes obtained before it is announced publicly and affix their signatures or seals to the ballot-counting briefing chart: Provided, That if any of the members delays ballot counting without any justifiable reason, he/she shall be deemed to renounce his/her authority, and the fact thereof shall be stated in the ballot-counting records. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014>*

(4) No one shall report the number of votes obtained by each candidate, referred to in paragraph (3), before it is officially announced: Provided, That the foregoing shall not apply where data about ballot counting are reported as provided by an election commission. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 12267, Jan. 17, 2014>*

(5) The procedure for ballot counting, the form of the ballot-counting briefing chart, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 179 (Invalid Votes)

(1) Any of the following votes shall be nullified: *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 13497, Aug. 13, 2015>*

1. Where the regular ballot paper is not used;
2. Where no mark is put in any column;
3. Where the marks are put over two columns or in two or more columns;
4. Where it is impossible to distinguish a column in which the mark is put;
5. Where the mark "" is not put, but a character or a shape of something else is drawn;

6. Where other matters than the mark "" are entered;

7. Where the mark is put in with an aid other than such balloting aid as provided by the election commission.

(2) In advance polling or abode polling, any of the following votes shall be invalid, in addition to those specified in paragraph (1): *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. A vote not returned in an official envelope;

2. A vote returned in an unsealed envelope.

3. Deleted; *<by Act No. 7681, Aug. 4, 2005>*

4. Deleted. *<by Act No. 12267, Jan. 17, 2014>*

(3) In shipboard polling, any of the following votes shall be also invalid, in addition to those invalid under paragraph (1): *<Newly Inserted by Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. A vote transmitted by facsimile with a number different from the facsimile number stated in the relevant shipboard polling report or a vote transmitted by facsimile with an unidentifiable number;

2. Votes transmitted in addition to the vote initially received through the normal process, where two or more votes have been transmitted by one elector;

3. A vote on which the signature of the elector, shipmaster, or observer is omitted (excluding a vote with no observer's signature thereon, if no observer was present pursuant to the proviso to Article 158-3 (3));

4. A vote with the name of a candidate or a political party or with a description, from which such name can be inferred, written on the front section.

(4) A vote shall not be determined as invalid in any of the following cases: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. Where the mark "" is shown partially, or the inside of the mark "" is filled up, and it is obvious that the mark is made using such balloting aid as provided by the election commission;

2. Where not less than two marks are put in the column of one candidate (referring to the political party in the election of the proportional representative National Assembly members and the election of the proportional representative local council members; hereafter in this paragraph the same shall apply);

3. Where the mark is additionally put on other than the column of the candidate and that the additional mark is not deemed to be put in the column of any candidate either;

4. Deleted; *<by Act No. 13497, Aug. 13, 2015>*

5. Where the mark is transcribed, but it is obvious for whom the mark is put in;

6. Where it is stained or damaged by the seal-ink, but it is obvious that it is the regular ballot paper and for whom it is put;

7. In cases of the abode polling (including shipboard polling), where the mark is made in a way *[excluding where it may be possible to see who has made the vote, because the person has affixed a seal (excluding thumb impression) or written the name] other than the method as prescribed by this Act, and it is obvious for whom*

the mark is put in;

8. Where the envelope for return use on which the name or residence is written or the private seal is affixed;

9. An abode polling or a shipboard polling, where the abode voter or shipboard voter dies after voting but before voting begins on the election day;

10. An elector's vote, where the elector who cast his/her vote at an advance polling station dies before voting begins on the election day.

Article 180 (Decision on Objection against Effect of Votes)

(1) If there is any objection raised against the effect of a vote, the Gu/Si/Gun election commission shall decide on it with a majority of all the registered members present and by a concurrent vote of a majority of members present. *<Amended by Act No. 5127, Dec. 30, 1995>*

(2) In deciding the effect of a vote, the intention of the elector concerned shall be respected.

Article 181 (Witness of Ballot Counting)

(1) A Gu/Si/Gun election commission shall have the ballot-counting witnesses witness the ballot counting in the ballot-counting place.

(2) In the election held in the area under jurisdiction of the Gu/Si/Gun election commission, the political party recommending a candidate and an independent candidate shall select six ballot-counting witnesses and three ballot-counting witnesses, respectively, and report in writing to the Gu/Si/Gun election commission concerned so as to have them witness the election, no later than a day before the election day. The ballot-counting witness may be replaced at any time after the report, and on the ballot counting day, he/she may be replaced and reported at the ballot-counting place. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) If there is no report on the ballot-counting witness as provided for in paragraph (2) or there is only the ballot-counting witness selected by one political party or one candidate, those who are selected up to 12 (nine in the election of the autonomous Gu/Si/Gun council members from a local constituency) by the Gu/Si/Gun election commission from among the electors with their own consent, shall be the ballot-counting witnesses. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 11207, Jan. 17, 2012>*

(4) A ballot-counting witness selected by the Gu/Si/Gun election commission as provided for in paragraph (3) shall not refuse serving as the witness or resign his/her post without a justifiable reason.

(5) Notwithstanding paragraphs (2) and (3), the Gu/Si/Gun election commission may select additional ballot-counting witnesses within 20/100 of the number of ballot-counting witnesses that a political party or candidate can report under paragraph (2) at the request of electors, taking into consideration ballot-counting place, number of electors, etc., and have them witness the ballot-counting. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

(6) The ballot-counting witness may witness the procedure for handing over and taking over the ballot box sent from the voting district, inspect the closure and sealing of the ballot box, and witness the management

thereof. *<Amended by Act No. 13497, Aug. 13, 2015>*

(7) The Gu/Si/Gun election commission shall provide the ballot-counting witnesses with seats so as to witness the proceeding of the ballot counting at a near distance (not less than one meter nor more than two meters) enough to identify the contents of the ballot counting. *<Amended by Act No. 13497, Aug. 13, 2015>*

(8) Where a ballot-counting witness finds any illegal matter concerning the ballot counting and demands the correction thereof, the Gu/Si/Gun election commission shall correct it if the demand is deemed justifiable. *<Amended by Act No. 13497, Aug. 13, 2015>*

(9) A ballot-counting witness may, at any time, go round the ballot counting place to watch or take a photograph of the ballot-counting situation, and install telephones, computers and other communication equipment at such places as designated by the chairman of the Gu/Si/Gun election commission in the ballot-counting place or the general spectators' gallery, and use such equipment to inform a candidate or political party of the ballot-counting proceeding. *<Amended by Act No. 13497, Aug. 13, 2015>*

(10) Where deemed necessary for a smooth management of the ballot counting, the Gu/Si/Gun election commission may have the ballot witnesses witness the ballot counting by turns. In such cases, the said witnesses shall be allowed to witness the ballot counting in shifts of one half of the number of witnesses by the political parties and by candidates. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 13497, Aug. 13, 2015>*

(11) None of the following persons shall be a ballot-counting witness: *<Amended by Act No. 13497, Aug. 13, 2015>*

1. A person who is not a national of the Republic of Korea;
2. A minor;
3. A person who falls under any subparagraph of Article 18 (1);
4. A person who falls under any subparagraph of Article 53 (1).

(12) The form of the report on ballot-counting witnesses, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 182 (Observation of Ballot Counting)

(1) Any one may observe the proceeding of ballot counting at a demarcated place with a spectator ticket issued by the Gu/Si/Gun election commission.

(2) The number of the spectator tickets as provided for in paragraph (1) shall be decided in consideration of the ballot-counting place and the tickets shall be distributed equally to each candidate.

(3) The Gu/Si/Gun election commission shall provide installations necessary for maintaining the order of the general spectators' gallery.

Article 183 (Restriction on Access to, and Maintenance of Order in, Ballot Counting Place)

(1) No one other than a member and employee of the Gu/Si/Gun election commission and its superior election commission, a ballot-counting assistant or assistant for the accounting affairs, and witness may enter the ballot-counting place: Provided, That where a person with a spectator ticket, and news gathering personnel and a reporter of the broadcast, newspaper or wire service enter the general spectators' gallery,

the same shall not apply. *<Amended by Act No. 6663, Mar. 7, 2002>*

(2) A member and employee of an election commission, a ballot-counting assistant or assistant for the accounting affairs, and witness, when entering and leaving the ballot-counting place, shall wear or attach a mark as prescribed by Regulations of the National Election Commission, and shall not transfer or concede the mark to another person. *<Amended by Act No. 6663, Mar. 7, 2002>*

(3) The chairman or members of the Gu/Si/Gun election commission, where deemed that the order of the ballot-counting place is seriously disturbed and thereby it is impossible to proceed with fair ballot counting, may request the assistance of a police officer in uniform or the chief of a police station to maintain the order of the ballot-counting place.

(4) A police officer or the chief of a police station, upon receiving the request for assistance as provided for in paragraph (3), shall immediately comply therewith.

(5) The police officer or the chief of the police station who enters the ballot-counting place at the request as provided for in paragraph (3) shall follow the instructions of the chairman of the Gu/Si/Gun election commission, and when the order is restored or the chairman requests, he/she shall immediately withdraw from the ballot-counting place.

(6) Except as provided for in paragraph (3), no one shall carry any arms, deadly weapons or explosives into a ballot-counting place.

Article 184 (Sorting Ballot Papers)

When the ballot counting is closed, opened ballot papers shall be sorted out for valid and invalid ones for each voting district, and the valid ballot papers shall be re-sorted for each candidate (referring to a political party which has recommended a candidate to run in the election of proportional representative National Assembly members and in the election of the proportional representative local council members), put into a separate envelope for each candidate, and then sealed by the chairman of the Gu/Si/Gun election commission. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

Article 185 (Preparation, etc. of Ballot-Counting Record, Totalization Record, and Election Record)

(1) Each Gu/Si/Gun election commission shall immediately announce the results of the ballot counting, prepare the ballot-counting record, and send it to the competent constituency election commission (the City/Do election commission, in cases of the presidential election and in the election of proportional representative National Assembly members). *<Amended by Act No. 7189, Mar. 12, 2004>*

(2) The competent constituency election commission, upon receiving the ballot-counting record under paragraph (1), shall immediately calculate and announce the number of votes obtained by each candidate (referring to a political party in the election of proportional representative local council members) and prepare the election record. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(3) The City/Do election commission, upon receiving the ballot-counting record under paragraph (1), shall calculate and announce the number of votes obtained by each candidate in cases of the presidential

election and the number of votes obtained by each political party in cases of an election of a proportional representative National Assembly member, prepare the totalization record, and send it to the National Election Commission. *<Amended by Act No. 7189, Mar. 12, 2004>*

(4) The National Election Commission, upon receiving the totalization record under paragraph (3), shall calculate and announce the number of votes obtained by each candidate in cases of the presidential election, and the number of votes obtained by each political party in cases of the election of proportional representative National Assembly members, and prepare the election record. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

(5) The chairman and all the members present shall register their names on the ballot-counting record, totalization record and election record, and shall affix their signatures or seals thereto: Provided, That if any of the members refuses signing and sealing without a justifiable reason, he/she shall be deemed to renounce his/her authority and the fact thereof shall be stated in the ballot-counting record, totalization record and election record. *<Amended by Act No. 10981, Jul. 28, 2011>*

(6) The forms of the ballot-counting record, totalization record and election record, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 186 (Keeping Ballot Papers, Ballot-Counting Records, and Election Records, etc.)

Each Gu/Si/Gun election commission shall keep the ballot papers, ballot boxes, voting records, ballot-counting records, election records, and all other documents related to the election during the term of the elected persons; the City/Do election commission shall keep the totalization records and the election records and all other documents related to the election; the National Election Commission shall keep the election records and all other documents related to the election: Provided, That where no dispute over the election under in Articles 219, 222 and 223 arises or is pending, the recordkeeping period may be shortened as prescribed by Regulations of the National Election Commission. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002>*

Article 187 (Decision on, Public Announcement and Notification of Elected Person for Presidency)

(1) In the presidential election, the National Election Commission shall decide the candidate who has obtained a majority of the valid votes as the elected person, and notify the Speaker of the National Assembly thereof: Provided, That where there is only one candidate, he/she shall be decided as the elected person only when he/she obtains votes from a third or more of the total electors.

(2) Where two or more persons have obtained the largest votes, the National Assembly, upon receiving the notification of the National Election Commission, shall decide the candidate who has obtained a majority of votes at an open meeting at the National Assembly with at least half the total members present as the elected person.

(3) When the elected person is decided as provided in paragraph (1), the chairman of the National Election Commission shall publicly announce it, and when he/she is decided as provided in paragraph (2), the Speaker of the National Assembly shall do so, and immediately deliver the certificate for winning the election to the elected person.

(4) Even if the ballot counting is not completed due to a natural disaster, terrestrial upheaval, or other unavoidable reasons, the National Election Commission may decide the elected person where it is deemed that the votes of the area where the ballot counting is not completed shall have no influence on the election result.

Article 188 (Decision on, Announcement and Notification of Elected Local Constituency National Assembly Members)

(1) In an election of a local constituency National Assembly member, the constituency election commission shall decide the person who has obtained a majority of the valid votes in the local constituency for the National Assembly member as the elected person: Provided, That if two or more persons have obtained the largest votes, the senior shall be decided as the elected person.

(2) Where there is only one candidate for the local constituency National Assembly member at the time when the candidate registration is closed or the number of candidates becomes one as the candidate for the local constituency National Assembly member resigns or dies or his/her registration becomes nullified from the close of candidate registration till right before the beginning of the voting on the election day, the voting for the candidate for the local constituency National Assembly member shall not be held and the candidate shall be decided as the elected person on the election day.

(3) Where the number of candidates for the local constituency National Assembly member becomes one because other candidates have resigned or died or their registration become nullified from the beginning of the voting to the close thereof on the election day, the remaining voting shall not proceed and the candidate shall be decided as the elected person.

(4) Where the candidate for the local constituency National Assembly member has resigned or died or his/her registration is nullified after the close of the voting on the election day till before the decision of the elected person, the person who has obtained a majority of the valid votes as a result of the ballot counting shall be decided as the elected person, but the person who has resigned or died or whose registration is nullified has obtained a majority of the valid votes, the local constituency for the National Assembly member shall be considered to have no elected person.

(5) Where the voting is not carried out as provided in paragraphs (2) and (3), the constituency election commission concerned shall immediately announce it, report it to the superior election commission, and notify the subordinate election commission thereof.

(6) When the elected person for a local constituency of the National Assembly member is decided as provided in paragraphs (1) through (4), the chairman of the constituency election commission concerned shall announce it, immediately deliver the certificate for winning the election to the elected person, and report to the superior election commission thereof.

(7) The provisions of Article 187 (4) shall apply mutatis mutandis to the decision on the elected person as the local constituency National Assembly member.

Article 189 (Allocation of Seats of Proportional Representative National Assembly Members and Decision on, Announcement and Notification of Elected Persons)

(1) The National Election Commission shall allocate the seats of the proportional representative National Assembly members to each political party which has obtained 3/100 or more of the total valid votes in the election for a proportional representative National Assembly member or five or more seats in the general election for the local constituency National Assembly members (hereafter in this Article, referred to as the "seat-allocated party"), in proportion of the votes obtained by the relevant seat-allocated party in the election for the proportional representative National Assembly members.
(2) Percentage of the obtained votes under paragraph (1) shall be calculated by dividing the number of votes obtained by a seat-allocated party by the total sum of votes obtained by all seat-allocated parties.
(3) The seats of the proportional representative National Assembly members shall be first allocated to the relevant political party by an integral number of the numbers computed by multiplying the percentage of votes obtained by each seat-allocated party by the fixed number of seats of the proportional representative National Assembly members (hereafter in this Article referring to as the "seats"), and the remaining seats shall be allocated one by one to each political party in the descending order of less than a decimal point, but when the said number is equal, it shall be determined by lottery among the relevant political parties.
(4) The National Election Commission shall determine the persons elected to the proportional representative National Assembly members allocated to a political party, in the order of becoming the elected persons listed in the submitted roll of candidates for the proportional representative National Assembly members by political parties.
(5) If the number of the seats of the proportional representative National Assembly members allocated to a political party exceeds the number of candidates for the proportional representative National Assembly members recommended by the party, the seats in excess shall be left vacant.
(6) Where the causes for the revoting under Article 198 have occurred in the election for the proportional representative National Assembly members, the National Election Commission shall determine the elected persons by allocating the seats of the proportional representative National Assembly members pursuant to paragraphs (1) through (4), after deducting from the fixed number of seats an integral number (a fraction falling short of 1 shall be regarded as 1) of the number obtained by multiplying the number derived from dividing the electors of said voting district by the number of nationwide electors: Provided, That where it is expected that the seat-allocated party will be added as a result of the revoting, the seats of an integral number (a fraction falling short of 1 shall be regarded as 1) equivalent to 3/100 of the fixed number of seats shall be separately deducted for each political party expected to be added.
(7) When the persons elected to the proportional representative National Assembly members have been determined, the chairman of the National Election Commission shall publicly notify the said name list, and promptly notify each political party thereof, and deliver the certificate for winning the election to each elected person.
(8) Article 187 (4) shall apply mutatis mutandis to the decision on the persons elected to the proportional representative National Assembly members.

Article 190 (Decision on, Announcement and Notification of Elected Local Council Members of Local Constituency)

(1) In the election of the City/Do council members of local constituency and the autonomous Gu/Si/Gun council members of local constituency, the constituency election commission shall decide the person who has obtained a majority of the valid votes in the relevant constituency (in the election of autonomous Gu/Si/Gun council members of local constituency, it refers to those who fill up the fixed number of the council members in the descending order from the person who has obtained the most valid votes; hereafter the same shall apply in this Article) as elected person: Provided, That if two or more persons have obtained the most votes, the elected person shall be decided in the order of seniority. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(2) Where the candidates do not exceed the fixed number of the council members to be elected in the relevant constituency at the time when the candidate registration is closed, or where the number of candidates becomes smaller than the fixed number of the council members to be elected in the relevant constituency from the close of candidate registration to the beginning of the voting on the election day as the candidates have resigned or deceased or their registrations are nullified, the voting shall not be held and the candidates shall be decided as the elected persons on the election day.

(3) Articles 187 (4) and 188 (3) through (6) shall apply mutatis mutandis to the decision on, announcement and notification of the elected local council members of local constituency. In such cases, the term "candidate for National Assembly member of local constituency" means the "candidates for the local council members of local constituency"; the term "where the number of candidates becomes one" means "where the number of candidates becomes smaller than the fixed number of the council members"; the term "local constituency for the National Assembly member" means the "election district". *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(4) through (9) Deleted. *<by Act No. 7681, Aug. 4, 2005>*

Article 190-2 (Decision on, Announcement and Notification of Elected Proportional Representative Local Council Members)

(1) In the election of the proportional representative local council members, the competent constituency election commission shall preferentially allocate the seats of the integral number calculated by multiplying the fixed number of the proportional representative local council members by the ratio of votes obtained in the relevant election to each political party that obtains not less than 5/100 of the total number of valid votes (hereafter in this Article referred to as the "seat-allocated political party") and allocate one remaining seat to each seat-allocated party in order of the large fraction number and when the same fraction number exists, the one remaining seat shall be allocated to the political party that obtains the larger number of votes and if the same number of votes are obtained, the allocation of the remaining seat shall be determined by lot between the political parties concerned. In the case, the ratio of votes obtained shall be calculated by dividing the number of votes obtained by each seat-allocated party by the total number of votes obtained by all seat-allocated parties and by rounding off 5 decimal point.

(2) In the election of the proportional representative City/Do council members, when not less than 2/3 of the fixed number of seats are allocated to any single political party, the integral number of seats which falls under 2/3 of the fixed number shall be first allocated to the political party and with respect to the remaining seats, the fixed number of seats whose number is obtained by the multiplication of the remaining seats by the ratio of votes obtained among remaining seat-allocated political parties shall be allocated to the remaining seat-allocated political parties and when remaining seats exist thereafter, one seat shall be allocated to the remaining seat-allocated political parties in order of the large fraction number: Provided, That in case where there is no seat-allocated political party other than the political parties that are allocated 2/3 of the fixed number of seats, the integral number of seats which is obtained by the multiplication of the remaining seats by the ratio of votes obtained by political parties that are not seat-allocated political parties shall be first allocated to such political parties and if remaining seats exist, one seat shall be allocated to each political party in order of large fraction number. In this case, the provisions of paragraph (1) shall apply mutatis mutandis to the calculation of the ratio of votes obtained and the allocation of seats in the case of the same fraction number.

(3) In the election of the proportional representative local council members, when grounds for revoting provided for in the provisions of Article 198 accrue, the competent constituency election commission shall allocate the seats of the proportional representative council members and determine elected persons according to the provisions of paragraphs (1) and (2) after subtracting the fixed number that is obtained by the multiplication of the integral number (the fraction number of not more than 1 shall be deemed 1) of the proportional representative local council members by the number obtained by dividing the number of electors of the voting district by the number of electors of the relevant constituency from the fixed number of the proportional representative council members: Provided, That when it is expected to add a seat-allocated political party as a result of revoting from among political parties that are excluded from the allocation of the seats of the proportional representative local council members, the integral number of seats falling under 5/100 (the fraction number of not more than 1 shall be deemed 1) of the fixed number of the proportional representative local council members shall be separately subtracted for every political party that is expected to be added.

(4) The provisions of Articles 187 (4) and 189 (4), (5) and (7) shall apply mutatis mutandis to the decision on the elected proportional representative local council members. In this case, the "National Election Commission" shall be deemed the "competent constituency election commission" and the "proportional representative National Assembly members" shall be deemed the "proportional representative local council members," respectively.

Article 191 (Decision on, Announcement and Notification of, Elected Heads of Local Governments)

(1) In an election of the head of a local government, the constituency election commission shall decide the person who has obtained a majority of the valid votes as the elected person, and notify the chairman of the local council concerned thereof: Provided, That where two or more persons have obtained the largest votes, the senior shall be decided as the elected person.

(2) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(3) Articles 187 (4) and 188 (2) through (6) shall apply mutatis mutandis to the decision on the elected head of a local government. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 191-2 (Report on Resignation of Elected Persons)

Where an elected person intends to resign before the term of the elected person begins, he/she shall come in person to the competent constituency election commission and report such resignation in writing, and where an elected person in the election of the proportional representative National Assembly member or the election of the proportional representative local council member intends to resign, he/she shall affix a letter of approval on resignation from the political party to which he/she belongs.

Article 192 (Invalidation, etc. of Election due to Forfeiture of Eligibility)

(1) A person who is ineligible for election on the election day shall not be elected.

(2) Where an elected person becomes ineligible for election before his/her term begins, the election shall be invalidated.

(3) Where the elected person falls under any one of the following subparagraphs before his/her term begins, his/her election shall be invalidated: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 10067, Mar .12, 2010>*

1. Where the elected person is found to have won the election, in contravention of paragraph (1);
2. Where the elected person is found to fall under any ground for nullification of the registration under any subparagraph of Article 52 (1) or paragraphs (2) and (3) of the same Article;
3. Where the elected person as the proportional representative National Assembly member or the proportional representative local council member has seceded from his/her party or changed his/her party membership for reasons other than a merger, dissolution, or expulsion, or he/she holds two or more party memberships (including the person who has held two or more party memberships at the time when the elected person is decided).

(4) A proportional representative National Assembly member or a proportional representative local council member, where seceding from his/her party or changing his/her party membership for reasons other than a merger, dissolution, or expulsion, or holding two or more party memberships, shall be relieved of his/her office, notwithstanding Article 136 of the National Assembly Act or Article 78 of the Local Autonomy Act: Provided, That this shall not apply to cases where a proportional representative National Assembly member has been elected to the Speaker, and strikes his/her name off the party register under the National Assembly Act. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 8423, May 11, 2007>*

(5) In cases of paragraphs (2) and (3), the competent constituency election commission (the National Assembly, in cases where the National Assembly has decided on the person elected to presidency under Article 187 (2)) shall publicly announce the facts thereof and notify the elected person and the political party which has recommended him/her thereof, and shall notify the Speaker of the National Assembly thereof where the person whose election has been invalidated or nullified is the one elected to presidency

or National Assembly membership, and the chairman of the local council concerned thereof where the person is the one elected as the local council member and the head of the local government.

Article 193 (Correction of Errors in Decision on Elected Persons)

(1) Upon finding out that any obvious error exists in the decision on the elected person, the constituency election commission (the National Assembly, where the National Assembly has decided on the person elected to presidency under Article 187 (2)) shall correct the decision on the elected person within ten days from the election day.

(2) The constituency election commission (excluding the National Election Commission), upon making a correction under paragraph (1), shall be examined by the National Election Commission in cases of an election of National Assembly members of local constituency, proportional representative City/Do council members, Sejong Metropolitan Autonomous City council members of local constituency, and Mayors/Do Governors; and by the City/Do election commission in cases of an election of City/Do council members of local constituency (excluding an election of Sejong Metropolitan Autonomous City council members of local constituency), autonomous Gu/Si/Gun council members, or the heads of autonomous Gus/Sis/Guns, respectively. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6663, Mar. 7, 2002; Act No. 13497, Aug. 13, 2015>*

Article 194 (Re-decision on Elected Persons and Reallocation of Seats of Proportional Representative National Assembly Members and of Proportional Representative Local Council Members)

(1) If the judgment or decision on the invalidation of election for the reason of illegality in deciding the elected person under Articles 187, 188, 190 (1) through (3), or 191 becomes final, the constituency election commission concerned (the National Assembly, where the National Assembly has decided on the person elected to presidency as provided for in Article 187 (2)) shall immediately re-decide on the elected person. *<Amended by Act No. 6663, Mar. 7, 2002>*

(2) If there exists a judgment or a decision on the invalidity of election for the reason of illegality in allocating the seats of proportional representative National Assembly members or of proportional representative local council members and in deciding the elected persons thereof under Articles 189 and 190-2, or if a reelection due to the reasons under Article 197 is held, the competent constituency election commission shall immediately reallocate the seats and re-decide on the elected persons. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005>*

(3) If the elected person in an election of a proportional representative National Assembly member or proportional representative local council member has resigned or died, or his/her election becomes invalidated as provided for in Article 192 (2), or his/her election becomes nullified as provided for in Article 192 (3), before his/her term begins, the constituency election commission shall decide the candidate recommended by the political party to which the elected person belongs at the time of the election as the elected person, in the order of the candidates roll for the proportional representative National Assembly members or proportional representative local council members. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(4) In an election of a proportional representative National Assembly member or proportional representative local council member, when the revoting is held for the causes as referred to in Article 198, the constituency election commission shall compute the ratio of obtained votes by summing up the obtained votes in the initial election and those in the revoting, and allocate the remaining seats in the descending order obtained by deducting the number of seats allocated already to each political party from the number obtained by multiplying such ratio of obtained votes by the fixed number of seats of the relevant constituency, and then decide the elected persons thereof. In such cases, Article 189 (1) through (5) shall apply mutatis mutandis to the election of proportional representative National Assembly members, and Article 190-2 to the election of proportional representative local council members. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

Article 195 (Reelection)

(1) A reelection shall be held in the following cases: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

1. Where there is no candidate for the election district concerned;
2. Where there is no elected person, or in the election of autonomous Gu/Si/Gun council members of local constituency, the number of the elected persons fails to reach the fixed number of the local council members to be elected in the election district concerned;
3. Where the whole invalidation of the election is ruled or decided;
4. Where the elected person has resigned or died before his/her term begins;
5. Where the election becomes invalidated as provided for in Article 192 (2) or the election becomes nullified as provided for in paragraph (3) of the same Article, before the term of the elected person begins;
6. Where the election becomes invalidated as provided for in Articles 263 through 265.

(2) Where the causes for holding a reelection have become definite in the same constituency of one election after the causes for holding a special election as referred to in Article 200 have become definite, if the said election day is identical, it shall be regarded as a reelection. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

Article 196 (Postponement of Election)

(1) If it is impossible to hold an election or an election has not been held due to a natural disaster or terrestrial upheaval or for other unavoidable reasons, the President shall postpone the election in the case of the presidential election and an election of a National Assembly member, and the chairman of the competent constituency election commission shall do so in consultation with the competent head of the local government (including his/her proxy) in the case of an election of a local council member or head of the local government. *<Amended by Act No. 6265, Feb. 16, 2000>*

(2) In the case of paragraph (1), if the election is postponed, the procedure for election shall proceed all over again, and if only the election day is rescheduled, the election procedure shall resume where it had stopped.

(3) If the election is postponed as provided in paragraph (1), the President or the chairman of the competent constituency election commission shall announce the name of the election to be postponed and the reason for postponement, and the President shall immediately notify the chairman of the competent constituency election commission thereof, and the chairman of the competent constituency election commission shall do so to the head of the local government concerned. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 197 (Reelection due to Partial Invalidation of Election)

(1) If a judgment or decision on the partial invalidation of the election becomes final, the competent constituency election commission shall hold a reelection for the voting district concerned where the election has become invalid, and then decide a new elected person.

(2) Notwithstanding Article 44 (1), the electoral register used for the initial election shall be used in holding the reelection as provided for in paragraph (1), unless there is any specification in the judgment or decision. *<Amended by Act No. 10981, Jul. 28, 2011>*

(3) In holding the reelection as provided for in paragraph (1), where political parties are merged, the merged party shall recommend, to the relevant constituency election commission, one person from among the candidates before a merger of political parties as a new candidate during the period from the beginning day of the said reelection to the day next thereto, and in the election of proportional representative National Assembly members and the election of proportional representative local council members, each roll of candidates shall be submitted, but any person who has not been listed in the roll of candidates submitted by the political parties before a merger shall not be added. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(4) If a recommendation is not made during the period as provided for in paragraph (3), the candidate registration that the political party has made for the election district concerned before the merger shall be invalidated.

(5) The mark of a candidate for a merged party (referring to a political party recommending a candidate, in the election of proportional representative National Assembly members and the election of proportional representative local council members) shall be the same as what he/she has used at the initial election. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(6) In calculating the votes obtained by the candidate recommended as provided for in paragraph (3), the votes obtained by the candidate who fails to obtain the recommendation due to the merger shall not be counted.

(7) Where the causes for holding a reelection as referred to in paragraph (1) have become definite in the election of proportional representative National Assembly members and the election of proportional representative local council members, the seats shall be re-allocated pursuant to Article 189 (1) through (4) or 190-2, after deducting from the fixed number of said seats an integral number (a fraction falling short of 1 shall be regarded as 1) of the number obtained by multiplying the number of seats in the election district by the number obtained by dividing the number of electors in the voting district by the number of

electors in the said election district, and any winning of an election of proportional representative National Assembly member and of an election of proportional representative local council member, which has been excluded from the said re-allocation, shall be invalidated. *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(8) Article 194 (4) shall apply mutatis mutandis to the reallocation of seats at the time when conducting a reelection as referred to in paragraph (1) in the election of proportional representative National Assembly members and the election of proportional representative local council members, and to a decision on the elected person. *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(9) The election campaign and election expenses for the reelection as provided in paragraph (1), and other necessary matters shall be prescribed by Regulations of the National Election Commission within the limit of this Act.

Article 198 (Revoting due to Natural Disaster or Terrestrial Upheaval)

(1) Where the voting in a voting district is not held due to a natural disaster or terrestrial upheaval or for other unavoidable reasons, or a ballot box is lost or destroyed, the competent constituency election commission shall hold a revoting for the voting district concerned, and then decide the elected person for the election district. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004>*

(2) If the revoting as provided for in paragraph (1) is deemed to have no effect on the result of the election for the relevant election district, the elected person shall be decided without holding the revoting. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004>*

(3) With respect to the revoting as provided for in paragraph (1), if there is a merged political party, in the calculation of obtained votes for reallocating the seats of the proportional representative National Assembly members and the proportional representative City/Do council members as provided for in Article 194, the number of the votes obtained by the candidate and the proportional representative local council members shall be added to the votes obtained by the political party to which the candidate has belonged before the merger. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(4) Article 197 (3) through (6) shall apply mutatis mutandis to the revoting to be held due to a natural disaster or terrestrial upheaval.

(5) The election campaign and expenses for the revoting under paragraph (1), and other necessary matters shall be prescribed by Regulations of the National Election Commission within the limit of this Act.

Article 199 (Holding Postponed Elections, etc.)

The postponed election under Article 196 (1) or the revoting under Article 198 (1) shall be held together with an election under Article 35, if possible. *<Amended by Act No. 7189, Mar. 12, 2004>*

Article 200 (Special Election)

(1) If the office of any constituency National Assembly member, any local council member of local constituency or the head of the local government becomes vacant, a special election shall be held.

<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>

(2) If the office of a proportional representative National Assembly member or a proportional representative local council member becomes vacant, the constituency election commission shall decide the person to succeed to the seat of the vacant member in the order of the roll of candidates for the proportional representative National Assembly members and for the proportional representative local members of the political party to which the vacant member belonged at the time of his/her election, within ten days after it receives the notification of such vacancy: Provided, That the same shall not apply to cases where the political party is dissolved or a vacancy occurs within 120 days before the date on which his/her term of office expires. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

(3) If the presidency becomes vacant, the person acting for the President shall immediately notify the National Election Commission thereof.

(4) If the office of a National Assembly member becomes vacant, the Speaker of the National Assembly shall notify the President and the National Election Commission thereof.

(5) If the office of a local council member becomes vacant, the chairman of the local council concerned shall notify the head of the local government concerned and the competent constituency election commission thereof, and if the office of the head of a local government becomes vacant, the person acting for the head of the local government shall notify the chairman of the local council concerned and the competent constituency election commission thereof.

(6) Where there exists no notification of vacancy under paragraph (4) or (5) by the time of an application for candidate's registration even though the said member has retired from office under Article 53, the said notification shall be deemed to have been received when he/she was registered as a candidate therefor. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

Article 201 (Special Cases on Special Election, etc.)

(1) If the term is less than one year from the election day to the expiration day of the term of office, or a fourth or more of the fixed number of the local council members is not vacant (excluding a re-election held when the term until the expiration day of the term of office is at least one year, a postponed election, or the revoting), a special election (excluding the presidential election, election of a proportional representative National Assembly member and a proportional representative local council member; hereafter the same shall apply in this paragraph) may not be held. In such cases, where the special election is held because a fourth or more of the fixed number of the local council members becomes vacant, it shall be held for the total vacant council members thereof. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6497, Jul. 24, 2001; Act No. 7681, Aug. 4, 2005>*

(2) Where litigation on an election is pending under Article 219 (2) or 223, a special election shall not be held.

(3) Where a special election, reelection, postponed election, or revoting for a local council member is held, if the area of the constituency extends over the area under jurisdiction of any other local government

corresponding to the local government to which the council member belongs because of a change in the territorial jurisdiction of the latter, the area under jurisdiction of the local government concerned shall be the area of the competent constituency.

(4) Even if the reason for holding a special election occurs, when choosing not to hold the special election for the reason that falls under the former part of paragraph (1), the fact thereof shall be announced within ten days after the reason for holding a special election becomes final, and the President shall notify the competent constituency election commission in cases of a special election for the National Assembly members, and the chairman of the competent constituency election commission shall notify the chairman of a local council and the head of a local government concerned in cases of a special election for the local council members or the head of the local government. In such cases, the reason for holding the election shall be considered to have not been final, notwithstanding the provisions of Article 35 (5). *<Amended by Act No. 6265, Feb. 16, 2000>*

(5) When the special election, etc. is held pursuant to the latter part of paragraph (1), such special election shall be held within 60 days after the date on which reasons for holding the relevant election are confirmed, notwithstanding Article 35 (2) 1, and the chairman of the competent constituency election commission shall publicly notify the election day by not later than 30 days before the election day: Provided, That when the election day of the special election, etc. occurs between 40 days before the commencing date of the election period of a special election, etc. which is held on the first Wednesday of April under Article 35 (2) 1 and 30 days after the election day, an election shall be held along with such special election. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 13497, Aug. 13, 2015>*

(6) "The time of confirming grounds for holding an election", including special elections held under the latter half of paragraph (1) and (5), refers to the date on which the competent constituency election commission is notified of a vacancy in members, which falls under the vacancy of not less than 1/4 of the fixed number of local council members, by the head of the relevant local council, notwithstanding the provisions of Article 35 (5). *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(7) In a by-election (excluding a by-election held simultaneously along with an election, re-election, or deferred election held due to a presidential vacancy or an election held upon the expiration of a term of office), a person who has an abode outside the constituency (referring to the area within jurisdiction of the competent Gu/Si/Gun, if the constituency is smaller than the area within jurisdiction of the competent Gu/Si/Gun) in which the by-election is held may also file an abode polling report and vote in accordance with the process applicable to abode voters under Article 158-2, in addition to persons specified in Article 38 (4) 1 through 5. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 202 (Definition of Simultaneous Elections and Election Period)

(1) For the purpose of this Act, the term "simultaneous elections" means holding two or more different elections on the same election day in the area where the election districts overlap partially or wholly.

(2) In simultaneous elections, if the election periods and the election affairs schedules of individual elections are different with one another, the simultaneous elections shall be held according to the example of the one whose election period is longer, notwithstanding different provisions of this Act.

Article 203 (Scope and Election Day of Simultaneous Elections)

(1) The elections of local council members and the head of a local government, whose terms expire on the same day, shall be held at the same time on the election day of the election to be held at the expiration of their terms.

(2) Where an election of the head of a local government under Article 35 (2) 2 falls under either of the following, it shall be held at the same time on the election day of the election to be held at the expiration of term: *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 13497, Aug. 13, 2015>*

1. A special election, the period of which expires during the election period of the election to be held at the expiration of the term;
2. A special election, the election period of which expires after the election day of the election to be held at the expiration of the term, but the execution of which is finally decided 30 days before the election day of the election to be held at the expiration of the term.

(3) In the year when elections of National Assembly members, local council members, or the heads of local governments are held at the expiration of their terms, no special elections, etc. under the former part of Article 35 (2) 1 shall be held on their respective election days, but shall be held at the same time on the day the aforementioned elections are held at the expiration of terms. *<Amended by Act No. 13497, Aug. 13, 2015>*

(4) In the year when a presidential election is held, special elections, etc. under the former part of Article 35 (2) 1 shall be held at the same time as the presidential election if the reasons for holding such special elections, etc. have become definite during the period from 30 days before the election day under the former part of Article 35 (2) 1 (where the special elections, etc. are held at the same time as the elections at the expiration of terms under Article 203 (3), referring to the date on which elections are held at the expiration of the terms) to 30 days before the presidential election day. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

Article 204 (Special Cases on Electoral Register)

(1) Notwithstanding the provisions of Article 44 (1), only one set of the electoral register and one set of the electoral registers for reported abode voters and reported shipboard voters shall be used in simultaneous elections. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014>*

(2) Deleted. *<by Act No. 5537, Apr. 30, 1998>*

(3) The forms of covers of the electoral register and the electoral registers for reported abode voters and reported shipboard voters to be used in simultaneous elections and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 205 (Special Cases on Establishment of Election Campaign Organizations and Appointment of Election Affairs Personnel)

(1) In the simultaneous elections, two or more candidates (including the political party which has recommended a candidate in the election of proportional representative local council members; hereafter in this Article, the same shall apply) recommended by the same political party may jointly establish an election campaign office and election campaign liaison office. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005>*

(2) In the simultaneous elections, two or more candidates recommended by the same political party may jointly appoint an election campaign manager, chief of the election campaign liaison office, or election campaign worker.

(3) In case of paragraphs (1) and (2), each candidate shall be deemed to have carried out the establishment or appointment thereof, and the facts thereof shall be specified in a report on establishment and appointment and the expenses for joint establishment and appointment may be allocated among candidates according to an agreement among them, but the details of such allocation shall be specified in the report on establishment and appointment.

(4) A candidate shall not be an election campaign manager, chief of an election campaign liaison office, election campaign worker, or accountant in charge for a candidate in another election.

(5) The report form of establishment and appointment at the time of joint establishment of an election campaign office and election campaign liaison office and joint appointment of those engaged in the election affairs, and the identification card form, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 206 (Special Cases on Campaign Posters)

When the simultaneous elections are held under Article 203 (1), the number of campaign posters shall be 2/3 of the base number provided in Article 64 (1) if two elections are held at the same time, and 1/2 of the base number if three or more elections are held at the same time. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 207 (Special Cases of Booklet-type Election Campaign Bulletins)

(1) In simultaneous elections, not less than two candidates (referring to a candidate recommended by a political party in the presidential election, and the political party that recommends its candidate in the election of the proportional representative National Assembly members and in the election of the proportional representative local council members; hereafter in this Article the same shall apply) who are recommended by the same political party may jointly prepare booklet-type election campaign bulletins pursuant to Article 65 and when the booklet-type election campaign bulletins are prepared, the candidates shall be deemed that they each prepare one kind of the booklet-type election campaign bulletins. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) If the booklet-type election campaign bulletin is jointly prepared in a manner that the candidate for the larger election district inserts, in a part of such booklet-type election campaign bulletin, different contents concerning a candidate for the smaller election district depending on the election district, the booklet-type election campaign bulletin in which the contents concerning the candidate for the larger election district are identical shall be considered as one kind. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) If the booklet-type election campaign bulletin is jointly prepared under paragraph (1), the expenses may be allocated among the candidates in accordance with an agreement. In such cases, the details of allocation shall be reported in writing to the competent Gu/Si/Gun election commission at the time the booklet-type election campaign bulletin is submitted. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 208 Deleted. *<by Act No. 7189, Mar. 12, 2004>*

Article 209 (Special Cases on Speech or Interview at Open Place)

In the simultaneous elections, two or more candidates recommended by the same political party may jointly carry out an election speech or interview at an open place under Article 79. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5537, Apr. 30, 1998; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010>*

Article 210 (Special Cases on Regulation of Party Activities Related to Election)

In the simultaneous elections, the regulations on political party activities related to the election under CHAPTER IX shall be applied on the basis of one election regardless of the number of the elections to be held at the same time, but where the election to be held at the expiration of term and the special election under Article 35 (2) and (3) or the postponed election under Article 36 are held at the same time, the election to be held at the expiration of term shall be the base, and where the special election under Article 35 (2) and (3) is held at the same time, the term "when the reason for holding the election becomes final" means "when the for holding the first special election of those special elections which are to be held at the same time becomes final."

Article 211 (Special Cases on Ballot Papers and Voting Guidance Leaflets)

(1) In simultaneous elections, ballot papers may be prepared and delivered in a way that they are differentiated for each election by chromaticity or quality of paper, as prescribed by Regulations of the National Election Commission.

(2) Deleted. *<by Act No. 7681, Aug. 4, 2005>*

(3) In simultaneous elections, ballot papers for the election of the Mayor/Do Governor and the election of the proportional representative City/Do council members shall be prepared by the relevant City/Do election commission as prescribed by Regulations of the National Election Commission, notwithstanding Article 151 (1). In such cases, the official seal of the City/Do election commission shall be affixed to the ballot papers but such official seal may be printed on the ballot papers in lieu of affixing it to them. *<Amended by Act No. 7681, Aug. 4, 2005>*

(4) In simultaneous elections, the voting guidance leaflets (including voting guidance leaflets in braille; hereinafter the same shall apply in this paragraph) may be prepared in one kind of voting guidance leaflet, as prescribed by Regulations of the National Election Commission, notwithstanding Article 153. *<Amended by Act No. 10981, Jul. 28, 2011>*

(5) In simultaneous elections, the number, installation and equipment of the polling station, a person to prepare and deliver the ballot papers, and the delivery method thereof, the voting procedure, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

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Article 212 (Special Cases on Dispatching, Returning, etc. of Ballot Papers in Abode Polling and Advance Polling)

In any of the following cases, only one envelope for returning or dispatching may be used for each elector for simultaneous elections:

1. Dispatching ballot papers to an abode voter or returning ballot papers by an abode voter;
2. Returning ballot papers cast by an elector at an advance polling station.

Article 213 (Special Cases on Selection, Appointment, etc. of Voting Witnesses)

(1) In simultaneous elections, two voting witnesses shall be selected and reported by each political party that has recommended candidates, and each independent candidate, notwithstanding the number of persons to be selected and reported under Article 161 (2). *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

(2) In designating voting witnesses for the simultaneous election, the "candidates" provided for in Article 161 (4) shall be deemed the "political party or candidates" and "by the candidate" shall be deemed "by the candidate and the political party", respectively. *<Amended by Act No. 7681, Aug. 4, 2005>*

(3) In simultaneous elections, two advance polling witnesses shall be selected and reported by each political party participating in the election, and one advance polling witness by each independent candidate, regardless of the number of persons to be selected and reported in accordance with Article 162 (2). *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(4) In simultaneous elections, the number of advance polling witnesses shall not exceed eight persons, but if the number of witnesses selected and reported under paragraph (3) exceeds eight, the competent election commission shall first designate those selected and reported by a political party, and the remaining witnesses shall be designated by lottery until the total reaches eight, from among those selected and reported by the independent candidates. In such cases, if the number of those selected and reported by a political party exceeds eight, the witnesses shall be designated up to eight, beginning with a person selected and reported by a political party on the top of list under Article 150 (3) through (5). *<Newly Inserted by Act No. 4949, May 10, 1995; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

Article 214 (Special Cases on Opening, etc. of Ballot Boxes)

In the simultaneous elections, the ballot boxes shall be opened by each election or constituency having jurisdiction over a smaller area under Article 175 (2). *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7850, Mar. 2, 2006>*

Article 215 (Special Cases on Ballot-Counting Witnesses)

(1) In simultaneous elections, the political party that has recommended a candidate shall select and report eight ballot-counting witnesses, and the independent candidate shall select and report two ballot-counting witnesses, notwithstanding the number of persons to be selected and reported under Article 181 (2): Provided, That the Gu/Si/Gun election commission, upon counting the abode ballots, shipboard ballots,

and advance ballots shall permit four persons of those selected and reported by the political party and one person of those selected and reported by the independent candidate to witness such ballot counting. *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 4949, May 10, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(2) In simultaneous elections, notwithstanding Article 182 (2), the admission tickets shall first be allocated equally among the political parties, and then allocated equally among the independent candidates, but each candidate shall be allocated at least one ticket. *<Amended by Act No. 4949, May 10, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

Article 216 (Special Cases on Holding Four or More Elections Simultaneously)

(1) In four or more simultaneous elections, the candidate for the election of the autonomous Gu/Si/Gun council members of local constituency may use one motor vehicle and one set of portable loudspeakers for an election campaign speech or interview provided for in Article 79. *<Amended by Act No. 4949, May 10, 1995; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005>*

(2) Where the elections of local council members and the head of a local government are simultaneously held due to the expiration of their terms, the ballot-counting and the announcement of results may be conducted and made for each Eup/Myeon/Dong, notwithstanding Article 178 (1) and (3): *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014>*

(3) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

(4) Deleted. *<by Act No. 6265, Feb. 16, 2000>*

(5) Where four or more simultaneous elections are held, the number of ballot boxes to be placed in polling stations other than those pursuant to paragraphs (1) and (2), procedures and methods for the voting and ballot counting, ballot-counting procedures under paragraph (2), and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 7850, Mar. 2, 2006; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011>*

Article 217 (Special Cases on Preparation of Voting Record, Ballot Counting Record, etc.)

In the simultaneous elections, one voting record and one ballot counting record may be prepared, without distinguishing elections. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 218 (Establishment and Operation of Overseas Election Commission)

(1) Whenever a presidential election and an election of members of the National Assembly according to the termination of the term of membership are held, the National Election Commission shall establish and operate an overseas election commission for the fair administration of an overseas election in every mission under Article 2 of the Act on the Establishment of Overseas Diplomatic and Consular Missions of the Republic of Korea (including a branch mission or a branch office under Article 3 of the same Act, and excluding a mission not conducting consular affairs or without its consular jurisdiction and a mission where an office of the mission is not established in the consular jurisdiction; hereafter referred to as a "mission" in this Chapter) from 180 days before the election day to 30 days after the election day: Provided, That in cases of an election and a reelection due to a vacancy of the President, the National

Election Commission shall establish and operate overseas election commissions within ten days from the date when a reason for holding the election has been decided. *<Amended by Act No. 10981, Jul. 28, 2011>*

(2) An overseas election commission shall be comprised of not more than two members appointed by the National Election Commission and members commissioned by the National Election Commission, such as one person each recommended by each party which has organized a negotiation body in the National Assembly, the head of a mission or one person recommended by the head of a mission from among officials of the mission, and a quorum of members shall be an odd number: Provided, That the number of incumbent members shall be deemed the quorum of members if the number of political parties that have organized a negotiation body in the National Assembly after the overseas election commission is organized. *<Amended by Act No. 11207, Jan. 17, 2012>*

(3) None of the following persons shall be a member of an overseas election commission: *<Amended by Act No. 10981, Jul. 28, 2011>*

1. A person who has no right to vote a member of the National Assembly;
2. A person who is a member of a political party;
3. An overseas returning officer.

(4) An overseas election commission shall have one chairperson and one vice chairperson who are elected by the commission from among its members: Provided, That the head of a mission or an official of the mission recommended by him/her shall not be the chairperson.

(5) An overseas election commission may, when necessary for administration of an overseas election, request the head of the relevant mission to cooperate, and the head of the mission requested so shall comply with such request preferentially.

(6) The chairperson of an overseas election commission may commission a secretary, a clerk, and personnel to be engaged in election affairs from among the personnel belonging to the relevant mission in consultation with the head of the relevant mission.

(7) The head of a mission shall act for the chairperson of an overseas election commission for calling the first conference of a newly organized overseas election commission.

(8) A district under the jurisdiction of an overseas election commission shall be a consular jurisdiction (where the head of a mission concurrently holds the positions of the head of other embassy, including the consular jurisdiction of the other embassy), and the name thereof shall be denominated with the name of the relevant mission, and an abbreviated name may be used. *<Amended by Act No. 10981, Jul. 28, 2011>*

(9) During the period where an overseas election commission is operated or within six months after the operation period of an overseas election commission expires, the National Election Commission shall not, if the period for establishment and operation of an overseas election commission for another election begins, establish an overseas election commission for another election, notwithstanding paragraph (1), and shall consider the overseas election commission being operated as the overseas election commission for another election. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

(10) The proviso to Article 4 (3), (7) through (11), the main sentence of Article 4 (12), Articles 5 (3) and (5) and 7, subparagraphs 1 through 4 of Article 9, Articles 10, 11 (1) and (3), 12 (1) and (3), 13 and 14-2 of the Election Commission Act shall apply mutatis mutandis to the establishment and operation of overseas election commissions. In such cases, a "related election commission", "subordinate election commission", "each class election commission" and "Gu/Si/Gun election commission" shall be deemed an "overseas election commission," respectively; the "beginning date of a period for election (excluding an entrusted election; hereinafter the same shall apply) or the public announcement date of a proposal for a national referendum", "beginning date of a period for election or the public announcement date of a proposal for a national referendum" and "basis date for preparation of the electoral register or the public announcement date of a proposal for a national referendum" shall be deemed the "date of establishment of an overseas polling station," respectively; the "relevant or Eup/Myeon/Dong election commission" shall be deemed the "relevant overseas election commission"; the "chairperson of a Gu/Si/Gun election commission" shall be deemed the "chairperson of an overseas election commission"; "each upper class election commission" shall be deemed the "National Election Commission", "standing member or the vice chairperson" shall be deemed the "vice chairperson"; the "chairperson, a standing member, and the vice chairperson" shall be deemed the "chairperson and vice chairperson"; the "time when the official counting is completed" shall be deemed the "deadline for an overseas poll." *<Amended by Act No. 10981, Jul. 28, 2011>*

Article 218-2 (Appointment of Overseas Returning Officer)

(1) In order to conduct affairs concerning an overseas election, each mission shall have an overseas returning officer. *<Amended by Act No. 10981, Jul. 28, 2011>*

(2) An overseas returning officer shall be the head of the relevant mission: Provided, That in cases of a mission with both the head of the mission and a consul general, the head of the relevant mission shall designate the consul general as an overseas returning officer. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

Article 218-3 (Duties of Overseas Election Commission and Overseas Returning Officer)

(1) An overseas election commission shall conduct the following affairs concerning an overseas election:

1. Decision and public announcement of a place of installation and a period of operation of an overseas polling station;
2. Administration of voting at an overseas polling station;
3. Commission of personnel for voting and selection of voting witnesses at an overseas polling station;
4. Supervision on affairs of election adminstration conducted by an overseas returning officer;
5. Affairs concerning prevention of and control over election crimes;
6. Other matters referred to an overseas election commission as they are deemed necessary by an overseas returning officer.

(2) An overseas returning officer shall conduct the following affairs: *<Amended by Act No. 13617, Dec. 24, 2015>*

1. Receipt of applications for the registration of overseas electors and applications for alteration of the registration thereof, and reports of overseas absentees, and the handling of such applications and reports;

2. Publicity and support of matters necessary for exercise of the suffrage of overseas Koreans;

3. Installations of an overseas polling station;

4. Overall administration of affairs of an overseas election (including affairs of overseas absentee voting; hereinafter the same shall apply), such as sending overseas votes home;

5. Support of operation of an overseas election commission.

Article 218-4 (Reporting of Overseas Absentees)

(1) Whenever a presidential election and an election of members of the National Assembly due to the termination of the term of membership are held, any elector (excluding a person who falls under Article 6 (1) 3 of the Resident Registration Act and a person who is registered and managed as a Korean national residing abroad under Article 19 (4) of the same Act) who intends to vote overseas because he/she falls under any of the following cases, as a person who is registered as a resident, shall make a report of an overseas absentee to the head of the competent Gu/Si/Gun from 150 days to 60 days before the election day (hereafter referred to as the "period for report of overseas absentees" in this Chapter) in writing, by e-mail or through the web site of the National Election Commission. In such cases, any person staying or living in a foreign country shall make a report via a mission: *<Amended by Act No. 11071, Nov. 7, 2011; Act No. 11485, Oct. 2, 2012; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

1. Any person who leaves Korea before the commencement date of the period for advance polling and is scheduled to return home after the election day;

2. Any person who will not return home until the election day because he/she stays or lives in a foreign country.

(2) Any person who intends to make a report of an overseas absentee pursuant to paragraph (1) shall write the following matters in the report: *<Amended by Act No. 12393, Feb. 13, 2014; Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

1. Name;

2. Resident registration number;

3. Address;

4. Domicile (to write in Roman capitals, specific methods shall be prescribed by the Regulations of the National Election Commission; hereafter the same shall apply in Article 218-5 (2) 4);

5. Passport number.

(3) A person who intends to file a report on an overseas absentee by e-mail pursuant to paragraph (1) shall transmit the report on the overseas absentee to the e-mail address publicly notified by the competent official in charge of overseas voting management or the head of the competent Gu/Si/Gun. In such cases, a person may file only his/her own report on an overseas absentee with his/her own e-mail address. *<Newly Inserted by Act No. 11485, Oct. 2, 2012>*

(4) An official in charge of overseas voting management or the head of a Gu/Si/Gun shall open a separate e-mail account and take other measures necessary to receive reports from overseas absentees by e-mail. *<Newly Inserted by Act No. 11485, Oct. 2, 2012>*

(5) Where the passport number is omitted from a report of an overseas absentee among the matters referred to in the subparagraphs of paragraph (2), an overseas returning officer or the head of a Gu/Si/Gun shall notify the elector to complement such report by the date of expiration of the period of reporting overseas absentees, and where the relevant elector who is notified to complement the report fails to complement the report, the overseas returning officer or the head of a Gu/Si/Gun shall not receive the report. *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

Article 218-5 (Application for Registration of Overseas Electors)

(1) An elector who has not been registered as a resident and has not been enrolled in the electoral register but intends to exercise his/her voting right in a foreign country shall file an application for the registration of an overseas elector with the National Election Commission by any of the following methods no later than 60 days (hereafter referred to as "period for filing an application for the registration of an overseas elector" in this Chapter) before the election day of the relevant election whenever presidential election and an election of members of the National Assembly due to the termination of the term of membership are held: *<Amended by Act No. Act No. 11485, Oct. 2, 2012; Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

1. Filing a written application with a diplomatic or consular mission in person. In such cases, a citizen of the Republic of Korea may file an application for the registration of an overseas elector on behalf of his/her family members (referring to his/her spouse and lineal ascendants and descendants of his/her own and his/her spouse);
2. Filing a written application in person with a diplomatic or consular mission's employee who travels around its jurisdiction. The latter part of subparagraph 1 shall apply to such cases mutatis mutandis;
3. Filing an application by mail or e-mail, or through the web site of the National Election Commission. In such cases, a person who stays or resides in a foreign country shall file a report through a mission.

(2) Any person who intends to file an application for the registration of an overseas elector (including an application for alteration of the registration thereof under paragraph (3); hereafter the same shall apply in this Chapter) shall indicate the following matters in the application: *<Amended by Act No. 11070, Sep. 30, 2011; Act No. 11485, Oct. 2, 2012; Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

1. Name;
2. Passport number, date of birth and gender;
3. Last domestic address (in cases of a person who does not have the last domestic address, the basic place of registration under the Act on the Registration, etc. of Family Relationship);
4. Domicile;
5. Matters prescribed by Regulations of the National Election Commission, such as the name of father or mother mentioned in a family relationship certificate under Article 15 (1) 1 of the Act on the

Registration, etc. of Family Relationships.

(3) Where an alteration is made to the matters mentioned of any elector enrolled in the overseas electoral register, he/she shall file an application for alteration of the registration of an overseas elector no later than 60 days before the election day of the relevant election according to a method falling under any of the subparagraphs of paragraph (1). *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

(4) An overseas returning officer shall publicly notify the documents required to identify the nationality of an overseas elector, such as a visa, a certificate of permanent residentship, a certificate of long stay or a certificate of foreign registration of his/her residing country, by January 31 every year. In such cases, for a country where two or more missions are located, the overseas returning officer of the embassy shall make the public notification en bloc. *<Newly inserted by Act No. 11070, Sep. 30, 2011; Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

(5) Article 218-4 (3) through (5) shall apply mutatis mutandis to an application for the registration of an overseas elector. In such cases, the term "report on an overseas absentee" shall be construed as "application for the registration of an overseas elector", the term "an official in charge of overseas voting management or the head of a Gu/Si/ Gun" as "official in charge of overseas voting management", and the term "report on an overseas absentee" as "application for the registration of an overseas elector or application for alteration of the registration of an overseas elector", the term "date of expiration of the period of reporting an overseas absentee" as "period for filing an application for the registration of an overseas elector", and the term "passport number" as "passport number and the name of father or mother mentioned in a family relationship certificate under Article 15 (1) 1 of the Act on the Registration, etc. of Family Relationships." *<Newly Inserted by Act No. 11485, Oct. 2, 2012; Act No. 13617, Dec. 24, 2015>*

Article 218-6 (Preparation, etc. of Register of Reported Absentees to Mission)

(1) Where an overseas returning officer receives a report of an overseas absentee or an application for registration of an overseas elector (including an application for alteration of the registration thereof; hereafter the same shall apply in this Chapter), he/she shall ascertain whether matters entered are appropriate, and whether a report or an application is proper; and prepare a register of reported absentees to a mission for a person falling under any subparagraph of Article 218-4 (1) and a register of applicants for registration of overseas electors for a person falling under Article 218-5 (1) and (3), respectively (including the computerized information and data; hereafter the same apply in this Chapter). *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) If necessary for ascertainment under paragraph (1), an overseas returning officer may use the computerized information and data on the resident registration under Article 30 of the Resident Registration Act or the computerized information and data on the registration under Article 11 of the Act on the Registration, etc. of Family Relationships, and other computerized information and data controlled by the State.

(3) When an overseas returning officer prepares a register of reported absentees to a mission and a register of applicants for registration of overseas electors, he/she prepare them correctly pursuant to the contents of

reports or applications.

Article 218-7 (Sending of Register, etc. of Reported Absentees to Mission)

(1) Where an overseas returning officer has prepared a register of reported absentees to a mission and a register of applicants for registration of overseas electors, he/she shall classify them by Gu/Si/Gun immediately and send them together with a report of overseas absentees and applications for registration of overseas electors to the National Election Commission via the Minister of Foreign Affairs. *<Amended by Act No. 11690, Mar. 23, 2013>*

(2) Where the National Election Commission has received a register of reported absentees to a mission and a report of overseas absentees pursuant to paragraph (1), it shall send them to the head of the relevant Gu/Si/Gun.

(3) Sending of a register of reported absentees to a mission, a register of applicants for registration of overseas electors, a report of overseas absentees, and applications for registration of overseas electors under paragraphs (1) and (2) may be substituted by sending the computerized information and data through the computer system. In such cases, keeping of the original copy of the relevant document and other necessary measures shall be stipulated by Regulations of the National Election Commission. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

Article 218-8 (Preparation of Overseas Electoral Register)

(1) The National Election Commission shall prepare the overseas electoral register according to the overseas electoral register confirmed at the presidential election conducted immediately before the relevant election or the election of proportional representative members of the National Assembly due to the termination of the term of membership and applications for registration of overseas electors sent by overseas returning officers, for ten days from 49 days to 40 days before the election day, based on the last domestic address or the basic place of registration as of 60 days before the election day of the relevant election. In such cases, where a person is found to file at least two applications for registration of overseas electors, the overseas electoral register shall be prepared based on the last-accepted application for registration of overseas electors from among such two or more applications. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

(2) The National Election Commission shall ascertain whether electors enrolled in the overseas electoral register confirmed at the presidential election conducted immediately before the relevant election or the election of proportional representative members of the National Assembly due to the termination of the term of membership have the right to vote, and modify the overseas electoral register no later than 60 days before the election day of the relevant election. In such cases, the National Election Commission shall delete electors who fail to cast a vote in at least two consecutive overseas elections among the electors enrolled in the overseas electoral register from the overseas electoral register. *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

(3) No person who has applied for registration of an overseas elector by deception or no person who is not deemed to have applied for registration of an overseas elector according to his/her own free will shall be

enrolled in the overseas electoral register. *<Amended by Act No. 13617, Dec. 24, 2015>*

(4) The head of an agency controlling the following information shall take necessary measures so that the National Election Commission may refer to the relevant information through the computer system to the extent necessary for the National Election Commission to prepare the overseas electoral register and modify the overseas electoral register confirmed at the presidential election conducted immediately before the relevant election or the election of proportional representative members of the National Assembly due to the termination of the term of membership, from 150 days before the election day: *<Amended by Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014; Act No. 13617, Dec. 24, 2015>*

1. Information on resident registration under Article 30 of the Resident Registration Act;
2. Information on registration of family relationship under Article 11 of the Act on the Registration, etc. of Family Relationships;
3. Information on the persons declared incompetent under Article 18 (1) 1. In such cases, the Minister of Government Administration and Home Affairs shall make such information easily available by construction of database with the data notified by the head of a Gu/Si/Eup/Myeon controlling the relevant information;
4. Information on persons falling under Article 18 (1) 2 through 4.

(5) The National Election Commission may give necessary instructions to the relevant administrative agency in order to ensure whether any person who has applied for registration of an overseas elector is a legitimate applicant. *<Amended by Act No. 13617, Dec. 24, 2015>*

(6) The State shall take institutional and financial measures for accurate preparation of an overseas electoral register. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

Article 218-9 (Preparation of Register of Reported Overseas Absentees)

(1) The head of a Gu/Si/Gun shall prepare a register of reported overseas absentees according to a report of overseas absentees sent by the National Election Commission and a report of overseas absentees which the head of the relevant Gu/Si/Gun has received directly for ten days from 49 days to 40 days before the election day (hereafter referred to as "period for preparation of a register of reported overseas absentees" in this Chapter), based on the domestic address as of the expiration date of the reporting period for overseas absentees. In such cases, when one person is found to file two or more reports of overseas absentees, the register of reported overseas absentees shall be prepared based on the last-accepted report of overseas absentees from among such two or more reports. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 13497, Aug. 13, 2015>*

(2) Any person who has made a report of an overseas absentee deceitfully or any person who is not deemed that he/she has made a report of an overseas absentee according to his/her own free will shall not be enrolled in a register of reported overseas absentees.

(3) Article 39 shall apply mutatis mutandis to supervision, etc. on preparation of a register of reported overseas absentees. In such cases, an "electoral register" shall be deemed a "register of reported overseas absentees", and the "period for preparation of an electoral register" shall be deemed the "period for

preparation of a register of reported overseas absentees".

Article 218-10 (Perusal of Overseas Electoral Register, etc.)

(1) The National Election Commission and the head of a Gu/Si/Gun (hereinafter referred to as "person having the right to prepare the register" in this Chapter) shall offer the overseas electoral register, etc. to perusal for five days (hereinafter referred to as "period for perusal of the overseas electoral register, etc." in this Chapter) from the next day of the expiration date of the period for preparation of the overseas electoral register and the register of reported overseas absentees (hereinafter referred to as "overseas electoral register, etc.") at a place fixed: Provided, That the overseas electoral register shall be limited to perusal on the Internet homepage.

(2) Any elector may peruse the overseas electoral register, etc. freely in the period for perusal of the overseas electoral register, etc.

(3) The person having the right to prepare the register shall take technical measures so that any person who has made a report of an overseas absentee or a person who has applied for registration of an overseas elector may peruse the overseas electoral register, etc. limited to his/her own information on the Internet homepage established and being operated by the person having the right to prepare the register in the period for perusal of the overseas electoral register, etc.

(4) The Minister of Government Administration and Home Affairs shall take technical measures to allow an overseas elector or a person reporting his/her overseas absence (hereinafter referred to as "overseas elector, etc.") to check whether he/she is on the overseas electoral register on the Internet Web site opened and operated by the Minister of Security and Public Administration during the period for perusal of the overseas electoral register, etc., with the cooperation of a person having the right to prepare the register. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 11690, Mar. 23, 2013; Act No. 12844, Nov. 19, 2014>*

(5) An overseas returning officer shall allow an overseas elector, etc. to check whether he/she is on the overseas electoral register accessing the overseas electoral register sent by the National Election Commission during the period for perusal of the overseas electoral register, etc. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

(6) A copy of the overseas electoral register shall not be issued. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

Article 218-11 (Raising of Objection to and Appeal of Dissatisfaction with Overseas Electoral Register, etc.)

(1) When an elector finds that a legitimate elector is omitted or wrong contents are written or an unqualified person is enrolled in the overseas electoral register, etc. in the period for perusal of the overseas electoral register, etc., he/she may raise an objection to the person having the right to prepare the register verbally or in writing, and the relevant person having the right to prepare the register shall examine and decide by the next day of the date when such objection is raised.

(2) Any person raising an objection or any interested person who is dissatisfied with a decision of the head of a Gu/Si/Gun based on an objection under paragraph (1) may appeal dissatisfaction with the competent

Gu/ Si/Gun election commissions in writing by the next day of the date when he/she has received such notification.

(3) Where a legitimate elector is found to have been omitted in the overseas electoral register, etc. from among the persons who have applied for registration of overseas electors or made a report of overseas absentees by an error of the person having the right to prepare the register or by other reason from the next day of the expiration date of the period for raising an objection under paragraph (1) to the date prior to the date when the overseas electoral register, etc. are decided upon, the relevant elector may file an application for registration with the person having the right to prepare the register in writing with explanatory data attached thereto.

(4) If the relationship between a person who filed an application for the registration of an overseas elector by proxy and a person who filed an application for the registration of the overseas elector is not a family as defined in the latter part of Article 218-5 (1) 1, the elector may file an objection pursuant to paragraph (1). In such cases, the National Election Commission shall verify the family relationship with a certificate specified in any subparagraph of Article 15 (1) of the Act on the Registration, etc. of Family Relationships and issued by the competent authority and shall delete the person who files the application for the registration from the overseas electoral register, if it discovers that the person is not a family member as defined in the latter part of Article 218-5 (1) 1. *<Newly Inserted by Act No. 11485, Oct. 2, 2012>*

(5) A notice of the details of a decision upon an objection raised, an appeal of dissatisfaction or an application for registration in the overseas electoral register, etc. may be posted on the Internet homepage established and being operated by the person having the right to prepare the register, or transmission of an electronic mail may take the place thereof. *<Amended by Act No. Act No. 11485, Oct. 2, 2012>*

(6) When finding that the same person is on both the overseas electoral register and the register of reported overseas absentees by the day preceding the date when the electoral register becomes final, a person having the right to prepare the register shall have such person listed on the two registers on either the overseas electoral register or the register of reported overseas absentees, according to the last-accepted application for registration of overseas electors or to the last-accepted report of overseas absentees. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 11485, Oct. 2, 2012>*

Article 218-12 (Curtailment of Period, etc. in Election for Vacancy or Re-Election of President)

Where an election or a re-election due to a vacancy of the President is held, notwithstanding Articles 218-4 through 218-11, the period for filing an application for registration of overseas electors and the period of reporting of overseas absentees, etc. shall comply with the following. In such cases, the period for perusal of the overseas electoral register, etc. and for raising an objection shall not be set separately: *<Amended by Act No. 13617, Dec. 24, 2015>*

1. Period for filing an application for registration of overseas electors and period for report of overseas absentees: From the time when a reason of holding an election has been decided to 40 days before the election day;

2. Period for preparing the overseas electoral register, etc.: From 34 days to 30 days before the election day.

Article 218-13 (Decision and Sending of Overseas Electoral Register, etc.)

(1) The overseas electoral register, etc. shall be decided 30 days before the election day and the register of persons who have reported overseas absentees shall be effective to the relevant election only. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) The person having the right to prepare the register shall, if the overseas electoral register, etc. are decided, immediately send a copy of the register, etc. (including a copy of the computerized data) to the competent Gu/Si/Gun election commissions. In such cases, the head of a Gu/Si/Gun shall send a report of overseas absentees (where the computerized information and data is received pursuant to Article 218-7 (3), including a copy of such computerized information and data) along with the register, etc. *<Amended by Act No. 10981, Jul. 28, 2011>*

(3) The National Election Commission shall combine the overseas electoral register, etc. decided pursuant to paragraph (1) into one package, and send it to an overseas election commission; such procedures and methods and other necessary measures shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 13497, Aug. 13, 2015>*

(4) After an overseas elector, etc. casts a ballot, no person shall raise legal or administrative objection to whether the overseas elector, etc. has the right to vote for the relevant election, on the ground that he/she is not the national of the Republic of Korea. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

Article 218-14 (Special Cases concerning Methods of Overseas Election Campaign)

(1) An election campaign intended for overseas electors (referring to persons who are enrolled in the overseas electoral register, etc. or who are qualified to be enrolled therein; hereinafter the same shall apply) may be conducted by the following methods: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012>*

1. An election campaign under subparagraph 2 or 3 of Article 59;
2. A broadcasting advertisement under Article 70 which makes use of satellite broadcasting facilities (referring to broadcasting facilities in the Republic of Korea, which are managed and operated by a broadcasting business operator and are able to broadcast overseas under the Broadcasting Act; hereafter the same shall apply in this Chapter);
3. A broadcasting speech under Article 71 which makes use of satellite broadcasting facilities;
4. Deleted; *<by Act No. 11374, Feb. 29, 2012>*
5. An Internet advertisement under Article 82-7;
6. An election campaign by telephone (limited to direct conversations between a caller and a receiver) or by speech.

(2) The number of times of broadcasting advertisements under paragraph (1) 2 shall comply with the following:

1. Presidential election: Within ten times each by television and radio broadcasting facilities;

2. Election of members of proportional representation for the National Assembly: Within five times each by television and radio broadcasting facilities.

(3) The number of times of broadcasting speeches under paragraph (1) 3 shall comply with the following:

1. Presidential election: Within five times each by television and radio broadcasting facilities by a candidate and a speaker whom he/she has appointed respectively;

2. Election of members of proportional representation for the National Assembly: One time each by television and radio broadcasting facilities by two persons elected by the representative of a party, respectively by party.

(4) The National Election Commission shall, in order to advise overseas electors, etc. of the information on parties and candidates in a presidential election and an election of proportional representative National Assembly members due to the termination of the term of membership, prepare information and data on parties and candidates as prescribed by the Regulations of the National Election Commission and provide overseas electors, etc. with such information and data by the following methods: *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 11690, Mar. 23, 2013>*

1. Posting a notice on a notice board of a mission;

2. Posting a notice on Internet homepage of the National Election Commission, the Ministry of Foreign Affairs, and a mission;

3. Transmission of electronic mails (limited to overseas electors, etc. who want to receive electronic mails).

(5) A person who manages and operates broadcasting facilities may rebroadcast a face-to-face talk and a debate under Article 82-2 (1) and a debate on policies under Article 82-3 at his/her own expense.

(6) No full-time executives, employees and representatives of the following organizations may conduct an election campaign intended for overseas electors: *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

1. The Korea International Cooperation Agency established under the Korea International Cooperation Agency Act;

2. The Korea Foundation established under the Korea Foundation Act;

3. The Overseas Korea Foundation established under the Overseas Korea Foundation Act.

(7) No organization may conduct an election campaign intended for overseas electors in its name or in the name of its representative, notwithstanding Article 87 (1). *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

Article 218-15 (Special Cases on Expenses for Election Campaign)

Notwithstanding Article 119 (1), expenses spent overseas for an election campaign targeted to overseas electors shall not be deemed expenses for an election campaign.

Article 218-16 (Voting Methods of Overseas Election)

(1) In an overseas election, a ballot shall be cast by the method of marking on a ballot paper pursuant to the main sentence of Article 159. *<Amended by Act No. 13497, Aug. 13, 2015>*

(2) Overseas votes shall arrive at the competent Gu/Si/Gun election commissions by not later than 6 p.m. (referring to 8 p.m. for an election to fill up a presidential vacancy or re-election) on the election day. *<Amended by Act No. 10981, Jul. 28, 2011>*

(3) An overseas elector, etc. who returns home before the commencement date of the period of overseas voting prescribed in Article 218-17 (1) may cast his/her vote on the election day at the polling station designated by the relevant election commission, after filing a report with the Gu/Si/Gun election commission having jurisdiction over his/her address or last domestic address (in cases of a person who does not have the last domestic address, referring to the basic place of registration), accompanied with a document which proves the fact that he/she has returned home before the commencement date of the period of overseas voting. *<Amended by Act No. 13497, Aug. 13, 2015>*

(4) Detailed procedures for filing a report under paragraph (3) and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 13497, Aug. 13, 2015>*

Article 218-17 (Establishment and Operation of Overseas Polling Stations)

(1) An overseas election commission shall establish and operate an overseas polling station in a mission with a fixed period of not exceeding six days (hereinafter referred to as "period of overseas voting" in this Chapter) in the period from 14 days to nine days before the election day. In such cases, where an overseas polling station cannot be established in such mission for reasons of the narrowness, etc. of the mission, the overseas polling station may be established in the alternative facility of the mission. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) Notwithstanding paragraph (1), where any of the following reasons exists, the overseas election commission may establish and operate additional overseas polling stations in facilities, barracks, etc. with a fixed period during the period of overseas voting besides the mission or the alterative facility of the mission under paragraph (1): Provided, That in cases of an overseas polling station additionally established due to a reason under subparagraph 1, where the number of overseas Koreans exceeds 40,000, an overseas polling station may be additionally established and operated up to every 40,000 overseas Koreans thereafter; but the total number of additional overseas polling stations shall not exceed two polling stations: *<Amended by Act No. 13755, Jan. 15, 2016>*

1. Where the number of overseas Koreans in a district within the jurisdiction thereof is estimated to be at least 40,000;
2. Where there is a military unit of the Armed Forces of the Republic of Korea to which overseas electors, etc. belong in a district within the jurisdiction of the mission or an area adjacent to a district within the jurisdiction thereof.

(3) An oversea election commission shall publicly announce the name, location, period of operation, etc. of an overseas polling station no later than 20 days before the election day on Internet homepage, etc. *<Amended by Act No. 13617, Dec. 24, 2015>*

(4) An overseas election commission shall have clerks for vote in an overseas polling station from among persons who are fair and neutral, and the names of such clerks shall be publicly announced together, when the name of an overseas polling station is publicly announced.

(5) An overseas election commission shall designate one member, who is not a member recommended by a political party, as a responsible member to take charge of voting management in the relevant overseas voting polling station: Provided, That a member not designated as a responsible member may also participate voluntarily in voting management and may present his/her opinions on voting management to the responsible member. *<Amended by Act No. 11207, Jan. 17, 2012>*

(6) Notwithstanding paragraph (5), an overseas election commission may require a person in charge of an overseas polling station it designates to conduct the management of voting at an overseas polling station. *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

(7) An overseas election commission shall open at 8 a.m. and close at 5 p.m. everyday during the period of overseas voting, regardless of statutory holidays: Provided, That in cases of an overseas polling station under paragraph (2), the relevant overseas election commission may adjust voting hours in consideration of the number of expected voters, etc. *<Amended by Act No. 11070, Sep. 30, 2011; Act No. 13617, Dec. 24, 2015>*

(8) The establishment and operation of an overseas polling station, and the designation of an overseas election commission that establishes and operates an overseas polling station in a military unit of the Armed Forces of the Republic of Korea under paragraph (2), and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 13617, Dec. 24, 2015; Act No. 13755, Jan. 15, 2016>*

(9) Articles 163, 166, 166-2 and 167 (excluding the proviso to paragraph (2)) shall apply mutatis mutandis to overseas polling stations. In such cases, "Eup/Myeon/Dong election commissions and their upper class election commissions" shall be construed as the "National Election Commission and overseas election commissions", "polling places" shall be construed as "overseas polling stations", "official in charge of voting management" shall be construed as "responsible member of an overseas polling station or a person in charge of an overseas polling station" and "on the election day" shall be construed as "in an overseas polling station." *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

Article 218-18 (Preparation, etc. of Ballot Papers)

(1) The National Election Commission shall direct the responsible member of an overseas polling station or a person in charge of an overseas polling station (hereinafter referred to as "responsible member, etc.") to prepare and deliver ballot papers at the overseas polling station by using a ballot paper printer. In such cases, the latter part of Article 151 (6) shall apply mutatis mutandis to the serial numbers to be printed on the ballot papers. *<Amended by Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

(2) In order to prepare ballot papers, the National Election Commission shall send the ballot paper manuscript prepared under Article 151 (1) by no later than two days before the commencement date of the

period of overseas voting through a computer system. *<Amended by Act No. 13497, Aug. 13, 2015>*

(3) The National Election Commission shall take technical measurers necessary to prepare ballot papers and send the ballot paper manuscript. *<Amended by Act No. 13497, Aug. 13, 2015>*

(4) When a responsible member, etc. of an overseas polling station is unable to prepare and deliver ballot papers due to the malfunction of a ballot paper printer, he/she shall prepare and deliver ballot papers using the ballot paper manuscript sent by the National Election Commission through the computer system. In such cases, votes for members of the National Assembly shall be cast in the manner of writing, in person, the name of a candidate or the name or symbol of a political party on the ballot paper in Korean or Arabic numerals, notwithstanding Article 218-16 (1). *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

(5) The methods of preparing ballot papers, a voting guide to overseas electors, etc., and other necessary measures shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 13497, Aug. 13, 2015>*

Article 218-19 (Procedures for Voting of Overseas Election)

(1) An overseas elector, etc. shall receive a ballot paper after having his/her identity verified by presenting a certificate (referring to a certificate issued by a government office or public institution of the Republic of Korea with his/her photo that could verify his/her identification affixed, such as a passport, resident registration certificate, certificate of public official, or driver's licence; or a certificate issued by the government of the country in which he/she sojourns with his/her photo affixed and his/her name and date of birth stated, which could verify his/her identification; hereafter the same shall apply in this Article) and then imprinting his/her thumbmark or affixing his/her signature electronically: Provided, That an overseas elector shall receive a ballot paper after presenting the original set of the documents publicly notified by an overseas returning officer pursuant to Article 218-5 (4) to have his/her nationality and identity verified; but he/she shall also present an identification certificate if the document presented has no photo that could verify his/her identification. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) The responsible member, etc. of an overseas polling station shall print ballot papers with a ballot paper printer, affix his/her seal or signature (which shows his/her full Korean name) in the column "responsible member," and distribute them together with the envelopes for return, without removing serial numbers. *<Amended by Act No. 13617, Dec. 24, 2015>*

(3) An overseas elector, etc. in receipt of an envelope for return shall enter a balloting booth, select one candidate (or a political party, in cases of an election of a proportional representative National Assembly member), mark on the relevant column of the ballot paper, fold the ballot paper on the very spot so that it cannot be seen by any other person, put it in an envelope for return, seal the envelope, and then put the envelope in a ballot box.

(4) Matters for sealing of ballot paper printers, affixing seals thereto, and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 218-20 (Witnessing of Vote at Overseas Polling Stations)

(1) A responsible member, etc. at an overseas polling station shall arrange so that voting witnesses may witness the status of voting. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) In cases of a presidential election, a candidate (in cases of a candidate recommended by a party, referring to a party which recommended a candidate) and, in cases of an election of members of the National Assembly, a party subject to allotment of subsidies pursuant to Article 27 of the Political Funds Act may report two persons from among overseas electors, etc. as voting witnesses by overseas polling station to an overseas election commission by not later than 17 days before the election day.

(3) A voting witness reported pursuant to paragraph (2) may be changed at any time, and a report of change may be made at the overseas polling station in the period of overseas voting.

(4) Where voting witnesses are not selected pursuant to paragraph (2) or voting witnesses are only selected by one candidate or one party, an overseas election commission shall select two persons from among overseas electors, etc. as voting witnesses with their consent. In such cases, where the overseas election commission selects voting witnesses of the overseas polling station under Article 218-17 (2) 2, it shall select persons who are not military personnel first. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 13755, Jan. 15, 2016>*

(5) Voting witnesses selected pursuant to paragraph (4) shall not refuse to witness or resign from the post without any justifiable grounds.

(6) If it is necessary for smooth voting process, a responsible member, etc. of an overseas polling station shall make voting witnesses take turns to witness the voting. In such cases, a half of the number of the voting witnesses for each political party and candidate shall take turns to witness the voting. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

Article 218-21 (Returning of Overseas Votes)

(1) A responsible member, etc. at an overseas polling station shall open a ballot box in the presence of voting witnesses after the close of overseas voting everyday and compute the number of voters, and then pack and seal the overseas votes and hand them over to an overseas returning officer: Provided, That where it is inevitable for an overseas polling station established pursuant to Article 218-17 (2) not to transfer overseas votes every day for reasons, such as the distance from the mission, the overseas polling station may transfer overseas votes en bloc during the period of the operation of the relevant overseas polling station after the period of the operation thereof expires. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) An overseas returning officer shall send out the overseas votes under paragraph (1) to the Republic of Korea without delay after the period of overseas voting ends, and the Ministry of Foreign Affairs shall send the overseas votes out to the National Election Commission after confirming the closing or the sealing of the diplomatic pouch. In such cases, if the number of overseas votes is large, some of them may be sent first in the period of overseas voting. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 11690, Mar. 23, 2013>*

(3) The National Election Commission shall send out the overseas votes which it has taken over pursuant to paragraph (2) to the competent Gu/Si/Gun election commissions by registered mail.

(4) The transfer of overseas votes under the proviso to paragraph (1), methods of returning the overseas votes to the Republic of Korea under paragraph (2) and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

Article 218-22 (Preparation and Sending of Vote Register of Overseas Polling Station)

(1) A responsible member, etc. at an overseas polling station shall keep a vote register of an overseas polling station there and record the number of voters everyday, transfer of overseas votes to an overseas returning officer and other matters concerning the vote administration at an overseas polling station. *<Amended by Act No. 13617, Dec. 24, 2015>*

(2) When the vote at an overseas polling station is closed, a responsible member, etc. at an overseas polling station shall transfer ballot boxes, their keys, vote registers of an overseas polling station and all the other documents concerning the vote at an overseas poling place to an overseas returning officer. *<Amended by Act No. 13617, Dec. 24, 2015>*

(3) An overseas returning officer shall keep an overseas vote administration record and shall write matters concerning application for registration of overseas electors, receipt and handling of report of overseas absentees, installation and operation of an overseas polling station, and other administration of an overseas election and overseas absentee voting in the overseas vote administration record.

(4) When an overseas returning officer sends the overseas votes out to the National Election Commission pursuant to the former part of Article 218-21 (2), he/she shall send out a vote register of an overseas polling station together.

Article 218-23 (Receipt of Overseas Votes)

(1) Gu/Si/Gun election commissions shall provide themselves with ballot boxes of overseas absentees and ballot boxes of overseas electors (hereafter in this Article and Article 281-24 referred to as "overseas ballot boxes") respectively for input and custody of the overseas votes from ten days before the election day.

(2) The overseas votes received by Gu/Si/Gun election commissions shall be put in overseas ballot boxes under the participation of members recommended by parties.

Article 218-24 (Ballot Counting of Overseas Votes)

(1) Gu/Si/Gun election commissions shall count the votes of the overseas votes.

(2) Overseas ballot boxes may be moved to a ballot counting office after 6 p.m. (referring to 8 p.m. for an election to fill up a presidential vacancy or re-election) on the election day, and the votes may be counted separately in advance of ballot papers in other ballot boxes, in the presence of ballot counting witnesses. *<Amended by Act No. 10981, Jul. 28, 2011>*

(3) Notwithstanding paragraph (1), when the National Election Commission deems that the overseas votes cannot be arrived at Gu/Si/Gun election commissions by 6 p.m. on the election day due to natural disaster,

war, uprising, or other extenuating circumstance, the National Election Commission may allow the relevant overseas election commission to keep the overseas votes and then to count the ballots. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

(4) When an overseas election commission counts the ballots pursuant to paragraph (3), it shall count the ballots at a mission after 6 p.m. in the presence of voting witnesses, and shall report the result thereof to the National Election Commission; then the National Election Commission shall such result to the competent constituency election commission. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

(5) In cases of counting the ballots pursuant to paragraph (3), Article 218-20 (2) through (5) shall apply mutatis mutandis to the selection and report, etc. of voting witnesses. In such cases, "for each overseas polling station" shall be construed as "for each ballot counting office", "voting witnesses" shall be construed as "ballot-counting witnesses", "17 days before the election day" shall be construed as "3 days before the election day", and "at the overseas polling station in the period of overseas voting" shall be construed as "at the ballot-counting place in the period of ballot-counting." *<Newly Inserted by Act No. 10981, Jul. 28, 2011; Act No. 13617, Dec. 24, 2015>*

(6) Where an overseas election commission counts the overseas votes, keeping of the overseas votes, preceeding and procedures of ballot-counting, report and notification of ballot-counting result, and other necessary measures shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

Article 218-25 (Validity of Overseas Polling)

(1) Article 179 (excluding paragraphs (3) and (4) 7 and 10 of the same Article) shall apply mutatis mutandis to the effect of overseas polling. In this regard, "advance polling or abode polling" shall be construed as "overseas polling"; "election of the proportional representative National Assembly members and election of the proportional representative local council members" as "election of the proportional representative National Assembly members"; "the abode voter or shipboard voter" as "overseas elector, etc."; and "abode polling or shipboard polling" as "overseas polling", respectively. *<Amended by Act No. 13497, Aug. 13, 2015>*

(2) Where votes are cast in the manner prescribed in the latter part of Article 218-18 (4), any vote which contains all of a candidate's name and the name or symbol of a political party written in any letters other than Korean or Arabic numerals (if a vote is written in Korean or Arabic numerals together with other letters, it shall be deemed that the vote is written in Korean or Arabic numerals), or any overseas vote on which a candidate's name has been written (including a ballot paper on which the name of a party or its mark has been written together) in the election of proportional representative National Assembly members, shall be invalid: Provided, That none of the following overseas votes shall be taken to be invalid: *<Amended by Act No. 13497, Aug. 13, 2015>*

1. A vote on which the name of the same candidate or the name or symbol of the same political party has been written two or more times;

2. Where it is clear to which candidate or political party the vote has been cast, though the candidate's name or the name or symbol of a political party has been written wrongly in part.

(3) Where one person casts two or more ballots in the same election, the overseas vote cast by the person in the relevant election shall be invalid. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

(4) and (5) Deleted. *<by Act No. 13497, Aug. 13, 2015>*

Article 218-26 (Prescription, etc. of Public Prosecution for Criminal in Overseas Election)

(1) Notwithstanding the main sentence of Article 268 (1), the prescription of a public prosecution of a crime prescribed by this Act committed overseas shall expire when five years have passed after the relevant election date. *<Amended by Act No. 10981, Jul. 28, 2011>*

(2) The Seoul Central District Court shall have the jurisdiction over the first trial on a person who commits a crime overseas as provided for in this Act and the court's jurisdiction over the case of which cannot be specific under the Criminal Procedure Act. *<Newly Inserted by Act No. 10981, Jul. 28, 2011>*

Article 218-27 (Duty of Securing Fairness in Overseas Election)

(1) The National Election Commission and overseas returning officers shall endeavor to secure the participation of overseas electors in voting and fairness in overseas elections, such as application for registration of overseas electors, methods of overseas elections, publicity of other matters for exercise of the suffrage of overseas electors.

(2) The National Election Commission shall take necessary measures so that overseas electors may know names of parties which recommended candidates, names of candidates, marks, election pledge, etc. through telephone or internet.

(3) The National Election Commission shall conduct investigation and research on elections, political parties, political funds systems and the status of their operation, plans for development of political parties, etc. of foreign countries and make necessary efforts for improvement of the overseas election system and development of politics.

Article 218-28 (Support of Overseas Election Affairs, etc.)

(1) The National Election Commission, the Ministry of Justice, the National Police Agency, etc. shall support overseas election business which overseas election commissions or overseas returning officers conduct and, if necessary, may dispatch officials belonging to them to missions for prevention of illegal acts, collection of data, etc.

(2) Where an official belonging to the National Election Commission and dispatched to a mission pursuant to paragraph (1) executes investigation under Article 272-2 of this Act or Article 52 of the Political Fund Act, he/she shall be directed and supervised by the National Election Commission, notwithstanding other Acts and subordinate statutes: Provided, That when the official commences such investigation, he/she shall consult with the head of the mission on matters concerning investigation.

Article 218-29 (Handling of Overseas Election Affairs in cases of Natural Disaster, etc.)

(1) When the National Election Commission deems that it is unable to conduct overseas voting in the district under the jurisdiction of the relevant mission due to natural disaster, war, uprising, or other

extenuating circumstance, the National Election Commission may decide not to establish an overseas election commission under the relevant mission or decide to suspend the overseas election affairs of an overseas election commission established and operated and an overseas returning officer.

(2) No votes shall cast again after the period of overseas voting ends, even where the vote is not complete during the period of overseas voting according to the decision on the suspension of overseas election affairs pursuant to paragraph (1). In such cases, an overseas returning officer shall return the overseas votes already conducted to the Republic of Korea under Article 218-21 (2).

(3) When the National Election Commission deems that the overseas voting can be conducted within the period of overseas voting due to changed situation after the decision is made pursuant to paragraph (1), the National Election Commission shall, without delay, establish an overseas election commission or allow the relevant overseas election commission and overseas returning officer whose overseas election affairs were suspended to resume suspended overseas election affairs, and in such cases, the overseas election affairs for which the handling period is overdue shall be deemed to have been handled as provided for in this Act: Provided, That an overseas election commission shall, without delay, publish the name, location and operation period, etc. of an overseas polling station even where the period under Article 218-17 expires.

Article 218-30 (Restrictions, etc. on Issuance of Passport to Criminal in Overseas Election)

(1) Upon receipt of a request from the National Election Commission or a public prosecutor, the Minister of Foreign Affairs shall place restrictions on the issuance or re-issuance of a passport under the Passport Act (referring to “issuance of a passport”) to any of the following persons or order any of the following persons to return his/her passport (hereinafter referred to as “restrictions”): *<Amended by Act No. 11690, Mar. 23, 2013>*

1. A person in whose case there is a reasonable ground to believe that he/she committed a crime punishable by imprisonment for a long term of not less than three years under this Act but it is impossible to close investigations because the person has not respond to the summons of the National Election Commission for investigations or because his/her whereabouts are unknown;
2. A person in whose case prosecution for a crime punishable by imprisonment for a long period of not less than three years and committed by him/her in a foreign country has been suspended.

(2) The National Election Commission or a public prosecutor shall make a request for placing restrictions on the issuance of a passport pursuant to paragraph (1) by a document stating the reasons for the request, the period of restriction or the period of custody after a passport is returned (hereinafter referred to as “period of custody”).

(3) If it is deemed necessary to extend the period of restriction or the period of custody under paragraph (2), the National Election Commission or a public prosecutor may request the extension in writing by not later than 30 days before the end of the period of restriction or the period of custody.

(4) The period of restriction or the period of custody under paragraph (2) or (3) shall not exceed five years after the election day for the relevant election, but the National Election Commission or a public

prosecutor may request the Minister of Foreign Affairs to cancel restrictions on the issuance of a passport even during the period of restriction or the period of custody, if it is found that the ground for the request for restrictions has been extinguished. *<Amended by Act No. 11690, Mar. 23, 2013>*

(5) Upon receipt of a request under paragraph (3) or (4), the Minister of Foreign Affairs shall comply with the request, except in exceptional circumstances. *<Amended by Act No. 11690, Mar. 23, 2013>*

(6) Except as otherwise provided for in this Article with respect to restrictions on the issuance of a passport under paragraph (1), the Passport Act shall apply mutatis mutandis to the procedure for placing restrictions on the issuance of a passport, the invalidation and recovery of a passport when a person does not comply with an order to return it, and other relevant matters.

Article 218-31 (Prohibition of Entry of Foreigners)

(1) The Minister of Justice may prohibit a foreigner from entering the Republic of Korea, if he/she has a reasonable ground to believe that the foreigner committed an act prohibited by this Act: Provided, That the foregoing shall not apply to a foreigner who intends to enter the Republic of Korea in response to summons for investigations.

(2) The National Election Commission may notify the Minister of Justice of foreigners who are prohibited from entering the Republic of Korea under paragraph (1).

(3) The period of prohibition of entry under paragraph (1) shall end on the last day of the term of office of the person elected from the relevant election.

(4) The Immigration Control Act shall apply mutatis mutandis to the procedure for the prohibition of entry under paragraph (1).

Article 218-32 (Consular Investigation of Criminals in Overseas Election)

(1) Pursuant to Articles 200 and 221 of the Criminal Procedure Act, a consul may demand a suspect involved in a violation of this act or any person other than suspects to make an appearance in the overseas diplomatic or consular mission to hear statements from the suspect or person at the request of a court or a public prosecutor.

(2) In order for a court or a public prosecutor to request a consul to hear statements, the court or a public prosecutor shall make such request through the Ministry of Justice or the Ministry of Foreign Affairs. A judicial police officer may file an application with the competent public prosecutor for requesting a consul to hear statements. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) When a consul hears statements pursuant to paragraph (1), he/she may prepare the record of details of statements or receive a written statement from the person who makes statements and may record the proceedings with a video recording system: Provided, That if the person who makes statements is not a suspect, such video recording shall be subject to the person’s consent.

(4) Articles 48, 50, and 161-2 through 164 of the Criminal Procedure Act shall apply to the procedure and method applicable to where a consul hears statements at the request of a court.

(5) Articles 241, 242, and 243-2 through 245 of the Criminal Procedure Act shall apply to the procedure and method applicable to where a consul hears statements at the request of a public prosecutor.

(6) A consul shall forward the record prepared pursuant to paragraph (3) and written statements submitted by the person who made statements or video recordings to the competent court or public prosecutor immediately through the Ministry of Foreign Affairs or the Ministry of Justice. *<Amended by Act No. 11690, Mar. 23, 2013>*

Article 218-33 (Investigation of Criminals in Overseas Election by Internet-based Video Conferencing)

(1) A public prosecutor or judicial police officer may hear statements from a suspect involved in a violation of this Act or any person, other than suspects, who makes an appearance in an overseas diplomatic or consular mission pursuant to Article 200 or 221 of the Criminal Procedure Act by Internet-based video conferencing.

(2) When a public prosecutor or judicial police officer intends to hear statements pursuant to paragraph (1), he/she shall notify the head of the relevant overseas diplomatic or consular mission through the Ministry of Justice or the Ministry of Foreign Affairs of the case that he/she intends to investigate, and the competent consul shall participate in hearing statements. *<Amended by Act No. 11690, Mar. 23, 2013>*

(3) A public prosecutor or judicial police officer may prepare the record of statements while hearing statements pursuant to paragraph (1) and shall record the proceedings with a video recording system: Provided, That if the person who makes statements is not a suspect, such video recording shall be subject to the person's consent.

(4) A public prosecutor or judicial police officer shall forward the record that he/she has prepared to the relevant overseas diplomatic or consular mission, and the consul shall print out the record and hand over it to the person who has made statements for inspection.

(5) Articles 241, 242, and 243-2 through 245 of the Criminal Procedure Act shall apply mutatis mutandis to the procedure and method for hearing statements pursuant to paragraph (1).

(6) A consul shall forward the completed record to the public prosecutor or judicial police officer through the Ministry of Foreign Affairs or the Ministry of Justice. *<Amended by Act No. 11690, Mar. 23, 2013>*

(7) A record prepared pursuant to paragraphs (1) through (6) shall be deemed the same as a record prepared by a public prosecutor or judicial police officer within the Republic of Korea.

Article 218-34 (Provisions Applicable Mutatis Mutandis, etc.)

(1) Except matters prescribed in this Chapter concerning an overseas election, other provisions of this Act shall apply mutatis mutandis to an overseas election within the extent not contrary to its nature.

(2) When computing the period fixed by dates in this Chapter, the Korean standard time shall be followed.

(3) Articles 2 and 3 of the Act on the Direct Use of Revenue, etc. by Overseas Diplomatic and Consular Missions shall apply mutatis mutandis to the remainder of the budget for election management left over after a diplomatic or consular mission uses for expenses for an overseas election. In such cases, the "Minister of Foreign Affairs" shall be construed as the "Secretary General of the National Election Commission", the "head of an overseas diplomatic or consular mission of the Republic of Korea" or the "head of an oversea diplomatic or consular mission" as "official in charge of overseas voting management", and "revenue and expenses for the operation of an office" as "expenses for election

management". *<Newly Inserted by Act No. 11207, Jan. 17, 2012; Act No. 11690, Mar. 23, 2013>*

Article 218-35 (Enforcement Rules)

Matters necessary for holding an overseas absentee vote and an overseas election shall be prescribed by Regulations of the National Election Commission.

Article 219 (Petition on Election)

(1) In an election of local council members and the heads of local governments, any elector, political party (limited to the political party which has recommended a candidate; hereafter the same shall apply in this Article) or candidate may, when having an objection to the validity of the election, file a petition against the chairperson of the constituency election commission concerned with the City/Do election commission in cases of an election of City/Do council members of local constituency (excluding an election of Sejong Metropolitan Autonomous City council members of local constituency), autonomous Gu/Si/Gun council members and the heads of autonomous Gus/Sis/Guns; and with the National Election Commission in cases of an election of proportional representative City/Do council members, Sejong Metropolitan Autonomous City council members of local constituency, or the Mayors/Do Governors; within 14 days from the election day. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 13497, Aug. 13, 2015>*

(2) A political party or candidate may, when having an objection to the validity of the election of local council members or the heads of local governments, file a petition against the elected person if the petition is made based on a reason falling under Article 52 (1) through (3) or 192 (1) through (3), against the chairperson of the constituency election commission if the petition is made for the reason that the decision made under Article 190 or 191 is illegal, with the City/Do election commission in cases of an election of City/Do council members of local constituency (excluding an election of Sejong Metropolitan Autonomous City council members of local constituency), autonomous Gu/Si/Gun council members or the heads of autonomous Gus/Sis/Guns; and with the National Election Commission in cases of an election of the proportional representative City/Do council members, Sejong Metropolitan Autonomous City council members of local constituency, or the Mayors/Do Governors; within 14 days from the date the elected person is decided. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010: Act No. 10067, Mar.12, 2010; Act No. 13497, Aug. 13, 2015>*

(3) If the chairperson of the constituency election commission against whom a petition may be filed under paragraphs (1) and (2) is vacant, the petition shall be made against all members of the constituency election commission concerned.

(4) If the elected person against whom a petition may be filed under paragraph (2) resigns or dies, or whose election becomes invalidated under Article 192 (2), or whose election becomes nullified under paragraph (3) of the same Article, the petition shall be filed against the chairman of the constituency election commission concerned, and against all members of the constituency election commission concerned if the chairman of the constituency election commission is vacant.

(5) The petition under paragraphs (1) and (2) shall be filed in writing, and include the following matters together with a signature and seal. In such cases, the petition shall be accompanied by its duplicates

corresponding to the number of the parties concerned: *<Amended by Act No. 10981, Jul. 28, 2011>*

1. Name and address of the petitioner;
2. Name and address of the person against whom the petition is filed;
3. Purpose of and reason for the petition;
4. Contents of the disposition which is the object of the petition;
5. Name and address of the deputy or commission-selected representative, if any.

(6) The National Election Commission or City/Do election commission, upon receiving a petition under paragraph (5), shall immediately serve the person concerned with the duplicate of the petition.

(7) The person against whom a petition is filed, upon being served with the duplicate under paragraph (6), shall present his/her defense at a time designated by the National Election Commission or City/Do election commission. In such cases, the duplicates corresponding to the number of parties concerned shall be accompanied, and the National Election Commission or City/Do election commission, upon receiving the defense, shall serve the parties concerned with the duplicates thereof.

Article 220 (Decision on Petitions)

(1) The National Election Commission or City/Do election commission, upon receiving a petition under Article 219 (1) or (2), shall make a decision thereon within 60 days after receiving it.

(2) The decision under paragraph (1) shall be made in writing, specifying the following matters therein, and the members participating in the decision making shall register their names thereon and affix their signatures or seals thereto: *<Amended by Act No. 10981, Jul. 28, 2011>*

1. Number and title of the case;
2. Names and addresses of the parties concerned, participants and deputies;
3. Text;
4. Purpose of the petition;
5. Reason;
6. Date of decision.

(3) The National Election Commission or the City/Do election commission shall, without delay, serve a certified copy of the decision under paragraph (2) on the petitioner, petitionee and participant, and announce the decision summary thereof.

(4) The decision on a petition shall enter into force when it is served on the petitioner under paragraph (3).

Article 221 (Application Mutatis Mutandis of the Administrative Appeals Act)

(1) Except matters as prescribed by this Act in relation to election petitions, Articles 10 (in such cases, "chairperson" shall be deemed a "National Election Commission or City/Do Election Commission"), 15, 16 (2) through (4) (in such cases, "corporation" shall be deemed "political party"), 17 (2) through (6), 18, 19, 20, 21, 22, 29, 30 (1), 32, 33, 34, 35 (1) through (3), 36, 37, 38, 39, 40, 41, 42, 43 (1) and (2), 51, 55, 56, 57, and 61 of the Administrative Appeals Act shall apply mutatis mutandis to the election petition, and the Civil Procedure Act shall apply mutatis mutandis to the expenses for the election petition, but where the Administrative Appeals Act apply mutatis mutandis, the term "administrative appeals" means "election

petition"; the term "requester" means "petitioner"; the term "requestee" means "petitionee"; the term "request for administrative appeals or administrative appeals" means "petition"; the term "written request for administrative appeals" means "written petition"; the term "ruling" means "decision"; the term "ruling period" means "decision period"; the term "committee" means "National Election Commission or City/Do election commission"; the term "written ruling" means "written decision". *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 7681, Aug. 4, 2005; Act No. 8871, Feb. 29, 2008; Act No. 9968, Jan. 25, 2010>*

(2) Other matters necessary for the petition shall be prescribed by Regulations of the National Election Commission.

Article 222 (Election Lawsuits)

(1) In the presidential election and the election of National Assembly members, an elector, political party (limited to a political party which has recommended a candidate), or candidate that has an objection to the validity of the election may file a lawsuit with the Supreme Court against the chairperson of the relevant constituency election commission within 30 days from the election day.

(2) In an election of a local council member and head of a local government, a petitioner (including the elected person) who has an objection to the decision provided for in Article 220 on the validity of the election may file a lawsuit against the chairperson of the relevant constituency election commission when a decision is made on the dismissal or rejection of the relevant petition (including where a decision is not made within a period under Article 220 (1)), or against the chairperson of the election commission who makes a decision on acceptance, when a decision on acceptance is made, within ten days after the decision is received (the date on which the period expires, when a decision is not made within a period under Article 220 (1)), with the Supreme Court in cases of an election of the proportional representative City/Do council members and the Mayor/Do Governor, and with the appellate court having jurisdiction over the relevant election district in cases of an election of the local constituency City/Do council members, the autonomous Gu/Si/Gun council members and the heads of autonomous Gus/Sis/Guns. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 9974, Jan. 25, 2010>*

(3) If the position of a chairperson who may be a defendant under paragraphs (1) and (2) becomes vacant, all members of the relevant election commission shall be defendants. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 223 (Lawsuit against Election)

(1) In the presidential election and election of a National Assembly member, a political party (limited to the party which has recommended a candidate) or candidate that has an objection to the validity of election, may file a lawsuit with the Supreme Court against the elected person as defendant for a reason that he/she falls under Article 52 (1) and (3) or 192 (1) through (3), and against the chairperson of the National Election Commission or the Speaker of the National Assembly who has decided on the elected person, in cases of the presidential election, and the chairperson of the constituency election commission concerned, in cases of an election of a National Assembly member, for a reason that the decision made under Article 187 (1) and (2), 188 (1) through (4), 189 or 194 (4) is illegal, within 30 days after the elected

person is decided. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 10067, Mar.12, 2010>*

(2) In an election of a local council member and head of a local government, a petitioner or elected person who is the petitionee (including the elected person, where the chairperson of the constituency election commission is the petitionee under the latter part of Article 219 (2)), may institute a lawsuit against the elected person (referring to the chairperson of the competent constituency election commission, if it is based on the latter part of Article 219 (2)), when a decision is made on the dismissal or rejection of the relevant petition (including where a decision is not made within a period under Article 220 (1)), or against the chairperson of the election commission who makes a decision on acceptance, when a decision on acceptance is made, within ten days after the decision is received (the date on which the period expires, when a decision is not made within a period under Article 220 (1)), with the Supreme Court in cases of the election of the proportional representative City/Do council members and the Mayor/Do Governor, and with the appellate court having jurisdiction over the election district concerned in cases of an election of the local constituency City/Do council members, the autonomous Gu/Si/Gun council members or the heads of autonomous Gus/Sis/Guns, within ten days after the written decision is received, and if the decision is not made during the period under Article 220 (1), within ten days after the period expires. *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 9974, Jan. 25, 2010>*

(3) If the position of a chairperson who may be the defendant under paragraph (1) or (2) becomes vacant, the defendant shall be all members of the relevant election commission, and if the position of Speaker of the National Assembly becomes vacant, one of the Vice Speakers shall be defendant. *<Amended by Act No. 9974, Jan. 25, 2010>*

(4) If an elected person who may be a defendant under paragraphs (1) and (2) resigns or dies, or his/her election becomes invalidated under Article 192 (2), or his/her election becomes nullified under paragraph (3) of the same Article, the Minister of Justice shall be the defendant in cases of the presidential election, and the director of the competent high public prosecutor's office shall be the defendant in cases of an election of a National Assembly member, local council member, or head of a local government.

Article 224 (Ruling, etc. Invalidity of Election)

Even where there exists facts of violating the provisions concerning the election in an election litigation, the election management commission, the Supreme Court, or the appellate court, upon receiving a petition or complaint, shall decide or rule the whole or partial invalidation of the election, or the invalidation of the election win only when it is deemed to have had a substantial effect on the result of election.

Article 225 (Settlement of Lawsuit, etc.)

Any petition or lawsuit on an election shall be decided or judged promptly in preference to other litigations, and in a lawsuit, the court which has accepted it shall settle it within 180 days after it is filed.

Article 226 (Notification of Lawsuit, etc.)

(1) When a petition is raised, or is no more pending, or is decided, under the provisions this CHAPTER, the National Election Commission or City/Do election commission shall notify the local government, the

local council and the competent constituency election commission thereof.

(2) When a petition is raised, is no more pending, or a judgment on it becomes final, under the provisions in this CHAPTER, the Chief Justice of the Supreme Court or the president of the high court shall notify the fact thereof to the National Assembly, National Election Commission, and competent constituency election commission, in cases of the presidential election and election of a National Assembly member, and to the local government concerned, local council, and competent constituency election commission, in cases of an election of a local council member and head of a local government.

Article 227 (Application of the Administrative Litigation Act)

Except as prescribed by this Act, the provisions of Articles 8 (2) and 26 of the Administrative Litigation Act shall apply mutatis mutandis to the lawsuit against an election: Provided, That the provisions of Articles 145, 147 (2), 149, 150 (1), 220, 225, 226, 227, 228, 229, 230, 231, 232, 284 (1) 285, and 288 of the Civil Procedure Act, which are applicable mutatis mutandis under Article 8 (2) of the Administrative Litigation Act, shall be excluded. *<Amended by Act No. 6626, Jan. 26, 2002; Act No. 7681, Aug. 4, 2005>*

Article 228 (Examining Evidences)

(1) Any political party (limited to the party which has recommended a candidate) or candidate may file an application for preservation of the ballot boxes, ballot papers, voting record with the district court or its branch court having jurisdiction over the area, for the purpose of preserving the evidence when an election litigation is raised after the ballot counting is closed.

(2) The judge, in receipt of an application under paragraph (1), shall visit the spot to prepare a protocol and take a proper measure for preservation: Provided, That if it is required for the examination of the petition, the National Election Commission or City/Do election commission may verify things subject to the preservation of evidence under the witness of the judge concerned, upon a request by the person filing an application for the preservation of evidence.

(3) If no petition under Article 219 is raised, or no lawsuit under Articles 222 and 223 is filed, the disposition under paragraph (2) shall become invalidated.

(4) In a lawsuit on an election, the Supreme Court and the appellate court may commit the examination of evidence to another appellate court, district court, or its branch court.

Article 229 (Special Cases on Affixing or Attaching of Revenue Stamps)

Notwithstanding the provisions of the Act on the Stamps Attached for Civil Litigation, etc., the amount of revenue stamps that shall be attached to a document for a lawsuit concerning an election shall be ten times the amount prescribed by the aforesaid Act. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 11551, Dec. 18, 2012>*

Article 230 (Corrupt Practices and Inducement by Interest)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding 30 million won: *<Amended by Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 9466, Feb. 12, 2009; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014; Act No.*

12393, Feb. 13, 2014; Act No. 12583, May 14, 2014>

1. Any person who offers, manifests an intention to offer, or promises to offer money, goods, transportation, banquet, other property interest, or a public or private position, to any elector (including an elector who is eligible to enter the electoral register or overseas electoral register, etc. before the preparation of the electoral register or overseas electoral register, etc.; hereinafter the same shall apply in this Chapter), an election campaign manager, the chief of an election campaign liaison office, an election campaign worker, an accountant in charge, an election campaign speechmaker (including a speechmaker who gives a speech or interview under Article 79 (1) and (2), and the person who gives a speech or debates as provided for in Articles 81 (1), 82 (1) or 82-2 (1) and (2); hereinafter the same shall apply in this Chapter), a witness (referring to a voting witness, an advance polling witness, or a ballot-counting witness; hereinafter the same shall apply in this Chapter), a shipmaster, an observer of another political party or candidate (including a preliminary candidate), with intent to make another person cast his/her vote or not cast his/her vote, or making himself elected or making another person elected or not elected;

2. Any person who offers, manifests an intention to offer, or promises to offer any property interest such as money and goods to a school and other public institution, social group, religious group, labor organization, youth organization, women's organization, association for the aged, veterans association, or clan association, or other institutions, organizations or facilities, with the intention of utilizing them for an election campaign;

3. Any person who offers, manifests an intention to offer, or promises to offer money, goods, drink, food, or other economic interest to a picnic group, alumni meeting, social gathering, native folks society, fraternity group, or other meeting or event of electors, with the intention of utilizing them for an election campaign;

4. Any person who offers, manifests an intention to offer, or promises to offer money, goods, or other benefits in connection with the election campaign regardless of the pretext such as allowance and actual expenses, other compensation for volunteers, in contravention of Article 135 (3);

5. Any person who solicits another person to publish a text message, voice message, image, or video clip through a bulletin board or chatting room of the Internet homepage with intent to influence an election or to transmit an e-mail or text message, except as otherwise provided for in this Act, and gives, expresses his/her intention to give, or promises to give money, goods, or other benefit as a price therefor;

6. Any person who offers, manifests an intention to offer, or promises to offer money, goods, or other benefits in return for soliciting other persons to participate in voting pursuant to Article 58-2 by presenting the name of a political party or candidate (including a person who intends to be a candidate) or presenting any content that can be inferred about the name thereof;

7. Any person who receives, or accepts to receive, any benefit or job provided as referred to in any provision of subparagraphs 1 through 5 (excluding a person who falls under Article 261 (9) 2).

(2) Where a political party, a candidate (including a candidate who intends to be a candidate) or his/her family member, an election campaign manager, the chief of an election campaign liaison office, an election campaign worker, an accountant in charge, an election campaign speechmaker, or a company having a relation with a candidate or his/her family member as provided for in Article 114 (2) commits any violation provided for in the subparagraphs of paragraph (1), he/she shall be punished by imprisonment with prison labor for not more than seven years or by a fine not exceeding 50 million won. *<Amended by Act No. 12393, Feb. 13, 2014>*

(3) Any person who instructs, solicits, demands, or mediates any act provided for in any of the subparagraphs of paragraph (1) or (2) shall be punished by imprisonment with prison labor for not more than seven years or by a fine not exceeding 50 million won. *<Amended by Act No. 12393, Feb. 13, 2014>*

(4) Any person who carries money in a manner that it may be ready to be distributed to many electors during the election campaign period, such as packed gifts and enveloped money, with the intention of making himself elected, or making another person elected or not elected shall be punished by imprisonment with prison labor for not more than five years or by a fine of 30 million won. *<Amended by Act No. 12393, Feb. 13, 2014>*

(5) Where a member or employee of an election commission (including an official in charge of voting management or an official in charge of advance polling management; hereinafter the same shall apply in this Chapter) or a public official involved in election affairs (including a shipmaster) or a police officer (including a judicial police officer and a military judicial police officer) commits, or aids and abets a person to commit, an act specified in any subparagraph of paragraph (1) or paragraph (2), he/she shall be punished by imprisonment with prison labor for not more than seven years. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

(6) Any person who violates Article 47-2 (1) or (2) shall be punished by imprisonment with prison labor for not more than five years or by a fine of not less than five million won nor more than 30 million won. *<Newly Inserted by Act No. 8879, Feb. 29, 2008; Act No. 12393, Feb. 13, 2014>*

(7) Any of the following persons in connection with an intra-party competition shall be punished by imprisonment with prison labor for not more than three years or by a fine of not exceeding ten million won: *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 12393, Feb. 13, 2014>*

1. Any person who violates Article 57-5 (1) or (2);
2. Any person who offers, expresses his/her intention of offering or promises to offer money, goods, entertainment, property interest or public and private post to any competitor, any person involved in the competition campaign, any competition elector or any witness for the purpose of causing him/her to be elected as a candidate, having any person elected as a candidate or preventing any person from being elected as a candidate or causing any competition elector (referring to the person who is listed on the roll of electors for the intra-party competition) to vote for him/her or preventing any competition elector from voting for any other person;

3. Any person who accepts or expresses his/her intention to accept the offering of the interest and the post referred to in Article 57-5 (1) or (2).

(8) Any person who instructs, solicits, demands or mediates an act under paragraph (7) 2 or 3 or any person who violates Article 57-5 (3) shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding 30 million won. *<Newly Inserted by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 12393, Feb. 13, 2014>*

Article 231 (Corrupt Practices and Inducement by Interest for Economic Benefits)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than seven years or by a fine of not less than three million nor more than 50 million won: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

1. A person who commits acts falling under any subparagraph of Article 230 (1) against an elector, election campaign manager, chief of the election campaign liaison office, election campaign worker, accountant in charge, election campaign speechmaker or witness, on behalf of a political party or candidate (including a person who intends to be a candidate), gaining economic benefits, or with the intention of gaining economic benefits;

2. A person who provides money, goods, other economic benefits or the position of public affairs, expresses a will to provide such benefits, etc., or promises to provide such benefits, etc., in return for acts under paragraph (1) or with the purpose of making other persons commit such acts;

3. A person who is given profits or a position under subparagraph 2 or accept a will to provide benefits, etc., in return for acts falling under subparagraph 1, or by promising to commit such acts.

(2) Any person who instructs, solicits, demands, or mediates an act under paragraph (1) (excluding those who fall under Article 161 (1)) shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not less than five million nor more than 70 million won. *<Amended by Act No. 12393, Feb. 13, 2014>*

Article 232 (Corrupt Practices and Inducement by Interest toward Candidates)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than seven years or by a fine of not less than five million nor more than 50 million won: *<Amended by Act No. 12393, Feb. 13, 2014>*

1. A person who commits an act provided for in Article 230 (1) 1 against a person who intends to be a candidate or a candidate, or a person who receives such benefit or position or accepts a manifestation of an intention of such offer, with the intention of making another person not to be a candidate or making another person who is a candidate resign;

2. A person who commits any act provided for in Article 230 (1) 1 against a person who intends to be or was a candidate with the intention of gaining compensation for giving up being a candidate or resigning, or who receives such benefit or position or accepts a manifestation of an intention of such offer.

(2) Any person who instructs, solicits, demands, or mediates an act under any subparagraph of paragraph (1) shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not less

than five million nor more than 70 million won. *<Amended by Act No. 12393, Feb. 13, 2014>*

(3) If a member or employee of the election commission, or public official or police officer (including a judicial police officer and military judicial police officer) related to election affairs commits any act provided for in the subparagraphs of paragraph (1) or (2) shall be punished by imprisonment with prison labor for not more than ten years.

Article 233 (Corrupt Practices and Inducement by Interest toward Elected Persons)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not less than one year nor more than ten years: *<Amended by Act No. 6265, Feb. 16, 2000>*

1. A person who offers, manifests an intention to offer, or promises to offer money, goods, transportation, banquet, other property interest, or public or private office to an elected person with the intention of making him/her resign from his/her election;
2. A person who receives any benefit or position as provided for in subparagraph 1 or accepts a manifestation of an intention of offering such benefit.

(2) Any person who instructs, solicits, demands, or mediates any act as provided for in any subparagraph of paragraph (1) shall be punished by imprisonment with prison labor for not less than one year nor more than ten years.

Article 234 (Inducement for Invalidating Election)

Any person who induces or provokes a person provided for in Article 263 or 265 to commit any act provided for in Articles 230 (1) through (5), 231 through 233, 257 (1) or 258 (1), with the intention of invalidating the election of a candidate by making him/her fall into Article 263 or 265 shall be punished by imprisonment with prison labor for not less than one year nor more than ten years. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 235 (Corrupt Practices for Unlawful Use of Broadcasts or Newspapers)

(1) Any person who violates the provisions of Article 97 (1) and (3) shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding ten million won.

(2) Any person who violates the provision of Article 97 (2) shall be punished by imprisonment with prison labor for not more than seven years or by a fine not exceeding 20 million won.

Article 236 (Confiscation of Benefit from Corrupt Practices and Inducement by Interest)

Any benefits received by a person who has committed a crime provided in Articles 230 through 235 shall be confiscated: Provided, That if it is impossible to confiscate all or some of such benefit, the value thereof shall be collected.

Article 237 (Interference with Freedom of Election)

(1) Any of the following persons with respect to an election shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not less than five million won nor more than 30 million won: *<Amended by Act No. 9974, Jan. 25, 2010>*

1. A person who assaults, threatens, or lures, or unlawfully arrests or detains an elector, candidate, person who wishes to be a candidate, election campaign manager, chief of the election campaign liaison

office, election campaign worker, assistant, accountant in charge, election campaign speechmaker, or elected person, or seizes things to be used for the election campaign prescribed in this Act;

2. A person who interferes with a rally, election campaign speech, or traffic, or with the freedom of the election by a deceptive scheme or in a deceitful or unlawful way;

3. A person who compels another person who is under his/her protection, direction or supervision due to business, employment, or other relation, to support, recommend or oppose to a certain political party or candidate.

(2) A public prosecutor or police officer (including a judicial police officer), if committing, or making another person commit, any act provided for in the subparagraphs of paragraph (1), shall be punished by imprisonment with prison labor of not less than one year nor more than ten years and a suspension of qualification for not more than five years.

(3) Any person who throws any dangerous thing at the place for a speech and interview, or the place for an interview and debate meeting prescribed by this Act, or a person who assaults a candidate or speechmaker shall be punished as follows: *<Amended by Act No. 7189, Mar. 12, 2004>*

1. The mastermind shall be punished by imprisonment with prison labor for a limited term for not less than five years;

2. A person who directs another person or leads other persons shall be punished by imprisonment with prison labor of not less than three years;

3. Any person who acts in line with the opinions of other persons shall be punished by imprisonment with prison labor for not more than seven years.

(4) Where the crime provided for in paragraphs (1) through (3) is committed, the things carried to be used for the crime shall be confiscated.

(5) Any of the following persons in connection with the intra-party competition shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding ten million won: *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

1. A person who assaults, blackmails, seduces, arrests or detains any competition candidate (including any person who intends to become a competition candidate) or any person who is elected as a candidate;

2. A person who obstructs the competition campaign or traffic and impedes the freedom of the intra-party competition by means of deception, trick or illegality;

3. A person who coerces persons under his/her protection, command and supervision on the grounds of business, employment and other relationship to support, recommend or oppose any specific competition candidate.

(6) Any person who throws dangerous objects at any facility and any place in which many persons are waging their competition campaign in connection with the intra-party competition or assaults any competition candidate shall be punished according to the following classifications: *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

1. The mastermind shall be punished by imprisonment with prison labor for a limited term for not less than three years;

2. A person who commands other persons or acts taking the lead of other persons shall be punished by imprisonment with prison labor for not more than seven years;

3. A person who acts in line with the opinions of other persons shall be punished by imprisonment with prison labor for not more than two years.

Article 238 (Interference with Freedom of Election by Military Personnel)

If a military serviceman (including a civilian belonging to the military investigation agency) commits any act provided for in the subparagraphs of Article 237 (1), or interferes with or makes another person interfere with the exercise of a voting franchise of any military serviceman or civilian under his/her influence, by assault, threat, or another way, to make a certain candidate elected or not to be elected, he/she shall be punished by imprisonment with prison labor for not less than one year nor more than ten years and a suspension of qualification for not more than five years.

Article 239 (Interference with Freedom of Election by Abuse of Authority)

Where a member or employee of the election commission, public official engaged in the election affairs, person or police officer (including a judicial police officer and military judicial police officer) related to the preparation of the electoral register (including the overseas electoral register, etc.; hereafter the same shall apply in this Chapter) commits or makes another person commit any one of the following acts abusing his/her authority in connection with the election, shall be punished by imprisonment for not more than seven years: *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9466, Feb. 12, 2009>*

1. Where he/she interferes with or abandons his/her duties on, the perusal of the electoral register;

2. Where he/she shadows a candidate without justifiable grounds, or enter a candidate's house, election campaign office or election campaign liaison office without consent, or does not comply with a demand to leave.

Article 239-2 (Interference with Freedom of Election by Shipmaster, etc.)

(1) If a shipmaster or observer commits, or aids and abets a person to commit, any of the following acts, he/she shall be punished by imprisonment with prison labor for not less than one year nor more than ten years: *<Amended by Act No. 12267, Jan. 17, 2014>*

1. Interfering with voting by precluding a person from filing a shipboard polling report or casting a shipboard vote or refusing to affix his/her signature on a shipboard ballot paper;

2. Casting a shipboard vote with another person’s shipboard ballot paper;

3. Supporting or recommending a particular political party or candidate, forcing a shipboard voter to oppose a particular political party or candidate, or interfering with freedom of election by any other wrongful means;

4. Soliciting people in a shipboard polling place to vote for a particular political party or candidate or influencing voting otherwise.

(2) Any shipmaster who commits any of the following acts shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not less than five million won nor more than 30 million won: *<Amended by Act No. 12267, Jan. 17, 2014>*

1. Failing to notify a shipboard voter of the date, time, and place of shipboard voting in contravention of Article 158-3 (1);
2. Failing to install a shipboard polling place in contravention of Article 158-3 (1) or installing a shipboard polling place in contravention of Article 158-3 (2);
3. Barring an observer from attending the election in contravention of Article 158- 3 (3);
4. Failing to keep envelopes of shipboard votes and an envelope of shipboard ballot papers pursuant to Article 158-3 (7);
5. Failing to prepare and transmit the records of management of shipboard voting in contravention of Article 158-3 (8) or failing to submit envelopes of shipboard votes and an envelope of shipboard ballot papers pursuant to Article 158-3 (7).

Article 240 (Interference with Posters, other Propaganda Facilities, etc.)

(1) Any person who interferes with the preparation, posting, pasting or installation of any poster, placard, or other propaganda facilities as prescribed by this Act, or damages or removes it, without justifiable grounds, shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding four million won.

(2) A member or employee of an election commission, or a public official or police officer (including a judicial police officer and military judicial police officer) related to election affairs shall, if committing or making another person commit the acts provided in for paragraph (1), be punished by imprisonment with prison labor for not more than three years or by a fine of not exceeding six million won.

(3) A member or employee of an election commission, or a person who is engaged in the election affairs shall, if unlawfully preparing, pasting, sending campaign posters provided for in Article 64, election campaign bulletins (including open data on candidates under Article 65 (9)) provided for in Article 65 or voting guidance leaflets (including voting guidance leaflets in braille) provided for in Article 153, or failing to carry out the duties thereof without justifiable grounds, be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 12393, Feb. 13, 2014>*

Article 241 (Infringement on Secrecy of Voting)

(1) Any person who infringes on the secrecy of voting, or demands any elector to indicate the political party or candidate which the elector wishes to vote for or has voted for, before the voting is closed on the election day, or asks any question in order to anticipate the result of voting within 50 meters from the polling place, or publishes the details and result thereof before the voting is closed, in contravention of Article 167 (including cases where Article 218-17 (9) applies mutatis mutandis), shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won.

<Amended by Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012; Act No. 13617, Dec. 24, 2015>

(2) A member or employee of an election commission, public official related to election affairs, public prosecutor, police officer (including a judicial police officer), or military serviceman (including a civilian belonging to a military investigation agency) shall, if committing or making another person commit an act as provided for in paragraph (1), be punished by imprisonment with prison labor for not more than five years.

Article 242 (Interference with and Intervention in Voting or Ballot Counting)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than three years: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014>*

1. Any person who requires another person to deposit his/her identification card required for voting under this Act with a third party or takes over such identification card, who intervenes in the voting or ballot counting at a polling station (including an overseas polling station, an advance polling station, a shipboard polling place; hereafter the same shall apply in this Chapter) or ballot-counting place without a justifiable ground or who commits any act that may influence the voting or ballot counting, such as encouraging an elector to cast his/her vote for a specific political party or candidate or disclosing the vote at the polling station;
2. Any person who influences voting at residence, such as interfering with or obstructing the votes of persons voting at residence without any justifiable ground or disclosing the votes of persons voting at residence or making other persons disclose the votes.

(2) Any person who destroys or damages any communication facilities installed by a ballot-counting witness as provided for in Article 181 at a ballot-counting place shall be punished by imprisonment with prison labor for not more than five years.

(3) A public prosecutor, police officer (including a judicial police officer), or military serviceman (including a civilian belonging to a military investigation agency) shall, if committing or making another person commit an act as provided for in paragraph (1), be punished by imprisonment with prison labor for not less than one year nor more than ten years.

Article 242-2 (Public Officials' Crimes of Intervention in Administration of Overseas Election)

(1) A public official shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won, if he/she purposely exercises undue influence over a member of an overseas election commission or another public official favorably or unfavorably to a particular political party or candidate (including a person who intends to become a candidate) with respect to the administration of an overseas election.

(2) A person shall be punished by imprisonment with prison labor for not less than one year nor more than five years, if he/she commits an act specified in paragraph (1) to a public official under his/her control or supervision.

Article 243 (Crimes Concerning Ballot Boxes, etc.)

(1) Any person who opens a ballot box, or removes, destroys, damages, conceals, or seizes a ballot box (including an empty ballot box) or ballot papers contained therein, in contravention of the Acts and subordinate statutes, shall be punished by imprisonment with prison labor for not less than one year nor more than ten years.

(2) The public prosecutor, police officer (including a judicial police officer), or military serviceman (including a civilian belonging to a military investigation agency) shall, if committing or making another person commit an act provided for in paragraph (1), be punished by imprisonment with prison labor for not less than two years nor more than ten years.

Article 244 (Assault or Disturbance against Those Engaged in or Facilities Related to Election Affairs Management)

(1) Any person who assaults, threatens, or lures, or unlawfully arrests or detains a member or employee of the election commission, a member of a supervisory group of vote rigging, a member of a cyber supervisory group of vote rigging, a voting clerk, advance polling clerk, a ballot-counting clerk, a witness or any other person engaged in the election affairs, or disturbs the polling station, ballot-counting place, or the election commission office (including offices of a mission, its branch and local office conducting affairs of an overseas election; hereafter the same shall apply in Article 245 (1)), using violence or threats, or conceals, destroys, damages, or seizes the facilities, installations, equipments, documents, seals related with the election management and supervisory affairs, such as the ballot paper, ballot, balloting aid, computer system, or an electoral register (including electoral registers of reported abode voters and of reported shipboard voters), shall be punished by imprisonment with prison labor for not less than one year nor more than ten years or by a fine of not less than five million won nor more than 30 million won. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 9466, Feb. 12, 2009; Act No. 12267, Jan. 17, 2014>*

(2) Any person who commits the acts provided for in paragraph (1) in the intra-party competition that is commissioned pursuant to Article 57-4 shall be punished by imprisonment with prison labor for not more than ten years or by a fine not exceeding 20 million won. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

Article 245 (Carrying Weapons at Polling Station, etc.)

(1) Any person who enters a polling station (including a place in which a polling station under Article 149 (3) or (4) is established) or ballot-counting place or an election commission office carrying arms, weapon, explosive, or something else capable of killing or wounding a human being shall be punished by imprisonment with prison labor for not more than seven years. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014>*

(2) Any person who enters the place for a speech and interview, or the place for an interview and debate meeting as prescribed in this Act, carrying the things provided in paragraph (1), without justifiable grounds, shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won. *<Amended by Act No. 7189, Mar. 12, 2004>*

(3) Where a crime provided for in paragraph (1) or (2) is committed, any thing that may kill or wound a human being, such as a weapon, and which he/she carries with himself shall be confiscated.

Article 246 (Interference with Election by Many Persons)

(1) Many persons, if assembling to commit an act provided in Articles 243 through 245, shall be punished as follows:

1. The prime mover shall be punished by imprisonment with prison labor for not less than three years;
2. Any person who directs or leads other persons shall be punished by imprisonment with prison labor for not less than two years nor more than ten years;
3. Any person who blindly follows other persons shall be punished by imprisonment with prison labor for not more than five years.

(2) If a group of persons who assemble to commit an act provided for in Articles 243 through 245 fails to break up even when the public official concerned has ordered them to break up three or more times, their leader shall be punished by imprisonment with prison labor for not more than five years, and other persons by imprisonment with prison labor for not more than one year or by a fine not exceeding two million won.

Article 247 (Deceptive Entry and Sealing)

(1) Any person who aids and abets another person to be listed on the electoral register (including the electoral registers of reported abode voters and of reported shipboard voters; hereinafter the same shall apply in this Article) in a deceitful manner, who makes an abode polling report, a shipboard polling report, or an overseas absentee report, or files an application for the registration of an overseas elector or files an application for alteration of the registration thereof by deception, or who files a false report on the resident registration with the intention of casting the vote at a specific election district, from 180 days before the record date for the preparation of the electoral register to the day when the preparation of the electoral register is completed, or who affixes a false signature, seal or thumb mark in cases falling under Article 157 (1) shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding five million won. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014; Act No. 13617, Dec. 24, 2015>*

(2) A member or employee of an election commission, public official who is engaged in election affairs, or a person related to the preparation of an electoral register shall, if failing to list an elector in the electoral register on purpose, or entering or making another person enter a false fact, be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding ten million won.

Article 248 (Deceptive Voting)

(1) Any person who assumes a false name, uses an altered or forged identification card, casts, or makes another person cast, a vote or attempts to cast a vote in a deceptive way, shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding ten million won.

(2) A member or employee of an election commission, or public official related to election affairs (including a voting clerk, advance polling clerk, and ballot-counting clerk), if committing, or making another person commit, the act as provided for in paragraph (1), shall be punished by imprisonment with

prison labor for not more than seven years. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 249 (Forgery, or Increasing or Decreasing Votes)

(1) Any person who forges, or increases or decreases the number of votes, shall be punished by imprisonment with prison labor for not less than one year nor more than seven years.

(2) A member or employee of an election commission, public official (including a voting clerk, advance polling clerk and ballot-counting clerk) related to election affairs, or person who is engaged in such affairs, if committing an act provided in paragraph (1), shall be punished by imprisonment with prison labor for not less than three years nor more than ten years. *<Amended by Act No. 12267, Jan. 17, 2014>*

Article 250 (Publication of False Information)

(1) Any person who publishes, or makes another person publish false information (in cases of publishing academic background, including cases where it is not entered by means prescribed in Article 64 (1)) about the place of birth, family relations, social status, occupation, career, etc., property, behavior or organization to which he/she belongs of a candidate, his/her spouse, lineal ascendants or descendants, or siblings, or about whether the candidate receives support from a specific person or specific organization by means of a speech, broadcast, newspaper, wire service, magazine, poster, propaganda document or others, so as to be favorable to the candidate (including a person who intends to be a candidate; hereafter the same shall apply in this Article), with the intention of getting elected or getting another person elected, or persons who possess a propaganda document in which a false fact is entered with the intention of distributing it, shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding 30 million won. *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010; Act No. 13617, Dec. 24, 2015>*

(2) Any person who publishes, or makes another person publish, any false facts on a candidate, his/her spouse, lineal ascendants or descendants, or siblings, so as to be unfavorable to the candidate through a speech, broadcast, newspaper, communication, magazine, poster, propaganda document, or other means, with the intention of stopping the candidate from being elected, or persons who possess a propaganda document in which a false fact is entered with the intention of distributing it, shall be punished by imprisonment with prison labor for not more than seven years or by a fine of not less than five million won nor more than 30 million won. *<Amended by Act No. 5262, Jan. 13, 1997>*

(3) Any person who commits the acts provided for in paragraph (1) (excluding the failure to enter the academic background in a manner provided for in Article 64 (1)) in connection with the intra-party competition shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won and any person who commits the acts provided for in paragraph (2) shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding ten million won. In such cases, the "candidate" or the "candidate (including anyone who intends to become the candidate)" shall be deemed "the candidate for competition". *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

Article 251 (Slanders against Candidates)

Any person who slanders a candidate (including a person who intends to be a candidate), his/her spouse, lineal ascendants or descendants, siblings by pointing out any fact openly through a speech, broadcast, newspaper, communication, magazine, poster, propaganda document, or other means, with the intention of getting elected, or getting another person to be or not to be elected, shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding five million won: Provided, That where it is a true fact and concerns a public interest, he/she shall not be punished.

Article 252 (Unlawful Use of Broadcasts or Newspapers)

(1) Any person who violates Article 96 (2) shall be punished by imprisonment with prison labor for not more than seven years or by a fine of not less than five million won nor more than 30 million won. *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

(2) Any person who violates Article 96 (1) shall be punished by imprisonment with prison labor for not more than five years or by a fine of not less than three million won nor more than 20 million won. *<Newly Inserted by Act No. 13617, Dec. 24, 2015>*

(3) Any person who violates Article 82-7 (5), 94, 95 (1), 98, or 99 shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 11207, Jan. 17, 2012; Act No. 11374, Feb. 29, 2012; Act No. 13617, Dec. 24, 2015>*

(4) Any person who violates the provision of Article 71 (12) (including where it is applied mutatis mutandis in Articles 72 (4), 73 (4), 74 (2), 81 (8), 82 (4), and 137-2 (6)) and the latter part of Article 82-2 (13) (including where it is applied mutatis mutandis in Article 82-3 (2)), shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding four million won. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 13617, Dec. 24, 2015>*

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Article 253 (False Indication of Names, etc.)

Any person who communicates by means of mail, telegram, telephone, or other ways of telecommunication, with a name, denomination, or status contrary to the truth, with the intention of getting elected or getting another person to be or not to be elected, shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won.

Article 254 (Violation of Election Campaign Period)

(1) Any person who carries out an election campaign till the last minutes of the voting hour on election day shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won.

(2) Except as prescribed otherwise by this Act, any person who conducts an election campaign by using propaganda facilities or tools, various printed materials, broadcasting, newspapers, news communications, magazines, other publications, campaign meetings, symposiums, debates, native folks meetings, alumni meetings, neighbors' meetings, other meetings, information and communications, the establishment of an organization for the election campaign or private organization, door-to-door visit and other methods prior

to an election campaign period shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding four million won. *<Amended by Act No. 9974, Jan. 25, 2010>*

(3) Deleted. *<by Act No. 9974, Jan. 25, 2010>*

Article 255 (Unlawful Election Campaign)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won: *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9466, Feb. 12, 2009; Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

1. A person who conducts an election campaign in the intra-party competition, in contravention of Article 57-6 (1);
2. A person who carries out or makes another person carry out an election campaign, in contravention of Article 60 (1), or who becomes or makes another person become an election campaign manager, in contravention of paragraph (2) of the same Article or Article 205 (4);
3. A person who establishes an election campaign organization, or carries out an election campaign after establishing such organization, in contravention of Article 61 (1);
4. A person who appoints an election campaign manager, chief of an election campaign liaison office, election campaign worker or assistant, in contravention of Article 62 (1) through (4);
5. A person who conducts an election campaign by using a shoulder belt, hat, clothes, label, signalling flag, mascots, props or other marks, in contravention of Article 68 (2) or (3) (referring to the size of a shoulder belt);
6. A person who conducts an election campaign speech or debate, in contravention of Article 80;
7. A person who holds an election campaign interview or debate meeting by inviting a candidate, in contravention of Article 81 (1);
8. A person who holds an election campaign interview or debate meeting, in contravention of Article 81 (7) (including cases where applied mutatis mutandis in Article 82 (4));
9. A person who commits, or aids and abets another person to commit, an act in contravention of Article 85 (2) or (3);
10. A person who commits acts, in contravention of Article 86 (1) 1 through 3, (2) or (5), or a person who commits acts in contravention of paragraph (6) of the same Article;
11. A person who conducts or makes others conduct election campaigns in contravention of Article 87 (1), or who establishes or forms private organizations or other associations or causes others to do so, in contravention of paragraph (2) of the same Article;
12. A person who carries out an election campaign for another political party or candidate, in contravention of main sentence of Article 88;
13. A person who establishes or forms a similar organization, or uses existing institutions, associations, organizations, or facilities, in contravention of the main sentence of Article 89 (1);

14. Deleted; *<by Act No. 7189, Mar. 12, 2004>*

15. A person who distributes, performs, plays, shows or posts, or causes another person do, any literary work, entertainment, drama, cinema or photograph, in contravention of Article 92;

16. A person who commits an act of marching along the streets in a group, saluting, or shouting repeatedly, in contravention of Article 105 (1);

17. A person who makes a house-to-house canvass or causes another person to do so, in contravention of Article 106 (1) or (3);

18. A person who obtains or causes another person obtain any signature or seal impression, in contravention of Article 107;

19. A person who carries out or causes another person to carry out an election campaign using letters, telegrams, facsimile, telephone, or other method of a telecommunication, in contravention of Article 109 (1) or (2) of the same Article, or who threatens or causes another person to threaten, in contravention of paragraph (3) of the same Article;

20. A person who conducts an election campaign intended for overseas electors, in contravention of Article 218-14 (1), (6) or (7).

(2) Any of the following persons shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding four million won: *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010>*

1. A person who prepares campaign materials of a preliminary candidate, in contravention of the latter part of Article 60-3 (1) 4;

1-2. A person who is not a preliminary candidate of a presidential election or of the election of the head of local government, but publishes and distributes campaign promise collections of preliminary candidate under Article 60-4 (1), who publishes and distributes campaign promise collections of preliminary candidate of more than one kind in contravention of the same paragraph, who has not sold campaign promise collections of preliminary candidate by an ordinary method or has sold them by door-to-door sales method, or who has publishes and distributes campaign promise collections of preliminary candidate, in contravention of paragraph (2) of the same Article;

1-3. A person who prepares and uses, or makes another person prepare and use any campaign poster, any campaign bulletin or any written campaign promise for election campaign, in contravention of Articles 64 (1) and (9), 65 (1) and (2), and 66 (1) through (5);

2. Deleted; *<by Act No. 9974, Jan. 25, 2010>*

3. A person who wages the competition campaign, in contravention of Article 57-3 (1);

4. A person who carries out or makes another person carry out an election campaign using any loudspeaker system or motor vehicle, in contravention of Article 91 (1) and (3), or 216 (1);

5. A person who distributes, pastes, scatters, posts, plays, any writing, book, picture or causes another person to do so, in contravention of Article 93 (1), who makes or has another person make an advertisement or appearance, in contravention of paragraph (2) of the same Article, or who issues, distributes or demands any identification card, document or other printed materials, or makes another person do so, in contravention of paragraph (3);

6. A person who carries out or causes another person to carry out an election campaign using any recorder or video recorder, in contravention of Article 100;

7. Deleted; *<by Act No. 5127, Dec. 30, 1995>*

8. A person who makes an advertisement or makes requests for putting an advertisement in noncompliance with a requirement to suspend an advertisement referred to in Article 271-2 (1).

(3) Any of the following persons shall be punished by imprisonment with prison labor for not more than five years: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

1. A person who conducts a competition campaign, in contravention of Article 57-6 (2);

2. A person who conducts an election campaign, in contravention of Article 85 (2).

(4) Any person who transmits the election campaign information in contravention of Article 82-5 (1), who fails to specify facts relevant to the election campaign information in contravention of Article 82-5 (2) or makes a false representation in specifying such facts, who takes a technical measure in contravention of Article 82-5 (4), who charges expenses on a receiver in contravention of Article 82-5 (5), or who transmits the election campaign information in contravention of Article 82-5 (6) shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding one million won. *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 11207, Jan. 17, 2012>*

(5) Any person who violates Article 85 (1) shall be punished by imprisonment with prison labor for not more than ten years or by a fine of not less than ten million won nor more than 50 million won. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

Article 256 (Violation of Various Restrictive Provisions)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won. *<Newly Inserted by Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015; Act No. 13755, Jan. 15, 2016>*

1. A person who provides information about users, in violation of Article 57-8 (7) 3, provides safe numbers to a person other than the relevant political party, in violation of Article 57-8 (7) 4, provides safe numbers of persons who have explicitly expressed their intention of refusal, in violation of Article 57-8 (7) 5, or creates and provides safe numbers, in violation of Article 57-8 (7) 6;

2. A person who uses safe numbers for other purposes, in violation of Article 57-8 (9) 1, or provides safe numbers to other persons, in violation of 57-8 (9) 2;

3. A person who fails to immediately abolish safe numbers whose period of validity has expired, in violation of Article 57-8 (10);

4. Any person who holds a meeting in contravention of Article 103 (2);

5. Any person who conducts a public opinion poll in contravention of Article 108 (5), who submits false data after receiving a request under paragraph (9) of the aforesaid Act, who instructs, persuades, or induces a number of constituents to give false answers in contravention of Article 108 (11) 1, or who gives answers to a public opinion polling or instructs, persuades or inducing persons to give answers in contravention of Article 108 (11) 2.

(2) Any person who fails to comply with the notice given with regard to any of the following measures shall be punished by imprisonment with prison labor for not less than two years or by a fine not exceeding 15 million won: *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

1. A sanction imposed under Article 8-2 (5) or (6) (including cases to which either of the aforesaid paragraphs shall apply mutatis mutandis pursuant to Article 8-3 (6));

2. Publishing a written apology or a corrected report under Article 8-3 (3);

3. A decision to broadcast or report an counter-argument;

4. A measure under Article 8-6 (1) or (3) or a decision to report a counter-argument under Article 8-6 (6).

(3) Any of the following persons shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding four million won: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5127, Dec. 30, 1995; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9466, Feb. 12, 2009; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 11374, Feb. 29, 2012; Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014; Act No. 12583, May 14, 2014; Act No. 13497, Aug. 13, 2015; Act No. 13617, Dec. 24, 2015>*

1. Any of the following persons in connection with an election campaign:

(a) Any person who hangs a banner, in violation of Article 67;

(b) Any person who is not a candidate or a preliminary candidate but who transmits a text message by means of automatic broadcast communications in contravention of the proviso to subparagraph 2 of Article 59, a person who transmits text messages more than five times by means of automatic broadcast communications in contravention of the proviso to the aforementioned subparagraph of the aforementioned Article, or a person who is not a candidate or a preliminary candidate but who entrusts a transmitting agency with the transmission of e-mails;

(c) Any person who uses tape recorders or video cameras in excess of the number prescribed in Article 79 (10);

(d) Any person who professes to be supported or recommended by a specific political party, in violation of Article 84;

(e) Any person who does not comply with requests made by an election commission two or more times pursuant to Article 82-4 (4);

(f) Any person who commits acts violating Article 86 (1) 5 through 7 or (7);

(g) Any person who commits or makes another person commit an act or propaganda activity having any influence on the election, in violation of Article 89 (2);

(h) Any person who installs, displays, posts, or distributes any propaganda materials, or makes another person do so, or makes and sells any symbol, or makes another person do so, in contravention of Article 90;

(i) Any person who holds, or makes another person hold, other election campaign speech meeting, in violation of Article 101;

(j) Any person who gives a speech or has a talk or any person who holds a talk or debate session in violation of Article 102 (1);

(k) Any person who holds or makes another person hold various rallies, in violation of the provisions of Article 103 (3) through (5);

(l) Any person who disturbs the order, or uses or makes another person use torches at the place for a speech and interview, in violation of Article 104;

(m) Any person who publishes or cites and reports the course and outcomes of a public opinion poll in contravention of Article 108 (1), a person who conducts a public opinion poll, in violation of Article 108 (2), a person who fails to keep all data relating to a public opinion poll for six months after the election day of the relevant election in contravention of Article 108 (6), a person who fails to submit data relating to a public opinion poll without a justifiable reason, in contravention of Article 108 (9), or a person who conducts a public opinion poll, in contravention of Article 108 (10);

(n) Any person who has compared and appraised, who has published the result thereof, or who has failed to preserve all the data related with the comparison and appraisal until six months after the relevant election day, in contravention of Article 108-2;

(o) Any person who reports the parliamentary activities from 90 days before the election day to the election day, in violation of the proviso to Article 111 (1);

2. Any of the following persons in connection with the order of an election:

(a) A person who interferes with, or commits an act of having any influence on, the affairs of preparing the electoral register, in contravention of Article 39 (8) (including where the provisions are applicable mutatis mutandis in Article 218-9 (3));

(b) A person who inspects, uses, or leaks an electoral register, in contravention of Article 44-2 (5);

(c) A person who hands over or lends a copy of an electoral register, a copy of electoral registers of reported abode voters and of reported shipboard voters (including a photocopy of computerized data), or the roll of householders to another person or uses such copy or document or aids and abets another person to use such copy or document for property interest or any other profit, in violation of Article 46 (4) (including where the aforementioned paragraph shall apply mutatis mutandis pursuant to Article 60-3 (5) or 111 (4));

(d) A person who becomes a witness or aids and abets another person to become a witness, in contravention of Article 161 (7) (including where the aforementioned paragraph shall apply mutatis mutandis pursuant to Article 162 (4)) or 181 (11);

(e) A person who enters a polling place (including places where polling stations under Article 149 (3) and (4) are established), fails to wear a mark, puts on or attaches a sign other than a mark, or transfers or concedes a mark or makes another person transfer or concede a mark, in contravention of Article 163 (including where the aforesaid Article shall apply mutatis mutandis pursuant to Article 218-17 (9));

(f) A person who fails to comply with an order under Article 166 (including where the provisions are applicable mutatis mutandis in Article 218-17 (9)) or who wears a mark or makes another person wear a mark, in contravention of the same provisions;

(g) A person who photographs a polling place, in violation of Article 166-2 (1) (including cases applied mutatis mutandis in Article 218-17 (9));

(h) A person who enters a ballot-counting place in contravention of Article 183 (1), or who fails to post a mark, or wears or sticks any indicative object other than the mark, or hands over or concedes the mark to another person or makes another person do so, in contravention of paragraph (2) of the same Article;

3. A person who solicits others to participate in voting by using any method that is not prescribed in this Act, in violation of the proviso to Article 58-2;

4. A person who violates Article 262-2 (2).

(4) Where a political party (including the council of political party members) commits any of the following acts, the political party shall be punished by a fine not exceeding ten million won, and, if the representative, an executive officer or, a member of the relevant political party commits or makes another person commit such a violation, he/she shall be punished by imprisonment with prison labor for not more than two years or by a fine not exceeding four million won: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7850, Mar. 2, 2006; Act No. 8232, Jan. 3, 2007; Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

1. A person who makes any advertisement in a daily newspaper, etc., in contravention of Article 137;

2. A person who makes a broadcast speech on the platform and policy, in contravention of Article 137-2 (1) through (3);

3. A person who makes and distributes a brochure on the party platform and policy, in contravention of Article 138 (excluding paragraph (4));

3-2. A person who issues and distributes a policy promise collection, in contravention of Article 138-2 (excluding paragraph (3));

4. A person who publishes and distributes a party organ, in contravention of Article 139 (excluding paragraph (3));

5. A person who holds a rally for formation of a political party, in contravention of Article 140 (1) and (2);

6. A person who holds a rally of party members, in contravention of Article 141 (1) and (4) (excluding the case of failing to remove);

7. and 8. Deleted; *<by Act No. 7189, Mar. 12, 2004>*

9. A person who recruits party members or distributes the application forms for joining the political party, in contravention of Article 144 (1);

10. A person who establishes a political party's electoral office, in contravention of Article 61-2 (1), or who places the head or a salaried clerical staff, in contravention of paragraph (2) of the same Article.

(5) Any of the following persons shall be punished by imprisonment with prison labor for not more than one year or by a fine not exceeding two million won: *<Amended by Act No. 5127, Dec. 30, 1995; Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

1. A person who obtains or causes another person to obtain a recommendation of the elector by a recommendation letter with no seal of approval, or in excess of the maximum number of recommending electors for an election campaign, in violation of Article 48 (3);

2. A person who establishes an election campaign office or election campaign liaison office, in violation of Article 61 (5) (including cases applied mutatis mutandis in Article 61-2 (7));

2-2. A person who fails to comply with an order, even though he/she was ordered to close down an electoral office under Article 61 (7);

3. A person who appoints an election campaign manager, chief of the election campaign liaison office or election campaign worker, in contravention of Article 62 (7), or who recruits the person who is to carry out the election campaign, in violation of paragraph (8) of the same Article;

4. A person who appoints or causes another person to appoint the election campaign workers in excess of two occasions, in violation of the latter part of Article 63 (1);

5. A person who prints and supplies campaign posters, election campaign bulletins, or written campaign promises in excess of the fixed quantity in violation of Article 64 (8) (including where the aforementioned paragraph shall apply mutatis mutandis pursuant to Article 65 (12) or 66 (8));

6. A person who does not violate the provisions concerning a frequency under Article 69 (1), but runs an advertisement, in violation of Article 69 (5);

7. Deleted; *<by Act No. 9974, Jan. 25, 2010>*

8. A person who gives a speech or interview at an open place, in contravention of Article 79 (1), (3) through (5), (6) (excluding where no sign is attached) or (7);

9. A person who fails to report the fact that an interview and debate meeting is held, or to post or paste any sign, in violation of Article 81 (3) or (4);

10. A person who uses an audio or video recorder in violation of Article 102 (2);

10-2. A person who openly disparages or insults a specific region, people of such specific region or gender, in violation of Article 110 (2);

11. A person who violates Article 118;

12. A person who obstructs entry or fails to comply with the requests for submission of materials, or submits false data, in violation of Article 272-2 (3).

Article 257 (Violation of Prohibition and Restriction on Contribution Act)

(1) Any of the following persons shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding ten million won: *<Amended by Act No. 5149, Feb. 6, 1996; Act No. 5262, Jan. 13, 1997; Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

1. A person who violates Article 113, 114 (1) or 115;

2. A person who violates Article 81 (6) (including the case where applied mutatis mutandis in Article 82 (4)).

(2) Any person who instructs, solicits, mediates, demands, or receives any contribution (excluding any person falling under Article 261 (9) 1 or 6) to or from a political party (including a preparatory committee for formation of a new political party), the representative of a political party, the head of a political party's electoral office, a National Assembly member, a local council member, the head of a local government, a candidate (including a candidate who intends to be a candidate; hereafter the same shall apply in this Article), his/her spouse, the candidate's or his/her spouse's lineal ascendants, lineal descendants or siblings, spouse of the candidate's lineal descendants or siblings, election campaign manager, chief of the election campaign liaison office, election campaign worker, accountant in charge, election campaign speechmaker, interviewer or debater, company which is related to the candidate or his/her family, or its officer or employee, or third person (referring to a counterpart to the act provided for in Article 116), provided for in Article 81 (6), 82 (4), 113, 114 (1) or 115, shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding five million won. *<Amended by Act No. 5262, Jan. 13, 1997; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014>*

(3) Any person who violates Article 117 shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding five million won. *<Newly Inserted by Act No. 4949, May 10, 1995>*

(4) Any benefits received by a person who has committed an offence provided for in paragraphs (1) through (3) shall be confiscated: Provided, That where it is impossible to confiscate the whole or part thereof, its value shall be collected. *<Newly Inserted by Act No. 4949, May 10, 1995>*

Article 258 (Unlawful Disbursement, etc. of Election Expenses)

(1) Any person who falls under any of the following cases shall be punished by imprisonment with prison labor for not more than five years or by a fine not exceeding 20 million won: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

1. Where a political party, candidate, election campaign manager, chief of the election campaign liaison office, accountant in charge, or assistant in financial affairs disburses the election expenses in excess of 1/200 of the restricted amount of election expenses announced publicly under Article 122;

2. Deleted. *<by Act No. 7681, Aug. 4, 2005>*

(2) Deleted. *<by Act No. 7681, Aug. 4, 2005>*

Article 259 (Instigation of Election Offense)

Any person who instigates another person to commit the crime (excluding any crime related with the intra-party competition) provided for in Articles 230 through 235 and 237 by means of a speech, poster, newspaper, or any other means, shall be punished by imprisonment with prison labor for not more than three years or by a fine not exceeding six million won. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 260 (Joint Penal Provisions)

(1) If the representative or an agent, employee, servant, or executive member of a political party, a company, or any other corporation or organization (hereafter in this Article, referred to as "organization") commits an act in violation of any provision of Articles 230 (1) through (4) and (6) through (8), 231, 232 (1) and (2), 235, 237 (1) and (5), 240 (1), 241 (1), 244, 245 (2), 246 (2), 247 (1), 248 (1), 250 through 254, 255 (1), (2) (4), and (5), 256, 257 (1) through (3), 258 or 259, not only shall such an actor be punished accordingly, but the organization shall be punished by a fine under the corresponding Article: Provided, That the foregoing shall not apply where an organization has not neglected to exercise due care and supervision over relevant affairs in order to prevent such violation. *<Amended by Act No. 12393, Feb. 13, 2014>*

(2) The representative of an organization, etc., his/her agent, employee, other employed persons or a party member who is an executive of a political party, has committed acts violating any of the provisions of Article 233, 234, 237 (3) and (6), 242 (1) and (2), 243 (1), 245 (1), 246 (1), 249 (1) or 255 (3), with regard to the duties of such organization, etc., not only shall such an actor be punished accordingly, but the said organization shall be punished by a fine not exceeding 30 million won: Provided, That the same shall not apply to cases where organizations, etc. have not neglected to exercise due diligence and supervision over the relevant duties in order to prevent such violation.

Article 261 (Imposition, Collection, etc. of Fines for Negligence)

(1) Any person who demands a political party or a candidate (including a person who intends to become a candidate) to offer him/her money, goods, other property interest, or a public or private position, in return for conducting an activity specified in Article 231 (1) 1 shall be punished by fines for negligence not exceeding 50 million won. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(2) Any of the following persons shall be punished by a fine for negligence not exceeding 30 million won: *<Newly Inserted by Act No. 12393, Feb. 13, 2014; Act No. 13617, Dec. 24, 2015>*

1. A person who fails to comply with an order to make corrections or an order to publish a correction under Article 8-8 (9) even though he/she was notified of such order;

2. A person who fails to simultaneously publish or report matters specified by guidelines for conducting public opinion polling for elections, in violation of Article 108 (6);

3. A person who fails to register matters specified by guidelines for conducting public opinion polling for elections, in violation of Article 108 (7). In such cases, where the person fails to register such matters because a person who requested him/her to conduct such public opinion poll has not notified him/her of the scheduled date and time of the publication and reporting of the results thereof, it shall refer to the person who requested such public opinion poll;

4. A person who conducts a public opinion poll, or publishes or reports the results thereof, in violation of Article 108 (8).

(3) Any of the following persons shall be punished by fines for negligence not exceeding ten million won: *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014; Act No. 13497, Aug. 13, 2015>*

1. Any person who does not guarantee voting leave, in violation of Article 6-2 (2);

2. A person who fails to submit all or part of election campaign bulletins in braille in violation of the proviso to Article 65 (4);

3. Any person who fails to take technical measures, in violation of Article 82-6 (1);

4. Any person who fails to make a report to the relevant constituency election commission or conducts a public opinion poll, inconsistent with the report already made, in contravention of Article 108 (3) or who conducts a public opinion poll without supplementing defects, in violation of Article 108 (4).

(4) Any person who fails to comply with a request for cooperation without a justifiable reason, in contravention of Article 147 (3) (including where the aforesaid paragraph shall apply mutatis mutandis pursuant to Article 147 (4) or 173 (3)) shall be punished by a fine for negligence not exceeding five million won. *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

(5) Any person who fails to attend an interview or debate meeting, without any justifiable ground, in violation of the latter part of the main sentence of Article 82-2 (4), shall be punished by a fine for negligence not exceeding four million won. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(6) Any of the following persons shall be punished by fines for negligence not exceeding three million won: *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010; Act No. 11374, Feb. 29, 2012>*

1. A person who violates Articles 70 (3), 71 (10), 72 (3) (including where the aforementioned provisions shall apply mutatis mutandis pursuant to Article 74 (2)), 73 (1) (limited to contents provided by the election commission having jurisdiction over a constituency) or (2), 272-3 (3), or 275;

2. Any person who fails to comply with a demand for accompanying under Article 272-2 (4), who is a flagrant offender or a quasi flagrant offender under Article 211 of the Criminal Procedure Act;

3. Any person who fails to delete any information, such as characters, voices, pictures or videos, that does not carry the sign of the real name certification data, in violation of Article 82-6 (6);

4. Any person who fails to comply with a request made by an election commission in violation of Article 82-4 (4): Provided, That the foregoing shall not apply to a person who fails to comply with

requests made two or more times.

(7) Except as otherwise expressly provided for in this Act, any of the following persons shall be punished by a fine for negligence not exceeding two million won: *<Amended by Act No. 4947, Apr. 1, 1995; Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014>*

1. Any person who neglects the obligation of a report or submission as prescribed by this Act with respect to the election;

2. Any of the following persons:

(a) Any person who fails to specify the details of allocation in a report on the establishment of the election campaign office or election campaign liaison office, in violation of Article 205 (3);

(b) Any person who fails to specify the details of allocation in a report on the appointment of the election campaign manager, chief of an election campaign liaison office, and election campaign worker, in violation of Article 205 (3);

(c) Any person who fails to report in writing the details of allocation at the time he/she submits election campaign bulletins, in violation of the latter part of Article 207 (3);

(d) Deleted; *<by Act No. 9974, Jan. 25, 2010>*

(e) Any person who fails to specify the details of allocation in the advertisement contract, in violation of Article 69 (3) and the latter part of Article 82-7 (3);

(f) Deleted; *<by Act No. 9974, Jan. 25, 2010>*

(g) Any person who fails to comply with a request for cooperation without any justifiable ground, in violation of Article 146-2 (3), 147 (10) (including where the aforementioned provisions shall apply mutatis mutandis pursuant to Article 148 (4) or 174 (3));

(h) Any person who violates Article 149 (3) or (4);

3. Deleted; *<by Act No. 7681, Aug. 4, 2005>*

4. Any person who damages or spoils the ballot paper model posted under Article 152 (1);

5. Any person who commits a vicarious execution, which is minor, under Article 271 (1). In such cases, if a fine for negligence is not imposed, the complaint shall be filed against him/her to the competent criminal investigation agency, or request to investigate the matter;

6. Any person who fails to remove propaganda materials, etc., in violation of Article 276.

(8) Any of the following persons shall be punished by a fine for negligence not exceeding one million won: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 8232, Jan. 3, 2007; Act No. 8879, Feb. 29, 2008; Act No. 9466, Feb. 12, 2009; Act No. 9974, Jan. 25, 2010; Act No. 12267, Jan. 17, 2014; Act No. 12393, Feb. 13, 2014; Act No. 13497, Aug. 13, 2015>*

1. Any person who has been selected as a witness by an election commission or an overseas election commission under the proviso to Article 161 (3), Article 162 (3), 181 (3) or 218-20 (4) but refuses or neglects to serve as a witness without a justifiable ground;

2. Any of the following persons:

(a) Any person who installs or posts a sign, tablet, or placard at an election campaign office or election campaign liaison office or aids and abets another person to install or posts a sign, tablet, or placard at such an office, in violation of Article 61 (6);

(b) Any person who installs or posts a signboard, tablet or placard at a political party's electoral office, or causes another to do so, in violation of Article 61-2 (4);

(c) Any person who performs, or causes another person to perform, an election campaign without wearing the mark, in violation of Article 63 (2);

(d) Any person who makes a speech or has an interview without bearing marks on his/her motor vehicle, loudspeaker system, tape recorders and video cameras, in violation of Article 79 (6) or the latter part of Article 79 (10);

(e) Any person who operates, or causes another person to operate, a motor vehicle or ship without attaching the marks, in violation of Article 91 (4);

(f) Any person who has been commissioned as a voting clerk, advance polling clerk, or ballot-counting assistant under Article 147 (9), 148 (3), or 174 (2), but refuses, abandons, or neglects the performance of his/her duties, without a justifiable ground;

2-2. Any of the following persons:

(a) Any person who fails to submit the campaign promise collection of preliminary candidate, in contravention of Article 60-4 (3);

(b) Any person who fails to submit the written election promise, in violation of Article 66 (6);

3. Any person who posts the notification posters and marks, or fails to remove them without delay upon the completion of a briefing session of his/her parliamentary activities, in violation of Article 111 (2);

4. Any of the following persons:

(a) Any person who fails to submit a brochure on platform and policies, in violation of Article 138 (4);

(b) Any person who fails to submit a policy promise collection, in violation of Article 138-2 (3);

(c) Any person who fails to submit a party organ, in violation of Article 139 (3);

(d) Any person who fails to remove, without delay, the signs for public announcement of the rally for formation of a political party, in violation of Article 140 (4);

(e) Any person who holds a party members' rally at a place which is not one referred to in Article 141 (2), or who fails to remove, without delay, the signs announcing the party members' rally, in violation of paragraph (4) of the same Article;

(f) Deleted; *<by Act No. 7189, Mar. 12, 2004>*

(g) Any person who installs or posts propaganda materials, etc. at the headquarters of a political party or the office of a supporters' association, in violation of Article 145;

5. Any person who fails to submit the periodicals, etc. in violation of the provisions of Article 8-3 (4) without any justifiable reasons;

6. Any person who fails to comply with a request for attendance under Article 272-2 (4), without justifiable reasons.

(9) Any of the following persons (excluding a person who has been given or provided with money, food, or goods with a value exceeding one million won) shall be punished by a fine for negligence of not less than ten times but nor more than 50 times of the value of the money, food, or goods given or provided (two million won if the person is an officiant), which shall not exceed 30 million won: Provided, That where a person who falls under subparagraph 1 or 2 has returned the mony, food, or goods given or provided (referring to an amount of money equivalent to the value, if it is impossible to return what was given or provided) to the competent election commission and surrender him/herself to the police, the fine for negligence imposed upon him/her may be reduced or discharged, as prescribed by Regulations of the National Election Commission: *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 11207, Jan. 17, 2012; Act No. 11374, Feb. 29, 2012; Act No. 12393, Feb. 13, 2014; Act No. 12583, May 14, 2014>*

1. Any person who receives money, goods, food, a book, sight-seeing, or other transportation means in violation of Article 116;

2. Any person who is specified in Article 230 (1) 7 and receives money, goods, or other benefit from a person specified in Article 230 (1) 5;

3 through 5. Deleted; *<by Act No. 11374, Feb. 29, 2012>*

6. Any person to whom a person specified in Article 113 has provided his/her services as an officiant in violation of Article 116.

(10) Fines for negligence shall be imposed by the competent election commission (hereafter in this Article, referred to as "imposing authority") as prescribed by Regulations of the National Election Commission. In such cases, if a party (referring to a party under subparagraph 3 of Article 2 of the Act on the Regulation of Violations of Public Order; hereinafter the same shall apply in this Article) subject to the disposition of a fine for negligence under paragraphs (1) through (8) is a political party, a candidate (including a preliminary candidate; hereafter the same shall apply in this Article) or his/her family member, an election campaign manager, the chief of an election campaign liaison office, an election campaign worker, an accountant in charge, an election campaign speechmaker or assistant, the said fine for negligence shall be paid to the State or local government by deducting the amount from the deposit money of the relevant candidate under Article 57, and with regard to other persons and the person subject to the disposition of the fine for negligence under paragraph (9), the offender shall be made to pay it, and if it is not paid within the payment deadline, the collection thereof shall be entrusted to the chief of the competent tax office, and the said chief shall collect it in the same manner as default national taxes are collected, and transfer it to the State or local government. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

(11) Notwithstanding Article 5 of the Act on the Regulation of Violations of Public Order, the following provisions shall apply to the procedures for the collection, imposition, etc. of fines for negligence under

this Act: <*Amended by Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014*>

1. A party shall submit his/her opinions within three days from the date on which he/she receives an advance notice from the imposing authority, notwithstanding the provisons of the former part of Article 16 (1) of the Act on the Regulation of Violations of Public Order;

2. Notwithstanding Article 17 (3) of the Act on the Regulation of Violations of Public Order, Articles 15 through 20 of the National Tax Collection Act shall not apply mutatis mutandis to fines for negligence that shall be deducted from the deposit money of the relevant candidate under the latter part of paragraph (1) of this Article;

3. Any party that is dissatisfied with the disposition of a fine for negligence under the former part of paragraph (10) of this Article shall file an objection to the imposing authority within 20 days from the date on which he/she receives a notice of such disposition, but filing an objection in such cases shall not affect the effects of the disposition of the fine for negligence, the execution of the disposition, or the continuation of the procedure;

4. Notwithstanding Article 24 of the Act on the Regulation of Violations of Public Order, if a party fails to pay a fine for negligence, which has not been deducted from the deposit money of the relevant candidate under the latter part of paragraph (10) of this Article, by the deadline for payment, the imposing authority shall request the head of the competent tax office to collect the delinquent fine for negligence, together with an additional charge equivalent to 5/100 of the delinquent fine for negligence, and the head of the competent tax office shall collect the fine for negligence in the same manner as default national taxes are collected, and transfer the collected amount to the State or the competent local government;

5. Notwithstanding the main sentence of Article 21 (1) of the Act on the Regulation of Violations of Public Order, upon receipt of an objection under subparagraph 3 from the party upon whom a fine for negligence has been imposed under paragraph (10) of the Article, the imposing authority shall notify the competent court of the fact without delay.

Article 262 (Special Cases concerning Persons Who Voluntarily Surrender to Police)

(1) If any of the following persons voluntarily surrenders him/herself to the police, the punishment upon him/her shall be mitigated or discharged: <*Amended by Act No. 11207, Jan. 17, 2012*>

1. A person who receives, or consents to receive, money, goods, or other benefit (excluding a candidate, his/her family members, and a person who commits fraud in receiving, or consenting to receive, a benefit), from among persons who violate Article 230 (1) or (2), 231 (1), or 257 (2);

2. A person who gives, or promises to give, money, goods, or other interest in property or provides, or promises to provide, a public or private job according to another person's instruction in contravention of Article 230 (1) or (2) or 257 (1).

(2) Where those provided for in paragraph (1) report on their own offenses against the election to the election commission of each level (excluding Eup/Myeon/Dong election commissions) and the relevant commission notifies it to the related investigation agency, the time when such a report is made to the said

commission shall be deemed the time of voluntary surrender. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005>*

Article 262-2 (Protection of Reporters, etc. of Election Crimes)

(1) Where there exists a considerable reason for suffering damages or for having concerns over suffering them, with regard to the person who has offered a clue to examinations or investigations, such as the report, petition, accusation and charge, etc. concerning the election crimes [referring to the crimes specified in CHAPTER XVI Penal Provisions (including the irregularities subject to the fine for negligence of Article 261 (9)) and the crimes violating the National Referendum Act; hereinafter the same shall apply], conducted a statement or testimony and other acts of submitting the data, and made a tip-off for arresting criminals or roundup activities, Articles 5, 7, 9 through 12, and 16 of the Act on Protction of Specific Crime Informants, Etc. shall apply mutatis mutandis to the criminal procedures for such election crimes and the processes of investigations by a election commission. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

(2) No person shall be allowed to make the personnel matters, or the facts discernible of the person reporting election crimes, known or open or reported to other persons or the public, even though he/she has knowledge thereof.

Article 262-3 (Payment of Reward Money to Person Reporting Election Crimes)

(1) The election commissions of each level (excluding the Eup/Myeon/ Dong election commissions; hereafter in this Article, the same shall apply) may pay reward money to a person who has filed a report on an election crime before the election commission was aware of the crime. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8879, Feb. 29, 2008; Act No. 12111, Aug. 13, 2013>*

(2) The National Election Commission and each City/Do election commission shall establish and operate the reward examination committee in order to examine the eligibility for the payment of reward money under paragraph (1), as prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 12111, Aug. 13, 2013>*

(3) If any of the following events occurs after reward money is paid pursuant to paragraph (1), the competent election commission shall revoke the decision to pay the reward money: *<Amended by Act No. 12111, Aug. 13, 2013>*

1. If it is discovered that a report has been filed by collusion or any other fraudulent conduct;
2. If the suspected crime is disposed of non-prosecution;
3. If the judgment of acquittal becomes final and conclusive.

(4) When an election commission revokes a decision to pay reward money under paragraph (3), it shall notify the relevant reporter of the fact that it revokes the decision and that he/she is required to return the amount equivalent to the reward money, and the reporter shall pay the amount to the election commission within 30 days from the date on which he/she is notified thereof. *<Newly Inserted by Act No. 12111, Aug. 13, 2013>*

(5) If a reporter fails to return the reward money by the deadline for payment as he/she is notified under paragraph (4), the competent election commission shall entrust collection to the head of the tax office having jurisdiction over the reporter's domicile, and the head of the tax office shall collect it in the same manner as delinquent national taxes are collected. *<Newly Inserted by Act No. 8879, Feb. 29, 2008; Act No. 12111, Aug. 13, 2013>*

(6) The amount paid or collected pursuant to paragraph (4) or (5) shall belong to the State. *<Newly Inserted by Act No. 8879, Feb. 29, 2008; Act No. 12111, Aug. 13, 2013>*

(7) The criteria and procedure for the payment of reward money, the organization of the reward examination committee and the matters subject to deliberation by the committee, the grounds for claiming the return of reward money under paragraph (3) 2 or 3, the procedure for payment of an amount to be returned, and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 12111, Aug. 13, 2013>*

Article 263 (Invalidity of Election due to Excessive Disbursement of Election Expenses)

(1) When any election campaign manager or accountant in charge of the election campaign office is sentenced to imprisonment with prison labor or a fine exceeding three million won on account of an excessive disbursement of 1/200 or more of the restricted amount of election expenses publicly announced under Article 122, the election of the candidate concerned shall become invalidated: Provided, That where the disbursement is made with the intention of making the election of the candidate invalidated by inducement or provocation of another person, this shall not apply. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) When any accountant in charge of the election campaign office is sentenced to imprisonment with prison labor or a fine exceeding three million won on account of committing the crimes provided for in Article 49 (1) or (2) 6 of the Political Funds Act, the election of the candidate concerned (excluding the candidates for the President, the proportional representative National Assembly members and the proportional representative local council members) shall be invalidated. In such cases, the proviso to paragraph (1) shall apply mutatis mutandis. *<Newly Inserted by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

Article 264 (Invalidity of Election due to Election Crimes of Elected Persons)

If an elected person is sentenced to imprisonment with prison labor or a fine exceeding one million won on account of committing the crime provided for in this Act or the crime provided for in Article 49 of the Political Funds Act in the election concerned, his/her election shall become invalidated. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

Article 265 (Invalidity of Election due to Election Offense by Election Campaign Manager, etc.)

If an election campaign manager, accountant in charge of an election campaign office (including a person who has not been appointed nor reported as an accountant in charge of an election campaign office, and the amount paid by him/her in collusion with a candidate for election expenses of the latter is equivalent to 1/3 or more of the restricted amount of election expenses) or the candidate (including a person intending to

become a candidate), or lineal ascendant or descendant and spouse of the candidate, has committed a crime related to a contribution act from among Articles 230 through 234, or 257 (1), or a crime of illegal giving or receiving of the political funds provided for in Article 45 (1) of the Political Funds Act, and is sentenced to imprisonment with prison labor or a fine exceeding three million won (with regard to an election campaign manager and an accountant in charge of an election campaign office, including the case due to the acts before an appointment or report), the election of the candidate of the constituency (excluding the candidate for the presidency, the proportional representative National Assembly member and the proportional representative local council member) shall become invalidated: Provided, That where the crime is committed with the intention of making the election of the candidate invalidated by an inducement or provocation of another person, this shall not apply. *<Amended by Act No. 4949, May 10, 1995; Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 9974, Jan. 25, 2010>*

Article 265-2 (Return of Expenses by Persons, etc. whose Election is Invalidated)

(1) A person whose election is invalidated (including any person who resigns prior to the final and conclusive judgment after having been indicted) under Articles 263 through 265 and a person who is not elected, for whom a punishment equivalent to the invalidation of election is finalized due to crimes falling under Articles 263 through 265, which are committed by himself or the election campaign manager, etc. shall return the amount returned or preserved under the provisions of Articles 57 and 122-2. In such cases, when the election of a candidate recommended by a political party in the presidential election, and when the election of candidates in the elections for proportional representative National Assembly members and for the proportional representative local council members have been all invalidated, the political party recommending them shall return the said amount. *<Amended by Act No. 9974, Jan. 25, 2010>*

(2) When the grounds for return under paragraph (1) have occurred, the competent constituency election commission shall promptly notify the relevant political party or candidates of the amount to be returned, and the relevant political party or candidates shall pay them to the constituency election commission within 30 days from the date of receiving the said notification.

(3) When the said political party or candidates have failed to pay them by not later than the deadline for payment under paragraph (2), the competent constituency election commission shall entrust the collection to the head of tax office having jurisdiction over the address of relevant candidates (in cases of political parties, referring to the location of central party's office), and the head of competent tax office shall collect them by referring to the practices of dispositions on default of national taxes.

(4) The amount paid or collected under paragraph (2) or (3) shall revert to the State or local governments.

(5) Methods and procedures for a notification under paragraph (2), and other necessary matters shall be stipulated by Regulations of the National Election Commission.

Article 266 (Restriction on Attending to Public Affairs due to Election Offense)

(1) Notwithstanding the provisions of other Acts, the person who is sentenced to imprisonment with prison labor on account of committing the crimes (excluding any crime involving the intra-party competition) provided for in Articles 230 through 234, 237 through 255, 256 (1) through (3), 257 through 259

(excluding crimes related to the intra-party competition) and the crimes provided for in Article 49 of the Political Funds Act shall not be assigned or appointed to any of the following offices for ten years after the non-execution of the sentence becomes final, or the execution of the sentence is terminated or exempted; a person who is sentenced to a suspension of sentence execution, for ten years after the sentence becomes final; a person who is sentenced to a fine of not less than one million won, for five years after the sentence becomes final, and a person, who is already assigned or appointed to any of the following offices, shall resign from such office: *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 9402, Feb. 3, 2009; Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

1. An office falling under any subparagraph of Article 53 (1) (including the president of each association and full-time employees in cases under Article 53 (1) 5, and teachers, such as the president, dean, professor, associate professor, assistant professor or full-time instructor under Article 14 (1) and (2) of the Higher Education Act, in cases falling under Article 53 (1) 1);
2. An office falling under Article 60 (1) 6 through 8;
3. An officer or employee of the institution and organization falling under Article 3 (1) 12 or 13 of the Public Service Ethics Act;
4. A teacher under Article 53 or 53-2 of the Private School Act;
5. A member of the Korea Communications Standards Commission.

(2) None of the following persons shall be a candidate for a re-election (including a special election, for which reasons for holding an election have become definite, as an elected person has resigned before a final and conclusive judgment after his/her indictment), for which reasons for holding an election have become definite due to the invalidation of election: *<Amended by Act No. 9974, Jan. 25, 2010>*

1. Any person whose election is invalidated under Article 263 or 265 (including a person who has resigned before a final and conclusive judgment after his/her indictment);
2. Any person who is not elected (including a person who intends to be a candidate), for whom a punishment equivalent to the invalidation of election is finalized, due to crimes falling under Article 263 or 265, which are committed by the election campaign manager, etc.

(3) No National Assembly member, local council member or head of a local government, who has resigned his/her office during his/her term of office, so as to run for other elections for public officials (including elections for educational officials or superintendents of education), shall become a candidate for a special election, for which reasons for holding an election have become definite, due to his/her resignation. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

Article 267 (Notification on Indictment and Judgment)

(1) If an elected person, candidate, lineal ascendant or descendant, and spouse of a candidate, election campaign manager, accountant in charge of the election campaign office is indicted for a crime on an election, the fact thereof shall be notified to the constituency election commission concerned.

(2) The presiding judge who has rendered a final judgment on the crime under Articles 230 through 235, and 237 through 259 shall send a copy of such judgment to the constituency election commission

concerned.

Article 268 (Prescription of Public Prosecution)

(1) The prescription of public prosecution against the crime under this Act shall be completed at the lapse of six months (six months from the date on which the crime is committed, in cases of a crime committed after the election day) after the relevant election day: Provided, That if the criminal escapes or aids and abets an accomplice or witness required for proving the crime to escape, the period shall be three years. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 11374, Feb. 29, 2012>*

(2) Notwithstanding the main sentence of paragraph (1), the prescription of public prosecution against a crime committed in a ship in connection with shipboard voting shall be completed at the lapse of six months from the date on which the criminal enters into the Republic of Korea. *<Newly Inserted by Act No. 11374, Feb. 29, 2012>*

(3) Notwithstanding paragraph (1) and (2), the prescriptive period for the prosecution of a crime under this Act, which a public official (excluding persons who may engage in an election campaign under the proviso to Article 60 (1) 4) commits in connection with his/her duties or by taking advantage of his/her position, shall expire at the lapse of ten years after the relevant election day (or ten years from the date on which the relevant act is committed, in cases of a crime committed after an election day). *<Newly Inserted by Act No. 12393, Feb. 13, 2014>*

Article 269 (Jurisdiction of Trial)

The first trial on an election criminal and his/her accomplice shall be under the jurisdiction of the collegiate division of the district court or its branch court under Article 32 (1) of the Court Organization Act: Provided, That the first trial on an election criminal and his/her accomplice who are under jurisdiction of the military court shall be under the jurisdiction of the ordinary military court under Article 11 of the Military Court Act. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 270 (Mandatory Statute on Trial Period of Election Crime)

A trial for an election criminal and his/her accomplice shall proceed promptly in preference to other trials, and the sentence of the trial shall be made, without fail, within six months after the public prosecution is instituted, in the first instance, and within three months after the judgment on the previous trial is sentenced, in the second and the third instances. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 270-2 (Appearance in Court by Accused)

(1) When an accused has failed to appear in court in the trial on the election crimes on the trial date even though he/she received a lawful summon which is not through a service by public notice, the date shall be fixed again.

(2) When an accused has failed to appear in court on the date fixed again or the date of trial opened thereafter, the trial proceedings may progress without an appearance of the accused.

(3) Where the trial proceedings progress under the provisions of paragraph (2), the court shall hear the opinions of public prosecutors and lawyers present.

(4) When the court has pronounced its judgment pursuant to the provisions of paragraph (2), it shall notify the accused or lawyers (limited to cases where there exits a lawyer) of such a fact by telephone or other speedy means.

Article 271 (Measures and Vicarious Execution against Unlawful Facilities, etc.)

(1) The election commissions of each level, upon finding any poster, printed matter, placard or other propaganda materials (including materials posted at the building of a political party) related to the election, or similar organization, private organizations, or facilities which are contrary to the provisions of this Act, shall immediately order the suspension of posting or pasting, or withdrawal, removal, or closure, and if the order is not complied with, the commission may execute it vicariously. In such cases, the vicarious execution shall be made under the Administrative Vicarious Execution Act, but the procedure may be made under Regulations of the National Election Commission, notwithstanding Article 3 of the same Act. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7681, Aug. 4, 2005>*

(2) The election commission of each level may post a mark or make a public announcement on such unlawful facilities under paragraph (1), to the effect that they are unlawful, under Regulations of the National Election Commission.

(3) With respect to the deduction, payment, entrustment with collection of the expenses for the vicarious execution, which are borne by the deposit money under Article 56 (3), Article 261 (10) shall apply mutatis mutandis. *<Amended by Act No. 9947, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

Article 271-2 (Restrictions on Advertisement for Election)

(1) If an election commission deems the contents of an advertisement to be broadcast or to be inserted in newspapers, magazines or other publications to be contrary to this Act, it may require the persons who operate and manage the relevant broadcasting stations or daily newspaper companies, and the advertisers, to suspend such an advertisement.

(2) Any person who has received a requirement for suspension under paragraph (1), shall comply with such a requirement, and if he/she makes an advertisement in noncompliance with such a requirement, a competent election commission shall, without delay, request a criminal investigation or make a complaint against him/her to a competent investigation agency.

(3) The term "advertisement" as used in paragraph (1) means an advertisement (excluding an advertisement under other provisions of this Act) for or against the result of an election for a candidate (including those intending to be candidates), or favorable or unfavorable to a specific political party (including a preparatory committee for the formation of a political party).

Article 272 (Suspension of Mailing of Unlawful Propaganda Materials)

(1) If the election commission of each level (excluding the Eup/Myeon/ Dong election commission; hereafter the same shall apply in this Article) finds ex officio or at a request of a political party or candidate that any propaganda materials suspicious of a crime under this Act are mailed or that their mailing is attempted, it may request the head of the post office concerned to ban or suspend the mailing of such propaganda materials. *<Amended by Act No. 5537, Apr. 30, 1998; Act No. 6265, Feb. 16, 2000; Act No. 7681,*

Aug. 4, 2005>

(2) The head of a post office, upon receiving the request to ban or suspend the mailing of the relevant postal matters under paragraph (1), shall immediately suspend the mailing, and notify the sender thereof: Provided, That if the sender's address is not indicated, he/she shall announce the fact that the mailing is suspended, on the bulletin board of the sending post office.

(3) The election commission concerned, upon requesting the ban or suspension of the mailing under paragraph (1), shall immediately request an investigation or file a complaint with the criminal investigation agency, and request a seizure of the mail in question.

(4) In cases of paragraph (3), the criminal investigation agency shall notify the election commission and the head of a post office concerned of whether a warrant of seizure against the mail in question is issued, within the period under Article 200-4 of the Criminal Procedure Act, but if the head of the post office fails to have the warrant of seizure issued, he/she shall immediately release the suspension of mailing. *<Amended by Act No. 5412, Nov. 14, 1997; Act No. 7681, Aug. 4, 2005>*

(5) The election commission of each level may, upon finding the propaganda materials suspicious of crimes corresponding to those as prescribed by this Act are mailed, request the head of the related post office to present the personal particulars such as the name and address of the person relevant to the mailing of such propaganda materials, and the number of mailed ones, area for deliveries, and other data required for an investigation of election crimes. In such cases, the head of post office, in receipt of a request for data presentation, shall comply therewith. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002>*

(6) When the head of a post office suspends the mailing at the request of the election commission of each level, or when he/she has submitted the data such as personal particulars of the person relevant to the mailing of propaganda materials, the provisions of Articles 3, 50, 51, and 51-2 of the Postal Service Act, Article 19 of the Postal Money Order Act and Article 3 of the Protection of Communications Secrets Act shall not apply. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 11116, Dec. 2, 2011>*

(7) The election commission of each level may, if it is deemed there exist the illegal propaganda materials suspicious of crimes corresponding to those under this Act from among the postal matters handled by the postal service offices, request the head of the relevant post office to take measures pursuant to Article 28 of the Postal Service Act along with the measures as provided in paragraph (1). In such cases, the provisions of Article 48 of the Postal Service Act and Article 16 of the Protection of Communications Secrets Act shall not apply. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7681, Aug. 4, 2005; Act No. 1116, Dec. 2, 2011>*

Article 272-2 (Investigation, etc. of Election Crimes)

(1) Where it is deemed that a person is suspicious of election crime, or a petition for election crime made by the candidate (including the candidate for competition), preliminary candidate, election campaign manager, chief of an election campaign liaison office or election campaign worker is regarded based on

good evidence, or where the reports are made on crimes committed on the spot, as regards election crimes, the members or employees of election commissions of each level (excluding the Eup/Myeon/ Dong election commission; hereafter in this Article the same shall also apply) may enter the place, and inquire of or investigate relevant persons, or request them to submit relevant documents or other materials necessary for investigations. *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005>*

(2) The members or employees of election commissions of each level may, if it is deemed that there exist some concerns about the destruction of evidences which have been used for the election crimes at the spot, take away the evidences at the spot within the limit of necessity for investigations. In such cases, the members or employees of relevant election commission shall, where they file a complaint about or request an investigation into the related election crimes, send the evidential goods so taken away to the related investigation agency, and where they do not do so, they shall, without delay, return them to the person who owns, possesses or manages them. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

(3) No one may obstruct entry into the place under paragraph (1), and the person who is subject to any question or investigation or requested to submit materials under the same paragraph shall comply with it.

(4) The members or employees of election commissions of each level may, if deemed necessary for the inquiries or investigations on the interested parties in connection with the investigations of election crimes, request the accompanying to or appearance in the election commission: Provided, That a demand for accompanying to or appearance in court shall not made to the candidates during the election period. *<Newly Inserted by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

(5) The members or employees of election commissions of each level may, where any acts in contravention of this Act which are likely to damage significantly the freedom and fairness of election are being committed under their very nose, or where deemed that it is apparent to be committed, take on the spot the measures required for the suspension or prevention of such acts. *<Newly Inserted by Act No. 6663, Mar. 7, 2002>*

(6) Where members or employees of election commissions of each level enter the place, inquire, investigate, or make a request for the submission of materials in accordance with paragraph (1), they shall show credentials evidencing their positions to interested persons, tell their posts and names, and explain their objectives and grounds.

(7) When a member or employee of an election commission conducts an inquiry or investigation on a person subject to inquiry or investigation under paragraph (1), he/she shall notify the person, before conducting the inquiry or investigation, that the person has the right to refuse to make a statement and the right to have assistance from an attorney at law and shall enter the answer of the person thereto in the record of questions and answers. *<Newly Inserted by Act No. 12111, Aug. 13, 2013>*

(8) If a person subject to an inquiry or investigation desires to have assistance from an attorney at law, the member or employee of the competent election commission shall have an attorney (or a person who will be licensed as an attorney at law) attend the inquiry or investigation or make statements on behalf of the

person. *<Newly Inserted by Act No. 12111, Aug. 13, 2013>*

(9) The procedure and methods for production of evidence, collection of evidential materials, the size of credentials, and other necessary matters under paragraphs (1) through (8) shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 6663, Mar. 7, 2002; Act No. 12111, Aug. 13, 2013>*

Article 272-3 (Investigation of Communication-Related Election Crimes)

(1) When there exists a considerable reason for admitting that there exists a suspicion of acts violating this Act by utilizing the information communications networks, the staff of the election commission of each level (excluding the Eup/Myeon/Dong election commission; hereafter in this Article, the same shall apply) may demand the provider of information communications service to allow a perusal of the data on names (including codes to discern the users), residents registration numbers, addresses (including E-mail addresses, recorded data on the Internet log, and data enabling to verify the locations of information communications apparatuses having contacted the information communications networks), using period and using fees of the users of relevant information communications services, or a submission of them, after obtaining an approval of the chief presiding judge of the High Court having jurisdiction over the location of relevant election commission (referring to the district court in cases of Gu/Si/Gun election commission) or of the presiding judge equivalent thereto. *<Amended by Act No. 7681, Aug. 4, 2005>*

(2) When there exists a considerable reason for admitting that there exists a suspicion of acts violating this Act by utilizing the telephones, the staff of the election commission of each level may demand the provider of information communications service to allow a perusal of the data on names, resident registration numbers, addresses, using period and using fees, telephone numbers of the callers or receivers, installed places, and number of installed apparatuses, or a submission of them after obtaining an approval of the chief presiding judge of the High Court having jurisdiction over the location of relevant election commission (referring to the district court in cases of Gu/Si/Gun election commission) or of the presiding judge equivalent thereto.

(3) Notwithstanding paragraphs (1) and (2) or any other Act, a person who intends to inspect data specified in any of the following subparagraph or requests to provide such data does not need to obtain approval pursuant to paragraph (1) or (2): *<Newly Inserted by Act No. 11374, Feb. 29, 2012>*

1. The name, resident registration number, address, and other personal information of the person who posted a writing or video clip on a bulletin board or chatting room of an Internet homepage or who sent an e-mail;
2. The name, registration number, address, and other personal information of the person who sent a text message and the number of messages sent.

(4) A person requested pursuant to any provision of paragraphs (1) through (3) shall comply with the request without delay. *<Amended by Act No. 11374, Feb. 29, 2012>*

(5) An employee of an election commission at any level shall not use data submitted by a provider of information and communications services pursuant to any provision of paragraphs (1) through (3) for any

purpose other than purposes of the investigation into a violation of this Act and shall not disclose such information to any person, except for filing a criminal complaint with the competent investigative authorities or requesting the competent investigative authorities to investigate a case. *<Amended by Act No. 11374, Feb. 29, 2012>*

(6) Matters regarding requests made under paragraphs (1) through (3) and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 11374, Feb. 29, 2012>*

Article 273 (Request for Ruling)

(1) Any candidate or political party (limited to a central party) and the competent election commission that lodges a complaint on a crime under Articles 230 through 234 , 237 through 239, 248 through 250, Article 255 (1) 1, 2, 10, and 11, (3), and (5), Article 257 or 258 may request the High Court having the jurisdiction over the location of the district public prosecutor's office, to which the public prosecutor belongs, to make the ruling thereof. *<Amended by Act No. 9974, Jan. 25, 2010; Act No. 12393, Feb. 13, 2014>*

(2) Articles 260 (2) through (4), 261, 262, 262-4 (2), 264 and 264-2 of the Criminal Procedure Act shall apply to a request for the ruling under paragraph (1). *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8496, Jun. 1, 2007>*

(3) When the request for ruling under paragraph (1) is received by the chief public prosecutor of a district public prosecutor's office or the branch chief of a branch office therof pursuant to Article 260 (3) of the Criminal Procedure Act, the statute of limitations shall be suspended from running until a decision under Article 262 (2) of the Criminal Procedure Act is made. *<Amended by Act No. 7681, Aug. 4, 2005; Act No. 8730, Dec. 21, 2007>*

(4) With respect to the request for a ruling under paragraph (1), if the public prosecutor fails to institute a public prosecution no later than ten days before the prescription of public prosecution on the election crime expires, the notification that the public prosecutor would not institute the public prosecution shall be deemed to have been made at that time, and if the public prosecutor fails to institute a public prosecution on the election crime claimed by the election commission from the day of claim to three months, such notification shall be deemed to have been made at the time when the relevant three months has elapsed. *<Amended by Act No. 6265, Feb. 16, 2000>*

Article 274 (Report, etc. on Election)

(1) Except as otherwise prescribed by this Act, a report, application, submission, or notification to each administrative agency and election commissions of each level concerned during the period from the day following the deadline for candidate registration to the election day under this Act or Regulations of the National Election Commission to enforce this Act shall be made from 9 a.m. to 6 p.m everyday, notwithstanding statutory holidays. *<Amended by Act No. 10981, Jul. 28, 2011; Act No. 13497, Aug. 13, 2015>*

(2) The election commissions of each level may allow to record declarations, applications, submissions and notifications, etc. that are prescribed by this Act or Regulations of the National Election Commission to enforce this Act in the hard disk of its computer according to the fixed form provided by the relevant election commission or in medium similar thereto for their submissions or allow to submit them by the

means of posting them on the Internet homepage designated by the relevant election commission. *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

Article 275 (Restriction on and Suspension of Election Campaign)

In the election of the local constituency National Assembly members, local council members or the heads of local governments, where a candidate resigns or dies or his/her registration becomes invalidated, after the registration of candidates is closed, so that the number of the candidates of the constituency becomes short of the fixed number of the members to be elected in the constituency and the voting is not held, the election campaign for the relevant election of a local constituency National Assembly member, local council member or the head of a local government under this Act shall be suspended from the time the reason becomes final. *<Amended by Act No. 9974, Jan. 25, 2010>*

Article 276 (Withdrawal of Propaganda Material, etc. after Election Day)

A person who has pasted, posted, or installed any propaganda materials or facilities for the election campaign shall immediately withdraw them after the election day.

Article 277 (Expenses for Election Management)

(1) The following expenses incurred in preparing and holding the presidential election and election of the National Assembly members and those disbursed by the National Election Commission and the City/Do election commission to uniformly carry out the affairs as to an election of a local council member or head of a local government shall be borne by the State. In such cases, for the election to be held at the expiration of the term, such expenses shall be included in the principal budget in the year in which the beginning day of the election period is included (including the year in which 180 days before an election day of the relevant election are included, with respect to the expenses falling under subparagraph 2), but the budget shall be allotted to the National Election Commission no later than 60 days before the beginning day of the election period (240 days before an election day of the relevant election, with respect to the expenses falling under subparagraph 2), and for the special election, by 15 days from the time when the reason for holding the election becomes final (referring to five days from the day when the reason for holding the election becomes final, in cases of a reelection under Article 197, and to at least one day before the election day is publicly announced, in cases of a postponed election and revoting; hereafter the same shall apply in this Article), so as not to impede the execution of such affairs: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

1. Expenses incurred in preparing the management of the election and holding it as prescribed by this Act;
2. Expenses incurred for guidance, public information and control affairs related to the election;
3. Expenses for lawsuits on an election;
4. Expenses to be borne as a result of a lawsuit on an election;
5. Expenses for arranging the data on the result of an election;
6. Expenses incurred in operating and managing affairs of the election commissions for the election management;

7. Unpredictable expenses or expenses to be allocated for an excessive disbursement of appropriated budget which correspond to 1/100 of the aggregate of expenses of subparagraphs 1 and 2.

(2) The following expenses incurred in preparing the management of, and operating, an election of a local council member or head of the local government shall be borne by the local government concerned. In such cases, for the election to be held at the expiration of the term, such expenses shall be included in the principal budget in the year in which the beginning day of the election period is included (including the year in which 180 days before an election day of the relevant election are included, with respect to the expenses falling under paragraph (1) 2), no later than 60 days before the beginning day of election period (240 days before an election day of the relevant election, with respect to the expenses falling under paragraph (1) 2), but the expenses shall be paid to the City/Do election commission concerned in cases of an election for the City/Do council member and the Mayor/Do Governor; to the constituency election commission concerned in cases of an election of the autonomous Gu/ Si/Gun council member and the head of an autonomous Gu/Si/Gun; for the special election, the expenses shall be paid to the relevant City/Do election commission by 15 days from the day when the cause for holding the election becomes final, so as not to impede the execution of its affairs, in cases of an election of the City/Do council member and the Mayor/ Do Governor; to the relevant constituency election commission in the case of an election of the autonomous Gu/Si/Gun council member or the head of an autonomous Gu/Si/Gun: *<Amended by Act No. 6265, Feb. 16, 2000; Act No. 7189, Mar. 12, 2004>*

1. Expenses under the subparagraphs of paragraph (1);
2. Expenses for a petition on the election;
3. Expenses to be borne as a result of a petition on the election.

(3) After the State or local government has allocated or paid the expenses for election management under paragraphs (1) and (2), in case where there occurs a new reason for holding an election along with an election for which the expenses have already been allocated or paid, or where the allocated or paid expenses thereof run short, the additional amount shall be immediately allocated or paid at the request of the election commission concerned according to the classifications of paragraph (4).

(4) The expenses other than those provided in paragraphs (1) through (3), which shall be borne by the State among those to be borne by the State or local government under this Act shall be allocated or paid to the election commission concerned within fifteen days from the election day at the request of the National Election Commission; the expenses disbursed for an election of a council member of City/Do or Mayor/Do Governor, at the request of the City/Do election commission; the expenses disbursed for an election of a council member and head of autonomous Gu/Si/Gun, at the request of the constituency election commission concerned.

(5) The calculating standard for, procedure for and method of payment, execution, inspection and return of the expenses under paragraphs (2) through (4) and other necessary matters shall be prescribed by Regulations of the National Election Commission.

Article 277-2 (Compensation for Disease, Injury or Death)

(1) The National Election Commission shall pay the compensations, as prescribed by Regulations of the National Election Commission, when members of an election commission at a level, officials in charge of voting management, officials in charge of advance polling, officials of the supervisory group of vote rigging, the voting and ballot counting assistants (excluding those who are public officials) suffer from any disease and injury or died due to election duties during the election period (referring to the period when establishing the supervisory group of vote rigging, in cases of the members of the said group). *<Amended by Act No. 7189, Mar. 12, 2004; Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014>*

(2) The National Election Commission shall appropriate the reserve for disaster compensations in its budget for each year for the compensation under paragraph (1).

(3) Where any reason for paying the compensations under paragraph (1) have occurred due to the acts of a third party, the National Election Commission shall acquire the right to claim damage compensations which is possessed by a holder of recipiency right against the third party within the limit of payment of compensations which have already been paid: Provided, That if the third party is a public official performing a public duty, the whole or part of the right to claim damage compensations may not be exercised. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

(4) In cases falling paragraph (3), if any recipient has already received damage compensations from the said third party on account of the same causes, the compensations shall not be paid within the limit of said compensation amount. *<Newly Inserted by Act No. 7189, Mar. 12, 2004>*

(5) When reasons for paying compensations under paragraph (1) arise due to the intention or significant negligence of the relevant qualified recipients, the whole or part of the relevant compensations may not be paid. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

(6) The reduction of amounts of compensations due to the intention or significant negligence under paragraph (5), the scope of application of significant negligence and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Newly Inserted by Act No. 9974, Jan. 25, 2010>*

Article 278 (Voting and Counting of Votes by Computer Systems)

(1) The National Election Commission shall promote the business computerization in order to swiftly and correctly manage such election affairs as the voting, ballot-counting and others.

(2) In the computerization of voting affairs management, the arrangement shall be made so as to guarantee the secrecy of voting, to make the voting by the electors easy, to guarantee the witness by the political party or candidates, and to ensure the correction of errors in voting, prevention of invalid voting, and accuracy of voting, etc.

(3) In the computerization of the management of ballot-counting affairs, the arrangement shall be made so as to make the counting of obtained votes by political party or candidate correct, to make the verification of the voting results possible, and to guarantee the witness by the political party or candidates.

(4) Where the National Election Commission intends to perform the business management of voting and ballot-counting by its computerization, it shall publicize its intention by means of the distribution of advice notes, the advertisement utilizing the press media and other ways, but the decision on whether it shall be performed shall be made in consultation with the political parties that form negotiating groups in the National Assembly: Provided, That the foregoing shall not apply to the use of devises for the identification of voters and ballot paper printers under Articles 158 (2) and (3) and 218-19 (1) and (2) and machines or electronic computer systems under Article 178 (2). *<Amended by Act No. 6663, Mar. 7, 2002; Act No. 7681, Aug. 4, 2005; Act No. 12267, Jan. 17, 2014; Act No. 13497, Aug. 13, 2015>*

(5) The National Election Commission may set up and operate the electronic election promotion council in which political parties that form negotiating groups in the National Assembly participate for the consultations referred to in paragraph (4). *<Newly Inserted by Act No. 7681, Aug. 4, 2005>*

(6) In the computerization of the management of election affairs such as voting, ballot-counting and others, the procedures for and methods of voting and ballot-counting, the commission of computerization specialists as the voting and ballot-counting staff, the preparation, verification and preservation of the programs for operating the computer systems, the composition and operation of the electronic election promotion council and other necessary matters shall be prescribed by Regulations of the National Election Commission. *<Amended by Act No. 7681, Aug. 4, 2005>*

Article 279 (Utilization, etc. for Public Interest of Publicity Materials of Political Party and Candidate)

(1) The election commissions at all levels (excluding Eup/Myeon/Dong election commission; the same shall apply hereafter in this Article) may utilize all kinds of printed matters, such as posters, bulletins, small-size printed matters, etc., advertisement, photographs or other publicity materials that have been submitted by the political parties or candidates (including those who intend to be candidates; the same shall apply hereafter in this Article) pursuant to this Act (including the repealed Acts concerning the presidential election, election of National Assembly members, election of local council members and election of the head of local government) to the election commission by publishing, exhibiting, posting on the Internet homepage or other methods for the purpose of public interest.

(2) No one shall claim right under the Copyright Act to the posters, bulletins, small-size printed materials, etc., advertisement, photographs or other publicity materials of a political party or candidate utilized by the election commissions at all levels for the purpose of public interest pursuant to paragraph (1).

ADDENDA

Article 1 (Enforcement Date)

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

Article 2 (Repealed Acts)

The Presidential Election Act, the Election of National Assembly Members Act, the Election of Local Council Members Act and the Election of Heads of Local Governments Act shall hereby be repealed.

Article 3 (Transitional Measures concerning Voting Franchise and Eligibility for Election)

Notwithstanding Articles 18 and 19, the voting franchise and eligibility for election of the person who is a convicted election criminal or whose election criminal charge is pending in court at the time this Act enters into force shall be subject to the previous examples.

Article 4 (Transitional Measures concerning Voting Districts)

The voting district established as provided in the previous provisions at the time this Act enters into force shall be deemed to have been established as provided in Article 31.

Article 5 (Ballot Counting by Means of Computer System)

(1) In a special election and others to be held after this Act enters into force, the ballot-counting affairs may be carried out by means of the computer system. In this case, the National Election Commission shall decide which special election to adopt the computer system in its ballot counting, in consultation with the political parties having the negotiation body in the National Assembly.

(2) The ballot-counting procedure and method, appointment of a computer expert as a ballot-counting clerk, preparation, verification and safekeeping of the computer system operational programs, and other necessary matters, where the ballot-counting affairs are carried out by means of the computer system as provided in paragraph (1), shall be prescribed by Regulations of the National Election Commission.

Article 6 (Transitional Measures concerning Special Elections)

(1) The election day, election affairs schedule, and other election procedure, of a special election whose election day is publicly announced and which is being held before this Act enters into force shall be subject to the previous examples.

(2) The expenses for preparing, pasting, withdrawing and sending propaganda posters, election campaign bulletins, small printed materials for a special election whose election day is publicly announced and which is being held after this Act enters into force shall be borne in accordance with the previous examples.

(3) In the case of a special election where the cause for holding the special election has become final before this Act enters into force but its election day is not announced as of the enforcement date of this Act, the term "when the cause for holding the election becomes final" means the "enforcement date of this Act".

(4) In a special election where the cause for holding it has become final before this Act enters into force, the person who falls under Article 60 (1) 6 or 7, when wishing to be an election campaign manager, chief of the election campaign liaison office, election campaign worker, accountant in charge, election campaign speechmaker, interviewer, debater, voting witness, or absentee voting witness, shall resign from his/her office no later than a day after the day when the election day for the special election is announced publicly, notwithstanding the provisions of Article 60 (2).

Article 7 (Transitional Measures concerning First Election Day for Heads of Local Governments)

(1) The election for the head of a local government and the election for a local council member at the expiration of the term, both of which are to be held for the first time after this Act enters into force, shall

be held simultaneously on the 27th of June in 1995, and the term of the autonomous // council member and the head of a local government, elected at the elections thereof, shall begin on the 1st of July in 1995.

(2) Notwithstanding the provisions of Articles 31 (1) and 87 (1) of the Local Autonomy Act, the term of the local council members and the head of a local government, who are elected by the elections to be held as provided in paragraph (1), shall expire on the 30th of June in 1998.

(3) In an election for the head of a local government which is held for the first time after this Act enters into force, the term "person who has kept the resident registration in the area under the jurisdiction of the local government concerned for 90 or more days consecutively as of the election day" as provided in Article 16 (3) means the "person who has kept the resident registration in the area under the jurisdiction of the local government as of the beginning day of the election period".

(4) In an election for the head of a local government which is held for the first time after this Act enters into force, the person who falls under any of subparagraphs of Article 53 (1) and wishes to be a candidate shall resign from his/her office no later than a day before the beginning day of application of candidate registration, and the public official who holds the post of the head of a local government, if wishing to run for the election for the head of the local government concerned, shall resign from his/her office no later than 90 days before the election day.

(5) The election for the head of a local government which is held for the first time after this Act enters into force shall be deemed as an election held at the expiration of the term, in application of Article 203.

Article 8 (Transitional Measures concerning Penal Provisions)

The application of the penal provisions to the act committed before this Act enters into force shall be governed in accordance with the previous examples.

Article 9 (Transitional Measures concerning Invalidity of Election)

The person who falls under any of Articles 263 through 266 for an offense committed before this Act enters into force, shall be subject to the previous examples, notwithstanding the provisions of this Act.

Article 10 Omitted.

Article 11 (Relations to Other Acts and Subordinate Statutes)

Where the repealed Act or the provisions thereof as provided in Article 2 of the ADDENDA of this Act are cited in other Acts and subordinate statutes at the time this Act enters into force, this Act or the corresponding provisions of this Act shall be deemed cited in lieu of the repealed Act or the provisions thereof if the provisions corresponding to them are included in this Act.

ADDENDA <*Act No. 4796, Dec. 22, 1994*>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 1995.

Articles 2 through 4 Omitted.

ADDENDUM <*Act No. 4947, Apr. 1, 1995*>

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

ADDENDA <*Act No. 4949, May 10, 1995*>

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Eligibility for Election of Proportional Representative City/Do Council Members) In the election for the proportional representative City/Do council member to be held for the first time after this Act enters into force, the term "person who is registered as resident in the area under the jurisdiction of the local government concerned for 90 or more days consecutively as of the day of election" as provided in Article 16 (3) means the "person who is registered as resident in the area under the jurisdiction of the local government concerned as of the beginning day of the election period".

(3) Omitted.

ADDENDUM <*Act No. 4957, Aug. 4, 1995*>

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

ADDENDUM <*Act No. 5127, Dec. 30, 1995*>

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

ADDENDA <*Act No. 5149, Feb. 6, 1996*>

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Transitional Measures concerning Demarcation of Constituencies for National Assembly Members) Notwithstanding the provision of the latter sentence of Article 25 (1), in the election (including a special election etc.) for a National Assembly member to be held in April 11, 1996, a part of Haewoondae-Gu of Busan Metropolitan City may be divided and belonged to a local constituency of National Assembly members of Haewoondae-Gu Gijang-Gun Eul; a part of Buk-Gu of Busan Metropolitan City may be divided and belonged to a local constituency of National Assembly members of Buk-Gu Gangseo-Gu Eul; a part of Gyeyang-Gu of Incheon Metropolitan City may be divided and belonged to a local constituency of National Assembly members of Gyeyang-Gu Ganghwa-Gun Eul; and a part of Mokpo-Si of Jeonranam-Do may be divided and belonged to a local constituency of National Assembly members of Mokpo-Si Shinan-Gun Eul for the purpose of reducing the deviation of population.

(3) (Transitional Measures concerning Candidacy of Public Officials, etc.) Notwithstanding the provision of the main sentence of Article 53 (1), in the election for the National Assembly member to be held in April 11, 1996, the person who falls under any of the subparagraphs of the same paragraph of the same Article and intends to become a candidate for a National Assembly member of the local constituencies adjusted by this Act (Jung-Gu Dong-Gu, Buk-Gu Gangseo-Gu Gap/Eul, Haewoondae-Gu Gijang-Gun Gap/Eul of Busan

Metropolitan City; Gyeyang-Gu Ganghwa-Gun Gap/Eul of Incheon Metropolitan City; Taebaek-Si Jeongsun-Gun of Gangwan-Do; Boeun-Gun Okcheon-Gun Youngdong-Gun of Cheongchungbuk-Do; Guemsan-Gun Nonsan-Gun of Cheongchungnam-Do; I, Bosung-Gun Hwasoon-Gun, Jangheung-Gun Youngam-Gun of Jeonranam-Do; Moongyeong-Si Yecheon-Gun, Youngyang-Gun Bonghwa-Gun Euljin-Gun of Gyeongsangbuk-Do; and Eulsan-Si Nam-Gu Gap/Eul, Geochang-Gun Hapcheon-Gun of Gyeongsangnam-Do), shall resign from his/her office not later than 10 days from the enforcement date of this Act.

ADDENDA *<Act No. 5262, Jan. 13, 1997>*

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Transitional Measures on Broadcast Speeches of Candidates for Local Constituency National Assembly Members) Notwithstanding Article 70 (2), a broadcast speech by a candidate as provided for in Article 71 in the election of local constituency National Assembly members shall be carried out by means of composite cable broadcast as prescribed by the Composite Cable Broadcasting Act, until the time of enforcement is separately determined in consideration of broadcasting hours per day and broadcasting facilities.

(3) (Transitional Measures on Penal Provisions) The application of the penal provisions to the crimes in contravention of Articles 250 and 257 before this Act enters into force, shall be governed by the previous provisions.

ADDENDA *<Act No. 5412, Nov. 14, 1997>*

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Transitional Measures) As for the initial election to be conducted after this Act enters into force, the Election Broadcast Deliberation Committee and the Presidential Election Debate Broadcasting Committee shall be established at the latest by ten days before the commencement of election period, despite the amended provisions of Articles 8-2 and 82-2.

ADDENDA *<Act No. 5499, Jan. 13, 1998>*

Article 1 (Enforcement Date)

(1) This Act shall enter into force on April 1, 1998. (Proviso Omitted.)

(2) Omitted.

Articles 2 through 10 Omitted.

ADDENDUM *<Act No. 5508, Feb. 6, 1998>*

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

ADDENDA *<Act No. 5537, Apr. 30, 1998>*

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 117-2 (1) 2 and 3, shall enter into force on the thirtieth day following the date of its promulgation.

(2) (Transitional Measures concerning Broadcast Speeches by Candidates for Election of Local Constituency National Assembly Members etc.) Notwithstanding the provisions of Article 70 (2), broadcast speeches by candidates as referred to in the amended provisions of Article 71 in the election of local constituency National Assembly members and the heads of autonomous Gus/Sis/Guns, shall be carried out by means of composite cable broadcasting as prescribed in the Composite Cable Broadcasting Act, till the time for such carrying out is determined in consideration of broadcasting hours per day and broadcasting facilities.

(3) (Transitional Measures concerning Electoral Eligibility) In the election of the local council members and the heads of local governments at the expiration of their term which takes place for the first time after this Act enters into force, persons who are registered as resident within the jurisdiction of such local governments from the third day after this Act enters into force up to the election day, shall be deemed to be eligible for the election, notwithstanding the provisions of Article 16 (3) "for sixty consecutive days of longer as of the election day".

(4) (Transitional Measures concerning Candidacy of Public Officials or Other Persons) In the election of the local council members and the heads of local government at the expiration of their term which takes place for the first time after this Act enters into force, persons who fall under any of subparagraphs of Article 53 (1) and who intend to be candidate, shall resign their offices within three days from the date when this Act enters into force, notwithstanding the amended provisions of the main sentence of the same Article and paragraph.

(5) (Transitional Measures concerning Penal Provisions) In the application of penal provisions to acts committed before this Act enters into force, the previous provisions shall apply.

ADDENDA <*Act No. 6265, Feb. 16, 2000*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation; but the revised provisons related to the Broadcasting Act such as Article 8-2 (1), etc. shall enter into force on the date when the Broadcasting Act, Act No. 6139, enters into force.

Article 2 (Transitional Measures concerning Election News Deliberation Committee)

The Press Arbitration Committee shall, in the election of the local constituency National Assembly members at the expiration of term to be conducted first after the enforcement of this Act, establish an Election News Deliberation Committee within 20 days after the enforcement of this Act, notwithstanding the revised provisions of Article 8-3 (1).

Article 3 (Special Cases concerning Demarcation of Local Election Districts for National Assembly Members)

Notwithstanding the provision of the latter part of Article 25 (1), in the election of National Assembly members (including the special election, etc.), a divided part of the of the Metropolitan City may be made to belong to the local election district for the National Assembly member for B of , and a divided part of the of the Metropolitan City to the local election district for the National Assembly member for B of , and a divided part of the of the Metropolitan City to the local election district for the National Assembly member for B of .

Article 4 (Transitional Measures concerning Special Elections, etc.)

In the election of the local constituency National Assembly members at the expiration of term to be conducted first after the enforcement of this Act, the head of a local government intending to be a candidate shall resign from his/her post 60 days before the election day, notwithstanding the revised provision of Article 53 (3).

Article 5 (Transitional Measures concerning Broadcast Speech of Candidates for Head of Autonomous Gu/Si/Gun)

In the election of the head of an autonomous Gu/Si/Gun, the broadcast speeches of candidates pursuant to the revised provision of Article 71 shall be conducted by using the composite cable broadcasting stations under the Broadcasting Act until such time when its execution period is separately determined in consideration of the broadcasting hours per day and the broadcasting facilities, etc.

Article 6 (Transitional Measures concerning Penal Provisions)

In the application of penal provisions to the acts before the enforcement of this Act (excluding the acts falling under the revised provisions of Article 58 (1) 3), the previous provisions shall prevail.

Article 7 (Transitional Measures concerning Request for Ruling)

In instituting the public prosecution against the election offenses accused by the election commission before the enforcement of this Act, they shall be deemed to be accused on the enforcement date of this Act, notwithstanding the revised provision of Article 273 (4).

Article 8 Omitted.

Article 9 (Relations with Other Acts)

When other Acts cite the previous provisions at the time of the entry into force of this Act, where there exist the provisons in this Act corresponding to them, they shall be deemed to cite the corresponding provisions in this Act in place of the previous provisions.

ADDENDA <*Act No. 6388, Jan. 26, 2001*>

(1) (Enforcement Date) This Act shall enter into force three months after its promulgation.

(2) and (3) Omitted.

ADDENDA <*Act No. 6497, Jul. 24, 2001*>

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Applicability to Special Election, etc.) The amended provisions of Article 201 (1) shall be applied to the special elections for which cause for holding has become definite.
(3) (Special Cases of Public Announcement of Special Election, etc.) Where a special election is not held under paragraph 2 of the Addenda, the purport thereof shall, notwithstanding the former part of Article 201 (4), be publicly announced within ten days from the date on which this Act enters into force.

ADDENDUM *<Act No. 6518, Oct. 8, 2001>*

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

ADDENDA *<Act No. 6626, Jan. 26, 2002>*

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2002.

Articles 2 through 7 Omitted.

ADDENDA *<Act No. 6663, Mar. 7, 2002>*

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.
(2) (Transitional Measures concerning Penal Provisions) In the application of penal provisions to any acts committed prior to the enforcement of this Act, the previous provisions shall govern.
(3) (Special Case of Increase in Number of City/Do Council Members) In the election of City/Do council members due to the expiration of term of office to be first held after the enforcement of this Act, where two local constituencies of National Assembly members are unified into one within one autonomous Gu/Si/Gun pursuant to the annexed Table 1 of the Act on the Election of Public Officials and the Prevention of Election Malpractices (Act No. 6265), notwithstanding Article 22 (1), the fixed number of the local constituency City/Do council members in the local constituency of relevant National Assembly member and that of the local constituency City/Do council members in one of local constituencies of National Assembly member in case where three local constituencies of National Assembly member are unified into two, shall be the number of adding one more to the number computed under paragraph (1) of the same Article.

ADDENDA *<Act No. 6854, Feb. 4, 2003>*

Article 1 (Enforcement Date)

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

Articles 2 and 3 Omitted.

ADDENDUM *<Act No. 6988, Oct. 30, 2003>*

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

ADDENDA <*Act No. 7189, Mar. 12, 2004*>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Establishment of Internet Election News Deliberation Committee)

The Internet Election News Deliberation Committee under the provisions of Article 8-5 shall be established and operated within 20 days after the enforcement of this Act.

Article 3 (Transitional Measures concerning Establishment of Election Broadcast Debate Committee)

The Election Broadcast Debate Committee under the provisions of Article 8-7 shall be established and operated within 20 days after the enforcement of this Act.

Article 4 (Transitional Measures concerning Supervisory Group of Vote Rigging)

In the election first held after enforcement of this Act due to an expiration of term of office, the supervisory group of vote rigging under the provisions of Article 10-2 shall be established within 10 days after the enforcement of this Act, notwithstanding the amended provisions of paragraph (1) of the same Article.

Article 5 (Transitional Measures concerning Cyber Supervisory Group of Vote Rigging)

In the election first held after the enforcement of this Act due to an expiration of term of office, the cyber supervisory group of vote rigging under the provisions of Article 10-3 shall be established within 10 days after the enforcement of this Act, notwithstanding the amended provisions of Article 10-3.

Article 6 (Transitional Measures concerning Voting Franchise and Electoral Eligibility)

Previous practices shall govern the voting franchise and electoral eligibility of a person who has committed crimes falling under the amended provisions of Article 18 (1) 3 prior to the enforcement of this Act.

Article 7 (Special Cases concerning Demarcation of Local Election Districts for National Assembly Members)

Notwithstanding the provisions of Article 25 (1), in the election of the National Assembly members (including a special election), etc. to be held on April 15, 2004, a part of Haeundae-gu of Busan Metropolitan City may be divided and made belong to the National Assembly members' local constituency of Haeundae-gu Gijang-gun B, and a part of Buk-gu of Busan Metropolitan City may be divided and made belong to the National Assembly members' local constituency of Buk-gu Gangseo-gu B, and a part of Seo-gu of Incheon Metropolitan City may be divided and made belong to the National Assembly members' local constituency of Seo-gu Ganghwagun B, in order to reduce a variation in population.

Article 8 (Transitional Measures concerning Election Day)

In the election first held after the enforcement of this Act due to an expiration of term of office, the previous provisions shall govern the election day, notwithstanding the amended provisions of Article 34.

Article 9 (Transitional Measures concerning Candidacy of Public Officials, etc.)

Notwithstanding the provisions of main sentence of Article 53 (1), in the election of the National Assembly members to be held on April 15, 2004, any person falling under any of each subparagraph of the same paragraph, limited to the constituencies divided, unified or abolished at this time (excluding the Gyeonggi-do A and B constituency, and Incheon Bupyeong-gu A and B constituency, whose demarcations were adjusted), who is a person who intends to become a candidate for the local constituency National Assembly member shall resign from his/her post within 10 days from the enforcement date of this Act.

Article 10 (Transitional Measures concerning Policy Debates Meeting Supervised by Election Broadcast Debate Committee)

In the election first held after the enforcement of this Act due to an expiration of term of office, notwithstanding the amended provisions of Article 82-3, the policy debates meeting supervised by Election Broadcast Debate Committee shall be applied starting from the month next to that whereto belongs the day on which the Election Broadcast Debate Committee is established.

Article 11 (Transitional Measures concerning Verification of Real Names on Bulletin Board or Chatting Page, etc. of Internet Press Agencies)

Any Internet press agency falling under the provisions of Article 8-5 (1) shall take a technical measure under the provisions of Article 82-6 (1) within 30 days after the enforcement of this Act.

Article 12 (Transitional Measures concerning Computation of Frequency of Newspaper Advertisements of Party Platform and Policy)

When computing the frequency of newspaper advertisement of party platform and policy under the amended provisions of Article 137 (1) 1, such a computation shall be made by including the frequency of newspaper advertisements made from 90 days prior to the election day to the enforcement date of this Act.

Article 13 (Transitional Measures concerning Computation of Frequency of Broadcast Speeches of Platform and Policy)

When computing the frequency of broadcast speeches of platform and policy under the provisions of 137-2 (1), such a computation shall be made by including the frequency of broadcast speeches which are broadcasted in the month whereto the enforcement date of this Act belongs prior to the enforcement of this Act. In this case, if such a frequency exceeds twice, it shall be deemed to be twice.

Article 14 (Transitional Measures concerning Invalidity of Election)

Previous practices shall govern any person who comes to fall under the provisions of Articles 263 and 265 due to the offenses prior to the enforcement of this Act, notwithstanding the provisions of this Act.

Article 15 (Transitional Measures concerning Return of Expenses by Persons Whose Election is Invalidated)

Previous practices shall govern any person who comes to fall under the amended provisions of Articles 265-2 (1) due to the offenses prior to the enforcement of this Act, notwithstanding the provisions of this

Act.

Article 16 (Transitional Measures concerning Prescription of Public Prosecution)

Previous practices shall govern any application of prescription of a public prosecution to the acts committed prior to the enforcement of this Act, notwithstanding the amended provisions of Article 268.

Article 17 (Transitional Measures concerning Penal Provisions)

Previous practices shall govern any application of penalty provisions to the acts committed prior to the enforcement of this Act.

Article 18 Omitted.

ADDENDA *<Act No. 7681, Aug. 4, 2005>*

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Scope, etc. of Internet Press Agencies)

The previous provisions of this Act shall apply to the relevant provisions of the Act on the Freedom of Newspapers, etc. and the Act on Press Arbitration and Remedies, etc. for Damage Caused by Press Reports, which are quoted in this Act, by the time before the each quoted Act is enforced.

Article 3 (Applicability to Voting Franchise of Foreigner Holding Permanent Stay Status in Local Election)

The amended provisions of Article 15 (2) 2 shall apply starting with the election that is first held at the expiration of the terms of office after the enforcement of this Act.

Article 4 (Special Case concerning Demarcation of Constituency for Autonomous Gu/Si/Gun Council Members)

(1) In the election of the autonomous Gu/Si/Gun council members that is first held at the expiration of the terms of office after the enforcement of this Act, the constituency demarcation committee for the autonomous Gu/Si/Gun council members shall submit a draft constituency demarcation to the relevant Mayor/Do Governor by 7 months before the election day, notwithstanding the amended provisions of Article 24 (7) and the City/Do council shall vote on a draft Municipal Ordinance by 5 months before the election day.

(2) Where the City/Do council fails to vote on the draft municipal ordinance by the deadline referred to in the provisions of paragraph (1), the Mayor/Do Governor shall submit the draft municipal ordinance governing the constituency demarcation to the City/Do council within 15 days from the date on which the deadline elapses and the City/Do council shall vote on the draft municipal ordinance within15 days from the date on which it is submitted.

(3) Where the City/Do council fails to vote on the draft Municipal Ordinance by the deadline referred to in the provisions of paragraph (2), the name and district of the constituency and the fixed number of the autonomous Gu/Si/Gun council members shall be determined by Regulations of the National Election Commission.

Article 5 (Transitional Measures concerning Right to Vote and Right to be Elected)

The right to vote and the right to be elected for anyone who commits the crime falling under the amended provisions of Article 18 (1) 3 prior to the enforcement of this Act shall be governed by previous examples.

Article 6 (Transitional Measures concerning Refund of Expenses by Person Whose Election is Invalidated)

Anyone who falls under the amended provisions of Article 265-2 due to the act of violation prior to the enforcement of this Act shall be governed by the previous provisions, notwithstanding the amended provisions of this Act.

Article 7 (Transitional Measures concerning Penal Provisions)

The application of the penal provisions to any act that is performed prior to the enforcement of this Act shall be governed by the previous provisions.

Article 8 (Transitional Measures concerning Setup of Eup/Myeon/Dong Election Commission)

(1) The Eup/Myeon/Dong election commission that is set up by the enforcement of this Act shall be composed of its members within 30 days after the enforcement of this Act.

(2) Any member, any administrative secretary and any clerk of the voting district election commission, who are still working after having been commissioned prior to the enforcement of this Act, shall be all deemed decommissioned on the date of the enforcement of this Act.

(3) Any disposition taken and any act performed by the voting district election commission prior to the enforcement of this Act shall be deemed the disposition taken and the act peformed by the Eup/Myeon/Dong election commission having jurisdiction over the voting district.

Article 9 (Transitional Measures concerning Residents' Voting)

In case where procedures for the residents' voting provided for in the Residents Voting Act that applies mutatis mutandis to this Act are already in progress at the time of the enforcement of this Act, the case shall be governed by the previous examples, notwithstanding the amended provisions of this Act.

Article 10 (Model Voting and Ballot Counting Performed by Computerized Organizations)

The National Election Commission may partially computerize the clerical services of the voting and the ballot counting provided for in the provisions of Article 278 as a model case in parallel with the current methods of managing the voting and the ballot counting in the election that is held at the expiration of the terms of office on and after the enforcement of this Act.

Article 11 Omitted.

Article 12 (Relation to Other Acts)

If any other Act cites the former Act on the Election of Public Officials and the Prevention of Election Malpractices or the provisions thereof at the time of enforcement of this Act, this Act or the corresponding provisions, if any, of this Act shall be deemed to be cited in lieu of the said former Act or the provisions thereof.

ADDENDA <*Act No. 7849, Feb. 21, 2006*>

Article 1 (Enforcement Date)

This Act shall enter into force on July 1, 2002. (Proviso Omitted.)

Articles 2 through 31

ADDENDA <*Act No. 7850, Mar. 2, 2006*>

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Special Cases concerning Seats for City Council Members of Local Constituencies) Number of seats for the City Council members to be elected in Buk-gu and Haeundae-gu, Busan Metropolitan City, and Seo-gu, Incheon Metropolitan City, notwithstanding the provisions under Article 22 (1), shall be four for each Gu.

(3) (Transitional Measures concerning Submitting Certificate of Payment and Deferred Payment of Aggregate Land Taxes) Notwithstanding the amended provisions of this Act, submission of certificates of payment and deferred payment of the aggregate land taxes under the Local Tax Act before amended by Act No. 7332, Jan. 5, 2005 shall be subject to the previous examples.

ADDENDUM <*Act No. 8053, Oct. 4, 2006*>

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

ADDENDUM <*Act No. 8232, Jan. 3, 2007*>

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

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ADDENDA <*Act No. 8244, Jan. 19, 2007*>

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA <*Act No. 8423, May 11, 2007*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 13 Omitted.

ADDENDA <*Act No. 8496, Jun. 1, 2007*>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2008.

Articles 2 through 7 Omitted.

ADDENDA <*Act No. 8730, Dec. 21, 2007*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. … (Omitted.) … Article 4 of ADDENDA shall enter into force on January 1, 2008.

Articles 2 through 4 Omitted.

ADDENDA <*Act No. 8852, Feb. 29, 2008*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA <*Act No. 8867, Feb. 29, 2008*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 11 Omitted.

ADDENDA <*Act No. 8871, Feb. 29, 2008*>

Article 1 (Enforcement Date)

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

Articles 2 through 5 Omitted.

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ADDENDA <*Act No. 8879, Feb. 29, 2008*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 10-2, 10-3, 65 and 138-2 shall enter into force on May 1, 2008, and the amended provisions of Article 38 shall enter into force on January 1, 2009.

Article 2 (Special Cases concerning Demarcation of Constituencies for National Assembly Members)

Notwithstanding Article 25 (1), part of Haewoondae-Gu of Busan Metropolitan City may be parceled out and relegated to Gijang-Gun Eul constituency for National Assembly members of Haewoondae-Gu, part of Buk-Gu of Busan Metropolitan City may be parceled out and relegated to I constituency for National Assembly members of BukGu, and part of Seo-Gu of Incheon Metropolitan City may be parceled out and relegated to Ganghwa-Gun Eul constituency for National Assembly members of Seo-Gu in order to lessen the population discrepancy for the election of the National Assembly members to be held on April 9, 2008.

Article 3 (Transitional Measures concerning Candidacy of Public Officials, etc.)

Notwithstanding the main text of Article 53 (1), a person who falls under any of the subparagraphs of the same paragraph and intends to be a candidate for the National Assembly member of a constituency in the area (excluding the constituencies of Gijang-Gun Gap and Eul of HaewundaeGu, Busan Metropolitan City, and Ilsan Dong-Gu and Seo-Gu of Goyang Si, Gyeonggi-Do in which the demarcation line of election district has been adjusted; the same shall apply hereafter in Articles 4 and 5 of this ADDENDA) in which the election district of constituencies for National Assembly members has been changed following this Act entering into force, shall resign from the post within 10 days from the date this Act enters into force for the election of the National Assembly members to be held on April 9, 2008.

Article 4 (Transitional Measures concerning Registration of Preliminary Candidate)

The preliminary candidate for the election of the National Assembly members to be held on April 9, 2008 of an area in which the election district of the constituency for National Assembly members has been changed following this Act enters into force shall choose a constituency in which he/she intends to run for election and shall report it to the competent constituency election commission by not later than ten days after this Act enters into force. In such cases, the registration of the preliminary candidate concerned shall be deemed as ineffective when there is no report until the aforementioned day.

Article 5 (Transitional Measures concerning Sending Campaign Material of Preliminary Candidate)

(1) As for the area in which the election district of the constituency for National Assembly members has been changed following this Act entering into force for the election of the National Assembly members to be held on April 9, 2008, the preliminary candidate who has sent the campaign material of preliminary candidates before this Act enters into force may additionally send the campaign material of preliminary candidate within the extent of 10/100 of the number of households in the changed constituency on one occasion. In such cases, as for the constituency newly chosen pursuant to Article 4 of ADDENDA, only the number which is gained by subtracting the number sent to the constituency before this Act enters into force may be sent.

(2) Where the campaign material of preliminary candidate are sent additionally pursuant to paragraph (1), the preliminary candidates may apply to the head of Gu/Si/Gun for the delivery of the names and addresses of householders in the area to which he/she intends to send the campaign materials of preliminary candidate within the extent of the number of campaign materials of preliminary candidate that he/she is allowed to send additionally, notwithstanding Article 60-3 (3).

Article 6 (Transitional Measures concerning Election Offices, etc. of Preliminary Candidate)

(1) When the election office of a preliminary candidate has come to be in another constituency of National Assembly member following this Act enters into force at the election of the National Assembly members to be held on April 9, 2008, the election office of the preliminary candidate shall be moved to the relevant constituency of National Assembly member by not later ten days after this Act enters into force.

(2) When the preliminary candidate falling under Article 4 of ADDENDA chooses a constituency where he/she intends to run for election and makes a report to the relevant constituency election commission, he/she shall make a report pursuant to paragraph (1) at the same time. In such cases, when the competent constituency election commission has been changed, he/she shall return the identification certificates of the election manager and election workers and shall apply for the issuance of new certificates.

Article 7 (Applicability to Election Expenses of Preliminary Candidate)

Where the new constituency that the preliminary candidate falling under Article 4 of ADDENDA has chosen partially overlaps with the former constituency, the election expenses that the preliminary candidate has disbursed shall be deemed the election expenses of the election concerned.

Article 8 (Transitional Measures concerning Establishment of Political Party's Election Campaign Office)

Where one Gu/Si/Gun has been divided into two or more constituencies of National Assembly members following this Act enters into force at the election of National Assembly members to be held on April 9, 2008, the political party's election campaign office formerly established shall be deemed the political party's election campaign office established in the constituency that has jurisdiction over the address.

Article 9 (Transitional Measures concerning Limitation of Filling Up Election Expenses)

Notwithstanding the amended provisions of this Act, former examples shall apply to the person who has come to fall under the amended provisions of Article 135-2 due to the violation committed before this Act enters into force.

Article 10 (Transitional Measures concerning Special Cases to Surrendered Persons)

As for the application of special cases to the persons who have surrendered themselves before this Act enters into force, the former provisions shall apply.

Article 11 (Transitional Measures concerning Penal Provisions and Fines for Negligence)

As for the application of penal provisions and fine for negligence to an act committed before this Act enters into force, the former provisions shall apply.

Article 12 (Relation with other Acts and Subordinate Statutes)

Where other Acts and subordinate statutes cite former provisions at the time when this Act enters into force, the relevant provisions of this Act shall be deemed to have been cited in place of the former provisions if provisions corresponding thereto exist in this Act.

ADDENDA <*Act No. 9402, Feb. 3, 2009*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA <*Act No. 9466, Feb. 12, 2009*>

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Applicability to Overseas Election concerning Election or Re-Election due to Vacancy of President) The amended provisions of CHAPTER XIV-2 concerning an election or a reelection due to a vacancy of the President under Article 35 (1) shall apply beginning with the first election the reason of holding of which has been decided after January 1, 2018.

ADDENDA <*Act No. 9785, Jul. 31, 2009*>

Article 1 (Enforcement Date)

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

Articles 2 through 9 Omitted.

ADDENDA <*Act No. 9968, Jan. 25, 2010*>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 9 Omitted.

ADDENDA <*Act No. 9974, Jan. 25, 2010*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That parts citing the provisions of the Act on the Promotion of Newspapers, Etc., from among the amended provisions of Articles 93 (2), 108 (3) 4, 137 (1) and 167 (2), and Article 11 (3) of the ADDENDA shall enter into force on February 1, 2010, and the amended provisions of Article 86 (7) shall enter into force 30 days after the date of its promulgation.

Article 2 (Special Cases concerning Fixed Number of City/Do Council Members in Local Constituency)

In elections for local council members held on June 2, 2010, due to the expiration of the terms of office, the fixed number of City/Do council members in a local constituency shall be calculated, by regarding Buk-gu district belonging to a local constituency of National Assembly members of Buk-gu Gangseo-gu Eul in , Haeundae-gu district belonging to a local constituency of National Assembly members of Haeundae-gu Gizang-gun Eul, Seo-gu district belonging to a local constituency of National Assembly members of Seo-gu, Ganghwa-gun Eul in Incheon and Pohang city district belonging to a local constituency of National Assembly members of Nam-gu, Ulreung-gun, in Pohang, as each local constituency of National Assembly members, notwithstanding the amended provisions of Article 22 (1).

Article 3 (Special Cases concerning Demarcation of Constituency of City/ Do Council Members in Local Constituency)

In elections for local council members of a local constituency (including special elections, etc.) held on June 2, 2010, due to the expiration of the terms of office, notwithstanding the provisions of Article 26 (3), parts of Cheongok-dong, Donghae-Si, Gangwon-do may be divided, and each part may belong to the 1st constituency of Donghae-Si and the 2nd constituency of Donghae-Si and parts of Jangyu-myeon, Gimhae-Si, South Gyeongsangnam-do may be divided and a part may belong to the 5th constituency of Gimhae-Si, respectively, in an effort to narrow the population deviation in a constituency.

Article 4 (Special Cases concerning Demarcation of Constituency of Autonomous Gu/Si/Gun Council Members)

(1) In elections for local council members held on June 2, 2010, due to the expiration of the terms of office, the committee for the demarcation of constituency of autonomous Gu/Si/Gun council members shall submit plans on the demarcation of a constituency to Mayors/Do Governors by not later than January 31, 2010, notwithstanding the amended provisions of Article 24 (7), and the City/Do council shall decide on Muncipal Ordinance by not later than February 28, 2010.

(2) When the City/Do council fails to decide on Muncipal Ordinance until a deadline under paragraph (1), the name, district or fixed number of members of the constituency of the relevant autonomous Gu/Si/Gun council members shall be prescribed by Regulations of the National Election Commission.

(3) Notwithstanding the provisions of Article 26 (3), the autonomous Gu/Si/Gun prescribed by Regulations of the National Election Commissionmay divide parts of Eup/Myeon/Dong and allow such parts to belong to other constituencies of autonomous Gu/Si/Gun council members, so as to narrow a deviation in the number of populations per council member by local constituency.

Article 5 (Applicability to Reports of Public Opinion Polls)

The amended provisions of Article 108 (3) concerning reports of public opinion polls shall begin to apply 20 days after this Act enters into force.

Article 6 (Transitional Measures concerning Composition of Committee for Gu/Si/Gun Election Debate Broadcasting Committees)

(1) Gu/Si/Gun Election Debate Broadcasting Committees under the amended provisions of Article 8-7

(2) 2 shall be made up in a new manner within 30 days after this Act enters into force.

(2) Members of Gu/Si/Gun Election Debate Broadcasting Committees, who are appointed before this Act enters into force and hold office, shall be deemed to be dismissed on the date when this Act enters into force.

Article 7 (Transitional Measures concerning Separate Sentences of Concurrent Crimes)

Separate sentences of concurrent crimes, due to violations committed before this Act enters into force, shall be governed by the previous examples, notwithstanding the provisions of Article 18 (3).

Article 8 (Transitional Measures concerning Return of Expenses of Persons who are Not Elected)

With regard to the return of expenses of persons who are not elected, falling under the amended provisions of Article 265-2, due to violations committed before this Act enters into force, the previous examples shall apply.

Article 9 (Transitional Measures concerning Penal Provisions and Fines for Negligence)

(1) The application of penal provisions and fines for negligence to acts committed before this Act enters into force shall be governed by the previous provisions.

(2) Notwithstanding the provisions of paragraph (1), fines for negligence under the amended provisions of Article 261 (6) shall be imposed, beginning with violations before this Act enters into force, for which the application of fines for negligence is stopped and such fines are not imposed.

Article 10 (Transitional Measures concerning Restrictions on Holding Public Offices)

With respect to restrictions on public offices held by persons falling under the amended provisions of Article 266 (1) due to violations before this Act enters into force, the previous examples shall apply.

Article 11 Omitted.

Article 12 (Relations with other Acts and Subordinate Statues)

A citation of a provision of the former Public Official Election Act by any other Act or subordinate statute in force at the time this Act enters into force shall be deemed to be a citation of the corresponding provision hereof in lieu of the former provision, if such corresponding provision exists herein.

ADDENDA <*Act No. 10067, Mar. 12, 2010*>

Article 1 (Enforcement date)

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

Article 2 (Special Cases concerning Demarcation of Constituency for Autonomous Gu/Si/Gun Council Members)

(1) Procedures for the demarcation of constituency under Article 24, including the establishment of the Constituency Demarcation Committee for autonomous Gu/Si/Gun council members, the commission of members, hearing of opinion, etc. taken by a City/Do which needs to adjust constituencies of autonomous Gu/Si/Gun council members according to the amended provisions of attached Table 2 in an election for autonomous Gu/Si/Gun council members at the expiration of the term of office, which is held on June 2, 2010 before this Act enters into force shall be deemed procedures under this Act.

(2) The Constituency Demarcation Committee for autonomous Gu/Si/Gun council members established under paragraph (1) shall submit a draft constituency demarcation of the relevant autonomous Gu/Si/Gun to the Mayor/Do Governor by March 15, 2010, notwithstanding Article 24 (7), and City/Do council shall pass a resolution on a draft Municipal Ordinance under Article 26 (2) by March 25, 2010.

(3) Where City/Do council fails to pass a resolution on a draft Municipal Ordinance by the time limit under paragraph (2), the name, district and the fixed number of members of constituencies for autonomous Gu/Si/Gun council members shall be determined by Regulations of the National Election Commission.

Article 3 (Special Cases concerning Return of Deposit Money by Preliminary Candidates)

With respect to a preliminary candidate who resigns within the reporting period under the former part of Article 5 of the ADDENDA or whose registration becomes null under the latter part of the same Article, due to the change in an election district as this Act, the Municipal Ordinance of relevant City/Do under Article 2 of the ADDENDA or Regulations of the National Election Commission(hereinafter referred to as "election district changing rule") enters into force, the competent constituency election commission shall return the whole amount of deposit money paid by the preliminary candidate within 30 days after the election day.

Article 4 (Transitional Measures concerning Candidacy of Public Officials, etc.)

With respect to an election for local council members of local constituency to be held on June 2, 2010, a person who falls under the subparagraphs of Article 53 (1) and who intends to be a candidate for the relevant constituency only in the district where an election district is changed as the election district changing rule enters into force shall resign his/her post within 10 days from the date this Act enters into force, notwithstanding the main sentence of Article 53 (1).

Article 5 (Transitional Measures concerning Registration of Preliminary Candidate)

A preliminary candidate in the district where an election district is changed as the election district changing rule enters into force while being a preliminary candidate for an election for local council members of local constituency to be held on June 2, 2010 shall select the relevant constituency he/she intends to run for by ten days after the election district changing rule enters into force, and report it to the competent constituency election commission. In such cases, if no report is filed by the date specified, the registration of the relevant preliminary candidate is deemed null.

Article 6 (Transitional Measures concerning Election Campaign Office of Preliminary Candidate)

Where the election campaign office of an preliminary candidate is located in other election district as the election district changing rule enters into force in an election for local council members of local constituency to be held on June 2, 2010, the election campaign office of an preliminary candidate shall be relocated to the relevant election district within 20 days after the relevant election district changing rule enters into force and a report on the change in the seat of the election campaign office shall be made.

Article 7 (Transitional Measures concerning Sending of Campaign Material of Preliminary Candidate)

(1) With respect to the district where an election district is changed as the election district changing rule enters into force in an election for local council members of local constituency to be held on June 2, 2010, a preliminary candidate who has sent the campaign material of preliminary candidates before the election district changing rule enters into force may additionally send the campaign material of preliminary candidates only once within the extent of 10/100 of the number of households in the changed constituency. In such cases, the quantity which shall be sent to the newly selected constituency under the former part of Article 5 of the ADDENDA shall be that less the quantity already sent to the constituency before the relevant election district changing rule enters into force.

(2) When sending the campaign material of preliminary candidates additionally under paragraph (1), a preliminary candidate may apply to the head of a Gu/Si/Gun for the delivery of the names and addresses of householders in the district within the quantity of the campaign material of preliminary candidates allowed to send additionally, notwithstanding Article 60-3 (3).

Article 8 (Transitional Measures concerning Text Messages Transmission by Means of Automatic Broadcast Communication)

(1) Where a preliminary candidate who has newly selected a constituency under the former part of Article 5 of the ADDENDA has transmitted text messages by means of automatic broadcast communication under Article 60-3 (1) 7 before the relevant election district changing rule enters into force, it shall be deemed included in transmission times under the same paragraph and Article 82-4 (1) 3: Provided, That the same shall not apply to any constituency (hereinafter referred to as "constituency short of population") where the number of population in some overlapping areas between the newly selected constituency and the former constituency is fewer than 50/100 of the number of population in the newly selected constituency.

(2) The number of population under the proviso to paragraph (1) shall be that referred to in Article 4.

Article 9 (Applicability to Election Expenses Spent by Preliminary Candidate)

(1) Where a newly-selected constituency under the former part of Article 5 of the ADDENDA partially overlaps with the former constituency, the election expenses spent by the preliminary candidate shall be deemed the election expenses for the relevant election: Provided, That the same shall not apply to a constituency short of population.

(2) Notwithstanding the proviso to paragraph (1), the expenses incurred in preparing and mailing the campaign material of preliminary candidate sent to the areas included in the newly-selected constituency under the former part of Article 5 of the ADDENDA among the former constituencies before the relevant election district changing rule enters into force shall be deemed the election expenses of the relevant election.

ADDENDA *<Act No. 10303, May. 17, 2010>*

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 10 Omitted.

ADDENDA *<Act No. 10981, Jul. 28, 2011>*

(1) (Enforcement Date) This Act shall enter into force on the date of its promulgation.

(2) (Applicability to Responsibility of the Head of Gu/Si/Gun to Take Technical Measures) The amended provisions of Article 44 (2) and (3) shall start applying to the first election held due to the expiration of terms after this Act enters into fore.

(3) (Relationship with other Acts and subordinate Statutes) Where other Acts and subordinate statutes cite former provisions at the time this Act enters into force and any provisions corresponding thereto exist in this Act, the relevant provisions of this Act shall be deemed to have been cited in place of the former provisions.

ADDENDA <*Act No. 11070, Sep. 30, 2011*>

Article 1 (Enforcement Date)

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

Article 2 (Relations with other Acts and subordinate Statutes)

Where other Acts and subordinate statutes cite the previous provisions at the time this Act enters into force and any provisions corresponding thereto exist in this Act, the relevant provisions of this Act shall be deemed to have been cited in lieu of the previous provisions.

ADDENDA <*Act No. 11071, Nov. 7, 2011*>

Article 1 (Enforcement Date)

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

Article 2 (Applicability concerning Voting Franchise)

The amended provisions of Article 15 (1) and (2) shall apply from the election to be first held due to the termination of the term of office after the enforcement of this Act.

Article 3 (Relations with other Acts and subordinate Statutes)

Where other Acts and subordinate statutes cite the previous provisions at the time this Act enters into force and any provisions corresponding thereto exist in this Act, the relevant provisions of this Act shall be deemed to have been cited in lieu of the previous provisions.

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ADDENDA <*Act No. 11116, Dec. 2, 2011*>

Article 1 (Enforcement Date)

This Act shall enter into force on the date when the Free Trade Agreement between the Republic of Korea and the United States of America and Exchange of Letters related to the Agreement take effect.

Articles 2 and 3 Omitted.

ADDENDA <*Act No. 11207, Jan. 17, 2012*>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Residential Facilities for Disabled Persons)

The amended provisions of Article 149-2 shall apply to presidential elections held after this Act enters into force.

Article 3 (Transitional Measure concerning Penal Provisons and Fines for Negligence)

In applying penal provisions or imposing a fine for negligence, an act committed before this Act enters into force shall be governed by previous penal provisions or provisions regarding fines for negligence.

Article 4 (Transitional Measure concerning Special Exception to Persons who Voluntarily Surrendering themselves)

In applying the exception to a person who voluntarily surrendered him/herself to the police before this Act enters into force, such person shall be governed by previous provisions.

Article 5 (Transitional Measure concerning Reporting of Telephone Numbers by Automatic Broadcast Communications)

If text messages have been transmitted by means of automatic broadcast communications before this Act enters into force, the telephone numbers with which such text messages have been transmitted by means of automatic broadcast communications before this Act enters into force shall be reported along with the telephone numbers with which it is intended to transmit text messages by means of automatic broadcast communications after this Act enters into force.

ADDENDA *<Act No. 11373, Feb. 22, 2012>*

Article 1 (Enforcement Date)

This Act shall enter into force three months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 12 Omitted.

ADDENDA *<Act No. 11374, Feb. 29, 2012>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of the proviso to Article 21 (1) shall enter into force on July 1, 2012, and the amended provisions of Articles 158-3, 179 (4) 10, and 201 (7) on January 1, 2013.

Article 2 (Applicability to Ship Absentee Voting)

This amended provisions regarding shipboard absentee reports and shipboard voting shall apply to presidential elections held at the expiration of a term of office after this Act enters into force.

Article 3 (Special Exception to Fixed Number of National Assembly Members)

Notwithstanding Article 21 (1), the fixed number of the National Assembly members elected from the election held for the National Assembly members on April 11, 2012 shall be 300 persons, taking into consideration the fact that Sejong Self-governing City shall be newly established on July 1, 2012.

Article 4 (Special Exception to Demarcation of Constituencies for National Assembly Members)

In order to reduce differences in population for the election held for the National Assembly members on April 11, 2012 (including by-elections), notwithstanding Article 25 (1), Haewundae-Gu, Busan Metropolitan City may be split into parts, one of which shall be merged into the constituency of Gijang-Gun A, Busan Metropolitan City for a National Assembly member, Buk-Gu, Busan Metropolitan City may be split into parts, one of which shall be merged into the constituency of Buk-Gu/Gangseo-Gu B

for a National Assembly member, Seo-Gu, Incheon Metropolitan City may be split into parts, one of which shall be merged into the constituency of Seo-Gu/Ganghwa-Gun B for a National Assembly member, and Pohang-Si may be split into parts, one of which shall be merged into the constituency of Nam-Gu/Uleung-Gun, Pohang-Si.

Article 5 (Special Exception to Demarcation of Constituencies for National Assembly Members Following Establishment of Sejong Self-governing City)

For the purpose of the election held for the National Assembly members on April 11, 2012, notwithstanding Article 25 (1), the area within the jurisdiction of Sejong Self-governing City under Article 6 (2) of the Special Act on Establishment, etc. of Sejong Self-governing City shall be one constituency for a National Assembly member, which shall be titled as the "Constituency of Sejong Self-governing City for a National Assembly member", taking into consideration the fact that Sejong Self-governing City shall be newly established on July 1, 2012. The Yeongi-Gun Election Commission shall take charge of the election management for the Constituency of Sejong Self-governing City for a National Assembly member, the area within the jurisdiction of Yeongi-Gun with respect to election affairs shall include the area within the jurisdiction of Sejong Self-governing City, while a part of Buyong-Myeon, Cheongwon-Gun, Chungcheongbuk-Do and a part of Euidang-Myeon, Janggi-Myeon, and Banpo-Myeon, Chungcheongnam-Do shall be deemed an independent Myeon respectively.

Article 6 (Transitional Measure concerning Candidacy of Public Officials, etc.)

For the purpose of the election held for the National Assembly members on April 11, 2012, notwithstanding the main sentence of Article 53 (1), if a person specified in any of subparagraphs of the aforesaid paragraph intends to become a candidate for a National Assembly from a constituency for a National Assembly member, the area of which shall be changed under this Act (referring to any of the constituency of Sejong Self-governing City, the constituency of Paju-Si A or B, Gyeonggi-Do, the constituency of Icheon-Si, Gyeonggi-Do, the constituency of Yeoju-Gun/Yangpyeong-Gun/Gapyeong-Gun, Gyeonggi-Do, the constituency of Wonju-Si A or B, Gangwon-Do, the constituency of Gongju-Si, Chungcheongnam-Do, the constituency of Suncheon-Si/Gokseong-Gun, Jeollanam-Do, the constituency of Gwangyang-Si/Gurye-Gun, Jeollanam-Do, the constituency of Damyang-Gun/Hampyeong-Gun/Yeonggwang-Gun/Jangseong-Gun, Jeollanam-Do, or the constituency of Sacheon-Si/Namhae-Gun/Hadong-Gun, Gyeongsangnam-Do; the same shall also apply in Articles 8 and 9 of the Addenda) shall resign from his/her office by not later than ten days from the enforcement date of this Act.

Article 7 (Special Exception to Return of Deposit Money by Preliminary Candidates)

Notwithstanding Article 57 (1), if a preliminary candidate resigns from candidacy within the period set for reporting under the former part of Article 8 of the Addenda or if a preliminary candidate has his/her registration nullified under the latter part of the aforesaid Article following the enforcement of this Act, the election commission having jurisdiction over the relevant constituency shall return the full amount of the deposit money paid by the preliminary candidate within 30 days from the election day.

Article 8 (Transitional Measure concerning Registration of Preliminary Candidates)

If a preliminary candidate for the election held for National Assembly members on April 11, 2012 has the area of his/her constituency for a National Assembly member changed following the enforcement of this Act, such preliminary candidate shall choose the constituency for which he/she intends to run and shall report his/her determination to the election commission having jurisdiction over the relevant constituency by not later than ten days after this Act enters into force. If a preliminary candidate does not file a report by the deadline, the registration of the preliminary candidate shall be deemed nullified.

Article 9 (Transitional Measure concerning Dispatch of Campaign Materials of Preliminary Candidates)

(1) If the area of a constituency for a National Assembly member is changed following the enforcement of this Act, a preliminary candidate who runs for the election held for National Assembly members on April 11, 2012 in the constituency may dispatch his/her campaign materials to not more than 10/100 of the number of households within the constituency so changed. In such cases, the quantity of such materials that a preliminary candidate who chooses a constituency pursuant to the former part of Article 8 of the Addenda may dispatch to electors shall be calculated by subtracting the quantity of the materials he/she has dispatched to the constituency before this Act enters into force.

(2) When a preliminary candidate intends to dispatch campaign materials pursuant to paragraph (1), the preliminary candidate may request the head of each Gu/Si/Gun to inform him/her of the names and addresses of heads of household in the area to which he/she intends to dispatch campaign materials within the limit on the quantity up to which he/she is allowed to dispatch such materials, notwithstanding Article 60-3 (3).

Article 10 (Transitional Measure concerning Election Offices, etc. of Preliminary Candidates)

If the area in which the election office of a preliminary candidate for the election held for National Assembly members on April 11, 2012 is situated eventually belong to other constituency following the enforcement of this Act, the preliminary candidate shall move his/her election office into the relevant constituency and shall file a report on the change of the location of the election office by not later than ten days after this Act enters into force.

Article 11 (Transitional Measure concerning Establishment of Political Party's Election Offices)

If a single Gu/Si/Gun is divided into two or more constituencies for National Assembly members following the enforcement of this Act for the election held for National Assembly members on April 11, 2012, a political party's election office already established shall be deemed the political party's election office established for the constituency in which the election office is situated.

Article 12 (Transitional Measure concerning Transmission of Text Messages by Automatic Broadcast Communications)

If a preliminary candidate who chooses a new constituency for a National Assembly member pursuant to the former part of Article 8 of the Addenda has sent text messages by automatic broadcast communications as defined in Article 60-3 (1) 7 before this Act enters into force, the number of the text

messages already sent shall be included in the number of messages prescribed in the amended provisions of subparagraph 2 of Article 59.

Article 13 (Applicability to Election Expenses of Preliminary Candidates)

If the area of the constituency that a preliminary candidate newly chooses for a National Assembly member pursuant to the former part of Article 8 of the Addenda partially overlaps with the area of his/her previous constituency, election expenses incurred to the preliminary candidate shall be deemed election expenses incurred for the relevant election.

Article 14 (Transitional Measure concerning Penal Provisions and Fines for Negligence)

An act committed before this Act enters into force shall be governed by previous penal provisions and provisions regarding fines for negligence.

ADDENDA *<Act No. 11485, Oct. 2, 2012>*

Article 1 (Enforcement Date)

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

Article 2 (Relationship to other Acts and Subordinate Statutes)

A citation of previous provisions by any other Act or subordinate statute in force at the time this Act enters into force shall be deemed a citation of relevant provisions of this Act in lieu of the previous provisions, if this Act has such relevant provisions.

ADDENDA *<Act No. 11551, Dec. 18, 2012>*

Article 1 (Enforcement Date)

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

Article 2 Omitted.

ADDENDA *<Act No. 11690, Mar. 23, 2013>*

Article 1 (Enforcement Date)

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

(2) Omitted.

Articles 2 through 7 Omitted.

ADDENDA *<Act No. 12111, Aug. 13, 2013>*

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Revocation of Decision to Pay Reward Money and Return of Reward Money)

Notwithstanding the amended provisions of this Act, a person to whom the amended provisions of Article 262-3 (3) or (4) is applicable with regard to a report filed on an election crime committed before

this Act enters into force shall be governed by previous provisions.

Article 3 (Transitional Measure concerning Penal Provisions and Fines for Negligence)

An act conducted before this Act enters into force shall be governed by previous provisions in applying penal provisions or imposing a fine for negligence.

ADDENDUM *<Act No. 12149, Dec. 30, 2013>*

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

ADDENDA *<Act No. 12267, Jan. 17, 2014>*

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Penal Provisions and Fines for Negligence)

An act committed before this Act enters into force shall be governed by previous penal provisions and provisions regarding fines for negligence.

Article 3 (Relationship to other Acts and Subordinate Statutes)

A citation of previous provisions by any other Act or subordinate statute in force at the time this Act enters into force shall be deemed a citation of relevant provisions of this Act in lieu of the previous provisions, if this Act has such relevant provisions.

ADDENDA *<Act No. 12393, Feb. 13, 2014>*

Article 1 (Enforcement Date)

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

Article 2 (Special Exception to Establishment, etc. of Committee for Deliberation on Fairness in Public Opinion Polls on Election)

(1) Each committee for the deliberation on fairness in public opinion polls on election under the amended provisions of Article 8-8 shall be established and operated within 20 days after the enforcement date of this Act.

(2) Notwithstanding the amended provisions of Article 8-8 (6), the guidelines for public opinion polls on elections shall be publicly announced within 20 days after the central committee for the deliberation on fairness in public opinion polls on election is established.

Article 3 (Special Exception to Fixed Number of City/Do Council Members from Local Constituencies)

Notwithstanding the amended provisions of Article 22 (1), the Buk-gu area included in the constituency of the National Assembly member from the Buk-gu and Ganseo-gu B area in Busan Metropolitan City, the Haeundae-gu area included in the constituency of the National Assembly member from the Haeundae-gu and Gijang-gun B area also in Busan Metropolitan City, the Seo-gu area included in the constituency of the National Assembly member from the Seo-gu and Ganghwa-gun B area in Incheon Metropolitan City, and the Pohang-si area included in the constituency of the National Assembly

member from the Pohang Nam-gu and Uleung-gun area in Geongsangbuk-do shall be deemed one local constituency of a National Assembly member respectively in computing the fixed number of City/Do council members from local constituencies for the election of local council members, which shall be held on June 4, 2014 upon the expiration of the term of office.

Article 4 (Special Exception to Demarcation of Constituencies of City/Do Council Members from Local Constituencies)

Notwithstanding the amended provisions of Article 26 (3), the area of Myeongji-dong, Gangseo-gu, Busan Metropolitan City may be divided into districts to include a district in the first Gangseo-gu constituency and the other district in the second Gangseo-gu constituency, the area of Yeongwol-eup, Yeongwol-gun, Gangwon-do may be divided into districts to include a district into the first Yeongwol-gun constituency and the other district in the second Yeongwol-gun constituency, and the area of Geochang-eup, Geochang-gun, Gyeongsangnam-do may be divided into districts to include a district in the first Geochang-gun constituency and the other district in the second Geochang-gun constituency for the election (including by-elections) of local council members, which shall be held on June 4, 2014 upon the expiration of the term of office, in order to reduce variation in population.

Article 5 (Special Exception to Demarcation of Constituencies of Autonomous Gu/Si/Gun Council Members from Local Constituencies)

(1) Notwithstanding the amended provisions of Article 24 (7), the constituency demarcation committee for members of each autonomous Gu/Si/Gun council shall present to the competent Mayor/Do Governor a bill for the demarcation of constituencies for the election (including by-elections) of local council members, which shall be held on June 4, 2014 upon the expiration of the term of office, by not later than five days after the enforcement date of this Decree, and each City/Do Council shall adopt a resolution on the bill for ordinance thereon by not later than 12 days after the enforcement date of this Decree.

(2) If a City/Do Council fails to adopt a resolution on the bill for ordinance by the deadline specified in paragraph (1), the name and extent of each constituency for an autonomous Gu/Si/Gun council member shall be prescribed by Regulations of the National Election Commission.

(3) Notwithstanding Article 26 (3), an Eup/Myeon/Dong in an autonomous Gu/Si/Gun specified by Regulations of the National Election Commission may be divided to include part of it in another autonomous Gu/Si/Gun in order to minimize variation in population per council member from each local constituency.

Article 6 (Special Exception to Registration of Preliminary Candidates)

Notwithstanding Article 60-2 (1) 3, a person who intends to become a preliminary candidate in the election of council members of an autonomous Gu/Si/Gun from a local constituency, which shall be held on June 4, 2014, may file an application for the registration of a preliminary candidate from 17 days after the enforcement date of this Decree.

Article 7 (Special Exception to Submission of Registration of Preliminary Candidates)

Notwithstanding the amended provisions of Article 49 (4) 7 regarding the submission of past records of registration of a candidate shall apply to past records of registration of candidates for the elections held on or after March 26, 1991 for council members of each Gu/Si/Gun council.

Article 8 (Transitional Measure concerning Eligibility for Election)

Previous practices shall apply to the eligibility for election of a person who committed a crime specified in the amended provisions of subparagraph 5 of Article 19 before this Act enters into force.

Article 9 (Transitional Measure concerning Submission of Evidentiary Documents concerning Criminal Records)

A person registered as a preliminary candidate under Article 60-2 before this Act enters into force shall submit again the evidentiary documents concerning criminal records under Article 60-2 (2) 2 by not later than ten days after the enforcement date of this Decree

Article 10 (Transitional Measure concerning Reporting on Public Opinion Polls on Election and Publishing, Reporting, etc. of Results thereof)

(1) Notwithstanding the amended provisions of Article 108 (3), the previous provisions shall apply to the reporting on a public opinion poll conducted with regard to an election held after this Act enters into force but before the central committee for the deliberation on fairness in public opinion polls on election publicly announces the guidelines for public opinion polls on elections.

(2) Notwithstanding the amended provisions of Article 108 (7) and (8), the previous provisions shall apply to the publishing and reporting of the results of a public opinion poll conducted with regard to an election held after this Act enters into force but before the central committee for the deliberation on fairness in public opinion polls on election publicly announces the guidelines for public opinion polls on elections.

Article 11 (Transitional Measure concerning Penal Provisions, Fines for Negligence, and Prescriptive Period for Prosecution)

An act committed before this Act enters into force or an activity specified in Article 10 (1) or (2) of the Addenda but conducted before the central committee for the deliberation on fairness in public opinion polls on election publicly announces the guidelines for public opinion polls on elections shall be governed by previous penal provisions and provisions regarding fines for negligence and the prescriptive period for prosecution.

Article 12 (Relationship to other Acts and Subordinate Statutes)

A citation of the previous provisions by any other Act or subordinate statute in force at the time this Act enters into force shall be deemed a citation of relevant provisions of this Act in lieu of the previous provisions, if this Act has such relevant provisions.

ADDENDA <*Act No. 12583, May 14, 2014*>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measure concerning Penal Provisions and Fines for Negligence)

Any act committed before this Act enters into force shall be governed by the former penal provisions and the previous provisions regarding fines for negligence.

ADDENDA *<Act No. 12844, Nov. 19, 2014>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDA *<Act No. 12946, Dec. 30, 2014>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

Articles 2 and 3 Omitted.

ADDENDA *<Act No. 13334, Jun. 19, 2015>*

Article 1 (Enforcement Date)

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

Article 2 (Special Exception to Establishment, etc. of Constituency Demarcation Committee for National Assembly Members)

(1) Notwithstanding the amended provisions of Article 24 (1), the Constituency Demarcation Committee related to the election of the National Assembly members to be held on April 13, 2016, shall be established within 30 days from the date this Act enters into force.

(2) Notwithstanding the amended provisions of Article 24 (4), the competent Standing Committee of the National Assembly or the Special Committee for deliberating on the matters concerning constituency delimitation with respect to the election of the National Assembly members to be held on April 13, 2016 shall appoint one person designated by the Chairperson of the National Election Commission and eight persons determined by resolution, from among the persons recommended by the academic circles, legal circles, press circles, civil groups, political parties, etc. and then notify the chairperson of the National Election Commission of such appointment.

(3) Notwithstanding the amended provisions of Article 24 (11), the Constituency Demarcation Committee for the National Assembly Members related to the election of the National Assembly members to be held on April 13, 2016 shall submit a draft constituency demarcation to the Speaker of the National Assembly by six months before the election.

(4) Notwithstanding the amended provisions of the former part of Article 24 (12), the chairperson of the National Election Commission may have a support organization for the Constituency Demarcation

Committee for the National Assembly Members related to the election of the National Assembly members to be held on April 13, 2016.

(5) Notwithstanding the amended provisions of Article 24-2 (1), election districts of the National Assembly members in the election of the National Assembly members to be held on April 13, 2016 shall be confirmed by five months before the election.

Article 3 Omitted.

ADDENDA *<Act No. 13497, Aug. 13, 2015>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Article 18 (1) 2 shall enter into force on January 1, 2016.

Article 2 (Transitional Measures Concerning Special Election, etc.)

Notwithstanding the amended provisions of Articles 35 (2), 53 (2), 201 (5), and 203 (2) through (4), a special election, etc. the reason for holding such has become definite before this Act enters into force, shall be governed by the former provisions.

Article 3 (Transitional Measures Concerning Overseas Koreans Who Have Filed Report on Domestic Abode)

An overseas Korean who has filed a report on his/her domestic abode under the former Act on the Immigration and Legal Status of Overseas Koreans as at the time the Act on the Immigration and Legal Status of Overseas Koreans as amended by Act No. 12593 enters into force, shall be governed by the former provisions until June 30, 2016 without applying the amended provisions of Articles 4, 15 (1) and (2), 16 (3), 37 (1), 218-4 (1) and (2), and 218-9 (1). In such cases, the amended provisions of Article 218-4 (1) and (2) shall be limited to the matters concerning the Resident Registration Act.

Article 4 (Transitional Measures Concerning Penal Provisions and Fines for Negligence)

An act committed before this Act enters into force shall be governed by the former penal provisions and the provisions regarding fines for negligence.

Article 5 Omitted.

ADDENDA *<Act No. 13617, Dec. 24, 2015>*

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation: Provided, That the amended provisions of Articles 8-8 (1), (6), (7), and (9), and 108 (3), (5), (6), (8) and (9) shall enter into force ten days after the date of its promulgation.

Article 2 (Special Cases concerning Overseas Electoral Register)

The overseas electoral register confirmed at the presidential election held on December 19, 2012 shall be deemed the "overseas electoral register confirmed at the presidential election conducted immediately before the relevant election or the election of proportional representative members to the National

Assembly due to the termination of the term of membership" under the amended provision of Article 218-8 (2) at the election of members to the National Assembly to be held on April 13, 2016.

Article 3 (Transitional Measures concerning Reports of Overseas Absentees and Applications for Registration of Overseas Electors)

Reports of overseas absentees and applications for the registration of overseas electors under the former provisions at the time this Act enters into force shall be deemed reports of overseas absentees and applications for the registration of overseas electors under the amended provisions of Articles 218-4 and 218-5.

Article 4 (Transitional Measures concerning Penal Provisions and Fines for Negligence)

The former provisions shall apply to penal provisions and fines for negligence on any acts performed before this Act enters into force.

Article 5 (Relationship to Other Acts)

Where any provision of the former Public Official Election Act is cited by other Acts and subordinate statutes at the time this Act enters into force, and this Act contains the provision corresponding thereto, the relevant provision of this Act shall be deemed cited in lieu of the former provision.

ADDENDA *<Act No. 13755, Jan. 15, 2016>*

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Penal Provisions)

The former provisions shall apply to penal provisions on any acts performed before this Act enters into force.

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ADDENDA *<Act No. 14073, Mar. 3, 2016>*

Article 1 (Enforcement Date)

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

Article 2 (Special Cases concerning Demarcation of Local Constituencies for Electing Members to National Assembly)

Notwithstanding the amended provision of Article 25 (1) 1, the population which becomes standards for the demarcation of local constituencies for electing members to the National Assembly at the election of members to the National Assembly to be conducted on April 13, 2016 shall be based on the population as of October 31, 2015.

Article 3 (General Transitional Measures concerning Demarcation of Local Constituencies for Electing Members to National Assembly)

At the election of members to the National Assembly to be conducted on April 13, 2016, local constituencies for electing members to the National Assembly as of December 31, 2015 (hereinafter referred to as "former local constituencies for electing members to the National Assembly") shall be

deemed to have existed from January 1, 2016 until this Act enters into force, and necessary subsequent measures shall be prepared following a delay in the demarcation of local constituencies for electing members to the National Assembly.

Article 4 (Transitional Measures concerning Return of Deposit Money Paid by Preliminary Candidates)

Notwithstanding Article 57 (1), the competent election commission of the electoral district shall return deposit money paid by a preliminary candidate who resigns his/her preliminary candidacy no later than ten days after this Act enters into force, who is a preliminary candidate for the local constituency for electing a member of the National Assembly whose electoral district was altered in accordance with the enforcement of this Act, or a preliminary candidate whose registration was invalidated pursuant to Article 6 (3) of the Addenda within 30 days after the election day.

Article 5 (Special Cases concerning Request, etc. for Providing Safe Numbers for Primary Elections)

(1) A written request for providing safe numbers for a primary election submitted to the competent election commission before this Act enters into force shall be deemed submitted 23 days before the election day of the primary election at the election of members to the National Assembly to be conducted on April 13, 2016.

(2) Notwithstanding the main sentence of Article 57-8 (5), where a mobile network operator is requested to provide safe numbers under paragraph (1), it shall create and provide safe numbers to the relevant political party within five days from the enforcement date of this Act.

(3) At the election of members to the National Assembly to be conducted on April 13, 2016, notwithstanding Article 57-8 (2) 1, a political party may submit a written request for providing safe numbers for the primary election to the competent election commission no later than three days after this Act enters into force.

(4) Notwithstanding the main sentence of Article 57-8 (5), where a mobile network operator is requested to provide safe numbers under paragraph (3), it shall create and provide safe numbers to the relevant political party within five days from the date on which it receives such request.

Article 6 (Transitional Measures concerning Registration of Preliminary Candidates)

(1) At the election of members to the National Assembly to be conducted on April 13, 2016, notwithstanding Article 60-2 (1), a preliminary candidate for the former local constituency for electing a member to the National Assembly shall be deemed registered as a preliminary candidate with the competent election commission of the electoral district of the local constituency for electing a member to the National Assembly in accordance with the enforcement of this Act.

(2) A preliminary candidate for the local constituency for electing a member to the National Assembly whose electoral district was altered in accordance with the enforcement of this Act, who is a preliminary candidate for the former local constituency for electing a member to the National Assembly, shall file a report to the competent election commission of the electoral district after selecting the local constituency for electing a member to the National Assembly he/she intends to run for the National

Assembly among local constituencies for electing members to the National Assembly including the whole or part of the former local constituency for electing a member to the National Assembly no later than ten days after this Act enters into force.

(3) Where a preliminary candidate fails to file a report under paragraph (2), the registration of the relevant preliminary candidate shall be invalidated.

Article 7 (Transitional Measures concerning Sending of Publicity Materials of Preliminary Candidates)

(1) Where a preliminary candidate for the former local constituency for electing a member to the National Assembly sent his/her publicity materials pursuant to Article 60-3 (1) 4 before this Act enters into force at the election of members to the National Assembly to be conducted on April 13, 2016, the quantity of publicity materials he/she sent shall be included in the quantity of publicity materials of the preliminary candidate to be sent in accordance with the enforcement of this Act.

(2) Notwithstanding paragraph (1), a preliminary candidate who has selected a new local constituency for electing a member to the National Assembly pursuant to Article 6 (2) of the Addenda may send publicity materials of the preliminary candidate within ten percent of the number of households within the new local constituency for electing a member to the National Assembly he/she has selected. In such cases, he/she may send publicity materials within the quantity obtained by deducting the quantity of publicity materials sent in the local constituency for electing a member to the National Assembly before this Act enters into force.

(3) A preliminary candidate who intends to send his/her publicity materials pursuant to paragraph (2) may request the head of a Gu/Si/Gun to deliver the names and addresses of the heads of households in an area where he/she will send his/her publicity materials within the quantity of his/her publicity materials he/she may send.

Article 8 (Transitional Measures concerning Election Campaign Offices, etc. of Preliminary Candidates)

(1) Where a preliminary candidate for the former local constituency for electing a member to the National Assembly has reported the establishment of a election campaign office, or the appointment of the campaign manager, campaign office workers, or assistants to activities to the competent election commission of the electoral district before this Act enters into force at the election of members to the National Assembly to be conducted on April 13, 2016, he/she shall be deemed to have reported in accordance with the enforcement of this Act.

(2) Where the election campaign office of a preliminary candidate is located within other local constituency for electing a member to the National Assembly in accordance with the enforcement of this Act at the election of members to the National Assembly to be conducted on April 13, 2016, the preliminary candidate shall move his/her election campaign office to the relevant local constituency for electing a member to the National Assembly and file a report of the alteration of the location of his/her election campaign office with the competent election commission of the electoral district no later than

10 days after this Act enters into force.

Article 9 (Transitional Measures concerning Establishment of Election Campaign Office of Political Party)

Where one Gu/Si/Gun is demarcated into at least two local constituencies for electing members to the National Assembly in accordance with the enforcement of this Act at the election of members to the National Assembly to be conducted on April 13, 2016, the election campaign office of a political party previously established shall be deemed the election campaign office of the political party established in the relevant local constituency for electing a member to the National Assembly having jurisdiction over the place of domicile.

Article 10 (Transitional Measures concerning Text Messaging by Means of Automatic Multiple Messaging Service)

(1) Where a preliminary candidate for the former local constituency for electing a member to the National Assembly under Article 6 (1) of Addenda has sent text messages by means of automatic multiple messaging service under subparagraph 2 of Article 59 before this Act enters into force at the election of members to the National Assembly to be conducted on April 13, 2016, such text messages shall be included in the number of text messages sent following the enforcement of this Act.

(2) Where a preliminary candidate who selected a new local constituency for electing a member to the National Assembly pursuant to Article 6 (2) of Addenda has sent text messages by means of automatic multiple messaging service under subparagraph 2 of Article 59 before this Act enters into force, such text messages shall be included in the number of text messages sent following the enforcement of this Act.

Article 11 (Transitional Measures concerning Election Expenses of Preliminary Candidates)

(1) Expenses spent by a preliminary candidate for the former local constituency for electing a member to the National Assembly under Article 6 (1) of the Addenda for election campaign before this Act enters into force, at the election of members to the National Assembly to be conducted on April 13, 2016 shall be deemed election expenses for the relevant election.

(2) Expenses spent by a preliminary candidate who has selected a new local constituency for electing a member to the National Assembly pursuant to Article 6 (2) of the Addenda for election campaign before this Act enters into force shall be deemed election expenses for the relevant election.

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