

법령, 판례 등 모든 법령정보를 한 번에 검색 OK !

## ENFORCEMENT DECREE OF THE ADMINISTRATIVE APPEALS ACT

[Enforcement Date 01. Nov, 2018.] [Presidential Decree No.29270, 30. Oct, 2018.,  
Partial Amendment]

국민권익위원회 (행정심판총괄과)044-200-7823, 7814



법제처 국가법령정보센터

[www.law.go.kr](http://www.law.go.kr)

2022.05.20

## ENFORCEMENT DECREE OF THE ADMINISTRATIVE APPEALS ACT

[Enforcement Date 01. Nov, 2018.] [Presidential Decree No.29270, 30. Oct, 2018., Partial Amendment]

국민권익위원회 (행정심판총괄과) 044-200-7823, 7814

### CHAPTER I GENERAL PROVISIONS

**Article 1 (Purpose)** The purpose of this Decree is to regulate matters delegated by the Administrative Appeals Act and matters necessary for its enforcement.

### CHAPTER II TRIAL AUTHORITIES

**Article 2 (Jurisdiction, etc. of Administrative Appeals Commissions)** The "heads of agencies under the direct control of the President which are prescribed by Presidential Decree" in Article 6 (1) 1 of the Administrative Appeals Act (hereinafter referred to as the "Act") means the Chief of Staff of the Office of the President, and the Director of the Office of National Security, the Chief of the Presidential Security Service, and the Broadcasting and Communications Commission. <Amended by Presidential Decree No. 24418, Mar. 23, 2013; Presidential Decree No. 28211, Jul. 26, 2017>

**Article 3 (Disposition, etc. by Specialized Local Administrative Agency Not Examined by the Central Administrative Appeals Commission)** "Specialized local administrative agency under the control of a state administrative agency prescribed by Presidential Decree" in Article 6 (4) of the Act means a specialized local administrative agency under the control of the Ministry of Justice and the Supreme Prosecutors' Office (excluding cases where an immediate upper-level administrative agency or a competent supervisory administrative agency is a central administrative agency).

**Article 4 (Duties, etc. of Chairpersons of Commissions)** (1) Each chairperson (hereinafter referred to as the "chairperson") of an administrative appeals commission and the Central Administrative Appeals Commission under Article 6 of the Act (hereinafter referred to as the "commission") shall represent the commission and exercise overall control of the business of the commission.

(2) If deemed necessary for the proper operation of the commission, the chairperson may designate one of its members to have prior consideration of the agenda and to report the results thereof to the commission.

(3) The chairperson shall convene a meeting of the commission and preside over it.

**Article 5 (Composition of Meetings of Some Administrative Appeals Commissions)** The meetings of each administrative appeals commission established under the following administrative agencies shall be comprised of its chairperson and six members who are designated by the chairperson for each meeting in accordance with the proviso to Article 7 (5) of the Act: <Amended by Presidential Decree No. 24418, Mar. 23, 2013; Presidential Decree No. 28211, Jul. 26, 2017>

1. The Chief of Staff of the Office of the President;
2. The Director of the Office of National Security;
3. The Chief of the Presidential Security Service;
4. The Broadcasting and Communications Commission;
5. The Director of the National Intelligence Service;
6. The head of a specialized local administrative agency affiliated with the Supreme Prosecutors' Office under Article 3.

**Article 6 (Operation, etc. of the Central Administrative Appeals Commission)** (1) At least two standing members shall attend meetings of the Central Administrative Appeals Commission under Article 8 (5) of the Act.

(2) Detailed matters necessary for the operation of the Central Administrative Appeals Commission except the matters prescribed in paragraph (1) shall be determined by the chairperson through resolution by the Central Administrative Appeals Commission.

**Article 7 (Subcommission)** (1) The chairperson of the subcommission under Article 8 (6) of the Act shall be designated by the Chairperson of the Central Administrative Appeals Commission from among its standing members.

(2) The subcommission shall be comprised of two standing members (including the chairperson of the subcommission) of the Central Administrative Appeals Commission and two non-standing members designated by the Chairperson of the Central Administrative Appeals Commission.

**Article 8 (Specialized Commission)** (1) A specialized commission under Article 8 (8) of the Act shall have prior consideration of cases of administrative appeals (hereinafter referred to as "appeals") designated by the Chairperson of the Central Administrative Appeals Commission and shall report the results thereof to the Central Administrative Appeals Commission.

(2) A specialized commission shall be comprised of not more than five members designated by the Chairperson of the Central Administrative Appeals Commission, including standing members of the Central Administrative Appeals Commission.

(3) The chairperson of the specialized commission shall be a member designated by the Chairperson of the Central Administrative Appeals Commission.

**Article 9 (Chief Executive Secretary and Executive Secretaries)** (1) To execute the business of the commission, a chief executive secretary and executive secretaries shall be appointed.

(2) An administrative agency to which the relevant commission belongs shall appoint a chief executive secretary and executive secretaries, from among public officials under its control.

(3) The chief executive secretary and executive secretaries shall perform the following duties under the directions of the chairperson:<Amended by Presidential Decree No. 28808, Apr. 17, 2018>

1. Assisting the chairperson with the operation of the commission;
2. Cooperating in providing materials as requested by the members;
3. Setting agenda schedules of the commission and managing agenda items referred to the commission by the board;
4. Investigating evidence;
- 4-2. Assisting in operating mediation procedures referred to in Article 30-2;
5. Processing administrative affairs with respect to the preparation of the written ruling;
6. Preparing and preserving the minutes of the commission;
7. Executing clerical works necessary for the operation of the commission, other than duties referred to in subparagraphs 1 through 4, 4-2, 5, and 6.

(4) The chief executive secretary may attend a meeting of the commission and state his/her opinion.

**Article 10 (Notification of Meeting of the Commission)** When the chairperson intends to convene a meeting, he/she shall notify each member of the date, place, and agenda of the

meeting in writing, at least five days prior to the date of the meeting: Provided, That this shall not apply in cases of urgency.

**Article 11 (Payment of Allowance, etc.)** The commission (including the subcommission or specialized commission) shall pay to members who attend the meeting or consider agenda items, attending allowance, allowance for consideration of agenda items, and travel expenses within the budget: Provided, That this shall not apply where members who are public officials attend a meeting or consider agenda items of the meeting in direct relation to their duties.

**Article 12 (Dealing with Requests for Disqualification and Challenge and Relevant Matters) (1)**

Deleted. <by Presidential Decree No. 27538, Oct. 4, 2016>

(2) If requested by the chairperson, a member against whom a request for disqualification is filed pursuant to Article 10 (1) of the Act or a request for challenge is filed pursuant to paragraph (2) of the aforementioned Article, shall submit to the chairperson his/her written opinion regarding such request without delay.<Amended by Presidential Decree No. 27538, Oct. 4, 2016>

(3) Deleted.<by Presidential Decree No. 27538, Oct. 4, 2016>

(4) Where the chairperson deems a request for disqualification or challenge groundless, he/she shall dismiss such request by decision pursuant to Article 10 (6) of the Act.<Amended by Presidential Decree No. 27538, Oct. 4, 2016>

(5) Where the chairperson deems a request for disqualification or challenge well-grounded, he/she shall accept such request by decision pursuant to Article 10 (6) of the Act.<Amended by Presidential Decree No. 27538, Oct. 4, 2016>

(6) No appeal may be filed against decisions made under Article 10 (4) and (6) of the Act.<Amended by Presidential Decree No. 27538, Oct. 4, 2016>

**Article 13 (Suspension of Appeals Procedure)** When a request for disqualification or challenge is made under Article 10 (1) and (2) of the Act, the appeals procedure for case on appeal shall be suspended until a decision on such request is made.

### CHAPTER III PARTIES AND INTERESTED PERSONS

**Article 14 (Handling of Objection against Succession of Status of Appellant for Administrative Appeals)**

(1) An objection under Article 16 (8) of the Act shall be raised in writing vindicating the grounds therefor.

(2) Upon receipt of an objection under Article 16 (8) of the Act, the commission shall refer it to the meeting of the commission for consideration without delay.

(3) After the commission makes a decision on an objection under paragraph (2), it shall provide the result thereof to an appellant, the parties, and an intervenor attending the appeals under Article 20 or 21 of the Act (hereinafter referred to as "intervenor").

**Article 15 (Correction of Appellee)** (1) Where the party requests to correct an appellee in an administrative appeal (hereinafter referred to as "appellee") under Article 17 (2) and (5) of the Act, he/she shall submit the notion in writing to the commission.

(2) When the commission receives a request under paragraph (1), it shall, without delay, examine and decide whether to grant permission.

(3) With respect to handling of an objection raised under Article 17 (6) of the Act, Article 14 shall apply mutatis mutandis.

**Article 16 (Permission of Appointment of Agents)** (1) When an appellant filing an administrative appeal (hereinafter referred to as "appellant") or an appellee thereof desires to appoint an agent with permission from the commission under Article 18 (1) and (2) of the Act, he/she shall apply for permission from the commission by a written statement describing the following matters:

1. Personal information of the prospective agent;
2. Grounds for appointing the agent;
3. Relationship between the agent and the appellant or the appellee.

(2) Upon receipt of a request made under paragraph (1), the commission shall examine the request without delay, determine whether to grant permission therefor, and notify the applicant of the results thereof.

**Article 16-2 (Requirements and Procedures for Requesting Appointment of Court-Appointed Counsels)**

(1) An appellant who may request the commission to appoint a court-appointed counsel pursuant to Article 18-2 (1) of the Act shall be a person who falls under any of the following:

1. A recipient referred to in subparagraph 2 of Article 2 of the National Basic Living Security Act;
2. A person eligible for support referred to in Articles 5 and 5-2 of the Single-Parent Family Support Act;
3. A recipient of a basic pension referred to in subparagraph 3 of Article 2 of the Basic Pension Act;
4. A recipient referred to in subparagraph 4 of Article 2 of the Act on Pensions for Persons with Disabilities;
5. A person eligible for protection referred to in subparagraph 2 of Article 2 of the North Korean Refugees Protection and Settlement Support Act;
6. Other persons deemed, by the chairperson, unable to appoint an agent due to lack of financial capability.

(2) An appellant who may request the appointment of a court-appointed counsel pursuant to paragraph (1) shall file an application therefor prior to a hearing date specified in Article 38 (1) of the Act; and shall also submit documents stating the fact that he/she falls under any subparagraph of paragraph (1).

[This Article Newly Inserted by Presidential Decree No. 29270, Oct. 30, 2018]

**Article 16-3 (Qualifications of Court-Appointed Counsels)** Where the commission determines to appoint a court-appointed counsel pursuant to Article 18-2 (2) of the Act, it shall appoint the court-appointed counsel from among persons who fall under any of the following:

1. An attorney-at-law registered pursuant to Article 7 of the Attorney-at-Law Act;
2. A certified public labor attorney registered pursuant to Article 5 of the Certified Public Labor Attorney Act.

[This Article Newly Inserted by Presidential Decree No. 29270, Oct. 30, 2018]

**Article 16-4 (Revocation of Appointment, etc. of Court-Appointed Counsels)** (1) The commission may revoke the appointment of a court-appointed counsel in any of the following cases: Provided, That such appointment shall be revoked in cases falling under subparagraphs 1 through 3:

1. Where an agent referred to in Article 18 (1) 3 or 4 of the Act has been appointed for an appellant;

2. Where a court-appointed counsel ceases to fall under each subparagraph of Article 16-3;
3. Where it is inappropriate for a court-appointed counsel to represent the appellant in the relevant appeal, because the counsel is a person interested in the relevant case, etc.;
4. Where a court-appointed counsel fails to perform his/her duties faithfully;
5. Other cases where the chairperson deems that any reasonable ground exists to revoke the appointment of a court-appointed counsel.

(2) Where a court-appointed counsel falls under any of the following, he/she may resign after obtaining permission from the commission:

1. Where he/she is unable to perform his/her duties as a court-appointed counsel due to diseases or long-term travels;
2. Where it is impractical for him/her to impartially perform his/her duties as a court-appointed counsel because he/she has received unreasonable treatment or request from an appellant or other related persons;
3. Other cases where any reasonable ground exists because he/she is deemed unable to perform his/her duties as a court-appointed counsel.

(3) Where the appointment of a court-appointed counsel is revoked pursuant to paragraph (1) 2 through 5 or a court-appointed counsel resigns pursuant to paragraph (2), the commission may appoint another court-appointed counsel.

[This Article Newly Inserted by Presidential Decree No. 29270, Oct. 30, 2018]

**Article 16-5 (Remuneration of Court-Appointed Counsels)** (1) The commission may pay an amount not exceeding 500,000 won per case in which an appointed court-appointed counsel represents the appellant, as remuneration to the court-appointed counsel, within budgetary limits.

(2) Detailed standards for paying remuneration under paragraph (1) shall be determined by the chairperson in consideration of the involvement of a court-appointed counsel in the relevant case, of the consolidation of related cases, etc.

[This Article Newly Inserted by Presidential Decree No. 29270, Oct. 30, 2018]

**Article 16-6 (Management of List of Candidates for Appointment of Court-Appointed Counsels)** (1) Where necessary to facilitate the court-appointed counsel system under Article 18-2 of the Act, the chairperson may manage a list of candidates for appointment of court-appointed counsels by commissioning such candidates from among persons who fall under any subparagraph of Article 16-3.



(2) The term of office of candidates for appointment of court-appointed counsels shall be two years; and may be reappointed only once.

(3) Except as otherwise provided for in paragraphs (1) and (2), matters necessary for commissioning candidates for appointment of court-appointed counsels and managing the list of such candidates shall be determined by the chairperson.

[This Article Newly Inserted by Presidential Decree No. 29270, Oct. 30, 2018]

**Article 17 (Dealing with Objection against Intervention)** With respect to dealing with an objection filed under Article 20 (6) of the Act, Article 14 shall apply mutatis mutandis.

**Article 18 (Request for Intervention)** A request for an intervention by the commission under Article 21 (1) of the Act shall be made in writing. In such cases, the commission shall notify the parties and other intervenors of the fact.

## CHAPTER IV REQUEST FOR ADMINISTRATIVE APPEALS

**Article 19 (Notice of Appeal Filed by Third Party)** A notice of an appeal filed under Article 24 (2) of the Act shall be issued in writing stating the following:

1. The name and address of an appellant and the date of appeal;
2. Details of the disposition subject to appeal;
3. Objective of and grounds for appeal.

**Article 20 (Documents Accompanying Written Appeal)** A written appeal filed under Article 28 (1) of the Act may be accompanied by a document attesting the qualification of a representative, manager, selected representative, or agent under Article 19 (1) of the Act, and documentary evidence or other evidence under Article 34 (1) of the Act.

**Article 21 (Dealing with Objection against Modification of Appeal)** With respect to dealing with an objection under Article 29 (7) of the Act, Article 14 shall apply mutatis mutandis.

**Article 22 (Suspension of Execution)** (1) A written appeal under Article 30 (5) of the Act may be accompanied by the papers or data attesting the grounds for request.  
(2) Where the party has submitted a written request for suspension of execution to an administrative agency which is an appellee, the agency in turn shall without delay serve it on the relevant commission.

(3) The procedures for the commission's review of and ruling on an appeal shall apply mutatis mutandis to the review and decision by the commission concerning a request for suspension of execution.

**Article 23 (Provisional Disposition)** @Article 22 shall apply mutatis mutandis to the review and decision by the commission on provisional dispositions taken under Article 31 (1) of the Act.

## CHAPTER V REVIEW

**Article 24 (Correction of Appeal)** (1) Any request for correction under Article 32 (1) of the Act shall be made in writing stating the following:

1. Matters to be corrected;
2. Grounds for correction;
3. Period of correction;
4. Matters necessary for correction, other than matters provided for in subparagraphs 1 through 3.

(2) If the commission has made a correction ex officio under the proviso to Article 32 (1) of the Act, it shall inform the parties of the matters corrected, grounds for the correction, etc.

**Article 25 (Investigation of Evidence)** (1) If the parties intend to request for investigation of evidence under Article 36 (1) of the Act, a written request stating the matters to be proved and means of evidence shall be submitted to the commission.

(2) Where the commission investigates evidence under Article 36 (1) of the Act, the commission may pay actual expenses to a person for reference who appears before the commission and a person who appraises within budgetary limits.

(3) Where the commission has investigated evidence in accordance with Article 36 (1) 4 of the Act, it shall prepare an evidence inspection protocol.

(4) The following shall be stated in an evidence inspection protocol referred to in paragraph (3), and the chairperson shall sign the protocol or affix his/her name and seal:

1. Indication of cases on appeal;
2. Date, time, and place of investigation of evidence;
3. Names of members who participated in investigation;

4. Names of parties, representatives, agents, etc. who appear in person;
5. Means and objects of investigation of evidence;
6. Results of investigation of evidence.

(5) Where the commission entrusts the personnel of an administrative agency to which the commission belongs or other administrative agencies with the investigation of evidence under Article 36 (2) of the Act, the commission may require the investigator to prepare the evidence inspection protocol. In such cases, paragraphs (3) and (4) shall apply *mutatis mutandis*.

**Article 26 (Notification of Hearing Date)** The commission shall notify the parties and intervenors of the hearing date at least seven days prior to the hearing date by a written document or by simple methods of notification under Article 38 (4) of the Act.

**Article 27 (Oral Hearings)** When any party intends to request an oral hearing under the proviso to Article 40 (1) of the Act, such request shall be made to the commission in writing or orally at least three days prior to the hearing date.

**Article 28 (Preparation of Minuets)** When the commission (including a subcommission; hereafter the same shall apply in this Article) holds a meeting, it shall prepare minutes, which includes an oral statement, etc. of the parties, etc. who have attended the meeting.

**Article 29 (Confidential Information)** "Matters prescribed by Presidential Decree" in Article 41 of the Act means any of the following matters:

1. A document which includes the statement of the members made in a meeting of the commission (including the subcommission and the specialized commission);
2. A list of names of the members who are to participate in a ruling on a case on appeal;
3. Matters prescribed by Ordinance of the Prime Minister, which are deemed likely to impede fairness of review and ruling by the commission, if disclosed, other than those prescribed in subparagraphs 1 and 2.

**Article 30 (Withdrawal of Appeal, etc.)** (1) Where an appellant or an intervenor withdraws an appeal or a request for intervention under Article 42 (1) and (2) of the Act, he/she may withdraw all or part of the appeal or the request.

(2) Withdrawal of an appeal or a request for intervention under paragraph (1) may be made without the consent of other parties.

(3) In cases of any withdrawal of an appeal or a request for intervention under paragraph (1), it shall be deemed that the portion of the appeal for which the withdrawal has been made was originally not filed.

## CHAPTER VI RULINGS

**Article 30-2 (Mediation Procedures, etc.)** (1) Where the commission intends to mediate an appeal pursuant to Article 43-2 of the Act, it shall commence mediation by decision. In such cases, the commission shall notify the parties and intervenors of the decision on commencement of mediation in writing or in simple methods of notification referred to in Article 38 (4) of the Act.

(2) Where the commission has commenced mediation pursuant to the former part of paragraph (1), it may hold a meeting for mediation.

(3) Where necessary to facilitate mediation, the chairperson may designate a specific member from among the commission members to prepare a mediation plan and report it to the commission.

(4) Where mediation fails, the commission shall designate a hearing date pursuant to Article 38 (1) of the Act.

[This Article Newly Inserted by Presidential Decree No. 28808, Apr. 17, 2018]

**Article 31 (Decision to Correct Ruling)** (1) Where it is clear that there is any typographical error, miscalculation, or other similar mistakes in a written ruling under Article 46 of the Act, the chairperson may make a decision to correct the ruling ex officio or upon request by the party.

(2) The original document of the decision of correction under paragraph (1) shall be attached to the original document of the written ruling, and the authentic copy and certified copy of the decision of correction shall be served upon each of the parties and intervenors by mutatis mutandis application of Article 48 of the Act.

**Article 32 (Public Announcement of and Notice of Revocation, etc. of Disposition)** (1) Where an administrative agency that has originally rendered its disposition gives public announcement or notification of revocation or modification of the disposition pursuant to Article 49 (5), the agency shall clearly state the following: [<Amended by Presidential Decree No.](#)

[28392, Oct. 17, 2017>](#)

1. Date of public announcement or notification of the original disposition and details thereof;
2. Causes for and details of revocation or modification of disposition;
3. Date of public announcement or notification.

(2) Paragraph (1) shall apply mutatis mutandis where an administrative agency that rendered its disposition informs the interested persons, other than the party against whom the disposition is directed, of the revocation or modification of the disposition pursuant to Article 49 (6) of the Act. [<Amended by Presidential Decree No. 28392, Oct. 17, 2017>](#)

**Article 33 (Direct Dispositions, etc. Rendered by the Commission regarding Non-Execution of Ruling)** When the commission issues a direct disposition under the main body of Article 50 (1) of the Act, it shall comply with the purpose of the ruling: Provided, That where the commission fails to issue a direct disposition under the proviso to the same paragraph of this Article, it shall promptly notify the parties of such circumstances and causes.

**Article 33-2 (Request for and Decision of Indirect Compulsion)** (1) When an appellant requests a decision of indirect compulsion pursuant to Article 50-2 (1) of the Act or the party concerned requests that the content of a decision of indirect compulsion should be modified pursuant to paragraph (2) of the same Article, the appellant or the party concerned shall submit a document stating the purpose of and grounds for the request, to the commission. In such cases, such document shall be submitted along with the copies thereof, in the same number as the number of the other parties (hereinafter referred to as "appellees").

(2) Upon receipt of a document regarding request for a decision of indirect compulsion or for modification to the content of a decision of indirect compulsion under paragraph (1), the commission shall serve the appellees with copies of the document.

(3) In the case of paragraph (2), the commission shall require the appellees to submit their opinion regarding the request for the decision of indirect compulsion or for modification to the content of the decision of indirect compulsion, specifying a period of not less than seven days but not exceeding fifteen days.

(4) If the commission reviews and renders a decision on the request for the decision of indirect compulsion or for modification to the content of the decision of indirect

compulsion under paragraph (1), it shall serve the authentic copy of its decision, on the parties, without delay.

[This Article Newly Inserted by Presidential Decree No. 28392, Oct. 17, 2017]

## CHAPTER VII PERFORMANCE OF ADMINISTRATIVE APPEALS THROUGH ELECTRONIC DATA PROCESSING SYSTEMS

**Article 34 (Designation and Operation of Electronic Data Processing Systems)** An electronic data processing system (hereinafter referred to as "electronic data processing system") designated and operated by the commission under Article 52 (1) of the Act shall be classified as follows:

1. The Central Administrative Appeals Commission under Article 6 (2) of the Act : Online administrative appeals system;
2. An administrative appeals commission (applicable only to an administrative appeals commission that has an electronic data processing system) under Article 6 (1), (3), and (4) of the Act: A system designated by the relevant administrative appeals commission.

**Article 35 (User Registration)** (1) A person who intends to use an electronic data processing system shall make user registration by entering the following matters in such manner as designated by the commission: <Amended by Presidential Decree No. 26774, Dec. 30, 2015>

1. The name of the user;
2. The birth date of the user;
3. The address of the user;
4. The telephone number of the user;
5. The ID of user (referring to an identification code to identify the user of an electronic data processing system; hereinafter the same shall apply);
6. The e-mail address of the user.

(2) Where the commission finds it necessary to perform an administrative appeals procedure using an electronic data processing system, the relevant appellee shall register the following matters with an electronic data processing system in such manner as designated by the commission:

1. The name of the appellee;

2. The address of the appellee;
3. The ID of the appellee;
4. A department that uses an electronic data processing system and a person in charge thereof.

**Article 36 (Dealing with Electronic Documents Submitted to Other Administrative Agencies)**

- (1) Where an appellant or an intervenor submits a relevant electronic document to a wrong place because he/she designated a wrong appellee or a wrong commission, the competent administrative agency shall serve it on an appellee with due authority through an electronic data processing system, and shall notify the appellant or the intervenor thereof.
- (2) Where it is impractical to send the document to an appellee with due authority through an electronic data processing system referred to in paragraph (1), the competent administrative agency shall print it out and send it to the appellee.

**Article 37 (Digital Signature, etc.)** (1) A person who intends to peruse an administrative appeals procedure through an electronic data processing system shall make an signature by electronic means recognized to identify himself/herself in accordance with an official digital signature pursuant to subparagraph 3 of Article 2 of the Digital Signature Act or other statutes.

- (2) A representative, manager, selected representative, or agent who intends to pursue an administrative appeals procedure through an electronic data processing system may submit the written form under Article 19 of the Act through an electronic data processing system by converting it to an image form: Provided That if the commission deems it necessary to request the submission of the original document, he/she shall comply with such request.

**Article 38 (Service, etc. Using Electronic Data Processing Systems)** (1) An appellant or an intervenor on whom documents are served through an electronic data processing system and its associated information and communications network according to the main body of Article 54 (1) and Article 54 (5) of the Act may print out the documents served. In such cases, the written ruling or the written decision printed out from an electronic file of an original document from among documents printed out shall be deemed an authentic copy.

- (2) If an appellant or an intervenor refuses the service using an electronic data processing system and its associated information and communications network, he/she shall make it

clear through the electronic data processing system.

(3) If an appellee or the commission fails to use an electronic data processing system because of malfunction of the system and its associated information and communications network or for other similar reasons, and an appellant or an intervenor fails to confirm the served document for reasons he/she is not responsible for, it shall be served under Article 57 of the Act.

**Article 39 (Notification of Fact of Registration)** When notification of registration of documents, including written rulings, is provided under Article 54 (2) of the Act, it may be made by simple methods of notification such as using an e-mail address, cellular phone number, etc. that an appellant or an intervenor has entered in an electronic data processing system.

**Article 40 (Support, including Operation, for Electronic Data Processing Systems)** The Central Administrative Appeals Commission may provide guidance and support necessary for the establishment and the operation of electronic data processing systems, for the sake of appropriate operation of the electronic data processing systems of other administrative appeals commissions.

## CHAPTER VIII SUPPLEMENTARY PROVISIONS

**Article 41 (Return of Documentary Evidence, etc.)** In cases of returning originals of documentary evidence, etc. to the person who has presented them under Article 55 of the Act, the commission may make copies of them and file them in the case record, if deemed necessary.

**Article 42 (Notification of Results, etc. of Administrative Litigation)** "Matters prescribed by Presidential Decree, such as the details or results of the case" in Article 60 (2) of the Act means the following:

1. Case list which an administrative litigation has been raised on, and processing status and result of the relevant case;
2. Where a judgement in favor of a plaintiff becomes final and conclusive as a result of administrative litigation, the copy of written judgment.



**Article 43 (Delegation of Authority)** The commission shall delegate the following authority to the chairperson under Article 61 of the Act: <Amended by Presidential Decree No. 28808, Apr. 17, 2018; Presidential Decree No. 29270, Oct. 30, 2018>

1. Recommendation for selection of representatives under Article 15 (2) of the Act;
2. Permission for succession of the status under Article 16 (5) of the Act;
3. Decision to correct the designation of an appellee in accordance with Article 17 (2) and (5) of the Act;
4. Permission for appointment of an agent under Article 18 (1) 5 of the Act;
- 4-2. Decision on whether a court-appointed counsel is appointed and the notification thereof under Article 18-2 (2) of the Act;
5. Permission for intervention under Article 20 (5) of the Act, and request for intervention under Article 21 (1) of the Act;
6. Decision on whether the purposes of or grounds for an appeal are allowed to be modified under Article 29 (6) of the Act;
7. Request for correction and ex officio correction under Article 32 (1) of the Act;
8. Decision on whether a request for oral hearing is allowed under Article 40 (2) of the Act;
- 8-2. Revocation of appointment of, permission for resignation of, and reappointment of, a court-appointed counsel under Article 16-4;
9. Decision on commencement of mediation under the former part of Article 30-2 (1).

**Article 44 (Processing Personally Identifiable Information)** (1) The commission (including the chairperson to whom the authority vested in the commission is delegated under Article 43) may process data containing a resident registration number, passport number, driver's license number, or alien registration number referred to in Article 19 of the Enforcement Decree of the Personal Information Protection Act, where essential to perform the following affairs: <Amended by Presidential Decree No. 28392, Oct. 17, 2017; Presidential Decree No. 29270, Oct. 30, 2018>

1. Succession to the status of an appellant under Article 16 of the Act;
2. Appointment of an agent under Article 18 of the Act;
- 2-2. Appointment of a court-appointed counsel under Article 18-2 of the Act;
3. Intervention in an appeal under Article 20 of the Act;
4. Receipt or handling of a written appeal, etc. under Article 26 of the Act;

5. Grant of execution clause referred to in the latter part of Article 50-2 (5) of the Act.

(2) An appellee may process data containing a resident registration number, passport number, driver's license number, or alien registration number referred to in Article 19 of the Enforcement Decree of the Personal Information Protection Act, where essential to perform affairs concerning receipt or handling of a written appeal, etc., under Article 24 of the Act.

[This Article Newly Inserted by Presidential Decree No. 27960, Mar. 27, 2017]