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**ACT ON SUPPORT FOR PROTECTION OF TECHNOLOGIES OF
SMALL AND MEDIUM ENTERPRISES**

[Enforcement Date 03. Jun, 2017.] [Act No.14368, 02. Dec, 2016., Partial
Amendment]



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CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to strengthen the capability of small and medium enterprises to protect technologies and their technical competitiveness, by expanding infrastructure to protect technologies of small and medium enterprises and by formulating and implementing policies related thereto, thereby contributing to the development of national economy.

Article 2 (Definitions)

The definitions of terms used in this Act shall be as follows:

1. The term "small and medium enterprises" means the small and medium business referred to in Article 2 of the Framework Act on Small and Medium Enterprises;
2. The term "technologies of small and medium enterprises" means the technologies or management information having independent economic value necessary for developing, producing, disseminating, and using the products or services produced or to be produced by small and medium entrepreneurs defined in subparagraph 2 of Article 2 of the Act on the Promotion of Technology Innovation of Small and Medium Enterprises.

Article 3 (Duties of Government, etc.) (1) The Government shall formulate and implement comprehensive policies necessary to strengthen the capability of small and medium enterprises to protect technologies and to protect the technologies of small and medium enterprises.

(2) Local governments shall formulate and implement policies necessary to protect technologies of small and medium enterprises by region, taking into consideration

Government policies referred to in paragraph (1) and the regional characteristics.

Article 4 (Relationship with other Acts)

Except as otherwise expressly provided for in other Acts, such as the Act on Prevention of Divulgence and Protection of Industrial Technology, the Unfair Competition Prevention and Trade Secret Protection Act, and the Invention Promotion Act, the support to protect technologies of small and medium enterprises shall be governed by this Act.

CHAPTER II FORMULATION AND IMPLEMENTATION OF PLANS TO SUPPORT PROTECTION OF TECHNOLOGIES OF SMALL AND MEDIUM ENTERPRISES

Article 5 (Formulation of Support Plans for Protection of Technologies of Small and Medium Enterprises)

(1) The Administrator of the Small and Medium Business Administration shall formulate and establish a support plan to protect technologies of small and medium enterprises (hereinafter referred to as "support plan") every three years.

(2) In formulating a support plan, the Administrator of the Small and Medium Business Administration may hear opinions of the heads of related central administrative agencies, the Special Metropolitan City Mayor, Metropolitan City Mayors, Do Governors, the Special Self - Governing Province Governor, the heads of Sis (excluding the Mayor of an administrative Si of a Special Self - Governing Do), Guns and Gus (referring to the heads of autonomous Gus).

(3) Each support plan shall include the following matters:

1. Basic objectives and direction - setting for the promotion of technology protection for small and medium enterprises;
2. Establishment of foundation and promotion plan to protect technologies of small and medium enterprises;
3. Matters concerning the support to protect technologies of small and medium enterprises extending their business abroad;
4. Matters concerning the research and development to protect technologies of small and medium enterprises;

5. Matters concerning the training of professional human resources to protect technologies of small and medium enterprises;
6. Matters concerning the public relations and education to protect technologies of small and medium enterprises;
7. Matters concerning the international cooperation to protect technologies of small and medium enterprises;
8. Other matters necessary to protect technologies of small and medium enterprises.

(4) In order to formulate a support plan, the Administrator of the Small and Medium Business Administration may request necessary data from the heads of related central administrative agencies or local governments, or the heads of institutions or organizations related to the protection of technologies of small and medium enterprises. In such cases, a person in receipt of a request to submit data shall cooperate with such request, except in extenuating circumstances.

Article 6 (Consultation on Policies for Protection of Technologies of Small and Medium Enterprises)

Where necessary to formulate and implement policies to protect technologies of small and medium enterprises, the Administrator of the Small and Medium Business Administration may consult with or seek counsel from the heads of related central administrative agencies, the heads of intelligence and investigative agencies, related institutions or organizations, or experts.

Article 7 (Fact - Finding Surveys for Strengthening Capability to Protect Security of Technologies of Small and Medium Enterprises)

(1) In order to strengthen the capacity to protect technologies of small and medium enterprises, the Administrator of the Small and Medium Business Administration shall conduct a fact - finding survey on the following matters every year: [<Amended by Act No. 14368, Dec. 2, 2016>](#)

1. Small and medium enterprises ' level of protection of technologies and their relevant capacity;
2. Small and medium enterprises ' possession and management of technical human resource;
3. Small and medium enterprises ' management of technical know - how and infringement on their technical know - how;

4. Difficulties and weak points in protecting small and medium enterprises ' technologies;
5. Other matters deemed necessary by the Administrator of the Small and Medium Business Administration to strengthen the capacity to protect technologies of small and medium enterprises.

(2) In order to conduct a fact - finding survey under paragraph (1), the Administrator of the Small and Medium Business Administration may request small and medium enterprises, or related institutions or organizations to submit data or provide cooperation necessary for the survey. In such cases, persons in receipt of such request shall comply therewith except in extenuating circumstances.

(3) Necessary matters regarding the method of and procedures for fact - finding surveys referred to in paragraph (1) shall be prescribed by Presidential Decree.

[<Amended by Act No. 14368, Dec. 2, 2016>](#)

Article 8 (Formulation, etc. of Guidelines for Protection of Technologies of Small and Medium Enterprises)

(1) The Administrator of the Small and Medium Business Administration may formulate guidelines for the methods, procedures, etc. necessary to prevent the leakage, and to protect technologies, of small and medium enterprises (hereinafter referred to as "protection guidelines"), after hearing the opinions of the experts, institutions or organizations in related fields.

(2) The Administrator of the Small and Medium Business Administration shall regularly modify and supplement the protection guidelines taking into consideration the findings, etc. of the fact - finding surveys conducted under Article 7 and make them available for use by small and medium enterprises.

CHAPTER III SUPPORT PROJECTS FOR PROTECTION OF TECHNOLOGIES OF SMALL AND MEDIUM ENTERPRISES

Article 9 (Support for Utilization of Technical Data Bailment System)

(1) The Administrator of the Small and Medium Business Administration shall enable small and medium enterprises to conveniently use the technical data bailment system provided for in Article 24 - 2 of the Act on the Promotion of Collaborative Cooperation between Large Enterprises and Small - Medium Enterprises through a

computerized data processing system, and shall take measures to thoroughly manage the record of the use thereof.

(2) In order to facilitate the commercialization of technologies defined in subparagraph 3 of Article 2 of the Technology Transfer and Commercialization Promotion Act, the Administrator of the Small and Medium Business Administration may promote a support project which uses technical data under bailment under paragraph (1) as collateral and fully or partially subsidize the expenses incurred in performing such project.

(3) Where necessary to promote a support project under paragraph (2), the Administrator of the Small and Medium Business Administration shall establish a systematic cooperation system with technology trading agencies provided for in Article 10 of the Technology Transfer and Commercialization Promotion Act or technology evaluation agencies provided for in Article 35 of the same Act.

(4) Other matters necessary to support the utilization of the technical data bailment system for small and medium enterprises shall be prescribed by Presidential Decree.

Article 10 (Support for Protection of Outcomes of National Research and Development

Projects) (1) In order to protect the outcomes of the national research and development projects performed by small and medium enterprises, the Government may implement the following support projects:

1. Support for the utilization of the technical data bailment system under Article 9;
2. Support for the technology protection control system under Article 18;
3. Support for the establishment of security systems under Article 19;
4. Other projects necessary to protect the outcomes of national research and development projects.

(2) The Administrator of the Small and Medium Business Administration may entrust the projects prescribed in subparagraphs of paragraph (1) to universities, colleges, research institutes, public institutions and organizations, small and medium enterprises, etc. and fully or partially subsidize the expenses incurred in performing such projects.

Article 11 (Presentation of opinions and Recommendation for Improvement)

The Administrator of the Small and Medium Business Administration may present his/her opinion on the Acts and subordinate statutes or municipal ordinances that contain the matters affecting the protection of technologies of small and medium enterprises to related institutions or recommend them to improve the actual state of the protection of technologies of small and medium enterprises.

Article 12 (Diagnosis of and Counselling, etc. on Protection of Technologies of Small and Medium Enterprises) (1) In order to resolve difficulties related to the protection of technologies of small and medium enterprises, the Administrator of the Small and Medium Business Administration may promote the following projects:

1. Receipt of report on infringement and divulging technologies of small and medium enterprises;
2. Diagnosis of the protection of technologies by dispatching security specialists to the field;
3. Counselling on the protection of technologies of small and medium enterprises and the relief of damage;
4. Counselling on the establishment of security systems;
5. Other projects necessary to protect technologies of small and medium enterprises.

(2) The Administrator of the Small and Medium Business Administration shall, when any technologies of small and medium enterprises are likely to be or are infringed on in the course of performing his/her duties under paragraph (1), take necessary measures in consultation with the heads of related institutions, such as investigative agencies.

Article 13 (Protection of Technologies of Small and Medium Enterprises Extending Business Abroad) (1) In order to protect technologies of small and medium enterprises expanding their business abroad, the Administrator of the Small and Medium Business Administration may implement the following projects:

1. Formulation and dissemination of protection guidelines to protect technologies of small and medium enterprises extending their business abroad;
2. Fact - finding surveys on the overseas divulging technologies;
3. Education on security, and counselling and consulting for small and medium enterprises expanding their business abroad;

4. Collection, analysis and dissemination of overseas information on technology protection;
5. Other projects necessary to protect technologies of small and medium enterprises extending their business abroad.

(2) In order to promote the projects prescribed in paragraph (1), the Administrator of the Small and Medium Business Administration may request related information from the heads of intelligence and investigative agencies.

(3) The Administrator of the Small and Medium Business Administration may outsource the projects prescribed in subparagraphs of paragraph (1) to related institutions or organizations, as prescribed by Presidential Decree, and fully or partially subsidize the expenses incurred in performing such projects.

CHAPTER IV ESTABLISHMENT OF FOUNDATION TO PROTECT TECHNOLOGIES OF SMALL AND MEDIUM ENTERPRISES

Article 14 (Institutions Exclusively in Charge of Support for Protection of Technologies of Small and Medium Enterprises) (1) The Administrator of the Small and Medium Business Administration may designate an institution to be exclusively in charge of the affairs related to the support to protect technologies of small and medium enterprises (hereinafter referred to as "exclusive institution").

(2) The Government may fully or partially subsidize the expenses incurred in performing the duties of exclusive institutions.

(3) Where any exclusive institution designated under paragraph (1) falls under any of the following cases, the Administrator of the Small and Medium Business Administration may revoke the designation: Provided, That in the case of subparagraph 1, the designation shall be revoked:

1. Where the designation is obtained by fraudulent or other illegal means;
2. Where it fails to meet any of the designation criteria referred to in paragraph (4);
3. Where it fails to perform designated duties for not less than three months without any just cause.

(4) Matters necessary for the designation criteria and the operation of exclusive institutions shall be prescribed by Presidential Decree.

Article 15 (Facilitation and Dissemination of Development of Security Technologies) (1)

In order to facilitate the development of security technologies for small and medium enterprises and to effectively disseminate them to small and medium enterprises, the Administrator of the Small and Medium Business Administration may promote the following projects:

1. Examination of the quality of security technologies, and research and development of security technologies;
2. Evaluation and commercialization of security technologies;
3. Dissemination and diffusion of security technologies;
4. Other projects necessary to develop security technologies.

(2) When necessary to develop security technologies, the Administrator of the Small and Medium Business Administration may entrust the projects prescribed in subparagraphs of paragraph (1) to related institutions or organizations and fully or partially subsidize the expenses incurred in performing such projects.

(3) Matters necessary for the scope of the affairs to be entrusted under paragraph (2), and the methods, procedures, etc. to select institutions to be entrusted shall be prescribed by Presidential Decree.

Article 16 (Training of Professional Human Resources for Technology Protection) (1)

The Administrator of the Small and Medium Business Administration may conduct education and training to train professional human resources to protect technology and to improve their capabilities.

(2) The Administrator of the Small and Medium Business Administration may designate universities, colleges, research institutes, or other institutions or organizations as institutions for training professional human resources for technology protection and fully or partially subsidize the expenses incurred in performing the relevant projects.

(3) Where any institution for training professional human resources for technology protection designated under paragraph (2) falls under any of the following cases, the Administrator of the Small and Medium Business Administration may revoke the designation: Provided, That in the case of subparagraph 1, such designation shall be revoked:

1. Where the designation is obtained by fraudulent or other illegal means;
2. Where it fails to meet the designation criteria referred to in paragraph (4) for not less than three months;
3. Where it manages a person who has not completed education as a person who has completed education.

(4) Matters necessary for the designation criteria and the operation of institutions for training professional human resources under paragraph (2) shall be prescribed by Presidential Decree.

Article 17 (Public Relations and Education on Protection of Technologies of Small and Medium Enterprises) (1) The Administrator of the Small and Medium Business

Administration may promote public relations projects to enhance citizens' cognizance of the protection of technologies of small and medium enterprises.

(2) The Administrator of the Small and Medium Business Administration may conduct public relations campaigns and education on the prevention of divulging and the protection of technologies targeting the executive officers and employees of large enterprises, and small and medium enterprises.

(3) The Administrator of the Small and Medium Business Administration may entrust the projects referred to in paragraph (2) to related institutions or organizations and fully or partially subsidize the expenses incurred in performing such projects.

Article 18 (Provision of Technology Protection Control Service) (1) In order to prevent the divulging technologies owned by small and medium enterprises, and to prevent intrusions, etc. from outside through an information and communications network defined in Article 2 (1) 1 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, Etc., the Administrator of the Small and Medium Business Administration may provide a technology protection control service to small and medium enterprises.

(2) In operating a technology protection control service, the Administrator of the Small and Medium Business Administration shall manage personal information to the extent not violating the related Acts and subordinate statutes, such as the Personal Information Protection Act.

(3) The Administrator of the Small and Medium Business Administration may entrust related institutions or organizations with the technology protection control service provided for in paragraph (1) and subsidize all or part of the expenses required for the implementation of the relevant project.

(4) Other matters necessary to provide technology protection control service shall be prescribed by Presidential Decree.

Article 19 (Support for Establishment of Security Systems) (1) The Administrator of the Small and Medium Business Administration may provide support for the planning and establishment of security systems suitable for small and medium enterprises through precise diagnosis of the security environment of small and medium enterprises.

(2) The Administrator of the Small and Medium Business Administration may outsource to related institutions or organizations, the affairs referred to in paragraph (1) and fully or partially subsidize the expenses incurred in implement the relevant project.

(3) Other matters necessary to support the establishment of security systems shall be prescribed by Presidential Decree.

Article 20 (International Cooperation)

In order to vitalize international cooperation concerning the protection of technologies of small and medium enterprises, the Administrator of the Small and Medium Business Administration may provide support for the following matters:

1. International standardization and joint international research and development of security systems;
2. Cooperation with international organizations and foreign governments;
3. International cooperation in the private sector;
4. International exchanges of professional human resources;
5. Participation in and hosting of international exhibitions and academic conferences;
6. Other matters requiring support in connection with international cooperation.

Article 21 (Bilateral Cooperation for Technology Protection) (1) The Government shall strive to develop sound environment for technology protection to maintain and develop bilateral cooperative relationship between large enterprises and small and medium enterprises, and may provide necessary support therefor.

(2) Large enterprises shall strive to protect the technologies of small and medium enterprises and related human resources and to avoid causing them to suffer losses, by acting in good faith.

Article 22 (Bounties for Protection of Technologies of Small and Medium Enterprises)

(1) The Administrator of the Small and Medium Business Administration may grant bounties to a person who has made a significant contribution to the protection of technologies of small and medium enterprises.

(2) Matters necessary for the standards, methods, procedures, etc. of the payment of bounties under paragraph (1) shall be prescribed by Presidential Decree.

CHAPTER V CONCILIATION AND MEDIATION OF DISPUTES

Article 23 (Establishment of Commission for Conciliation and Mediation of Disputes on Technologies of Small and Medium Enterprises)

(1) In order to conduct prompt conciliation and mediation of disputes related to the protection of technologies of small and medium enterprises, the Commission for Conciliation and Mediation of Disputes on Technologies of Small and Medium Enterprises (hereinafter referred to as "Commission") shall be established under the jurisdiction of the Administrator of the Small and Medium Business Administration.

(2) The Commission shall deliberate and resolve on the following matters:

1. Matters concerning conciliation and mediation of disputes;
2. Matters concerning organizing conciliation division and mediation division;
3. Matters concerning the enactment, amendment and repeal of the rules of the Commission;
4. Other matters referred to the meetings of the Commission by the chairperson of the Commission.

(3) The Commission shall be comprised of not exceeding 50 members, including one chairperson.

(4) Members of the Commission (hereinafter referred to as "members") shall be appointed or commissioned by the Administrator of the Small and Medium Business Administration from among the following persons, and the chairperson shall be elected from among and by its members:

1. A person who serves or has served at a university, college or publicly - authorized research institute as an associate professor or higher or a position corresponding thereto, and majored in the studies related to the field of the protection of technology or information;
2. A person who serves or has served as a public official of Grade IV or higher or a position corresponding thereto, and has experience in the protection of technologies of small and medium enterprises;
3. A person who serves as a judge or prosecutor;
4. A person who is qualified as an attorney - at - law, a licensed patent attorney, a certified public accountant, or an engineer;
5. A technology trader under Article 14 of the Technology Transfer and Commercialization Promotion Act;
6. Other persons with extensive knowledge on and experience in the protection of technologies of small and medium enterprises.

(5) The term of office of the members shall be three years, and consecutive extension of the term is permitted: Provided, That the term of office of a member in active service who falls under paragraph (4) 3 shall be his/her term of office at the relevant position.

(6) If any vacancy arises among the members, a supplementary member shall be appointed or commissioned pursuant to paragraph (4), and the term of office of such supplementary member shall be the remainder of his/her predecessor's term of office.

(7) A majority of all the incumbent members shall constitute a quorum for a meeting of the Commission, and any decision thereof shall require the concurring vote of at least a majority of those present.

(8) Except as otherwise expressly provided for in paragraphs (1) through (7), matters necessary for the organization and operation of the Commission shall be prescribed by Presidential Decree.

Article 24 (Exclusion, etc. of Conciliation Members or Mediation Members) (1) Any member who falls under any of the following subparagraphs shall be excluded from performing his/her duties:

1. Where he/she, or a person who is or was his/her spouse, becomes a party to the relevant case of dispute (hereinafter referred to as "case") or is holding any right or is subject to any duty jointly with a party to such case;
2. Where he/she is or was a relative of a party to the case;
3. Where he/she has given testimony or conducted appraisal with respect to the case;
4. Where he/she is or was involved in the case as an agent, or an executive officer or employee of a party to the relevant case.

(2) Where a member in charge of the case falls under any ground for exclusion, the conciliation division or mediation division to which he/she belongs shall decide to exclude him/her ex officio or after receiving an application therefor from a party to the relevant case.

(3) If any ground exists for which it would be difficult to expect the impartial performance of the duties of a member in charge of the case, a party to the case may file a request for the challenge to him/her with the conciliation division or mediation division in charge of the relevant case.

(4) The determination on an application for challenge shall be made by the conciliation division or mediation division in charge of the case, and the relevant member and both parties to the relevant case shall not object to such decision.

(5) A member who falls under any ground referred to in paragraph (1) or (3) shall abstain from performing his/her duties in the relevant case. In such cases, he/she needs not to obtain permission from the conciliation division or mediation division in charge of the relevant case.

(6) Where any request for challenge is filed under paragraph (3), the conciliation division or mediation division to which the relevant member belongs shall suspend the conciliation or mediation until a determination is made on such request.

(7) Where any vacancy arises among the members of a conciliation division or mediation division due to exclusion, challenge or abstention, the chairperson of the Commission shall appoint a member to fill the vacancy in the relevant conciliation division or mediation division.

(8) Paragraphs (1) through (6) shall apply mutatis mutandis to employees involved in the conciliation or mediation proceedings.

Article 25 (Conciliation, etc. of Disputes) (1) In order to efficiently perform its duties, the Commission may have a conciliation division comprised of not more than five members, and the head of the conciliation division shall be appointed by the chairperson of the Commission from among the members qualified as attorneys - at - law or licensed patent attorneys.

(2) A majority of the members including the head of the conciliation division shall constitute a quorum for a meeting of the conciliation division, and any decision thereof shall require the concurring vote of at least a majority of those present.

(3) A person who intends to have any dispute on the protection of technologies of small and medium enterprises conciliated may file a request for the conciliation of the dispute with the Commission, stating the purport and the cause of the request.

(4) The conciliation of a dispute under paragraph (3) shall be conducted by the conciliation division provided for in paragraph (1).

(5) If any conciliation is necessary under paragraph (3), the conciliation division may request related data from a party to the case, and in such cases, the party to the case may submit evaluation data, etc. prepared by a technology evaluation agency designated under Article 35 of the Technology Transfer and Commercialization Promotion Act to calculate the amount of compensation for damage.

(6) Conciliation shall be duly constituted by stating in a protocol, by both parties to the case under paragraph (3), the matters agreed on the details of conciliation in which infringement on technologies and compensation for loss, etc. are reflected, and in such cases, the relevant protocol shall have the same effect as settlement in court: Provided, That the same shall not apply to the matters which can not be left at the disposal of the parties to the case.

(7) Except as otherwise expressly provided for in this Act, the provisions of the Judicial Conciliation of Civil Disputes Act shall apply mutatis mutandis to the dispute conciliation concerning the protection of technologies of small and medium enterprises unless they are contrary to the nature thereof.

Article 26 (Mediation, etc. of Disputes) (1) In order to efficiently conduct dispute mediation, the Commission may establish a mediation division comprised of not more than five members, and the head of the conciliation division shall be appointed by the chairperson of the Commission from among members qualified as judges or

attorneys - at - law.

(2) A majority of the members including the head of the mediation division shall constitute a quorum for a meeting of the mediation division, and any decision thereof shall require the concurring vote of at least a majority of those present.

(3) A person who intends to have any dispute mediated may file a request for mediation after agreeing that he/she will accept the award in the mediation issued by the mediation division.

(4) A request for mediation may be filed even when the relevant conciliation proceedings are in progress. In such cases, the relevant conciliation shall be deemed suspended, and all documents, assertions, or substantiation submitted during the conciliation proceedings shall be deemed submitted during the mediation proceedings.

(5) The parties to a case may agree to select a mediation panel in charge of the mediation by any of the following methods: Provided, That where the agreement is not reached within 15 days from the date the mediation was requested under paragraph (3), they shall be deemed to have agreed to select the method prescribed in subparagraph 2:

1. The method of delegating the chairperson with the designation of a mediation division in charge of the mediation;
2. The method of selecting a mediation panel proposed by the chairperson by mutual agreement.

(6) Where the parties to the case fail to select a mediation panel within 15 days from the date a proposal is received under paragraph (5) 2, the chairperson may designate a mediation panel to be in charge of the mediation proceedings.

(7) Where the chairperson designates a mediation division under paragraph (5) 1 or (6), the parties to the case shall not object to such designation.

(8) An award in mediation shall have the same effect as the final and conclusive judgment between both parties to the case.

(9) Where necessary for the operation of mediation, the Administrator of the Small and Medium Business Administration may entrust it to a related institution or organization and subsidize all or part of the expenses necessary to perform such affairs.

(10) Except as otherwise expressly provided for in this Act, the provisions of the Arbitration Act shall apply mutatis mutandis to the dispute mediation concerning the technologies of small and medium enterprises unless they are contrary to the nature thereof.

Article 27 (Request for Data, etc.) (1) A conciliation division or mediation division may request data necessary for the dispute conciliation from the parties to the case or reference witnesses. In such cases, the parties to the relevant case or reference witnesses shall cooperate with such request except in extenuating circumstances.

(2) Where a conciliation division or mediation division deems it necessary, it may have the parties to the case or reference witnesses attend its meetings, and hear their opinions.

(3) Where a conciliation division or mediation panel requests data under paragraph (1) or hear opinions under paragraph (2), it shall be done in a closed setting, and it shall preserve the confidentiality of the submitted data and the opinions they have heard.

Article 28 (Expenses for Conciliation or Mediation, etc.) (1) The Commission may apportion expenses to a person who has requested conciliation or mediation of a dispute share the expenses for the conciliation or mediation, as prescribed by Presidential Decree.

(2) The Administrator of the Small and Medium Business Administration may subsidize expenses incurred in operating the Commission.

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 29 (Special Cases concerning Taxation)

Where necessary to provide support to protect technologies of small and medium enterprises, the State and local government may reduce or exempt national taxes or local taxes as prescribed by the Restriction of Special Taxation Act, the Restriction of Special Local Taxation Act, and other tax - related Acts.

Article 30 (Hearings)

In order to revoke the designation of an exclusive institution under Article 14 (3) or an institution for training professional human resources for protection of technologies under Article 16 (3), the Administrator of the Small and Medium Business Administration shall hold a hearing.

Article 31 (Delegation or Entrustment of Authority) (1) The Administrator of the Small and Medium Business Administration may delegate part of his/her authority under this Act to the heads of its affiliated institutions or the heads of local governments, as prescribed by Presidential Decree.

(2) The Administrator of the Small and Medium Business Administration may entrust part of his/her duties under this Act to the institutions and organizations related to the protection of technologies of small and medium enterprises, as prescribed by Presidential Decree.

Article 32 (Duty to Preserve Confidentiality)

No person who performs or has performed any of the following affairs shall divulge or misappropriate any confidential information learned in the course of performing his/her duties:

1. A person who performs affairs related to fact - finding surveys on the current state of the protection and management of technologies of small and medium enterprises under Article 7;
2. A person who performs the affairs related to the receipt of reports on infringement, and the diagnosis, counselling, etc. of the protection of technologies under Article 12;
3. A person who performs research and development of security technologies as an employee of a developer of technologies of small and medium enterprises under Article 15;
4. A person who performs technology protection control services under Article 18;
5. A person who performs the conciliation and mediation of disputes on technologies of small and medium enterprises under Article 23;
6. A person who performs the duties of the Administrator of the Small and Medium Business Administration, upon being delegated or entrusted with part of his/her authority under Article 31.

Article 33 (Deeming of Public Officials in Application of Penal Provisions)

Persons who perform the affairs stipulated in any subparagraph of Article 32 shall be deemed public officials in applying penal provisions pursuant to Articles 129 through 132 of the Criminal Act.

CHAPTER VII PENAL PROVISIONS

Article 34 (Penalty Provisions)

A person who violates any of the duties to preserve confidentiality under Article 32 shall be punished by imprisonment for not more than three years or by a fine not exceeding 30 million won.

ADDENDA <No. 14368, 02. Dec, 2016>

This Act shall enter into force six months after the date of its promulgation.