

## **The ACRC implements the “Act on the Protection of the Public Interest Whistleblowers”**

According to the ACRC (Chairperson - Kim, Yong-ran), Korea has implemented the “Act on the Protection of the Public Interest Whistleblowers” since September 30, this year, in order to protect the whistleblowers who report any violation of the public interest in both public and private sectors. While informants(whistleblowers) who report any corruption case of public sector have been protected against discrimination or disciplinary actions in Korea, a whistleblower who reported any behavior that could harm the public health and safety, or environment, including manufacturing of harmful foods or illegal disposal of waste water, couldn't be protected under the Korean laws. With the implementation of this new law, however, the public interest whistleblowers can also be protected and supported.

### **Major contents of the act:**

Any person who becomes aware of an act that infringes on the health and safety of the public, the environment, consumer interests and fair competition, may report it to the representative of the concerned company, the administrative agency concerned, investigative agencies, the ACRC, or members of the National Assembly.

Any person who has been put at administrative or financial disadvantage, or suffered discrimination in personal status, such as dismissal, the cancellation of permit or license, and the revocation of a contract as a result of reporting a violation of the public interest, or cooperating with the whistleblower, may request the ACRC take protective measures, for example, invalidation of discriminatory actions, or reinstatement.

Confidentiality, such as personal information of whistleblowers will be strictly guaranteed, and whistleblowers can be protected from dangers to their lives or persons. Also, even before whistleblowers are put at any disadvantage, preventive measures will be taken to prohibit any disadvantageous actions.

Any persons who disclose personal information of whistleblowers, take disadvantageous actions, or disobey to take protective measures will be sentenced in prison up to 3 years or fined up to 30 million won, making

the protection of whistleblowers more effective.

Whistleblowers may request the ACRC to pay relief money if they have faced financial damages or spent money, such as medical expenses, moving expenses, expenses for litigation, or losses in wage, as a result of their whistleblowing. In addition, they may request the ACRC to pay rewards up to 1 billion won if their whistleblowing has resulted in the recovery of or increase in revenues for the central or local governments through imposing penalties, fines, or penalty surcharges.

### **Future Plans:**

The ACRC will push forward that the standard rules of employment reflect the provisions regarding handling public interest whistleblowing and protecting the whistleblowers. It also will support the whistleblowing and protection systems of public agencies and companies and their education and training programs, as well as will continue and expand current public promotion, raising the public awareness about the protection of the whistleblowers.

*Source: International Relations Division, Anti-corruption & Civil Rights Commission (ACRC)*