

FRAMEWORK ACT ON GOVERNMENT PERFORMANCE EVALUATION

(Short Title: Government Performance Evaluation Act)

[Enforcement Date: July 26, 2017] [Act No. 14839, July 26, 2017, Amendment of Other Acts]



Office for Government Policy Coordination (Office for Director General for Policy Tasks Management) 044-200-2476

CHAPTER 1 GENERAL PROVISIONS

Article 1 Purpose

The purpose of this Act is to enhance the efficiency, effectiveness, and accountability of state administration by setting forth basic matters on government performance evaluation and thereby establishing an integrated performance management system for central administrative agencies, local governments, public institutions, and other pertinent entities and improving their autonomous evaluation capabilities.

Article 2 Definitions

The terms used in this Act shall be defined as follows: *<Amended on March 29, 2016>*

1. The term "evaluation" means examining, analyzing, and rating the processes and results of planning and execution of the policies, projects, duties, and the like (hereinafter referred to as "policies, etc.") performed by certain agencies, corporations, or organizations.
2. The term "government performance evaluation" means evaluating the policies, etc. executed by any of the following agencies, corporations, or organizations (hereinafter referred to as "evaluated entities") for the purpose of ensuring efficiency, effectiveness, and accountability in state administration:
 - (a) Central administrative agencies (including an organ under the President and organs under/assisting the Prime Minister as prescribed by Presidential Decree; the same shall apply hereinafter);
 - (b) Local governments;
 - (c) Instrumentalities under central administrative agencies or local governments; and
 - (d) Public institutions.
3. The term "internal evaluation" means self-evaluation by central administrative agencies or local governments concerning the policies, etc. under their control.
4. The term "specific evaluation" means the Prime Minister's evaluation of the policies, etc. of central administrative agencies necessary for integrated management of state administration.
5. The term "re-evaluation" means another evaluation of previous evaluation results, methods and procedures by any entity other than that which conducted the original evaluation.
6. The term "performance management" means a series of activities to establish an entity's assigned duties, mid- and long-term goals, annual goals, and performance indicators in handling government affairs and to manage the processes and results of execution thereof from the perspective of economic feasibility, efficiency, effectiveness, etc.
7. The term "public institution" means any of the following agencies, corporations, or organizations:
 - (a) Public enterprises and quasi-governmental institutions designated in accordance with Article 5(3) of the Act on the Management of Public Institutions;
 - (b) *Deleted <March 29, 2016>*
 - (c) Local corporations under Article 49 of the Local Public Enterprises Act and local public agencies under Article 76 thereof;
 - (d) Research institutes or societies under Article 8 or 18 of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc.;
 - (e) Research institutes or societies under Article 8 or 18 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.;
 - (f) Local government-invested research institutes under Article 4 of the Act on the Establishment and Operation of Local Government-Invested Research Institutes; and
 - (g) Other agencies, corporations, or organizations prescribed by Presidential Decree.

Article 3 Establishment of Integrated Government Performance Evaluation System

- (1) The head of a central administrative agency shall not evaluate any other evaluated entity's policies, etc. unless otherwise specified by applicable law or Presidential Decree.
- (2) A central administrative agency and the instrumentalities thereof shall be subject to integrated evaluation in accordance herewith. In such case, necessary matters regarding the scope of integrated evaluation shall be prescribed by Presidential Decree.
- (3) Notwithstanding the foregoing Paragraph (2), if it is difficult to conduct integrated evaluation due to the nature of affairs or the time of evaluation or for any other reason, separate evaluation may be conducted after consultation with the Government Performance Evaluation Committee (hereinafter referred to as "GPEC") set forth in Article 9 hereof. In such case, the evaluation results shall be promptly submitted to the GPEC.

Article 4 Principles of Performance Management

- (1) Performance management shall be designed to uphold autonomy in planning and execution of the policies, etc. and ensure accountability concerning the results thereof.
- (2) Performance management shall be designed to improve government performance, policy quality, and public satisfaction.

Article 5 Strategic Performance Management Plan

- (1) To accomplish its strategic goals including those of its instrumentalities, the head of a central administrative agency shall formulate a mid- and long-term plan (hereinafter referred to as "strategic performance management plan"). In such case, the head of a central administrative agency may include any related mid- and long-term plan under any other applicable law in the strategic performance management plan.
- (2) The head of a central administrative agency shall include the agency's missions, strategic goals, etc. in its strategic performance management plan and shall review the feasibility of said plan at least every three (3) years to modify, supplement, or take other measures on it as necessary.
- (3) The head of a central administrative agency shall incorporate a national financial management plan as provided in Article 7 of the National Finance Act in its strategic performance management plan. *<Amended on October 4, 2006>*
- (4) Upon formulation of its strategic performance management plan, the head of a central administrative agency shall promptly make a report thereon to the competent standing committee of the National Assembly.
- (5) The head of a local government and a public institution may formulate a strategic performance management plan on the basis of the foregoing Paragraphs (1) and (2).

Article 6 Performance Management Implementation Plan

- (1) Based on its strategic performance management plan, the head of a central administrative agency shall formulate and execute an annual implementation plan (hereinafter referred to as "performance management implementation plan") to accomplish the performance goals for the corresponding year.
- (2) A performance management implementation plan shall include, among others, the agency's missions and strategic goals, its performance goals and performance indicators for the corresponding year, and its actual financial performance for the past three (3) years. In such case, performance indicators shall be set in a manner that enables objective and quantitative measurement of performance goals, but if it is reasonably difficult to do so, performance indicators shall take a different form. *<Amended on March 29, 2016>*
- (3) Upon formulation of a performance management implementation plan, the head of a central administrative agency shall forthwith make a report thereon to the competent standing committee of the National Assembly.
- (4) The head of a central administrative agency shall review the progress in execution of its performance management implementation plan on a semi-annual basis.
- (5) The Prime Minister shall ensure that the current status and results of a central administrative agency's performance management will be incorporated into an internal evaluation and specific evaluation thereof.
- (6) The heads of local governments and public institutions may formulate and execute a performance management implementation plan on the basis of the foregoing Paragraphs (1) and (2).

CHAPTER 2 GOVERNMENT PERFORMANCE EVALUATION SYSTEM

Article 7 Principles of Government Performance Evaluation

- (1) Autonomy and independence shall be guaranteed in carrying out government performance evaluation.
- (2) Objective and professional methods shall be employed for government performance evaluation to ensure that its results will be fair and reliable.
- (3) Government performance evaluation shall be conducted in a transparent manner whereby an opportunity for participation therein is guaranteed, to the extent practicable, to the parties related to the evaluated policies, etc. and whereby the results of evaluation are publicly disclosed.

Article 8 Formulation of Government Performance Evaluation Master Plan

- (1) Following the GPEC's deliberation and decision-making, the Prime Minister shall formulate the government performance evaluation master plan that sets the policy goals and direction of government performance management and evaluation (hereinafter referred to as "government performance evaluation master plan").
- (2) The Prime Minister shall include each of the following in the government performance evaluation master plan and shall review the feasibility of said plan at least every three (3) years to modify, supplement, or take other measures on it as necessary:
 1. Matters relating to the basic direction of policies on government performance management and evaluation;
 2. Basic matters relating to the direction of development of the government performance evaluation system;
 3. Matters relating to research and development concerning government performance evaluation;
 4. Matters relating to ensuring effectiveness of various evaluation schemes, methods, and the like;
 5. Matters relating to ensuring professionalism and independence of evaluation personnel;
 6. Matters relating to establishment, operation, and improvement of the electronic-Integrated Public Service Evaluation System (hereinafter referred to as "e-IPSES") as provided in Article 13(1) hereof;
 7. Matters relating to support for evaluation budgeting, organizations, and the like; and
 8. Other important matters relating to development of evaluation as prescribed by Presidential Decree.
- (3) On the basis of the government performance evaluation master plan, the Prime Minister, following the GPEC's deliberation and decision-making, shall formulate an annual implementation plan for government performance evaluation including each of the following (hereinafter referred to as "government performance evaluation implementation plan") by the end of March each year after considering the evaluation results for the preceding year and hearing the opinions of the evaluated entities, and then notify such plan to the evaluated entities:
 1. Basic direction of government performance management and evaluation concerning the policies, etc. for the corresponding year;
 2. Matters relating to internal evaluation concerning the policies, etc. for the corresponding year;
 3. Matters relating to specific evaluation concerning the policies, etc. for the corresponding year;
 4. Matters relating to evaluation of public institutions concerning the policies, etc. for the corresponding year; and
 5. Other necessary matters relating to government performance evaluation concerning the policies, etc. for the corresponding year.
- (4) Upon formulation of the government performance evaluation master plan and government performance evaluation implementation plan according to the foregoing Paragraphs (2) and (3), the Prime Minister shall make a report thereon to the State Council.

Article 9 Installation and Missions of GPEC

- (1) The GPEC shall be set up under the Prime Minister for the purpose of implementing government performance evaluation and building a foundation for such evaluation in a systematic and efficient manner.
- (2) The GPEC shall deliberate and decide on any of the following:
 1. Matters relating to formulation and implementation of a plan to establish and manage the basis for national mid- and long-term evaluation;
 2. Matters relating to formulation of the government performance evaluation master plan and government performance evaluation implementation plan;

3. Matters relating to planning, coordination, and supervision of government performance evaluation;
4. Matters relating to performance management concerning the government performance evaluation system;
5. Matters relating to utilization of government performance evaluation results and approaches to linking different evaluation systems;
6. Matters relating to reporting on government performance evaluation results;
7. Matters relating to inter-agency cooperation on evaluation and coordination of evaluation affairs;
8. Matters relating to formulation and execution of a specific evaluation plan;
9. Matters relating to operation and improvement of the internal evaluation system;
10. Matters relating to coordination of an internal evaluation plan;
11. Matters relating to confirmation and review of internal evaluation results;
12. Matters relating to re-evaluation of internal evaluation results;
13. Matters relating to review of the status of the evaluation system;
14. Matters relating to introduction of a new evaluation system;
15. Matters stipulated by this Act or any other law as the GPEC's duties; and
16. Other matters regarding which the GPEC's deliberation and decision-making are deemed necessary by its chairperson for development of the government performance evaluation system.

Article 10 Composition and Operation of GPEC

- (1) The GPEC shall consist of no more than fifteen (15) members including two (2) chairpersons.
- (2) The Prime Minister and a person nominated by the President from among those set forth in Paragraph (3)2 of this Article shall become the chairpersons thereof.
- (3) The following persons shall become members of the GPEC: *<Amended on February 29, 2008, March 23, 2013, November 19, 2014, and July 26, 2017>*:
 1. Minister of Economy and Finance, Minister of the Interior and Safety, and Minister of the Office for Government Policy Coordination; and
 2. Any of the following persons appointed by the President:
 - (a) A person who earned a degree in a discipline concerning evaluation and is or was an associate or higher professor or holds or held any equivalent post at a college or an accredited research institute;
 - (b) A person who was a grade-one or higher government official or held any equivalent post; or
 - (c) A person acknowledged as having such extensive knowledge and experience in evaluation or administration as those of a person indicated in the foregoing Item (a) or (b).
- (4) The GPEC shall have one (1) secretary to handle its affairs. The secretary shall be nominated by the Prime Minister from among officials of the Office for Government Policy Coordination. *<Amended on February 29, 2008 and March 23, 2013>*
- (5) Members of the GPEC who are not government officials shall have a term of office of two (2) years and may serve only one (1) additional consecutive term.
- (6) A meeting of the GPEC shall be properly convened when a majority of its registered members are present and its resolution shall be adopted with the consent of a majority of the attending members.
- (7) Any member of the GPEC who has a direct interest in affairs subject to deliberation or decision-making, for such reasons as direct involvement therein, or who is reasonably believed to be incapable of being fair and objective for any significant reason shall be required to recuse himself or herself from such deliberation and decision-making. Any member who determines that he or she falls under any of the aforesaid reasons may voluntarily recuse himself or herself from such deliberation or decision-making.
- (8) The chairpersons may cause the heads of the central administrative agencies concerned to attend a meeting of the GPEC and make comments thereat whenever the need arises.
- (9) The GPEC may have working-level committees to conduct prior review and coordination of agenda on internal evaluation and specific evaluation, among the matters submitted for the GPEC's deliberation and decision-making, and to handle matters delegated by the GPEC.
- (10) Necessary matters regarding composition and operation of the GPEC and its working-level committees shall be prescribed by Presidential Decree.

Article 11 Evaluation Supervising Agencies

- (1) For the purpose of efficiently pursuing affairs pertaining to internal evaluation of central administrative agencies, the GPEC may request central administrative agencies supervising different evaluation categories as prescribed by Presidential Decree (hereinafter referred to as “evaluation supervising agencies”) to confirm and review internal evaluation results by category.
- (2) When necessary, the GPEC may cause civilian experts to participate in evaluation supervising agencies’ confirmation and review of internal evaluation results.
- (3) Evaluation supervising agencies may present to the GPEC their opinions on any of the following in their respective categories:
 1. Operation and improvement of the evaluation system and preparation of evaluation guidelines and indicators;
 2. Confirmation and review of internal evaluation results and decision on whether to conduct re-evaluation; and
 3. Other matters necessary for internal evaluation management.

Article 12 Cooperation with Evaluated Entities

The Prime Minister may order the evaluated entities to provide materials necessary for formulation and execution of the government performance evaluation master plan and government performance evaluation implementation plan, and the evaluated entities shall comply with such order unless there exists a justifiable reason not to do so.

Article 13 Establishment and Operation of e-IPSES

- (1) The Prime Minister shall establish e-IPSES for integrated government performance evaluation and may cause each agency and organization to utilize the system.
- (2) E-IPSES shall enable integrated information management across the evaluation process, evaluation results and the feedback process as well as information sharing among agencies involved in evaluation.
- (3) The Prime Minister may commission any agency, corporation, or organization involved in evaluation to manage and operate e-IPSES if necessary for efficient operation thereof.
- (4) Necessary matters regarding establishment and operation of e-IPSES shall be prescribed by Presidential Decree.

CHAPTER 3 TYPES AND PROCEDURES OF GOVERNMENT PERFORMANCE EVALUATION

Article 14 Internal Evaluation of Central Administrative Agencies

- (1) The head of a central administrative agency shall conduct its internal evaluation including evaluation of the policies, etc. of the instrumentalities thereof.
- (2) The head of a central administrative agency shall organize and operate an internal evaluation organization and internal evaluation committee. In such case, civilians shall account for at least two-thirds (2/3) of the members of the internal evaluation committee in order to ensure fairness and objectivity in evaluation.
- (3) In case the head of a central administrative agency evaluates any subordinate executive agency according to Article 12 of the Act on the Establishment and Operation of Responsible Administrative Agencies, he or she may use the results of such evaluation for an internal evaluation provided in the foregoing Paragraph (1).
- (4) Necessary matters regarding composition and operation of the internal evaluation committee as provided in the foregoing Paragraph (2) shall be prescribed by Presidential Decree.

Article 15 Formulation of Internal Evaluation Plans by Central Administrative Agencies

On the basis of a government performance evaluation implementation plan, the head of a central administrative agency shall annually formulate an internal evaluation plan including each of the following in order to improve the performance of the corresponding policies, etc.:

1. Matters relating to the agency’s missions, strategic goals, and performance goals;
2. Matters relating to major policies, etc. for the corresponding year;
3. Matters relating to the basic direction of internal evaluation;

4. Matters relating to composition and operation of an internal evaluation organization and internal evaluation committee;
5. Matters relating to the objects and methods of internal evaluation;
6. Matters relating to utilization of internal evaluation results and implementation of ensuing measures; and
7. Other important matters relating to internal evaluation.

Article 16 Internal Evaluation Procedures of Central Administrative Agencies

- (1) The head of a central administrative agency shall formulate an internal evaluation plan regarding major policies, etc. for the corresponding year and submit it to the GPEC by the end of April each year.
- (2) The GPEC may request a central administrative agency to supplement its internal evaluation plan or submit related materials, when necessary.
- (3) The head of a central administrative agency shall conduct an internal evaluation based on the outcomes of the policies, etc. in the previous year and submit the evaluation results to the GPEC by the end of March each year.
- (4) Necessary matters regarding the procedures, etc. of a central administrative agency's internal evaluation shall be prescribed by Presidential Decree.

Article 17 Re-Evaluation of Internal Evaluation Results

If it is reasonably believed following confirmation and/or review of a central administrative agency's internal evaluation results that re-evaluation is necessary due to any problem with objectivity and/or reliability of such evaluation, the Prime Minister may carry out re-evaluation based on the GPEC's deliberation and decision-making.

Article 18 Internal Evaluation of Local Governments

- (1) The head of a local government shall conduct its internal evaluation including the policies, etc. of the instrumentalities thereof.
- (2) The head of a local government shall organize and operate an internal evaluation organization and internal evaluation committee. In such case, civilians shall account for at least two-thirds (2/3) of the members of the internal evaluation committee in order to ensure fairness and objectivity in evaluation.
- (3) On the basis of a government performance evaluation implementation plan, the head of a local government shall annually formulate an internal evaluation plan including each of the matters set forth in Article 15 hereof in order to improve the performance of the policies, etc. under its control.
- (4) For the purpose of increasing objectivity and fairness in evaluation, the Minister of the Interior and Safety may render assistance to local governments in regard to establishment of the indicators, methods, and foundation of evaluation, etc. *<Amended on February 29, 2008, March 23, 2013, November 19, 2014, and July 26, 2017>*
- (5) Other necessary matters regarding the objects, procedures, etc. of a local government's internal evaluation shall be determined by the head of the local government.

Article 19 Matters Relating to Specific Evaluation

The Prime Minister shall incorporate each of the following matters of specific evaluation into a government performance evaluation implementation plan:

1. Matters relating to the basic direction of specific evaluation for the corresponding year;
2. Matters relating to the objects of specific evaluation for the corresponding year;
3. Matters relating to the methods of specific evaluation;
4. Matters relating to utilization of specific evaluation results and implementation of ensuing measures; and
5. Other important matters relating to specific evaluation;

Article 20 Procedures of Specific Evaluation

- (1) The Prime Minister shall conduct specific evaluation on programs, major pending programs, innovation management, and the areas prescribed by Presidential Decree which involve two (2) or more central administrative agencies and disclose the results thereof.
- (2) Before implementing specific evaluation, the Prime Minister shall formulate the evaluation methods, criteria,

indicators, and the like; give notice thereof to the agencies subject to specific evaluation; and disclose them publicly.

- (3) For the purpose of specific evaluation, the Prime Minister may order the agencies subject to specific evaluation to provide materials as necessary or may cause evaluation personnel to visit the agencies subject to specific evaluation in order to confirm and review evaluation materials.
- (4) In the event that the GPEC renders a decision on specific evaluation results, the Prime Minister shall give notice thereof to the agencies subject to specific evaluation.
- (5) Other necessary matters regarding the procedures of specific evaluation shall be prescribed by Presidential Decree.

Article 21 Evaluation of State-Delegated Affairs, Etc.

- (1) If state affairs, state grant projects, other major national programs prescribed by Presidential Decree, and the like delegated to and handled by local governments or the heads thereof (hereinafter in this Article referred to as "state-delegated affairs, etc.") need to be evaluated for efficient performance of state administration, the Minister of the Interior and Safety may conduct evaluation jointly with the heads of the central administrative agencies concerned (hereinafter referred to as "joint evaluation"). *<Amended on February 29, 2008, March 23, 2013, November 19, 2014, and July 26, 2017>*
- (2) If the Minister of the Interior and Safety intends to conduct a joint evaluation of any local government, he or she shall propose such to the GPEC for its deliberation and decision-making thereon. *<Amended on February 29, 2008, March 23, 2013, November 19, 2014, and July 26, 2017>*
- (3) If the Minister of the Interior and Safety conducts a joint evaluation of any local government, he or she shall promptly report the results thereof to the GPEC. *<Amended on February 29, 2008, March 23, 2013, November 19, 2014, and July 26, 2017>*
- (4) For the purpose of efficient joint evaluation of local governments, the Minister of the Interior and Safety may install and operate a local government joint evaluation committee under his or her control. *<Amended on February 29, 2008, March 23, 2013, November 19, 2014, and July 26, 2017>*
- (5) Notwithstanding the foregoing Paragraph (1), if the head of a central administrative agency must conduct separate evaluation of state-delegated affairs, etc. for unavoidable reasons including the nature of affairs and the time of evaluation, he or she may conduct such evaluation in consultation with the GPEC over the objects, methods, etc. of evaluation. In such case, the evaluation results shall be forthwith submitted to the GPEC.
- (6) The procedures regarding organization and operation of the local government joint evaluation committee under the foregoing Paragraph (4) and evaluation of state-delegated affairs, etc. shall be prescribed by Presidential Decree.

Article 22 Evaluation of Public Institutions

- (1) Evaluation of public institutions (hereinafter referred to as "public institution evaluation") shall be conducted by an entity outside the public institutions to take the uniqueness and professionalism of public institutions into account and to ensure objectivity and fairness in evaluation.
- (2) Evaluation conducted according to any of the following laws shall be deemed public institution evaluation hereunder: *<Amended on January 25, 2010, May 28, 2014, and March 29, 2016>*
 1. Business performance evaluation according to Article 48 of the Act on the Management of Public Institutions;
 2. *Deleted <March 29, 2016>*
 3. Evaluation according to Article 82 of the National Finance Act;
 4. Evaluation according to Article 32(3) of the Framework Act on Science and Technology;
 5. Evaluation according to Article 78 of the Local Public Enterprises Act;
 6. Evaluation according to Article 28 of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc.;
 7. Evaluation according to Article 28 of the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc.; and
 8. Evaluation according to Article 10(3)4 of the Act on the Establishment and Operation of Local

Government-Invested Research Institutes.

- (3) The head of a competent central administrative agency may evaluate public institutions which are not subject to evaluation according to the foregoing Paragraph (2) by formulating an evaluation plan thereof.
- (4) Any entity that conducts public institution evaluation according to the foregoing Paragraph (2) or (3) shall submit its evaluation plan to the GPEC in advance.
- (5) The GPEC may present its opinions on an evaluation plan submitted as provided in the foregoing Paragraph (4).
- (6) An entity that conducted public institution evaluation according to the foregoing Paragraph (2) or (3) shall promptly submit the results thereof to the GPEC.

CHAPTER 4 SUPPORT FOR ESTABLISHMENT OF FOUNDATION FOR GOVERNMENT PERFORMANCE EVALUATION

Article 23 Support for Establishment of Foundation for Government Performance Evaluation

- (1) In order to strengthen evaluation capabilities, the central government shall provide maximum possible support including necessary organizations and budgets.
- (2) For the purpose of institutionalization and revitalization of evaluation of central administrative agencies, local governments, and public institutions, the central government shall take necessary measures and provide necessary support including development and dissemination of evaluation methods and indicators.
- (3) The central government shall devise measures to support evaluation-related entities as well as necessary actions to efficiently utilize professional evaluation personnel.

Article 24 Evaluation Budget

- (1) The head of a central administrative agency shall demand budget funding to cover the reasonable costs incurred for evaluation of the policies, etc.
- (2) A local government shall take reasonable costs incurred for evaluation of the policies, etc. into account in its budget formulation.
- (3) The GPEC may present its opinions to the Minister of Economy and Finance when necessary to secure funding for evaluation. *<Amended on February 29, 2008>*

Article 25 Confirmation and Review of Current Status of Evaluation System

The Prime Minister may confirm and review the current status of the evaluation system and then take necessary measures, including implementation of an institutional improvement plan, according to the results thereof.

CHAPTER 5 UTILIZATION OF EVALUATION RESULTS

Article 26 Disclosure of Evaluation Results

The Prime Minister, heads of central administrative agencies, heads of local governments, and the heads of entities conducting public institution evaluation shall disclose evaluation results by such means as e-IPSES and their webpages.

Article 27 Report of Evaluation Results

- (1) The Prime Minister shall compile evaluation result reports each year and make a report thereon to the State Council or hold an evaluation report session thereon.
- (2) The head of a central administrative agency shall promptly report its internal evaluation results (those deliberated and decided upon by the GPEC) regarding the policies, etc. for the previous year to the competent standing committee of the National Assembly.

Article 28 Connection and Incorporation of Evaluation Results with/into Budget and Personnel Management

- (1) The head of a central administrative agency shall link or incorporate evaluation results with or into its organization, budget, human resources, and compensation schemes.

- (2) The head of a central administrative agency shall reflect evaluation results in a budget request for the following year.
- (3) The Minister of Economy and Finance shall reflect evaluation results in a central administrative agency's budget for the following year. *<Amended on February 29, 2008>*

Article 29 Independent Corrective Measures and Audits According to Evaluation Results

If evaluation results reveal any problem with the policies, etc., the head of a central administrative agency shall take independent corrective actions, such as suspension or limitation of the policies, etc., or conduct an internal audit thereof after promptly formulating a plan to implement necessary measures, and then submit the results thereof to the GPEC.

Article 30 Compensation, Etc. According to Evaluation Results

- (1) The head of a central administrative agency shall render rewards, incentives or preferential treatment in personnel management or take other appropriate measures to its departments, instrumentalities, or officials acknowledged as representing best practices according to evaluation results and then report the results thereof to the GPEC.
- (2) Based on the results of government performance evaluation, the central government may implement preferential measures, such as presentation of a commendation or payment of a cash reward, for outstanding entities.

CHAPTER 6 SUPPLEMENTARY PROVISIONS

Article 31 Performance Management and Internal Evaluation of Central Administrative Agencies' Instrumentalities

The head of a central administrative agency may cause any of the instrumentalities thereof which needs to independently conduct performance management and evaluation in consideration of its size, nature of duties, and the like to perform performance management and internal evaluation on its own.

Article 32 Performance Management and Internal Evaluation of Other Administrative Agencies

Each of the heads of administrative agencies that are not evaluated shall use their best endeavors to formulate and implement a performance management and internal evaluation plan and to disclose the results thereof in accordance with the examples of performance management and internal evaluation hereunder.

Article 33 Delegation or Entrustment of Authority

- (1) Whenever necessary for efficient specific evaluation, the Prime Minister may delegate a part of authority granted thereto hereunder to the heads of the central administrative agencies concerned as prescribed by Presidential Decree.
- (2) Whenever necessary to enhance objectivity and professionalism in evaluation, the Prime Minister, heads of central administrative agencies, and the heads of local governments may entrust research institutes specializing in evaluation with a part of their evaluation affairs.

Article 34 Government Officials by Legal Fiction in Applying Penal Provisions

Members of committees involved in evaluation as provided in Articles 10(3), 10(10), 11(2), 14(2), 18(2), 20(3) or 21(4) hereof; participants in confirmation and review of internal evaluation results who are not government officials; and persons who conduct evaluations entrusted under Article 33(2) hereof shall be deemed government officials in the application of Articles 127 and 129 through 132 of the Criminal Act with respect to their evaluation duties.

Addenda *<No. 14839, July 26, 2017>* (Government Organization Act)

Article 1 Enforcement Date

- (1) This Act shall enter into force on the date of its promulgation; provided that among the laws amended according to Article 5 of the Addenda, any and all amendments which were promulgated prior to entry into force of this Act, but which have not yet entered into force shall become effective on the corresponding law's

respective date of entry into force.

Article 2 through 4 *Omitted*

Article 5 Amendment of Other Acts

(1) through <304> *Omitted*

<305> The Framework Act on Government Performance Evaluation shall be partly amended as follows:

“Minister of Government Administration and Home Affairs” in Articles 10(3)1, 18(4), and 21(1) through 21(4) shall be respectively changed to “Minister of the Interior and Safety.”

<306> through <382> *Omitted*

Article 6 *Omitted*