July 9, 2026

PARTIAL AMENDMENT TO THE ENFORCEMENT DECREE OF THE NETWORK ACT (THE "ACT TO ERADICATE FALSE OR MANIPULATED INFORMATION"): KEY CONTENTS AND IMPLICATIONS

I. BACKGROUND

The Act on Promotion of Information and Communications Network Utilization and Information Protection (the "Network Act") was amended and promulgated on January 6, 2026, and the Amendment takes effect on July 7, 2026. The amended Act newly establishes the concept of "false or manipulated information," prohibits the distribution of such information through telecommunications networks, and imposes on large-scale telecommunication service providers the following principal obligations: (1) measures in response to reports of illegal information and false or manipulated information; (2) establishing self-regulatory operating policies; and (3) publishing transparency reports. For the specific details, please refer to our firm's newsletter dated December 30, 2025, **"Korea Tightens Rules on False and Manipulated Information"**. Below, we introduce the key amendments to the Enforcement Decree of the Network Act, which prescribes the specific details following the amendment of the Network Act.

II. KEY CONTENTS OF THE AMENDED ENFORCEMENT DECREE

1. Finalizing the scope of large-scale telecommunication service providers (new Article 2-2 and Appendix 1)

A "large-scale telecommunication service provider," which is subject to the regulation, is defined as a provider whose daily average number of users (DAU) over the last three months of the previous year is at least 1 million, and that provides services intermediating information among users (social network services, online communities, video-sharing services, and the like).

Search services and services that provide information intermediating or brokering transactions in goods and services are excluded from the scope. According to the regulatory impact analysis at the time of the re-announcement of the proposed legislation, the regulated parties were expected to be 15 companies (6 domestic and 9 foreign), but because search services and services providing information that intermediates or brokers transactions in goods and services were ultimately excluded, the actual scope of regulated parties is expected to dwindle. A regulatory re-examination provision was also newly established, under which the Korea Media and Communications Commission must review the appropriateness of the scope of large-scale telecommunication service providers every three years, using January 1, 2027 as the baseline, and take measures such as improvements (Article 71).

2. Reporting of illegal information and false or manipulated information, and transparency reports (new Articles 35-6 and 35-7)

When a user reports illegal information or false or manipulated information, the user must state the reporter's name (for a corporation or organization, its name and the name of its representative), contact information, the location (URL) of the information being reported, and the contents of and reasons for the report, along with supporting materials.

The report that a large-scale telecommunication service provider must publish at least once every six months must be posted on its website or, if it does not operate a website, on an application or other place where users can easily check and view it. The report must also include matters concerning the provider's self-regulatory operating policies, in addition to the matters prescribed by the Act, such as the daily average number of users, revenue, type of business, and the number of reported items of illegal information and false or manipulated information.

3. Establishing a fact-checking system (new Article 35-8)

- **International norms:** A large-scale telecommunication service provider may enter into an agreement with a fact-checking organization that complies with the norms prescribed in the Enforcement Decree in order to promote fact-checking activities regarding false information and the like. The norms that a fact-checking organization must comply with must conform to internationally accepted fact-checking principles and must include standards for securing neutrality, fairness, transparency, and accountability, and the Korea Media and Communications Commission may prescribe the specific norms by notice. The Korea Media and Communications Commission plans to designate the Code of Principles of the International Fact-Checking Network (IFCN) as the norms that fact-checking organizations must comply with.
- **Fact-checking organizations:** A fact-checking organization must carry out fact-checking activities, such as verifying whether information distributed on the telecommunications network operated and managed by the large-scale telecommunication service provider with which it has entered into an agreement is false or manipulated, and must disclose its report on its website or the like. Where the large-scale telecommunication service provider reflects the contents of the report in its service, it must publish that fact in a manner that can be viewed through its website or the like.

4. Scope of content posters subject to aggravated damages and of public figures (new Articles 35-4 and 35-5)

A content poster, if a person whose business is to convey facts or opinions to the public at large, will be subject to a claim for aggravated damages if the following conditions are met: posts three or more items of information over the immediately preceding three months and earns revenue through advertising, sponsorship, and the like, and who (1) has 100,000 or more subscribers, friends, or members, or (2) has a monthly average combined view count of 100,000 or more over the immediately preceding three months. Accordingly, revenue-generating influencers, YouTubers, and the like are expected to be directly subject to regulation.

The "public figures, etc." will become subject to publication of a judgment of dismissal if they abuse litigation for a claim for aggravated damages. Such person is defined as the following seven types: election candidates (including prospective candidates); heads of public institutions; high-ranking public officials subject to the property registration obligation; public officials subject to personnel hearings; party leaders; heads of media companies; and representative directors and largest shareholders of companies belonging to business groups subject to disclosure.

5. Parties and criteria for the imposition of penalty surcharges (new Articles 35-11 through 35-13, Article 36, and Appendix 1-4)

- **Parties subject to penalties:** A penalty surcharge is imposed where (1) a person whose business is to convey information and who earns revenue by posting three or more items of information over the immediately preceding three months (2) distributes information determined to be illegal information or false or manipulated information in a final and conclusive judgment two or more times.
- **Calculation method:** The base amount calculated according to the gravity of the violation is subject to mandatory aggravation, additional aggravation or mitigation, and determination of the penalty surcharge to be imposed in that sequence, but it may not exceed the statutory ceiling of KRW 1 billion.
- **Collection procedure:** In the event of default, an additional charge of 6% per year (for up to 60 months) is imposed, and procedures are established for deferral of payment (within one year from the day following the original payment deadline), payment in installments (up to three times, with intervals between the split payment deadlines of no more than six months), and entrustment of compulsory collection to the Commissioner of the National Tax Service. Criteria for calculating the refund surcharge where a penalty surcharge is refunded pursuant to a court judgment or the like were also prescribed.

6. Reorganization of the Dispute Mediation Division and new criteria for administrative fines (amendment of Articles 31 through 33, new Article 35-10, and amendment of Appendix 9)

As the existing "Defamation Dispute Mediation Division" was expanded and reorganized into the "Dispute Mediation Division," the related provisions were reorganized, it also became possible to request the provision of user information for the purpose of applying for dispute mediation (Article 32).

In addition, the criteria for imposing administrative fines (Appendix 9) provides standards for the following two violations, with administrative fines of KRW 3 million for a first violation, KRW 6 million for a second violation, and KRW 10 million for a third or subsequent violation:

- **Failure to comply with a request to provide information:** a telecommunication service provider that, without justifiable grounds, fails to comply with a request to provide information made pursuant to a decision of the Dispute Mediation Division to provide information (Appendix 9, item (i)-2)
- **Failure to submit a report:** a person who, as a party obligated to designate a person responsible for preventing the distribution of illegal filming material and the like, violates Article 44-14(2) of the Act and fails to submit a report to the Korea Media and Communications Commission (Article 35-7(3); Appendix 9, item (j)-2)

III. IMPLICATIONS

This amendment to the Enforcement Decree is scheduled to take effect on July 7, 2026, in line with the effective date of the amended Network Act. The Korea Media and Communications Commission has not officially set a separate guidance period or grace period to account for confusion in the early stage of enforcement. However, because the initial procedures, such as identifying and designating large-scale telecommunication service providers, are expected to take about three months, actual enforcement of the regulation is likely to begin in earnest only after some time has passed from the effective date. That said, since this is not a grace period guaranteed by law, regulated businesses should note that they must prepare for the following matters in particular, on the premise that the statutory obligations arise from the effective date.

First, platform companies need to first review whether they qualify as large-scale telecommunication service providers based on their DAU and service type (whether the service constitutes one intermediating information among users).

Second, regulated businesses are expected to effectively secure a certain preparation period between the effective date and actual enforcement of the regulation. Since this is not a statutory grace period, they must proactively put in place their compliance systems, including building reporting channels and implementing response functions, establishing self-regulatory operating policies, setting up a system for issuing transparency reports, and entering into agreements with fact-checking organizations.

Third, revenue-generating posters with 100,000 or more subscribers or a monthly average view count of 100,000 or more (influencers, YouTubers, and the like) are exposed to the direct risk of aggravated damages and, in the case of repeated distribution, penalty surcharges (up to KRW 1 billion). Therefore, they must pay particular attention to fact-checking during the content production and distribution process and to the prohibition on redistribution after a final and conclusive judgment.

Fourth, since the detailed criteria for calculating penalty surcharges and the international fact-checking norms will be specified by notice from the Korea Media and Communications Commission, the businesses concerned need to continuously monitor developments in the subsequent enactment of such notices and consider submitting opinions during the notice-enactment process.

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Bae, Kim & Lee LLC will continuously monitor the process of subsequent notice enactment and establishment of detailed criteria in connection with this amendment to the Enforcement Decree of the Network Act, and will provide tailored advice and optimal response strategies that take into account the specific circumstances of platform companies and content posters.

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