

ENFORCEMENT DECREE OF THE ACT ON THE STRUCTURAL IMPROVEMENT OF THE FINANCIAL INDUSTRY

Wholly Amended by Presidential Decree No. 15310, Mar. 22, 1997
Amended by Presidential Decree No. 15569, Dec. 31, 1997
Presidential Decree No. 15754, Apr. 1, 1998
Presidential Decree No. 15894, Sep. 22, 1998
Presidential Decree No. 16234, Apr. 9, 1999
Presidential Decree No. 16829, jun. 7, 2000
Presidential Decree No. 18312, Mar. 17, 2004
Presidential Decree No. 18833, May 26, 2005
Presidential Decree No. 20024, Apr. 26, 2007
Presidential Decree No. 20653, Feb. 29, 2008
Presidential Decree No. 20947, Jul. 29, 2008
Presidential Decree No. 21517, May 29, 2009
Presidential Decree No. 21641, Jul. 27, 2009
Presidential Decree No. 22493, Nov. 15, 2010
Presidential Decree No. 23488, Jan. 6, 2012
Presidential Decree No. 24317, Jan. 16, 2013
Presidential Decree No. 25532, Aug. 6, 2014
Presidential Decree No. 25945, Dec. 30, 2014
Presidential Decree No. 27037, Mar. 11, 2016
Presidential Decree No. 27533, Sep. 29, 2016

Article 1 (Purpose)

The purpose of this Decree is to provide for the matters delegated by the Act on the Structural Improvement of the Financial Industry and other matters necessary for its enforcement. <Amended by Presidential Decree No. 18833, May 26, 2005>

Article 2 (Financial Institutions)

“Institutions prescribed by Presidential Decree” in subparagraph 1 (j) of Article 2 of the Act on the Structural Improvement of the Financial Industry (hereinafter referred to as the "Act") mean specialized credit financial companies under the Specialized Credit Finance Business Act:

Article 3 Deleted. <by Presidential Decree No. 15754, Apr. 1, 1998>

Article 4 (Scope of Undertakers of Financial Institutions)

The term "those who hold stocks at a lower percentage than the specific percentage prescribed by Presidential Decree" in subparagraph 3 of Article 2 of the Act means those holding not more than 5/100 (1/100 in the cases of financial institutions under subparagraph 1 (a) and (b) of Article 2 of the Act) of the total number of outstanding voting stocks. <Amended by Presidential Decree No. 27533, Sep. 29, 2016>

Article 5 (Scope of Major Investors)

The term "major investors prescribed by Presidential Decree" in Article 4 (3) 8 of the Act means the major investors who are prescribed by Acts and subordinate statutes which are applicable to any financial institutions that are newly established by means of merger or conversion pursuant to the Act, any surviving financial institutions, or any post-conversion financial institutions (in cases where any financial institutions that are newly established by means of merger or conversion prescribed in the Act, any surviving financial institutions, or any post-conversion financial institutions are banks provided for in the Banking Act, the major investors mean the persons who hold the shares of the relevant banks pursuant to Articles 15 (3) and 16-2 (2) and (3) of the Banking Act). <Amended by Presidential Decree No. 22493, Nov. 15, 2010; Presidential Decree No. 27533, Sep. 29, 2016>

Article 5-2 (Financial Support by Government, etc.)

(1) The Government, etc. may, in accordance with Article 8 (1) of the Act, provide financial support falling under each of the following subparagraphs to any financial institution that is newly established by means of merger or any surviving financial institution: <Amended by Presidential Decree No. 18833, May 26, 2005; Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 21641, Jul. 27, 2009>

1. Subsidy of funds under Article 38 of the Depositor Protection Act;
2. Purchase of securities (limited to the securities as prescribed in Article 5-5) by the Public Capital Management Fund established pursuant to the Public Capital Management Fund Act;
3. Contribution in-kind of the State property under the State Property Act.

(2) The entity subsidizing funds referred to in paragraph (1) shall, when it provides financial support to any financial institution, consult in advance with the Financial Services Commission about the size of such financial support and the appropriateness of plans for normalizing the management of the financial institution requesting such financial support. <Amended by Presidential Decree No. 20653, Feb. 29, 2008>

Article 5-3 (Scope of Business That is Concurrently Run, etc.)

(1) The business that is permitted to be run by any financial institution that is newly established by means of merger or conversion, any surviving financial institution, or any post-conversion financial institution in addition to the business that is run in accordance with Acts and subordinate statutes applicable to such financial institution, etc. under Article 8 (2) of the Act shall be the business categorized as follows: <Amended by Presidential Decree No. 18833, May 26, 2005; Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 20653, Feb. 29, 2008; Presidential Decree No. 20947, Jul. 29, 2008; Presidential Decree No. 22493, Nov. 15, 2010>

1. Where a bank under the Banking Act (hereafter in this Article referred to as "bank") and a merchant bank under the Capital Market and Financial Investment Business Act (hereafter in this Article referred to as "merchant bank") are merged into a bank: The businesses prescribed by the Financial Services Commission among the businesses as prescribed in Article 336 (1) 1 of the Capital Market and Financial Investment Business Act and the incidental businesses as prescribed in subparagraph 8 of the same paragraph;

2. Where any investment trader or an investment broker provided for in the Capital Market and Financial Investment Business Act (hereinafter referred to as "investment trader or investment broker") and any merchant bank are merged into an investment trader or investment broker or and any merchant bank is converted into an investment trader or investment broker: The businesses as prescribed in Article 336 (1) 1, 2, 4, and 7 of the Merchant Banks Act and their incidental business and the businesses as prescribed in paragraph (2) 1 through 3, and 5 of the same Article;

3. Where a bank, an investment trader or an investment broker are merged into a bank: The investment trading businesses (including a public offering of outstanding securities or to intermediate or arrange a public offering of new or outstanding securities, or act by proxy for that purpose) as prescribed in the Capital Market and Financial Investment Business Act;

4. Deleted. <by Presidential Decree No. 20024, Apr. 26, 2007>

(2) The period during which the financial institutions that are established by means of merger or conversion, the surviving financial institutions or the post-conversion financial institutions are allowed to continue running their business as referred to in paragraph (1) under Article 8 (2) of the Act shall be the period set by the Financial Services Commission within 10 years. <Amended by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 20653, Feb. 29, 2008>

Article 5-4 (Agreement on Business Transfer)

(1) An insolvent financial institution which has been ordered to transfer its business pursuant to Article 11 (1) of the Act shall reach an agreement on the business transfer with the counterpart financial institution designated for the business transfer, if any, or otherwise shall do so with any other financial institution therefor.

(2) Where the Financial Services Commission designates a counterpart financial institution for the business transfer under Article 11 (1) of the Act, it shall immediately notify the relevant financial institution. <Amended by Presidential Decree No. 20653, Feb. 29, 2008>

(3) For any agreement under paragraph (1), resolutions under Article 434 of the Commercial Act shall be passed by the competent organs in both financial institutions: Provided, That where any Act enumerated in items of subparagraph 1 of Article 2 of the Act provides for the relevant resolution methods, that Act shall apply to the above stated resolutions. <Amended by Presidential Decree No. 18833, May 26, 2005>

(4) Where an agreement under paragraph (1) is reached, both financial institutions shall obtain without delay necessary authorization as prescribed by Acts enumerated in items of subparagraph 1 of Article 2 of the Act.

Article 5-5 (Purchase of Securities by Government, etc.)

The term "securities prescribed by Presidential Decree" in Article 12 (1) of the Act means any of the following securities: *<Amended by Presidential Decree No. 20653, Feb. 29, 2008; Presidential Decree No. 27533, Sep. 29, 2016>*

1. Government bonds, local government bonds, and bonds whose repayment of principal and interest are guaranteed by the Government, from among the bonds in possession of insolvent financial institutions;
2. Subordinated bonds issued by insolvent financial institutions;
3. Securities recognized by the Financial Services Commission as are equivalent to the securities of subparagraph 1 or 2.

Article 5-6 (Categories of Public Institutions)

The term "public institutions prescribed by Presidential Decree" in Article 14-7 (1) of the Act means any of the following public institutions: *<Amended by Presidential Decree No. 18833, May 26, 2005; Presidential Decree No. 21517, May 29, 2009; Presidential Decree No. 27533, Sep. 29, 2016>*

1. Enterprises in which the Government has invested not less than 50/100 of their paid-in capital;
2. Corporations established under special Acts;
3. Clearing houses designated under the Bills of Exchange and Promissory Notes Act or the Check Act.

Article 5-7 (Recommendation of Liquidator or Trustee in Bankruptcy)

(1) "The largest creditor prescribed by Presidential Decree" under the latter part of Article 15 (1) of the Act shall be the person who is found to be in possession of the credit exceeding 50/100 of the gross amount of the credits (including the credits accruing from the payment of insurance money, the purchase of bonds and financial support, etc. by the Deposit Insurance Corporation or resolution financial companies under the Depositor Protection Act after the date of business suspension or of decision of contract transfer) against the insured financial institution concerned as of the date on which it ceased to do the business or a contract transfer was decided after having been dissolved or gone bankrupt as a result of the investigation of the financial conditions by the manager under Article 14-6 (1) of the Act. *<Amended by Presidential Decree No. 18833, May 26, 2005; Presidential Decree No. 27037, Mar. 11, 2016; Presidential Decree No. 27533, Sep. 29, 2016>*

(2) The term "financial experts prescribed by Presidential Decree" in Article 15 (1) 1 of the Act means any of the following persons: Provided, That the stockholders of any financial institution which selects and appoints any liquidator or any trustee in bankruptcy, any person who has an interest in the credits and debts of the financial institution concerned and any officer of the financial institution concerned who falls under the cause of disqualification, shall be excluded: *<Amended by Presidential Decree No. 20653, Feb. 29, 2008; Presidential Decree No. 27533, Sep. 29, 2016>*

1. A person who has worked in a financial institution for not less than five years;
2. A person who has worked in a financial supervisory institution, such as the Financial Services Commission, the Financial Supervisory Service, etc. for not less than five years;

3. A person who has worked in a finance-related organization prescribed by the Financial Services Commission for not less than five years;
4. A person who has been selected or appointed as the manager, liquidator, or trustee in bankruptcy of a financial institution;
5. Other persons recognized by the Financial Services Commission as having ample knowledge and experiences in finance.

Article 5-8 (Methods of Borrowing)

Where the Korea Development Bank under the Korea Development Bank Act (hereinafter referred to as the "Korea Development Bank") intends to borrow funds pursuant to Article 23-4 (1) of the Act at a charge of the Financial Stabilization Fund under Article 23-2 of the Act (hereinafter referred to as the "Fund"), it shall draw up documents stating the following matters and obtain approval of the Financial Services Commission: *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

1. Purposes of the loan;
2. The amount of the loan;
3. Interest rate of the loan, methods of interest payment, and its maturity;
4. Methods of repayment of the loan and its maturity.

Article 5-9 (Methods of Issuance of Financial Stabilization Fund Bonds)

The Korea Development Bank may issue Financial Stabilization Fund Bonds (hereafter referred to as "Bonds" to Article 5-21) pursuant to Article 23-5 (1) of the Act by means of issuance at par value, at discounted value or at premium value. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

Article 5-10 (Methods of Issuance of Bonds)

- (1) The Policy Banking Corporation shall issue Bonds by public offering or by a contract for transfer and takeover of Bonds with a specific person.
- (2) Issuance of Bonds by public offering shall be made by means of subscription, competitive bidding or public offer.

Article 5-11 (Subscription for Bonds)

- (1) Any person who intends to subscribe for Bonds shall enter the number of Bonds he/she intends to underwrite and his/her address in two copies of a written application for Bonds, and affix his/her signature and seal to them.
- (2) The Chairman and CEO of the Korea Development Bank (hereinafter referred to as the "Chairman & CEO") shall draw up an application for Bonds and enter the following matters in the application: *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

1. The name of the Korea Development Bank;
2. The total amount of Bonds issued;
3. The amount of each Bond;
4. Interest rate of Bonds;

5. Methods of repayment of Bonds and their maturity;
 6. Methods and timing for the payment of interest;
 7. The issue price or minimum issue price of Bonds;
 8. Where there exist Bonds which are not reimbursed yet, the total amount of such Bonds.
- (3) Notwithstanding paragraph (2) 4, where the interest rate of Bonds has yet to be determined, a subscriber shall enter the subscription rate of interest in the application for Bonds.
- (4) Notwithstanding paragraph (2) 7, where the issue price of Bonds has yet to be determined or the minimum issue price has been determined, a subscriber shall enter the subscription price in the application for Bonds.

Article 5-12 (Total Acceptance of Bonds)

Where a subscriber underwrites the total amount of Bonds in accordance with a contract, Article 5-11 shall not apply.

Article 5-13 (Total Amount of Bonds Issued)

If the intent that Bonds shall be effectuated, even if the total subscription amount of Bonds is smaller than the total amount of Bonds issued entered in an application for Bonds, is written down in the application for Bonds, the total subscription amount shall be the total amount of Bonds issued.

Article 5-14 (Payment of Acceptance Price of Bonds)

If subscription of Bonds is completed, the Chairman & CEO shall pay the total amount of each Bond without delay. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

Article 5-15 (Time of Issuance of Bonds)

If the total amount of issue price of Bonds is not paid, the certificates thereof shall not be issued: Provided, That where Bonds are issued pursuant to Article 5-16, this shall not apply.

Article 5-16 (Issuance of Bonds by Public Offering)

- (1) Where Bonds are issued by means of public offering, period for public offering shall be determined in advance, and such period for public offering and matters referred to in Article 5-11 (2) 1 through 7 shall be publicly announced.
- (2) In cases of paragraph (1), an application for Bonds may not be prepared.
- (3) Matters referred to in Article 5-11 (2) 1 and 3 through 6 and numbers of Bonds shall be entered in Bonds issued under paragraph (1).

Article 5-17 (Ledger of Bonds)

(1) The Korea Development Bank shall, in its main office, keep a ledger of Bonds in which the following matters are entered: *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

1. The number of Bonds and their numbers;
 2. The issue date of Bonds;
 3. Matters referred to in Article 5-11 (2) 2 through 6.
- (2) If Bonds are issued in the form of registration, the following matters shall be entered in the ledger of Bonds in addition to the matters referred to in the subparagraphs of paragraph (1):

1. Addresses and names of Bondholders;
 2. Acquisition date of Bonds.
- (3) Any creditor of Bonds may request for the perusal of the ledger of Bonds at any time during business hours of the Korea Development Bank. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

Article 5-18 (Registered Bonds)

- (1) With regard to the transfer of registered Bonds, unless and until the name and the address of a Bondholder are registered in the ledger of Bonds and the said name is entered in the certificate thereof, the Bondholder may not prevail, on the ground of the fact, against the Korea Development Bank's or a third party's adverse claim. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*
- (2) Where registered Bonds are the object of pledges, unless and until the name and the address of a pledgee are registered in the ledger of Bonds, the pledgee may not prevail, on the ground of the fact, against the Korea Development Bank's or a third party's adverse claim. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*
- (3) If a pledge is established pursuant to paragraph (2), the Korea Development Bank shall indicate such fact on the relevant Bonds. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

Article 5-19 (Invalidation of Bonds)

The Korea Development Bank may, if it does not hamper the operation, management, and financial support business of the Financial Stabilization Fund under Article 23-3 (1) of the Act, purchase Bonds and invalidate them. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*

Article 5-20 (Deficiency in Interest Coupons)

- (1) When unregistered Bonds are repaid, if any deficient interest coupon exists, an amount equivalent thereto shall be deducted from the repayment amount.
- (2) Any holder of an interest coupon under paragraph (1) may claim a payment of the amount deducted in exchange of such interest coupon.

Article 5-21 (Notice to Subscribers of Bonds, etc.)

- (1) Notice or peremptory notice to a subscriber of Bonds shall be given at his/her address stated in an application for Bonds: Provided, that if any address which has separately been notified to the Korea Development Bank exists, it shall be given at such address. *<Amended by Presidential Decree No. 25945, Dec. 30, 2014>*
- (2) Paragraph (1) shall also apply mutatis mutandis to cases of notice or peremptory notice to a right holder to Bonds before the certificates of Bonds are issued.
- (3) Notice or peremptory notice to a holder of registered Bonds shall be given at an address stated in the ledger of Bonds. In such cases, the proviso to paragraph (1) shall apply mutatis mutandis.
- (4) A public announcement may take the place of notice or peremptory notice to a holder of unregistered bonds.

Article 5-22 (Report of Compliance Status of Financial Functions Enhancement Plan)

When a financial institution which has received financial support pursuant to Article 23-6 of the Act (hereinafter referred to as "subsidized institution") reports the compliance status of a financial functions enhancement plan pursuant to Article 23-9 of the Act, it shall draw up documents in which the compliance index of a plan under the items of Article 23-7 (1) 2 as of the end of each quarter or other matters determined and announced by the Financial Services Commission are stated and present them within one month after the end of each quarter. In such cases, the Financial Services Commission may, if it recognizes that any inevitable reason exists, extend the deadline for presentation of such documents.

Article 6 (Standards, etc., for Approval of Ownership of other Companies' Stocks)

(1) The standards by which the Financial Services Commission may grant approval for the financial institutions of the same affiliation pursuant to the provisions of Article 24 (1) of the Act shall be the standards provided for in each subparagraph of Article 24 (6) of the Act. *<Amended by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 20653, Feb. 29, 2008>*

(2) The term "cases as determined by Presidential Decree" in Article 24 (1) 2 through 4 of the Act refers to any of the following cases: *<Amended by Presidential Decree No. 27533, Sep. 29, 2016>*

1. The ratio of stockholding shall rank in the first place;
2. In view of the stock dispersion level, the controlling relations by means of exercising the stockholder's right shall be constituted.

(3) The term "inevitable grounds prescribed by Presidential Decree, including the capital reduction of other shareholders" in the former part of Article 24 (4) of the Act means any of the following cases: *<Newly Inserted by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 20653, Feb. 29, 2008; Presidential Decree No. 20947, Jul. 29, 2008; Presidential Decree No. 27533, Sep. 29, 2016>*

1. Where the capital of other shareholders is reduced or their shares are disposed of;
2. Where the shares of another company are owned following the exercise of the security right or the receipt of the payment in substitution;
3. Where the shares of another company are owned by means of legacy;
4. Where any investment trader or investment broker owns the shares of any other company while running the business of taking over securities pursuant to the provisions of Article 9 (11) of the Financial Investment Services and Capital Markets Act;
5. Where any financial institution of the same affiliation finds it necessary to hastily buy the shares of any other company within the scope of operating its business and assets provided for in Acts and subordinate statutes applicable to such financial institution, all of which are prescribed and published by the Financial Services Commission.

(4) The term "period set by Presidential Decree" in the former part of Article 24 (4) of the Act means until the day before the general meeting of shareholders of the other company is first convened after the date on which the grounds falling under any of subparagraphs of paragraph (3) accrue: Provided, That in cases where the grounds falling under any subparagraph of paragraph (3) accrue during the period falling under any of the following subparagraphs, the period shall be until the day before the general meeting of

shareholders of the other company is first convened after the relevant general meeting of shareholders is held: <Newly Inserted by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 27533, Sep. 29, 2016>

1. In cases where the other company suspends changing the entries of the shareholders' list pursuant to the provisions of Article 354 (1) of the Commercial Act in order to decide on persons who exercise their voting rights at the general meeting of shareholders, the suspended period;

2. In cases where the other company decides on the base date pursuant to the provisions of Article 354 (1) of the Commercial Act in order to decide on persons who exercise their voting rights at the general meeting of shareholders, the period ranging from the date after the relevant base date to the date preceding the date on which the general meeting of shareholders is held.

(5) The term "period determined by Presidential Decree" in Article 24 (7) of the Act means 30 days from the date on which an application for approval is received. In such cases, the period during which consultations are held with the Fair Trade Commission pursuant to the provisions of Article 24 (3) of the Act, the period during which the contents of the application for approval are supplemented, and the period during which it is impossible to notify the grounds of non-approval due to natural disaster or any other reason shall not be included. <Newly Inserted by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 27533, Sep. 29, 2016>

(6) The Financial Services Commission shall examine every two years on a periodic basis whether the same affiliated financial institution meets the excess ownership requirements after obtaining approval therefor pursuant to the provisions of Article 24 (1), (4) and (5) of the Act: Provided, That in cases where it is deemed necessary to examine whether the same affiliated financial institution meets the excess ownership requirements provided for in each subparagraph of Article 24 (6) of the Act on the grounds of any change in the ratio that is owned by the same affiliated financial institution from among the total number of the voting shares of any other company, the Financial Services Commission may occasionally conduct the examination. <Newly Inserted by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 20653, Feb. 29, 2008>

(7) Necessary and specific matters concerning methods and procedures for examining whether the excess ownership requirements referred to in paragraph (6) are met shall be determined and publicly announced by the Financial Services Commission. <Newly Inserted by Presidential Decree No. 20024, Apr. 26, 2007; Presidential Decree No. 20653, Feb. 29, 2008; Presidential Decree No. 27533, Sep. 29, 2016>

Article 6-2 (Entrustment of Authority)

The Financial Services Commission shall entrust the authority falling under each of the following subparagraphs to the Governor of the Financial Supervisory Service pursuant to the provisions of Articles 10 (5) and 25 of the Act: <Amended by Presidential Decree No. 20653, Feb. 29, 2008; Presidential Decree No. 21517, May 29, 2009; Presidential Decree No. 27533, Sep. 29, 2016>

1. Matters concerning the inspection of the management state provided for in the former part of subparagraph 2 (a) of Article 2 of the Act and the standards for appraising and calculating assets and

liabilities provided for in the latter part of the same item;

2. Receipt of the implementation plan provided for in Article 10 (1) of the Act, the receipt of the implementation record and the check of whether the plan is actually implemented;

2-2. Matters referred to in the following items under Article 23-9 of the Act:

(a) Receipt of a report on the compliance status of a financial functions enhancement plan of a subsidized institution under Article 23-9 (1) of the Act;

(b) Monitoring of the compliance status of a financial functions enhancement plan of a subsidized institution under Article 23-9 (2) of the Act;

(c) Inspection and presentation of data on duties and financial standing of a subsidized institution, request for attendance and statement of the persons concerned under Article 23-9 (3) of the Act;

3. Examination and inspection of related documents in the process of examining the requirements provided for in Article 24 (6) or whether the excess ownership requirements provided for in the provisions of Article 24 (8) of the Act are met.

Article 7 (Management of Unique Identifying Information)

(1) The Financial Services Commission (including a person who is entrusted with affairs of the Financial Services Commission under Article 6-2) may manage data that contain resident registration numbers, passport numbers, or alien registration numbers under subparagraph 1, 2, or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act, where it is inevitable to conduct the following affairs: <Amended by Presidential Decree No. 24317, Jan. 16, 2013; Presidential Decree No. 25532, Aug. 6, 2014>

1. Affairs concerning the authorization under Article 4 of the Act;

1-2. Affairs concerning consideration of the same person, receipt of a report submitted by or an approval of the same person in accordance with the proviso to Article 9 (2);

2. Affairs concerning the appointment of management supervisors and commission of registration of such supervisors under Articles 10 (1) 4, 14 (1) and (7), and 14-3 (4) of the Act;

2-2. Affairs concerning invalidation or consolidation of stocks owned by specific stockholders in accordance with the former part of Article 12 (3);

3. Affairs concerning the recommendation of liquidators or trustees in bankruptcy under Article 15 (1) of the Act;

4. Affairs concerning the inspection; the request for presentation of data and attendance, statement, etc. of the person concerned; the subsequent follow-up measures; etc. under Article 23-9 (3) of the Act;

5. Affairs concerning the implementation of measures necessary for the supervision under subparagraphs 2 through 4 of Article 23-9 (5) of the Act;

6. Affairs concerning the examination of approval requirements under Article 24 (6) of the Act;

7. Affairs concerning the examination of whether the excess ownership requirements are met and the subsequent follow-up measures under Article 24 (8) of the Act;

8. Affairs concerning the measures under subparagraph 3 or 4 of Article 24-2 (1) of the Act.
(2) When inevitable to carry out business related to drawing up a list of depositors under Article 20 of the Act, an authority concerned with bankruptcy may manage data that contain resident registration numbers, passport numbers, or alien registration numbers under subparagraph 1, 2, or 4 of Article 19 of the Enforcement Decree of the Personal Information Protection Act. <Newly Inserted by Decree No. 24317, Jan. 16, 2013>

ADDENDA

- (1) (Enforcement Date) This Decree shall enter into force on the date of its promulgation: Provided, That the provisions of Article 3 shall enter into force on April 1, 1997.
(2) Omitted.

ADDENDA <Presidential Decree No. 15569, Dec. 31, 1997>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 1998.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 15754, Apr. 1, 1998>

- (1) (Enforcement Date) This Decree shall enter into force on April 1, 1998: Provided, That the amendments to Articles 5-2 through 5-4 and 6 (1) 1 shall enter into force on the date of its promulgation.
(2) (Applicability to Powers of Managers) The amendments to Articles 5-2 through 5-4 shall apply to managers appointed first after the entry into force of this Decree and an order for business transfer or a decision for contract transfers done first after this Decree enters into force.

ADDENDUM <Presidential Decree No. 15894, Sep. 22, 1998>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 16234, Apr. 9, 1999>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 16829, Jun. 7, 2000>

This Decree shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 18312, Mar. 17, 2004>

This Decree shall enter into force on the date of its promulgation.

ADDENDUM <Presidential Decree No. 18833, May 26, 2005>

This Decree shall enter into force on the date of its promulgation.

ADDENDA <Presidential Decree No. 20024, Apr. 26, 2007>

Article 1 (Enforcement Date)

This Decree shall enter into force on April 27, 2007.

Article 2 (Transitional Measure concerning Ex Post Facto Approval for Acquisition of Shares of other Companies)

(1) The term "grounds of inevitability that are prescribed by Presidential Decree" in Article 2 of the Addenda of the Act on the Structural Improvement of the Financial Industry that is partially amended by Act No. 8265 means the case falling under any of the following subparagraphs:

1. Where the capital of any other shareholders is reduced and their shares are disposed of;
2. Where the shares of any other company are owned after the security right is exercised or the payment in substitutes is received;
3. Where the shares of any other company are owned by means of legacy;
4. Where any securities company owns the shares of any other company while running the business of taking over securities pursuant to the provisions of Article 2 (8) 5 of the Securities and Exchange Act;
5. Where any same affiliated financial institution finds it necessary to hastily own the shares of any other company, which is determined and published by the Financial Services Commission, within the scope of operating its business or assets provided for in Acts and subordinate statutes applicable to the relevant financial institutions.

(2) The term "period that is prescribed by Presidential Decree" in Article 2 and the proviso to Article 6 of the Addenda of the Act on the Structural Improvement of the Financial Industry that is partially amended by Act No. 8265 means until the day before the general meeting of shareholders of the other company, which is first convened after April 27, 2007, is held: Provided, That in cases where the period falling under any of the following subparagraphs starts prior to the enforcement of this Decree and ends after the enforcement of this Decree and the grounds falling under any subparagraph of paragraph (1) accrue from the date on which the period falling under any of the following subparagraphs is reckoned to April 26, 2007, such period means until the day before the general meeting of shareholders of the other company is first convened after the date on which the relevant general meeting of shareholders is held:

1. In cases where the other company suspends changing the entries of the shareholders' list pursuant to the provisions of Article 354 (1) of the Commercial Act in order to decide on persons who exercise their voting rights at the general meeting of shareholders, the suspended period;

2. In cases where the other company sets the base date pursuant to the provisions of Article 354 (1) of the Commercial Act in order to decide on persons who exercise their voting rights at the general meeting of shareholders, the period ranging from the date after the base date to the date before the date on which the general meeting of shareholders is held.

ADDENDA <Presidential Decree No. 20653, Feb. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on date of its promulgation. (Proviso Omitted.)

Article 2 Omitted.

ADDENDA <Presidential Decree No. 20947, Jul. 29, 2008>

Article 1 (Enforcement Date)

This Decree shall enter into force on February 4, 2009. (Proviso Omitted.)

Articles 2 through 28 Omitted.

ADDENDUM <Presidential Decree No. 21517, May 29, 2009>

This Decree shall enter into force on June 1, 2009.

ADDENDA <Presidential Decree No. 21641, Jul. 27, 2009>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 31, 2009. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 22493, Nov. 15, 2010>

Article 1 (Enforcement Date)

This Decree shall enter into force on November 18, 2010.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 23488, Jan. 6, 2012>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 24317, Jan. 16, 2013>

This Decree shall enter into force on the date of its promulgation. (Proviso Omitted.)

ADDENDUM <Presidential Decree No. 25532, Aug. 6, 2014>

This Decree shall enter into force on August 7, 2014.

ADDENDA <Presidential Decree No. 25945, Dec. 30, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on the date when a merger is registered pursuant to Article 4 (6) of the Addenda of the Korea Development Bank wholly amended by Act No. 12663.

Articles 2 through 5 Omitted.

ADDENDA <Presidential Decree No. 27037, Mar. 11, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on date of its promulgation.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 27533, Sep. 29, 2016>

This Decree shall enter into force on Sep. 30, 2016.

Last updated : 2017-06-01