


Content

Title :	Regulations Governing the Implementation of Filing Company Registration Applications and Services by Electronic Means 
Date :	2018.11.08
Legislative :	1.Promulgated on November 1, 2018
Content :	<p>Article 1 These Regulations are enacted pursuant to Paragraph 3 of Article 28-1 and Paragraph 2 of Article 387 of the Company Act (hereinafter referred to as "the Act").</p> <p>Article 2 The terms used in these Regulations are defined as follows: 1.Electronic application: the transmission of application documents set forth in the Act using the hardware and software information equipment designated by the central competent authority. 2.Electronic application documents: the forms for applications set forth in the Act that the company or its agent fills out and other electronic files attached in accordance with provisions prescribed by the central competent authority. 3.Information system: a system that generates, sends, receives, stores, or otherwise processes information or data in electronic form. 4.Electronic official documents: Various official documents created by the competent authority by electronic means during relevant procedures of applications made by a company or its agent. 5.Electronic service: Electronic official documents transmitted to the electronic official document downloading platform by the competent authority and downloaded by the company or its agent. 6.Electronic official document downloading platform: the information system provided by the central competent authority for the company or its agent to download electronic official documents.</p> <p>Article 3 The effect of the electronic application documents submitted in accordance with these Regulations is identical to the effect of the written application document.</p> <p>Article 4 Prior to filing an electronic application, the company or its agent shall register relevant information in the information system designated by the central competent authority following procedures set by its website and submit such information with an electronic signature.</p> <p>Article 5 The company or its agent shall use an electronic signature in filing electronic applications and transmit electronic application documents with the software, formats, types, and means designated by the central competent authority.</p> <p>Article 6 The time when the company or its agent submits electronic application to the competent authority shall be the time recorded by the information system of the central competent authority. Upon receiving the electronic application documents in the information system, the central competent authority shall notify the time of receipt, the application number, and other necessary information to the company or its agent with appropriate means.</p> <p>Article 7 In the event that electronic application documents carry viruses or malicious codes,</p>

the competent authority shall keep such electronic application documents in quarantine without taking any procedures of virus removal.
In regard to the electronic application documents set forth in the preceding paragraph, the competent authority may, after the elapse of certain time period, destroy the documents or adopt other measures to protect the system.
In case the circumstances prescribed under Paragraph 2 and 3 occur, the competent authority shall notify the company or its agent.

Article 8

Subsequent to receipt of electronic application documents, the competent authority shall store such in its original version for examination.

Article 9

In the event of information system failure, the central competent authority shall make a notification on the website or by other means.

Article 10

The official documents to be served by the competent authority to the company or its agent may be replaced by electronic official documents and attachments thereof stored in the electronic official document downloading platform, the effect of which is identical to that of service of hard-copy official documents. Electronic service of documents shall be made by the competent authority with the consent of the company or its agent.

Article 11

Subsequent to transmitting the electronic documents to the electronic official document downloading platform, the competent authority may notify the company or its agent to download such electronic official documents in the downloading platform by an electronic mail or other means.

Article 12

The time of the electronic service shall be deemed as the time recorded by the information system of the competent authority when the company or its agent downloads such official documents.
The statutory period therefor shall begin to run from the date following the day on which such electronic documents are downloaded.
If the company or its agent fails to download such electronic documents within five days after the electronic documents have been transmitted to the electronic official document downloading platform by the competent authority, the competent authority shall take down such electronic documents and serve the official documents in hard copy.

Article 13

These Regulations shall be enforced starting November 1, 2018.