

CRIMINAL ACT

over the express objection of the victim. *<Amended by Act No. 5057, Dec. 29, 1995>*

CHAPTER XXXIV CRIMES AGAINST CREDIT,
BUSINESS AND AUCTION

Article 313 (Injuring Credit)

A person who injures the credit of another by circulating false facts or through fraudulent means, shall be punished by imprisonment for not more than five years or by a fine not exceeding fifteen million won.

<Amended by Act No. 5057, Dec. 29, 1995>

Article 314 (Interference with Business)

(1) A person who interferes with the business of another by the method of Article 313 or by the threat of force, shall be punished by imprisonment for not more than five years or by a fine not exceeding fifteen million won. *<Amended by Act No. 5057, Dec. 29, 1995>*

(2) Any person who interferes with another person's business by damaging or destroying any data processor, such as computer, or special media records, such as electromagnetic records, or inputting false information or improper order into the data processor, or making any impediment in processing any data by other way, shall also be subject to the same punishment as referred to in paragraph (1). *<Newly Inserted by Act No. 5057, Dec. 29, 1995>*

Article 315 (Interference with Auction or Bidding)

A person who interferes with the impartial conduct of an auction or a bid through fraudulent means or by the threat of force or by other means, shall be punished by imprisonment for not more than two years or by a fine not exceeding seven million won. *<Amended by Act No. 5057, Dec. 29, 1995>*

CHAPTER XXXV CRIMES OF VIOLATION OF
SECRECY

Article 316 (Violation of Secrecy)

(1) A person who opens a sealed or other secretly composed letter, document, or drawing shall be punished by imprisonment or imprison-

CRIMINAL ACT

ment without prison labor for not more than three years or by a fine not exceeding five million won. *<Amended by Act No. 5057, Dec. 29, 1995>*

(2) Any person who detects the contents of another person's sealed or secretly designed letter, document, drawing, picture, or special media records, such as electromagnetic records, using any technical means, shall be subject to the same punishment as referred to in paragraph (1). *<Newly Inserted by Act No. 5057, Dec. 29, 1995>*

Article 317 (Occupational Disclosure of Other's Secrets)

(1) A doctor, dentist, herb doctor, pharmacist, druggist, midwife, lawyer, patent attorney, certified public accountant, notary, scrivener or his assistant or any person formerly engaged in such profession who discloses another's secret which has come to his knowledge in the course of the practice of his profession, shall be punished by imprisonment or imprisonment without prison labor for not more than three years, suspension of qualifications for not more than ten years or a fine not exceeding seven million won. *<Amended by Act No. 5057, Dec. 29, 1995; Act No. 5454, Dec. 13, 1997>*

(2) The preceding paragraph shall apply to a person of a religious profession who discloses another's secret which he has learned in the performance of his duties.

Article 318 (Complaint)

The crimes of this Chapter shall be prosecuted upon complaint. *<Amended by Act No. 5057, Dec. 29, 1995>*

CHAPTER XXXI CRIMES OF INTRUSION UPON A HUMAN HABITATION

Article 319 (Intrusion upon Habitation, Refusal to Leave)

(1) A person who intrudes upon a one's residence, guarded building, structure or ship or occupied room, shall be punished by imprisonment for not more than three years or by a fine not exceeding five million won. *<Amended by Act No. 5057, Dec. 29, 1995>*

(2) The preceding paragraph shall apply to a person who refuses to leave such a place upon demand as specified in the preceding paragraph.

Article 320 (Special Intrusion upon Human Habitation)

A person who commits the crimes of the preceding Article through the