



# HR Electronic Records – South Korea

## Electronic Archiving of Paper Originals

### Legal Framework for Electronic Archiving

Although some countries require certain types of documents to be kept and archived in their original paper form, for most categories of documents, including HR-related records, there is no such requirement, and it is generally acceptable to use electronic versions of paper records (i.e., scanned copies of paper originals) during most government agencies' inspections and audits or in court proceedings.



The evidential or probative value of electronic versions of paper records may be more easily challenged before a court than it would be for the originals. This is mainly because the original records could be tampered with or changed before being scanned, and, unless proper

technology has been used (e.g., encryption and timestamping), it may not be easy to detect such changes from a scanned copy. In specific situations, it may be good practice for employers to retain archives of paper originals in the event such originals would be requested by a specific investigator, auditor, judge or authority.

### Are electronic scanned copies of paper originals legally valid?

Electronic copies of paper originals are permitted under South Korean law. The Act on Electronic Documents and Transactions is the main statute for electronic archiving. Under the Act, digitized copies of paper originals must meet the following requirements:

- The digitized document must be identical to the original.
- The content must be available for viewing.
- When digitized documents include information regarding the preparer and transmitter of the document, the recipient, and the time of transmission/receipt, this information must be retained in the digitized document.

# UKG HR COMPLIANCE ASSIST

Electronic documents in South Korea can be certified by government-authorized electronic document centers (centers that are certified to meet the requirements of the Act).

## Are there any legal requirements for electronic archiving systems (EAS)?

No, there are no legal requirements for electronic archiving systems in South Korea.



### HR Best Practices:

The full electronic archiving era is approaching, but for now it is not possible to guarantee that all paper documents can be destroyed. Indeed, the acceptance of digital copies that are questioned in court remains subject to the discretion of the judge.

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