

**Press Release**

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## The KCC Imposes Penalty Surcharge on Google

- first such action on a global enterprise -

The Korea Communications Commission (KCC, Chairman Lee Kyeong-Jae) imposed the first penalty surcharge since its inception on a global enterprise. At the fourth KCC meeting held on Tuesday, January 28, 2014, the Commissioners decided to impose a penalty surcharge of 123 billion won on the US headquarters of Google Inc.

Among the sanctions imposed by many countries in the world against Google's collection of personal data without user consent, the penalty surcharge imposed by the KCC is the largest, showing the authority's strong will to punish the global company's unjust practice. Monetary punishments were imposed mainly in European countries such as France, Germany, Belgium and Norway which are known to have strict rules and regulations to protect personal data, and the amounts reached 47 ~ 220 million won. 18 countries including Japan and Canada concluded the cases without imposing penalty surcharges.

In addition, the KCC also imposed a corrective order to delete all the data it

collected without the owner's consent and allow the KCC to check the deletion process. It also ordered the company to announce the fact that it received the aforementioned corrective order on its web site (<http://www.google.co.kr>).

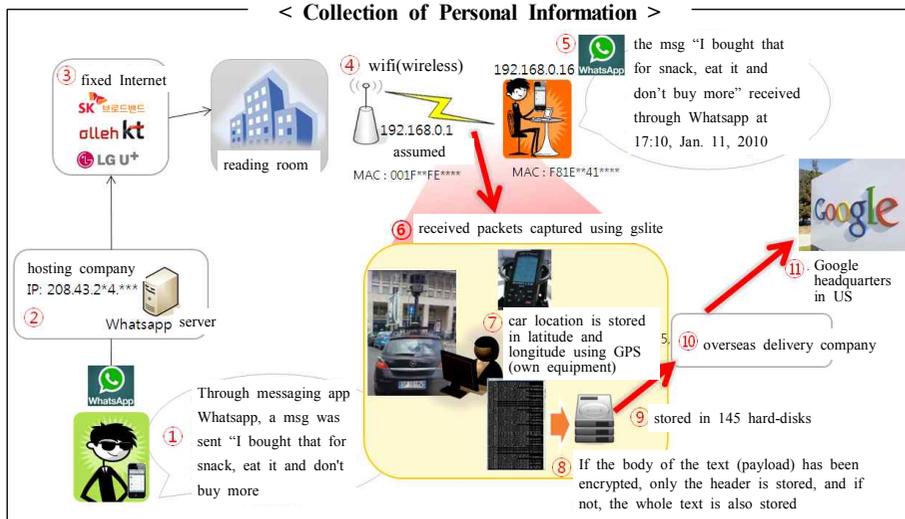
During the period of October 2009 through May 2010, Google shot the streets of Seoul, Busan and some parts in Gyeonggi Province and Incheon using cars equipped with special cameras before launching its 'street view' service that shows three-dimensional pictures of the shot areas on its online map. In the process, the company also collected without consent the information flowing on unencrypted wifi signals while driving.

The information collected included not only personal data such as online IDs, passwords and residential registration numbers but also around 600,000 Mac addresses that are highly likely to identify the user if used in combination with other information. The fact was already revealed through police investigation in 2011. Based on the previous investigation, the KCC carried out an additional investigation spanning around a year and reviewed whether the act violated laws.

Chairman Lee Kyeong-Jae stressed that "the measure is the first such case we impose penalty surcharge on a global company in violation of personal data protection rules," and expressed his commitment that "the Commission will impose a strong punishment without exception if anyone collects personal information of the Korean people without consent."

< Investigation Result >

o Google collected personal information in the following ways.



o Prosecutors' data\* show Google obtained users' personal information in the form of personal ID and password, residential registration number (32) and credit card data (2).

\* Google's 143 hard-disks were submitted or seized by the National Policy Agency and analyzed by the prosecutors' office.

- In addition, the company collected a total of 604,273 pieces of information that may specify Mac addresses, which included numerous kinds of information including transmitting and receiving IP, e-mail addresses of senders and receivers, the content of instant messages and e-mails and location.

< Administrative Measures >

**A. Penalty Surcharge**

o Google breached Article 22.1 of the Act on Promotion of Information and Communications Network Utilization and Information Protection, etc.

- As per Article 64-3.1.1, the violation committed by Google may be punishable by imposing penalty surcharge in the amount of 1 percent of the relevant sales or less.

- The KCC imposes 212,300,000 won in penalty surcharge.

**B. Corrective Measure**

o Google is ordered to delete all the personal information it obtained without consent in compliance with relevant laws and regulations, and to make sure the KCC confirms the deletion process, while consulting the KCC about when and how to delete beforehand.

o The company is also ordered to make an announcement that it was given a corrective order from the KCC on its web site ([www.google.co.kr](http://www.google.co.kr)) after consulting the KCC about the content, location and size of the announcement to be posted on the web page.

< Sanctions by Foreign Authorities on Google's Street View Case >

Nation	Authority	Status	Monetary punishment or settlement (amount if applicable)
The United States	Federal Communication Commission	concluded	27 million won (\$25,000)
	State Attorneys General (39 states)	concluded	Average 197 million won in 39 states in settlement money (\$179,487)
France	Commission Nationale de L'informatique et Des Libertés	concluded	145 million won (€100,000)
Germany	Hamburg Commissioner for Data Protection and Freedom of Information	concluded	210 million won (€145,000)
	Hamburg Prosecutor	concluded	none
Belgium	Federal Prosecutor	concluded	218 million won (€150,000)
Norway	Data Protection Authority	concluded	47 million won (250,000 NOK)
Macao	Office for Personal Data Protection	concluded	4.2 million won (30,000 MOP)
The Netherlands	Data Protection Authority (College bescherming persoonsgegevens)	concluded	none
Switzerland	Federal Data Protection and Information Commissioner	concluded	none
Japan	Communications Bureau, Ministry of Internal Affairs and Communications	concluded	none
Sweden	Data Inspection Board	concluded	none
Australia	Office of the Information Commissioner	concluded	none
	Australian Federal Police	concluded	none
New Zealand	Office of the Privacy Commissioner	concluded	none
	New Zealand Police	concluded	none
Canada	Office of the Privacy Commissioner	concluded	none
Hong Kong	Privacy Commissioner for Personal Data	concluded	none
The Czech Rep.	Czech Office for Personal Data Protection	concluded	none
Denmark	Danish Data Protection Agency	concluded	none
Finland	Office of the Data Protection Ombudsman	concluded	none
Hungary	National Authority for Data Protection	concluded	none
Luxembourg	Commissioner Nationale pour la Protection des Données	concluded	none
Singapore	Infocomm Development Authority	concluded	none
Romania	National Supervisory Authority for Personal Data Processing	concluded	none
Ireland	Office of the Data Protection Commissioner	concluded	none
British Jersey I.	Data Protection Commissioner	concluded	none
British Isle of Man	Office of the Data Protection Supervisor	concluded	none
UK	Information Commissioner's Office	in progress	in progress
	Metropolitan Police	concluded	none

Italy	Data Protection Authority	in progress	in progress
	Rome Public Prosecutor's Office	in progress	in progress
Spain	Agency for Data Protection	in progress	in progress
	Madrid Examining Magistrate's Court	in progress	in progress
	Madrid Public Prosecutor	concluded	none
Portugal	Data Protection Authority	in progress	in progress
Austria	Data Protection Commission	in progress	in progress
	Vienna Municipal District Office	in progress	in progress
Greece	Hellenic Authority for Communication Security and Privacy (ADAE)	in progress	in progress
	Hellenic Data Protection Authority	in progress	in progress