



Korea Communications Commission

NEWS RELEASE

PRIVACY GUIDE FOR SMARTPHONE APP ACCESS RIGHTS

Instructions on compliance for operators and control over access rights for users

GWACHEON, March 24, 2017 – The Korea Communications Commission (Chairman Choi Sung-joon) and the Ministry of the Interior (Minister Hong Yun-sik) introduced the “Privacy Guide for Smartphone App Access Rights¹” in response to concerns about privacy infringement from unlimited access by smartphone app service providers to personal data stored on users’ smartphones.

Most users do not realize the extent to which smartphone app service providers collect and use their smartphone data. Even if they are aware, they are unable to use the app if they refuse the provider access, so oftentimes users have no choice but to grant access.

The amended Act on the of Promotion of Information and Communications Network Utilisation and Information Protection (‘the Network Act’), and the related enforcement decree (March 23, 2017) requires app service providers to distinguish “optional” from “necessary” access rights for smartphone apps, notify users of this information and receive their consent for access. This creates the legal foundation to protect users with respect to access to smartphone apps.

The guide was drawn up to suggest specific response measures related to smartphone app access rights for app service providers, prevent any confusion in implementation, and promote an accurate understanding of the law.

¹ The right of smartphone app service providers to access data stored and functions installed on a user’s smartphone through an app and read or modify the data or execute the functions

The Network Act does not apply to apps run by the government or public agencies. However, there are plans to reflect the guide in the “Mobile E-Government Service Maintenance Guide” and use it as a guideline to prevent against harm resulting from excessive access to personal data.

The guide applies to all the actors in the ecosystem that are involved in users installing and using a smartphone app, from operating system providers and smartphone manufacturers to app market operators and app service providers. Furthermore, while the guide applies to smartphones and tablet PCs with mobile communications capability, it does not apply to devices that perform bluetooth, wifi, or tethering functions without utilizing mobile communications networks.

The guide includes the following compliance measures for app service providers according to the type of operator and ways users can exercise control over access to their apps.

< Compliance for operators and access control methods for users >

Type		Content
Operator	App service provider	<ul style="list-style-type: none"> o Notify users of the necessary/optional access right o Process of notifying users and process for consent according to operation system
	Operating System Provider	<ul style="list-style-type: none"> o Provide functions for consent and withdrawing consent o Prepare and release standards for access rights and security measures
	Smartphone Manufacturer	<ul style="list-style-type: none"> o Install operating systems on smartphones that allow consent or withdraw consent to access rights
	App Developer	<ul style="list-style-type: none"> o Implement settings for consent/consent withdrawal to access rights in the process of manufacturing and supplying apps in a manner appropriate to the smartphone and smartphone operating systems environment
	App Market Operator	<ul style="list-style-type: none"> o Provide a space to for notices about access rights; operate a system to monitor access rights
User		<ul style="list-style-type: none"> o After confirming the content of the access right notice, grant consent or withdraw consent later

When an app service provider needs access to data or functions on a user’s smartphone, it should carry out the following during the process of installing or running the app:

1. Distinguish between necessary and optional access rights
2. Clearly inform users about the categories and reasons that access rights are needed
3. Explain how to procure user consent for access rights

App users should confirm the information and functions needed for access and the reasons why for both necessary and optional access rights outlined in the notices. They should understand that consent is not required to use the service for optional rights, and make their decision accordingly. Even in cases where consent was given, the guide stipulates in detail how users can withdraw consent and control access even after it's been given using the consent withdrawal function in the smartphone.

The KCC and MOI stated, “With the domestic smartphone penetration rate nearing 85% and almost all information stored on smartphones, this guide represents a meaningful opportunity to help prevent app service providers’ excessively accessing data and strengthen users’ control over their personal data.”

In order to facilitate understanding of and promote this guide, there will be an event to explain the guide to app service providers and government/public agencies. Considering the time needed for app service developers to add, modify, supplement, and develop functions related to access rights, there will be a testing period until June 2017. Starting in July 2017, the KCC will begin checking whether providers have implemented appropriate access measures and if they are complying with regulations.

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