

Legislative and Government Affairs

The Legislative and Government Affairs practice at Shin & Kim offers a full range of legislative advisory services to both domestic and international clients, including major corporations, financial institutions and economic and social organizations. Our Legislative and Government Affairs team assists clients to reflect their policy interests in drafting rules and regulations as well as provide guidance on how to respond to proposed or contemplated policy changes. In doing so, the team monitors the legislative process as a whole so that the process can lead to optimal outcomes for our clients. Specifically, not only does the Legislative and Government Affairs team advise clients on various types of administrative investigations performed by government agencies, but it also provides conventional legislative advisory services in connection with the enactment and amendment of laws, enforcement decrees, enforcement rules and other types of legislation as well as authoritative interpretations for the executive branch, local autonomous entities and other governmental bodies. In addition, our Legislative and Government Affairs team provides systematic services covering the entire process of parliamentary inspection of government administrations, such as testimonies, witness statements and responses to corrective measures. Our Legislative and Government Affairs team consists of experts, including lawyers with legislative experience and advisors with diverse policy-making and administrative experience in government agencies and ministries. The Legislative and Government Affairs team at Shin & Kim is recognized as one of the best teams in the country, equipped with abundant experience and a comprehensive network in politics, academia, the press and administrations.

Key Services

Shin & Kim provides services in the following areas in connection with the legislative process, which are described in stages:

Prior to the Legislation Drafting Stage

- Analysis on efficiency and viability of responding with legislative activities
- Analysis of existing law and regulation and legislation precedents of other countries
- Comprehensive review of opinions and positions of various stakeholder groups and the police direction of the government

During the Legislation Drafting Stage

- Drafting of bills based on objectives pursued by clients
- Analysis of legislative process at the administration and the National Assembly, and countermeasures
- Participation in the legislation process at the administration and the National Assembly
- Participation in hearings and expert meetings and on the persuasion of concerned agencies
- All stages of legislation at the administration and the National Assembly, from the proposal of a bill, discussion among concerned agencies, advance notice of legislation and collection of opinions, to the deliberation by the state council.

Inspection of State Affairs

- Selection and examination of witnesses and response to the crime of perjury
- Press releases distributed by lawmakers and correction orders stated in the results report of the inspection of state affairs

Other Areas

- Identification of clients' legislative goals and participation in developing strategic plans to achieve such goals
- Monitoring the content and process of legislation and providing relevant materials
- Preparation and submission of bills and commentary to relevant agencies and assistance in public relations
- Participation in and presentation of opinions throughout the legislative process for the establishment and amendment of laws, such as at public hearings, policy discussions and expert conferences
- Requests for interpretation of legal provisions by national and local governments
- Representation of clients at administrative trials
- Remedies prior to the filing of administrative appeals and litigation
- Remedies in restrictions of client's rights or interests by operation of law, enforcement decrees, enforcement rules, notifications and announcements by the government and subordinate statutes of local governments
- Remedies under operational procedures and amendments of relevant laws and regulations in connection with damages suffered by clients due to the operation of national and local governments
- Legislative studies of the National Assembly, the national government and the local government
- Execution of international agreements, including free trade agreements and subsequent improvement of national laws and systems
- Work related to parliamentary inspections of government administrations

Experience

- Legislation advice on the Conditions for Normal Competition in Shipbuilding Industry Act

- Improvement measures for the Bankruptcy Act and Corporate Governance
- Amendment of the Tobacco Business Act and the National Health Promotion Act
- Amendment of the Act on Special Measures for the Promotion of Specialized Enterprises, Etc. for Components and Materials
- Amendment of the Act on Private Participation in Infrastructure
- Amendment of the Financial Holding Companies Act
- Amendment Bill for the Telecommunications Business Act regarding regulation of the wireless resale business and other resale businesses
- Amendment of the Banking Act in connection with the improvement of corporate governance for banking organizations
- Enactment of the Special Act on the Establishment and Management of Foreign Medical Institutions in Songdo
- Enactment of the Management and Support of the Real Estate Development Business Act
- Amendment of the Tax Act in regard to the imposition of an education tax on credit finance corporations such as a credit card companies
- Reduction of local taxes for REITs and the extension of REITs' exclusion from heavy registration taxes under the Restriction of Special Taxation Act
- Enactment of a bill regarding the dual punishment system for rebates for medicine and medical supplies
- Enactment and amendment of the Act on Assistance to the 2010 Formula 1 Korean Grand Prix
- Amendment of the Tax Act with regard to the reduction of taxes for golf clubs
- Amendment of the Enforcement Decree of the Road Traffic Act and the Enforcement Rule Thereof of the Federation of Specialized Driver Training Schools
- Medical clinics on the amendment of the Tax Act with regard to the reduction of a special tax for small and medium business
- Enactment of a special law with regard to compensation for losses incurred from inter-Korean economic cooperation projects caused by the suspension of the Mount Kumgang tour program and the May 24 Action by the South Korean government
- Lenders' advertisement regulations
- Lowering of the interest rate ceiling for financial institutions

Key Contacts

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