

## 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.

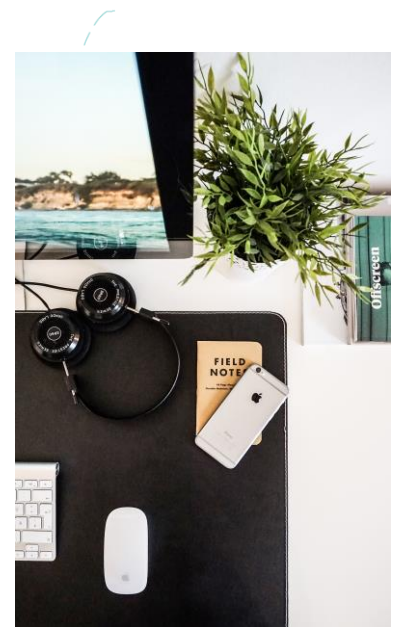
The evidential or probative value of electronic versions of paper records may be more easily challenged before a court than it would be for the originals. This is mainly because the original records could be tampered with or changed before being scanned, and, unless proper technology has been used (e.g., 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 Korean law (Act on Electronic Documents and Transactions). 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.

Electronic documents in Korea can be certified by government-authorized electronic document centers, but this is generally not necessary in the context of employment.



## 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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