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▷ A New Chapter in the Age of AI: Basic Act on AI Passed at the National Assembly's Plenary Session

- The new law to take effect in January 2026, a year after the Cabinet vote and promulgation

The Ministry of Science and ICT (“MSIT”) announced that the National Assembly’s plenary session passed the Basic Act on the Development of Artificial Intelligence and the Establishment of Foundation for Trustworthiness (“AI Basic Act”) on December 26, 2024.

As artificial intelligence (AI) has become so important that it can influence not only technology but also a nation's economy and security, major countries* are placing their utmost efforts into fostering AI innovation and establishing international leadership in AI, while creating regulations favorable to their own interests. In response, Korea, under the shared understanding that a foundational law is needed to enhance national AI competitiveness and build a trustworthy AI utilization infrastructure, has decided to pursue the enactment of the AI Basic Act, considering domestic economic and social conditions, making it the second country in the world to do so.

*U.S. - Executive Order on the Safe, Secure, and Trustworthy Development and Use of Artificial Intelligence enacted in October 2023.

EU - Artificial Intelligence Act enacted in June 2024

The AI Basic Act is a legislation that had been discussed for over four years, since it was first

tabled in the National Assembly in July 2020. After taking various comments, the 22nd National Assembly merged 19 bills* through bipartisan agreement and passed the bill through the Science, ICT, Broadcasting and Communications Committee (November 26, 2024), the Legislation and Judiciary Committee (December 17, 2024), and the plenary session (December 26, 2024).

This Act is designed to establish a national governance framework for AI, systematically foster the AI industry, and prevent potential risks associated with AI in advance. The act has three main points.

- A Framework for the Development of AI and Trust-based Infrastructure

The Minister of Science and ICT may, after gathering the opinions of relevant ministries and local governments, establish and implement an AI Master Plan every three years to strengthen the country's AI competitiveness (Article 6). The AI Basic Act established legal grounds for the operation of the National AI Committee (Chairperson: the President), which was launched in September (Article 7), as well as for the establishment of the AI Safety Institute as a specialized organization to protect the lives, bodies, and property of citizens from potential AI risks (Article 12).

- Support Measures for the AI Industry - R&D, Training Data, AI Data Centers, and Clusters

To foster the AI industry, the Act establishes the basis for government support in areas such as research and development (Article 13), standardization (Article 14), policies for data training (Article 15), and promotion of AI adoption and utilization (Article 16). To support the innovation-led development of Korea's AI ecosystem, the Act stipulates designating AI clusters (Article 23), establishing AI data centers (Article 25), and promoting AI convergence (Article 19). The Act also stipulates the securing AI experts (Article 21), providing special support for

SMEs (Article 17), and fostering startups (Article 18), all aimed at talent development and the growth of SMEs and startups.

- Safe and Trustworthy Foundation for High-Risk AI and Generative AI

The Act provides a definition for high-risk AI and generative AI as regulatory targets to prevent potential issues arising from the technological limitations or misuse, and abuse of AI. It establishes obligations for ensuring transparency (Article 31), safety (Article 32), and the responsibilities of operators (Article 34). The Act also provides a legal basis for government support of the voluntary AI safety and trustworthiness verification and certification by the private sector (Article 30) and AI impact assessments (Article 35).

The Act will take effect in January 2026 a year after the Cabinet vote and promulgation. The government plans to expedite the preparation of lower statutes and guidelines, as well as other follow-up measures, in the first half of 2025 to ensure the smooth integration of the Act into the market.

Minister of Science and ICT Yoo Sang-Im said, "We consider the passage of the Basic Act on Artificial Intelligence in the National Assembly to be highly significant as it will lay the foundation for strengthening the country's AI competitiveness. Amid the intense global competition for AI, enactment of this AI Basic Act is a crucial milestone for Korea to truly take a leap forward as one of the world's top three AI powerhouses, resolving corporate uncertainty and stimulating large-scale public-private investment."

"Through close communication with stakeholders in the field, we will make the best of our efforts to swiftly enact lower statutes, devise various policies toward industrial support, and quickly launch a national base for AI computing."

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