

AGRICULTURAL COMMUNITY DEVELOPMENT PROMOTION ACT

Wholly Amended by Act No. 12050, Aug. 13, 2013

Amended by Act No. 13253, Mar. 27, 2015

Act No. 14527, Jan. 17, 2017

Act No. 16472, Aug. 20, 2019

Act No. 17093, Mar. 24, 2020

Act No. 17316, May 26, 2020

Act No. 17893, Jan. 12, 2021

Act No. 18531, Nov. 30, 2021

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to contribute to promoting the advancement of agricultural areas, and the development of the State, by providing matters concerning such research and development, and distribution of science and technology, guidance to agricultural communities, education and training, and international cooperation as are related to agriculture, farmers, and agricultural communities, in order to promote the development of agriculture, which is the basic industry of the State, the improvement of the welfare of farmers, and the efficient utilization of resources of agricultural communities.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term "projects for promoting agricultural community development" means projects designed for research and development, guidance to agricultural communities, education and training, and international cooperation, which are implemented by the Administrator of Rural Development Administration and the head of a local government in relation to agriculture, farmers and agricultural communities;
2. The term "projects for research and development" means projects designed for producing the outcomes, such as new theories and knowledge, through research and development of scientific technologies related to agriculture, farmers and agricultural communities, and for which any of the

following tasks are conducted:

- (a) Investigations and researches for the stable securement of food resources;
- (b) Development of varieties, and the collection, preservation and utilization of agricultural genetic resources, as well as investigations and researches related thereto;
- (c) Investigations and researches regarding: (i) the productivity improvement and safety control of agricultural and livestock products, and agricultural foods; and (ii) the management after harvest, processing and use, and added value increase thereof;
- (d) Investigations and researches regarding agriculture and the maintenance and preservation of agricultural environment;
- (e) Investigations and research regarding: (i) agriculture and the living environment of agricultural communities; (ii) preservation of culture; and (iii) current situations of women farmers;
- (f) Research and development of advanced technologies for the utilization of agricultural biological resources;
- (g) Investigation and research regarding: (i) the establishment of standards for agricultural machinery and agricultural materials, such as agricultural chemicals and fertilizers; and (ii) the quality control thereof;
- (h) Other tasks prescribed by Presidential Decree with respect to research and development;

3. The term "projects for guidance to agricultural communities" means projects designed for enhancing the competitiveness of agriculture and efficiently utilizing the resources of agricultural communities through the distribution of the outcomes of research and development and the managerial innovation of agricultural enterprises, and for which any of the following tasks are conducted:

- (a) Distribution of the outcomes of research and development;
- (b) Management diagnosis of and support for agricultural enterprises;
- (c) Income creation from the resources of agricultural communities, and support for the improvement of living environment;
- (d) Fosterage of future agricultural workforce, agricultural leaders, and organizations of farmers;
- (e) Scientific forecasting of crop pests, distribution of information on controlling crop pests, and guidance on technology prepared for climate damage;
- (f) Guidance on preventive technologies against livestock diseases;
- (g) Other tasks prescribed by Presidential Decree with respect to guidance to agricultural communities;

4. The term "projects for education and training" means projects designed for fostering competitive specialists by supporting development of the capabilities of public officials, farmers, etc. engaged in projects for promoting agricultural community development, and for which any of the following tasks are conducted:

- (a) Education and training of public officials, etc. engaged in projects for promoting agricultural community development;

- (b) Education and training of farmers, youth, and the members of organizations related thereto;
 - (c) Education and training of teachers and students in agriculture-related schools;
 - (d) Other tasks prescribed by Presidential Decree with respect to education and training;
5. The term “projects for international cooperation” means projects designed for cooperating with international organizations, international research institutes, foreign states, etc. in order to internationally exchange and disseminate science and technology related to agriculture, farmers and agricultural communities, and for which any of the following tasks are conducted:
- (a) Projects for joint research and development and dissemination of agricultural technologies in cooperation with international organizations, international research institutes, etc.;
 - (b) Projects for joint research and development and dissemination of agricultural technologies in cooperation with foreign governments, universities and colleges, non-governmental organizations, etc.;
 - (c) Other tasks prescribed by Presidential Decree with respect to international cooperation.

Article 3 (Local Agencies for Promoting Agricultural Community Development)

Local governments may establish local agencies for promoting agricultural community development as agencies under their direct control pursuant to Article 126 of the Local Autonomy Act to conduct projects for promoting agricultural community development in their respective districts. <Amended on Jan. 12, 2021>

Article 4 (Relationship to Other Statutes)

Except as otherwise provided in other statutes with respect to projects for promoting agricultural community development, this Act shall apply to such projects.

CHAPTER II PROJECTS FOR PROMOTING AGRICULTURAL COMMUNITY DEVELOPMENT

SECTION 1 Formulation of Master Plan for Projects for Promoting Agricultural Community Development

Article 5 (Master Plan for Projects for Promoting Agricultural Community Development)

(1) In order to systematically conduct projects for promoting agricultural community development, the Administrator of the Rural Development Administration shall formulate and execute five-year master plans for projects for promoting agricultural community development (hereinafter referred to as “master plans”) and annual implementation plans (hereinafter referred to as “implementation plan”) after deliberation by the Deliberative Committee on Projects for Promoting Agricultural Community Development under Article 6.

(2) Maser plans shall include the following matters:

1. Basic direction-setting and medium and long-term goals of the projects for promoting agricultural community development;
2. Strategies for conducting respective projects for promoting agricultural community development;
3. Creation of a foundation for projects for promoting agricultural community development, and methods for financing such projects;
4. Other matters that the Administrator of the Rural Development Administration deems necessary.

(3) When the master plans and implementation plans have been finally determined, the Administrator of the Rural Development Administration shall inform the heads of relevant central administrative agencies and the heads of relevant local governments thereof.

(4) Where informed of the master plans and the implementation plans under paragraph (3), the heads of local governments shall formulate and execute such plans for conducting projects for promoting agricultural community development as are suitable for the conditions of the relevant districts.

(5) Where the Administrator of the Rural Development Administration formulates a master plan and an implementation plan, he or she shall, without delay, report or submit the plans to the competent standing committee of the National Assembly; and shall present or submit the annual report on, among other things, the results of their implementation to the same standing committee before the commencement of a regular session of the National Assembly every year. *<Newly Inserted on May 26, 2020>*

(6) An annual report submitted under paragraph (5) shall include the following: *<Newly Inserted on May 26, 2020>*

1. Main contents of the master plan;
2. Main contents of the implementation plan for the relevant year;
3. Results of the implementation plan for the previous year and the evaluation results;
4. Other important matters regarding projects for promoting agricultural community development.

(7) Other matters necessary for formulating a master plan or an implementation plan, etc. shall be prescribed by Presidential Decree. *<Amended on May 26, 2020>*

Article 6 (Deliberative Committee on Projects for Promoting Agricultural Community Development)

(1) The Deliberative Committee on Projects for Promoting Agricultural Community Development shall be established under the Rural Development Administration in order to deliberate on the following matters:

1. Matters regarding the master plans and implementation plans;
2. Matters regarding the establishment and adjustment of major policies for fostering projects for promoting agricultural community development;
3. Matters regarding the assessment and outcome management of projects for promoting agricultural community development;
4. Matters referred to the meeting of the Deliberative Committee on Projects for Promoting Agricultural Community Development by the chairperson thereof for he or she deems that such referral is necessary.

(2) Matters necessary for the composition and operation of the Deliberative Committee on Projects for Promoting Agricultural Community Development shall be prescribed by Presidential Decree.

SECTION 2 Projects for Research and Development

Article 7 (Conduct of Projects for Research and Development)

(1) In addition to its inherent projects for research, the Administrator of the Rural Development Administration may conduct projects for joint research, etc. in order to efficiently execute projects for research and development.

(2) After projects for research by field have been selected, projects for joint research under paragraph (1) shall be conducted by concluding agreements for such projects for research concluded with any of the following institutions, organizations, farmers, etc.: Provided, That where an institution is not a corporation, the agreement may be concluded with the representative of the corporation to which that institution belongs:

1. National and public research institutes;
2. Local agencies for promoting agricultural community development;
3. Specific research institutes established under Article 2 of the Specific Research Institutes Support Act;
4. Government-funded research institutes established pursuant to the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes or the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes;
5. Schools under Article 2 of the Higher Education Act;
6. Other research institutes or organizations determined by the Administrator of the Rural Development Administration.

(3) The Administrator of the Rural Development Administration may fund the institutions, etc. under paragraph (2) to fully or partially subsidize expenses necessary for implementing projects for joint research.

Article 8 (Restriction on Participation in Projects for Research and Development)

(1) Where any such institution, organization, enterprise, chief researcher or researcher, or officer or employee thereof as have participated in a project for promoting agricultural community development falls under any of the following subparagraphs, the Administrator of the Rural Development Administration may restrict his, her or its participation in any such national project for research and development under Article 11 of the Framework Act on Science and Technology as ordered by the said Administrator, for a period not exceeding five years (10 years if participation in any other national project for research and development was restricted in the past due to the same grounds for restriction on participation), and may also recover all or part of subsidies for any project already funded by the said Administrator: Provided,

That in cases of falling under subparagraph 1, if sincere performance of research and development is recognized, the period for restriction on participation and the amount of subsidies for any project to be recovered may be reduced: <Amended on Jan. 17, 2017; Mar. 24, 2020; May 26, 2020>

1. Where the result of research and development has been proved to be extremely poor in the assessment under Article 11;
 2. Where having disclosed or leaked the details of research without taking due procedures;
 3. Where having abandoned the performance of a project for research and development without good cause;
 4. Where failing to pay royalties under Article 13 without good cause;
 - 4-2. Where the person fails to repay the subsidized project costs, without good cause;
 5. Where having used funds for a project without good cause;
 6. Where having applied for or registered, without good cause, intellectual property rights which are outcomes of the relevant research and development, under the name of a person in charge of the research, a participant therein, or an officer or employee belonging to the relevant institution;
 7. Where he or she has participated in or performed the project or registered the achievements or results of research and development as outcomes of research and development by fraud or other improper means.
- (2) Where restricting participation in a project for research and development pursuant to paragraph (1), the Administrator of the Rural Development Administration shall inform other relevant central administrative agencies of such restriction.
- (3) Matters necessary for setting the periods of restriction on participation by cause under paragraph (1) and the procedures for filing an appeal shall be determined by the Administrator of the Rural Development Administration.

Article 9 (On-Site Survey of Demand)

The Administrator of the Rural Development Administration may conduct an on-site survey of demand in order to identify, develop, and distribute agricultural science and technologies needed in the field.

<Amended on Mar. 24, 2020>

Article 10 (Deliberation and Coordination of Projects for Research and Development)

Where it is necessary for preventing the duplication of projects for research and development and enhancing the efficiency of those project, the Administrator of the Rural Development Administration shall deliberate on and coordinate any of the following matters, which are conducted by affiliated agencies of the Rural Development Administration and local agencies for promoting agricultural community development in order to promote agricultural community development:

1. Matters regarding the support for and fosterage of projects for research and development;

2. Matters regarding the selection of topics for research and development and the conduct of research;
3. Matters regarding the fosterage and securement of researchers;
4. Other matters deemed necessary by the Administrator of the Rural Development Administration.

Article 11 (Assessment of Projects for Research and Development)

The Administrator of the Rural Development Administration shall, in order to efficiently implement projects for research and development, conduct assessment of such projects and outcome management thereof, and shall reflect the results thereof in the master plans and implementation plans.

Article 12 (Dissemination of Outcomes of Research and Development)

(1) With respect to any outcome which requires support and dissemination of technology, etc. to farmers, etc. from among the annual outcomes of research and development, the Administrator of the Rural Development Administration shall reflect them in projects for agricultural community guidance, and make a recommendation for policies to the heads of the relevant central administrative agencies.

(2) Where it is necessary to reflect the outcomes of any such project for research and development as conducted by any local government in projects for guidance to agricultural community, the head of the relevant local government may request such reflection by the Administrator of the Rural Development Administration, and may, after hearing the opinions of the Administrator of the Rural Development Administration, make a recommendation for policies for support and dissemination of technology to the heads of the relevant central administrative agencies.

(3) The heads of central administrative agencies, who have received recommendations for policies pursuant to paragraphs (1) and (2), shall prepare relevant policies and take measures for prompt dissemination of developed technologies, etc.

Article 13 (Transfer of Outcomes of Research and Development)

(1) The Administrator of the Rural Development Administration shall collect royalties from those persons who use, transfer, license, or export the intellectual property of any outcome of research and development: Provided, That such royalties may be fully or partially exempted where it is prescribed by Presidential Decree, including cases where it is necessary to disseminate the outcomes of research and development for increasing the incomes of farmers. <Amended on Mar. 27, 2015>

(2) Matters necessary for the collection, management, etc. of royalties under paragraph (1) shall be prescribed by Presidential Decree. <Newly Inserted on Mar. 27, 2015>

(3) Where a public official belonging to the Rural Development Administration applies for a patent (including utility model) for any technology researched and developed in connection with his or her duties, and where it is deemed that the early industrialization of the relevant technology even before the patent registration may contribute to promoting public interests, the Administrator of the Rural Development Administration may grant permission to the person who intends to industrialize the said

technology before patent registration, after consultation with the Commissioner of the Korean Intellectual Property Office. <Amended on Mar. 27, 2015>

Article 14 (Projects for Research and Development for North Korea's Agriculture)

After consultation with the head of a relevant central administrative agency, the Administrator of the Rural Development Administration may give support to the agriculture of North Korea or implement projects for research and development, etc. for the purpose of the advancement of agricultural science and technology of South and North Korea.

SECTION 3 Projects for Guidance to Agricultural Communities

Article 15 (Coordination of Projects for Guidance to Agricultural Communities)

(1) In order to promote balanced agricultural development among regions and efficiently implement projects for agricultural community guidance, the Administrator of the Rural Development Administration may coordinate projects for guidance to agricultural communities conducted by local governments, and the heads of local governments shall develop and implement projects for guidance to agricultural communities that are suitable for the respective regional characteristics.

(2) Where it is necessary for the interests of the whole country to disseminate any agricultural scientific technology developed by a specific local government to all parts of the country or districts under the jurisdiction of other local governments, the Administrator of the Rural Development Administration may request permission to use the said technology from the relevant local government.

Article 16 (Conduct of Pilot Projects)

In order to efficiently conduct projects for guidance to agricultural communities, the Administrator of the Rural Development Administration and the heads of local governments may conduct pilot projects and provide financial and technical support to the farmers, organizations, etc. participating in such projects.

Article 17 (Assessment of Projects for Guidance to Agricultural Communities)

In order to efficiently implement projects for guidance to agricultural communities, the Administrator of the Rural Development Administration shall make an assessment of such projects and reflect the results thereof in the master plans and implementation plans.

Article 18 (Fosterage of Farmers' Organizations)

In order to promote projects for guidance to agricultural communities, the Administrator of the Rural Development Administration may foster farmers, juveniles, and organizations related thereto.

SECTION 4 Projects for Education and Training

Article 19 (Conduct of Projects for Education and Training)

The Administrator of the Rural Development Administration and the heads of local governments shall continuously conduct projects for education and training. <Amended on Mar. 27, 2015>

Article 20 (Research and Improvement of Curriculum of Education and Training)

In order to enhance the effectiveness of education and training, the Administrator of the Rural Development Administration and the heads of local governments shall endeavor to promote professional competences of public officials in charge of education and research, and improve the content of the curriculum and the methods of education to be suitable for the development of capabilities of farmers, etc.

Article 21 (Support for Projects for Lifelong Education Promotion)

In order to provide opportunities for lifelong education to farmers, etc., the Administrator of the Rural Development Administration may support such projects for lifelong education promotion as are conducted by local agencies for promoting agricultural community development.

SECTION 5 PROJECTS FOR INTERNATIONAL COOPERATION

Article 22 (Cooperation with International Organizations)

(1) The Administrator of the Rural Development Administration shall implement projects for cooperation with international organizations, international research institutes, etc. in order to improve agricultural science and technology and contribute to the global society.

(2) Matters necessary for the scope, content, etc. of projects for cooperation under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 23 (Cooperation with Foreign States)

(1) The Administrator of the Rural Development Administration shall implement projects for cooperation with foreign states, such as the introduction of advanced agricultural technologies, to develop agriculture and agricultural communities and improve agricultural science and technology, and may provide financial and technical support to such projects for cooperation as are designed to improve agricultural productivity of developing countries, etc.

(2) The Administrator of the Rural Development Administration may organize a consultative body for international cooperation, after consultation with the relevant states, to efficiently implement projects for cooperation with numerous states and ensure mutual benefit.

(3) Matters necessary for the implementation methods, operation, etc. of the projects under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 24 (Training for Agricultural Technologies)

- (1) In order to promote projects for cooperation with foreign states and distribute agricultural technologies, the Administrator of the Rural Development Administration may provide training for agricultural technologies to persons involved in the agriculture of the relevant states.
- (2) In order to support projects for international cooperation, the Administrator of the Rural Development Administration shall select and educate persons involved in agriculture who are qualified as experts.

SECTION 6 SUPPORT FOR PROJECTS FOR PROMOTING AGRICULTURAL COMMUNITY DEVELOPMENT

Article 25 (Financial Support by the Government)

- (1) The Government may provide financial support such as payment of subsidies to non-profit corporations established for conducting projects for promoting agricultural community development, and schools, organizations, or individuals.
- (2) The Government may fully or partially subsidize local governments which conduct projects for promoting agricultural community development in areas under their jurisdiction.

Article 26 (Research and Investigation of Projects for Promoting Agricultural Community Development)

- (1) Where deemed necessary for conducting projects for promoting agricultural community development, the Administrator of the Rural Development Administration may request the heads of local governments to perform tasks of research or investigation.
- (2) Where the heads of local governments are requested to submit necessary materials by the Administrator of the Rural Development Administration with respect to research or investigation under paragraph (1), they shall comply with such request, unless there is a compelling reason not to do so.

Article 27 (Cooperation in Projects for Promoting Agricultural Community Development)

- (1) Public organizations permitted to conduct projects for promoting agricultural community development pursuant to any other Act shall closely cooperate with the Rural Development Administration and local agencies for promoting agricultural community development.
- (2) The heads of local governments shall take administrative and financial measures necessary for conducting projects for promoting agricultural community development in order to secure balanced agricultural development among regions.

Article 28 (Support for Activities for Academic Exchange)

The Administrator of the Rural Development Administration may encourage and assist public officials engaged in projects for promoting agricultural community development to perform various activities for academic exchanges or cooperation with domestic or foreign researchers, colleges or universities, international organizations, international research institutes, etc. related to projects for promoting agricultural community development.

Article 29 (Award of Prizes)

The Administrator of the Rural Development Administration may select and award individuals, organizations, etc. that have made substantial achievements related to projects for promoting agricultural community development, or that have made noteworthy contributions thereto.

Article 30 (Implementation of and Support for Industrial-Academic Collaborative Projects for Agriculture)

(1) In order to promote projects for promoting agricultural community development, the Administrator of the Rural Development Administration may implement collaborative projects with such industrial circles, academic circles, public officials, and research institutes as are related to agriculture (hereinafter referred to as “industrial-academic collaborative projects for agriculture”).

(2) In order to smoothly implement industrial-academic collaborative projects for agriculture, the Government may provide local agencies for promoting agricultural community development, agriculture-related schools, agricultural organizations, research institutes, enterprises, and farmers with financial support necessary for their conduct of such projects, within budgetary limits, every year.

CHAPTER III PUBLIC OFFICIALS ENGAGED IN PROJECTS FOR PROMOTING AGRICULTURAL COMMUNITY DEVELOPMENT

Article 31 (Public Officials Engaged in Research or Technical Advice Service)

(1) Public officials engaged in research service and public officials engaged in technical advice service shall be appointed for the conduct of projects for promoting agricultural community development.

(2) Deleted. <Mar. 27, 2015>

(3) The Administrator of the Rural Development Administration may commission retired public officials, who made outstanding achievements during their term in research or technical advice service, to take an honorary position in order to have them continuously engaged in projects for promoting agricultural community development.

(4) Matters necessary for qualification, allowance, commissioning methods, service, etc. of persons who are able to be commissioned to take an honorary position pursuant to paragraph (3) shall be prescribed by Presidential Decree.

Article 32 (Service of Public Officials Engaged in Research or Technical Advice Service)

No public officials engaged in research service and public officials engaged in technical advice service shall be involved in any affairs other than projects prescribed by this Act.

CHAPTER IV FOUNDATION FOR AGRICULTURAL TECHNOLOGY COMMERCIALIZATION AND TRANSFER

Article 33 (Establishment and Operation of the Korea Agriculture Technology Promotion Agency)

(1) The Administrator of the Rural Development Administration shall establish the Korea Agriculture Technology Promotion Agency (hereinafter referred to as “Promotion Agency”) for an industry-wide promotion of the achievements of research and development in the field of agricultural science and technology conducted by the Government, government-funded research institutes, private sectors, etc.

<Amended on Nov. 30, 2021>

(2) The Promotion Agency shall be a corporation. *<Amended on Nov. 30, 2021>*

(3) The Promotion Agency shall conduct the following: *<Amended on Aug. 20, 2019; Nov. 30, 2021>*

1. Brokerage and intermediation for commercialization of the outcomes of research and development;
2. Investigation and research for commercialization of the outcomes of research and development;
3. Support for utilizing the outcomes of research and development in the field of farming;
4. Industrialization of the outcomes of research and development;
5. Affairs concerning the entrusted management of intellectual property, such as patents;
6. Support for industrialization of the outcomes of research and development of farmers, organizations of agricultural producers, etc.;
7. Support for the promotion of ventures and startups in the agricultural food industry;
8. Projects entrusted by the State or local governments or vicariously conducted therefor in order to promote the commercialization of the outcomes of research and development;
9. Other projects prescribed by Presidential Decree for commercialization of the outcomes of research and development.

Article 34 (Budgetary Support for the Promotion Agency)

(1) Any of the following entities may partially fund or subsidize the expenses incurred in the establishment and operation of the Promotion Agency: *<Amended on Nov. 30, 2021>*

1. The Government;
2. An institution prescribed by Presidential Decree, which is a public institution under Article 4 of the Act on the Management of Public Institutions;

3. A nonprofit corporation established under the Civil Act;
 4. An organization of business operators;
 5. An entity prescribed by Presidential Decree, which is a corporation or organization related to agriculture and food.
- (2) The Promotion Agency may, as prescribed by Presidential Decree, conduct profit-making business to cover expenses necessary for achieving the objective of its establishment under Article 33 (1). *<Amended on Nov. 30, 2021>*
- (3) Where intending to entrust the Promotion Agency with the implementation of projects falling under the subparagraphs of Article 33 (3), the State and local governments may fully or partially fund the expenses incurred in such projects. *<Amended on Nov. 30, 2021>*
- (4) If it is deemed necessary for the establishment and operation of the Promotion Agency, the State and local governments may concede or lend State or public property and goods to the Promotion Agency free of charge, or allow it to use them and profit therefrom free of charge, notwithstanding the State Property Act, the Commodity Management Act and the Public Property and Commodity Management Act. *<Amended on Nov. 30, 2021>*
- (5) Matters concerning the funding and subsidization of the expenses under paragraphs (1) and (3) and matters concerning the details, conditions, and procedures of concession, lending, use, and profit-making under paragraph (4) shall be prescribed by Presidential Decree.

Article 35 (Guidance and Supervision of Affairs of the Promotion Agency)

- (1) The Administrator of the Rural Development Administration shall guide and supervise the Promotion Agency in relation to any of the following matters, and if deemed necessary, may have the Promotion Agency make a report on matters concerning its affairs, accounting and property or have public officials belonging to the Rural Development Administration inspect books, documents, facilities, and other goods of the Promotion Agency: *<Amended on Nov. 30, 2021>*
1. Matters concerning the proper performance of projects entrusted by the Administrator of the Rural Development Administration with respect to each subparagraph of Article 33 (3) or projects which are directly related to the affairs under the jurisdiction of the Rural Development Administration;
 2. Matters concerning compliance with the management guidance under Article 50 of the Act on the Management of Public Institutions;
 3. Matters concerning the establishment and execution of the plan for projects and the formation and settlement of budget of each fiscal year;
 4. Other matters deemed necessary by the Administrator of the Rural Development Administration.
- (2) The Promotion Agency may, if especially necessary for the achievement of the objective under Article 33, request the dispatch of a public official belonging to any State agency or local government, after consultation with the Administrator of the Rural Development Administration. In such cases, the head of the agency or local government so requested may dispatch a public official belong thereto to the

Promotion Agency. <Amended on Nov. 30, 2021>

(3) Except as provided in this Act, the provisions on incorporated foundations in the Civil Act shall apply mutatis mutandis to the Promotion Agency. <Amended on Nov. 30, 2021>

CHAPTER V SUPPLEMENTARY PROVISIONS

Article 36 (Delegation and Entrustment of Authority)

(1) The Administrator of the Rural Development Administration may delegate part of his or her authority under this Act to the heads of institutions attached thereto, the Special Metropolitan City Mayor, other Metropolitan City Mayors, the Special Self-Governing City Mayor, Do Governors, and the Special Self-Governing Province Governor, as prescribed by Presidential Decree.

(2) The affairs of the Administrator of the Rural Development Administration concerning the transfer of the outcomes of research and development under Article 13 (3) and projects for education and training under Article 19 may be entrusted to specialized institutions or related organizations, as prescribed by Presidential Decree: In such cases, matters necessary for supporting the entrusted institutions or organizations shall be prescribed by Presidential Decree. <Amended on Mar. 27, 2015>

Article 37 (Legal Fiction as Public Officials in Application of Penalty Provisions)

An executive officer or employee of the Promotion Agency, who conducts projects falling under the subparagraphs of Article 33 (3), shall be deemed a public official for the purpose of the penalty provisions of Articles 127 and 129 through 132 of the Criminal Act. <Amended on Nov. 30, 2021>

ADDENDA <Act No. 12050, Aug. 13, 2013>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation.

Article 2 (Transitional Measures Concerning Establishment of Master Plans for Projects for Promoting Agricultural Community Development)

A master plan for development of agricultural science and technology, a master plan and an implementation plan for projects for guidance to agricultural community, and a master plan for education and training, which have been formulated and implemented at the time when this Act enters into force, shall be deemed to be a master plan or an implementation plan for projects for promoting agricultural community development under this Act.

Article 3 Omitted.

Article 4 (Relationship to Other Statutes and Regulations)

Any citation of any of the previous provisions in any other statutes at the time when this Act enters into force, if any corresponding provisions exist in this Act, shall be deemed to a citation of the corresponding provisions in this Act in lieu of the previous provisions.

ADDENDUM <Act No. 13253, Mar. 27, 2015>

This Act shall enter into force six months after the date of its promulgation.

ADDENDA <Act No. 14527, Jan. 17, 2017>

Article 1 (Enforcement Date)

This Act shall enter into force three months after the date of its promulgation.

Article 2 (Applicability to Restriction on Participation)

The amended provisions of Article 8 shall begin to apply from the first national project for research and development an agreement for which is concluded after this Act enters into force.

ADDENDUM <Act No. 16472, Aug. 20, 2019>

This Act shall enter into force on the date of its promulgation.

ADDENDUM <Act No. 17093, Mar. 24, 2020>

This Act shall enter into force on the date of its promulgation.

ADDENDA <Act No. 17316, Jun. 26, 2020>

Article 1 (Enforcement Date)

This Act shall enter into force on the date of its promulgation.

Article 2 (Applicability to Reporting or Submission to the National Assembly)

The amended provisions of Article 5 (5) and (6) shall apply beginning with cases where the Administrator of the Rural Development Administration formulates a master plan and an implementation plan or prepares an annual report after this Act enters into force.

ADDENDA <Act No. 17893, Jan. 12, 2021>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Articles 2 and 23 Omitted.

Article 1 (Enforcement Date)

This Act shall enter into force three months after the date of its promulgation: Provided, That matters related to the amendments to Articles 31 (2), (4), (5) and 31-2 (3) of the Partial Amendment of the Pesticide Control Act (Act No. 18256) under Article 3 of this Addenda shall enter into force on January 1, 2023.

Article 2 (Transitional Measures Following Name Change of Foundation for Agricultural Technology Commercialization and Transfer)

The Foundation for Agricultural Technology Commercialization and Transfer as at the time this Act enters into force shall be deemed to be the Korea Agriculture Technology Promotion Agency.

Article 3 Omitted.

Article 4 (Relations to Other Statutes or Regulations)

Where, as at the time this Act enters into force, other statutes or regulations cite the Foundation for Agricultural Technology Commercialization and Transfer whose name is changed pursuant to this Act, it shall be deemed that the Korea Agriculture Technology Promotion Agency is cited.

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