

PRESIDENTIAL DECREE
OF
MAJOR AGRICULTURAL SEED LAW

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(Promulgated on 9, July 1970 Presidential
Decree No. 5173

Amended on 30, Aug. 1975, Presidential
Decree No. 7774)

Article 1. (Objectives)

This decree has the purpose of regulating the necessary matters concerned with the enactment of the major agricultural Seed Law (here-in after referred to as the "Seed Law")

Article 2. (Kinds of Agricultural Crops)

The other crops regulated in the Article 2-1 of the Seed Law are as follows;

- | | |
|------------------|-------------------|
| 1. Sweet potato | 2. Corn |
| 3. Red bean | 4. Italian millet |
| 5. Sorghum | 6. Buckwheat |
| 7. Chinese vetch | 8. Vetch |

Article 3. (Standard and procedure of seed sale permission)

- (1) Persons who want to obtain a license for seed sale according to article 8, shall provide standard

facilities as regulated in appendix 1, and shall apply for the seed sale license to the Major of Seoul City, Busan City or Provincial governor (here-in after referred to as provincial governor) who has jurisdiction of their location with required papers.

- (2) The provincial governor receiving the application for seed sale licenses as designated in the clause 1, shall issue the license if the applicant meets the requirements of the standards and procedure for seed sale.

Article 4. (Recommendation of export and import)

- (1) The person who wants to export and import the seeds (including tuber roots and seedling, herein after the same) according to the Article 9 item 1 of the Seed Law shall apply for recommendation to export or import seed to the minister of agriculture and fisheries with the preparation of the export - import application and it's following supplementary:

1. The project schedule for the seed of export or import; 1 copy
 2. Agency contract for the seed for export and import or certificate which proves the donation of seed; 1 copy
- (2) If the minister of agriculture and fisheries recognizes the necessity of seed export - import according to the regulations of clause 1, the minister of agriculture and fisheries shall approve the recommendation of export - import to the applicant.

Article 5. (Revolving fund operation schedule)

- (1) The minister of agriculture and fisheries, according to the article 10 of the Seed Law, shall layout the seed revolving fund (Here -in after referred to as the Revolving Fund) operation schedule before the beginning of the fiscal year.
- (2) The revolving fund operation schedule as designated in clause 1, shall be considered

by the cabinet council and must be approved by the president. Herein after the same as in making an amendment of the revolving fund operation schedule.

Article 6. (Establishment of partitioned accounts for the revolving fund)

The minister of agriculture and fisheries shall establish partitioned accounts for the revolving fund in the Bank of Korea in order to clarify the income and the disbursement of the revolving fund.

Article 7. (Appointment or dismissal of revolving fund accounting officials)

(1) The minister of agriculture and fisheries may assign the representation of revolving fund accounting instruction offices, the representation of revolving fund accounting offices, the revolving fund accounting instruction official of partial charge and revolving fund accounting official of partial charge at the local autonomus bodies when it

is recognized as necessary for the operation of revolving fund in order to take partial charge of the affairs or take charge of the whole affairs of the business of the revolving fund accounting instruction officer, and the revolving fund accounting official.

- (2) When the minister of agriculture and fisheries appoints or dismisses the revolving fund accounting instructing officer and the revolving fund accounting official in accordance with the Article 16 of the seed Law, he must inform the administrator of Board of Audit and Inspection the Minister of Finance and the president of Bank.

Here in after the same when appointments or dismissals of the representation of revolving fund accounting instruction officer, the representation of revolving fund accounting officer, the revolving fund accounting instruction official of partial charge and

revolving fund accounting official of partial charge.

Article 8. (The affairs accounting agency)

- (1) The Revolving Fund accounting instruction office (includes representation or accounting instructing officer of partial charge of the revolving fund. the same as here in after) takes charge of the affairs concerned with the collection of the income from the revolving fund and the contract and the action due to disburse (Here-in after called as disbursement-
Causing-Action) the other expenses.

Article 9. (Appointment of transactions)

The revolving fund accounting official must specify the appointed Bank of Korea (including Main Bank, Branch-Bank and Bank agency for the national fund, herein after the same) as the bank of furnishment of the check issued by him (here in after as the bank of transaction).

Article 10. (Collection procedure of revolving fund)

- (1) If the revolving fund accounting instruction officer collects the income of the revolving fund, he shall conduct an examination and determination of the amount of income to be collected and inform the amount of payment due to the payer in advance.
- (2) Those who receive the notification of payment due in accordance with the regulations of clause 1, shall pay to the revolving fund account in the Bank of Korea.
- (3) When the Bank of Korea receives income for the revolving fund, the bank shall

immediately send the receiving information paper to the revolving fund accounting instruction officer.

- (4) The Bank of Korea in accordance with clause 2, shall accumulate the income of the revolving fund to the revolving fund account which previously established, in the Bank of Korea according to the handling procedure of national funds.

Article 11. (The procedure of revolving fund expenditure)

- (1) If the revolving fund accounting instructing officer wants to expend money he shall send the papers related to the Disbursement-Causing Action to the revolving fund accounting official.
- (2) If the revolving fund accounting official expends money from the fund in accordance to the preceding clause, he shall issue the check which designates which Bank shall be responsible for the payment of transaction.

- (3) If the revolving fund accounting instructing officer makes the Disbursement-Causing-Action and if the expenditure is not made within the fiscal year due to the inevitable reasons, it can be carried over to the next fiscal year.

Article 12. (Allocation of the ceiling of the revolving fund expenditure)

- (1) The minister of agriculture and fisheries requests the allocation of the fund expenditure ceiling to the minister of finance in accordance to the fund schedule as designated in Article 5.

The minister of finance shall inform the Bank of Korea and the minister of agriculture and fisheries when ceiling have been allocated.

- (2) The minister of agriculture and fisheries allocates the ceiling amount of the expenditure as described in the clause 1, to the revolving fund accounting official and informs the minister of finance and the president of the Bank of Korea.

Article 13. (~~The Disbursement-Causing-Action~~ of revolving fund)

The revolving fund accounting instruction officer shall make ~~Disbursement-Causing-Action~~ within the ceiling amount of expenditure as described in Article 12.

Article 14. (Report)

(1) The revolving fund accounting instruction officer (excluding representation or accounting instruction officer of partial charge) shall report the papers of fund collection and the expenditure cause every month to the minister of agriculture and fisheries before the 10th of the next month, revolving fund accounting official (excluding representation accounting officer or accounting officer of partial charge) shall report the papers of fund expenditure.

(2) The amount of money reported in the preceding clause shall be added to the executive amount of money of the revolving fund, accounting

instruction officer, the representation of revolving fund accounting officer, the revolving fund accounting instruction official of partial charge and revolving fund accounting official of partial charge. Their reports shall be attached as appendix.

- (3) The minister of the agriculture and fisheries shall prepare the final report according to clause 1, and submit to the minister of finance before the 20th of the next month.

Article 15. (Report of settlement of accounts)

The minister of agriculture and fisheries shall make the papers of the settlement of accounts and submit to the minister of finance within 80 days after the end of every fiscal year.

Article 16. (Adoption of other decrees)

Other decrees regulating budget and accounting shall be applied to the management and operation of the revolving fund shall apply when procedures are not covered by the Seed Law and this decree.

Article 17. (The category of cultivation prohibition order).

- (1) According to the article 17, of the Seed Law the category of prohibition or omission of the designated plants in the area within 1,000 meters from the boundary of the seed farm.
- (2) The kinds of plant prohibited and isolated distances shall be designated by the regulations of the ministry of agriculture and fisheries.

Article 18. (Establishment of National Seed Council)

In order to discuss the important items concerning with the improved seed the national seeds council, (here in after the seeds council), shall be established under the minister of agriculture and fisheries.

Article 25. (Mandate of Authority)

- (1) As a part of the authority of the minister of agriculture and fisheries, as designated in article 3 item 1 of the Seed Law, the authority of foundation seed production shall be mandated to the administrator of office of rural development.
- (2) The authorities of the minister of agriculture and fisheries shall be nominated to the governors as follows. Licenses of seed sale as designated in article 8 of the seed law. Revoking of the license to sell seed and stopping seed sale activities as designated in article 18 of the Seed Law

Article 26. (Enforcement of regulation)

The necessary matters regarding enforcement of this decree here in shall be determined by the MAF regulation.

Supplementary Rules

- (1) (Effective date) This decree shall come into effect at the date of promulgation.

Appendix 1.

The standard of seed sale permission

(1) The standard of facilities provision

Item	Required Conditions
The Structure of warehouse or shop.	Partition the place where people live in from the storage area materials and seed
Seed showcase	Over 1 m ³
Temperature and humidity gauge	More than 1 each.