

PROMOTION OF MUTUAL EXCHANGE BETWEEN CITIES AND AGRICULTURAL OR FISHING VILLAGES ACT

Act No. 8751, Dec. 21, 2007

Amended by Act No. 9276, Dec. 29, 2008

Act No. 9432, Feb. 6, 2009

Act No. 9715, May 27, 2009

Act No. 9758, Jun. 9, 2009

Act No. 10220, Mar. 31, 2010

Act No. 10386, Jul. 23, 2010

Act No. 10479, Mar. 29, 2011

Act No. 11455, Jun. 1, 2012

Act No. 11699, Mar. 23, 2013

Act No. 11877, Jun. 12, 2013

Act No. 13383, Jun. 22, 2015

Act No. 15074, Nov. 28, 2017

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to promote balanced development of cities and agricultural and fishing villages and enhancement of the quality of life of people by facilitating mutual exchanges between cities and agricultural and fishing villages, raising people's awareness of the values of agriculture and fisheries and those of agricultural and fishing villages, boosting social and economic vitality of agricultural and fishing villages, and satisfying city dwellers' demand for experiencing daily life and engaging in recreational activities in agricultural and fishing villages. *<Amended by Act No. 15074, Nov. 28, 2017>*

Article 2 (Definitions)

The terms used in this Act shall be defined as follows: *<Amended by Act No. 9715, May 27, 2009; Act No. 9758, Jun. 9, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11877, Jun. 12, 2013; Act No. 13383, Jun. 22, 2015>*

1. The term "agricultural and fishing villages" means rural areas prescribed in subparagraph 5 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry, and fishing villages under subparagraph 6 of Article 3 of the Framework Act on Fisheries and Fishing Villages Development;

2. and 3. Deleted; <by Act No. 9715, May 27, 2009>

4. The term "community" means an agricultural or fishing village that corresponds to a Dong or Ri as defined in Article 3 (3) of the Local Autonomy Act or an administrative Dong or Ri as defined in Article 4-2 (4) of the said Act;

4-2. The term "community council" means a council formed with residents in one or more villages in order to run a community experiential and recreational business in an agricultural or fishing village;

4-3. The term "fishing village fraternity" means an organization established in accordance with Article 15 of the Fisheries Cooperatives Act;

4-4. The term "community facilities" means facilities used in common by residents in a community or by members of a fishing village fraternity, such as closed-down schools, community halls, facilities for experience, senior citizen centers, health management facilities, and other similar facilities owned by any of the following persons:

(a) The central government or a local government;

(b) A community or a fishing village fraternity;

(c) A corporation established by a community council or a fishing village fraternity in order to run a community experiential and recreational business in an agricultural or fishing village;

4-5. The term "household" means a unit of livelihood of persons registered on a resident registration card per household under Article 7 (1) of the Resident Registration Act, in which such persons reside and live together;

5. The term "community experiential and recreational business in an agricultural or fishing village" means a business run by a community council or a fishing village fraternity to provide city dwellers with experiential and recreational programs and spaces and sell local agricultural, fishery, or forestry products or provide them with lodgings, food, or other services by utilizing the natural environment, traditional culture, or natural resources of the community;

6. The term "entity for community experiential and recreational business in an agricultural fishing village" means a community council or a fishing village fraternity designated pursuant to Article 5 as a person who runs a community experiential and recreational business in an agricultural or fishing village;

7. The term "tourist farm business" means a business as defined in subparagraph 16 (b) of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act;

8. The term "mutual exchanges between cities and rural communities" means human exchanges between cities and rural communities and the exchange, trade, and provision of commodities, such as agricultural, fishery, or forestry products, services for experience and recreation, information, or culture

through a community experiential and recreational business in agricultural and fishing villages or tourist farm business;

9. The term "sisterhood affiliation between a city and a rural community" means a promise made by and between residents, an enterprise, organization, or institution in a city and residents or an organization (including a fishing village fraternity) in a rural community to conduct certain activities for mutual exchanges between cities and rural communities (hereinafter referred to as "mutual exchanges between cities and rural communities");

10. The term "assistance in settlement in an agricultural or fishing village" means provision of information and educational programs to city dwellers who intend to move into an agricultural or fishing village to settle there and providing assistance necessary for the improvement of communities for settlement.

Article 3 (Responsibilities of Central Government and Local Governments)

The central government and each local government shall establish and implement policies for the facilitation of mutual exchanges between cities and rural communities to revitalize society in agricultural and fishing villages by facilitating mutual exchanges between city dwellers and residents in agricultural and fishing villages and to enhance people's quality of life by maintaining and developing the natural environment, traditional culture, and natural resources of agricultural and fishing villages.

Article 3-2 (Day of Mutual Exchanges between Cities and Rural Communities)

(1) In order to create atmosphere that facilitates good communication between cities and rural communities and establish mutual exchanges, July 7 of each year shall be designated as the Day of Mutual Exchanges between Cities and Rural Communities.

(2) The State and local governments may hold events appropriate to the purport of the Day of Mutual Exchanges between Cities and Rural Communities.

(3) Matters necessary for holding events for the Day of Mutual Exchanges between Cities and Rural Affairs under paragraph (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries.

Article 4 (Relationship to other Acts)

As regards projects for the promotion of mutual exchanges between cities and agricultural and fishing villages, this Act shall take precedence over the provisions of other Acts.

CHAPTER II COMMUNITY EXPERIENTIAL AND RECREATIONAL BUSINESS IN AGRICULTURAL OR FISHING VILLAGE

Article 5 (Designation of Entities for Community Experiential and Recreational Business in Agricultural or Fishing Villages)

(1) A community council or a fishing village fraternity that intends to run a community experiential and recreational business in an agricultural or fishing village shall meet the following requirements and file an application for the designation of an entity for community experiential and recreational business in an agricultural or fishing village with the competent Special Self-Governing Province Governor or the head of the competent Si/Gun/Gu (referring to the head of an autonomous Gu; hereinafter referred to as "head of the competent Si/Gun"): *<Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011>*

1. An agreement or articles of incorporation, which shall include provisions regarding purposes of business, the representative, the qualifications for membership, admission, and departure and dismissal from membership;
2. A business plan;
3. Written consent by one-third of all households in each community or by a majority of members of a fishing village fraternity;
4. Other requirements for designation prescribed by Presidential Decree, such as the scope of participation of an entity for community experiential and recreational business in an agricultural or fishing village.

(2) If an application for designation under paragraph (1) meets the requirements for designation prescribed in the subparagraphs of the same paragraph, the head of the competent Si/Gun shall designate the applicant as an entity for community experiential and recreational business in an agricultural or fishing village and shall issue a certificate of designation of the entity for community experiential and recreational business in an agricultural or fishing village and notify the public thereof when he/she designates the entity for community experiential and recreational business in an agricultural or fishing village. *<Amended by Act No. 10479, Mar. 29, 2011; Act No. 11455, Jun. 1, 2012>*

(3) When an entity for community experiential and recreational business in an agricultural or fishing village designated pursuant to paragraph (2) intends to change an essential fact specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries, he/she shall obtain revised designation from the head of the competent Si/Gun. *<Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>*

(4) A person designated as an entity for community experiential and recreational business in an agricultural or fishing village pursuant to paragraph (2) shall post the details of designation at a readily noticeable place in the community.

(5) Matters necessary for the application for designation of an entity for community experiential and recreational business in an agricultural or fishing village under paragraphs (1) through (4), the procedure for the designation and revised designation, and the issuance of a certificate of designation shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the

Ministry of Oceans and Fisheries. <Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>

Article 6 (Fostering and Support of Community Experiential and Creational Business in Agricultural and Fishing Villages)

(1) The central government and each local government shall establish and implement policies on the following matters in order to foster community experiential and recreational business in agricultural and fishing villages:

1. Development of experiential and recreational resources by utilizing the natural environment, farming and fishing activities, and traditional culture of agricultural and fishing villages;
2. Encouragement of promotional activities for community experiential and recreational business in agricultural and fishing villages and the inducement of city dwellers thereto;
3. Improvement of infrastructure for community experiential and recreational business in agricultural and fishing villages and the inducement of city dwellers thereto;
4. Programs related to insurance or mutual aid in preparation against disasters that may occur while running a community experiential and recreational business in an agricultural or fishing village;
5. Assistance in management of entities for community experiential and recreational business in agricultural and fishing villages;
6. Survey and research for boosting community experiential and recreational business in agricultural and fishing villages;
7. Other matters specified by Presidential Decree in order to foster community experiential and recreational business in agricultural and fishing villages.

(2) In order to boost community experiential and recreational business in agricultural and fishing villages, the central government and any local government may subsidize entities for community experiential and recreational business in agricultural and fishing villages, within the budgetary limit, for expenses necessary for the operation of community experiential and recreational business in agricultural and fishing villages.

(3) The Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, and the head of a related central administrative agency may provide the head of the competent Si/Gun with information necessary for community experiential and recreational business in agricultural and fishing villages. <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

Article 7 (Management of Community Experiential and Recreational Business in Agricultural and Fishing Villages)

(1) The head of the competent Si/Gun, who designates an entity for community experiential and recreational business in an agricultural or fishing village pursuant to Article 5, shall earnestly endeavor to develop and boost the community experiential and recreational business in the agricultural or fishing

village and shall guide, monitor, and manage the community experiential and recreational business in an agricultural or fishing village so that such business can be operated smoothly.

(2) An entity for community experiential and recreational business in an agricultural or fishing village shall comply with the following requirements for the safety and hygiene of users: *<Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>*

1. Hygienic and safe control of facilities and equipment for business operations in order to prevent hazards to the health of users;
2. Compliance with standards for the installation of fire-fighting facilities in facilities for public use and other matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries.

(3) If the head of the competent Si/Gun discovers that a community experiential and recreational business in an agricultural or fishing village fails to meet the standards for safety and hygiene under paragraph (2) in its establishment or operation or fails to meet other requirements for designation, he/she may order the representative of the community experiential and recreational business in the agricultural or fishing village to make improvements, as prescribed by Presidential Decree.

(4) In order to ensure the management of safety and hygiene of persons who use an experiential and recreational community in an agricultural or fishing village, the head of the competent Si/Gun shall provide educational programs on safety and hygiene for an entity for community experiential and recreational business in an agricultural or fishing village, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>*

Article 8 (Exclusion from Application of the Public Health Control Act)

The Public Health Control Act shall not apply where an entity for community experiential and recreational business in an agricultural or fishing village operates a community facility of a scale not exceeding that specified by Presidential Decree as a lodging facility for the community experiential and recreational business in the agricultural or fishing village. *<Amended by Act No. 10479, Mar. 29, 2011>*

Article 9 (Exclusion from Application of the Installation and Utilization of Sports Facilities Act)

The Installation and Utilization of Sports Facilities Act shall not apply to a horse-riding ground of a scale not exceeding that specified by Presidential Decree that an entity for community experiential and recreational business in an agricultural or fishing village operates as an experiential and recreational program in the agricultural or fishing village for the community experiential and recreational business in the agricultural or fishing village.

Article 10 (Special Exception to the Food Sanitation Act)

Notwithstanding Article 36 of the Food Sanitation Act, the standards for business facilities may be separately established, as prescribed by Presidential Decree, where an entity for community experiential and recreational business in an agricultural or fishing village provides food as a service incidental to an experiential and recreational program in the agricultural or fishing village for the community experiential and recreational business in the agricultural or fishing village or produces, sells, or processes instant food by using local agricultural, fishery, or forestry products as main ingredients. <Amended by Act No. 9432, Feb. 6, 2009>

Article 11 (Revocation, etc. of Designation of Entities for Community Experiential and Recreational Business in Agricultural or Fishing Villages)

(1) If an entity for community experiential and recreational business in an agricultural or fishing village falls under any of the following subparagraphs, the head of the competent Si/Gun may revoke the designation or order the business entity to fully or partially suspend its business operations for a specified period not exceeding six months: Provided, That the designation shall be revoked if a case falls under subparagraph 1 or 2:

1. If the business entity has obtained the designation by fraud or other wrongful means;
2. If the business entity continues to run its community experiential and recreational business in an agricultural or fishing village during its period of business suspension;
3. If the business entity breaches any requirement for designation under Article 5 (1);
4. If the business entity runs its business without obtaining revised designation under Article 5 (3);
5. If the business entity breaches any obligation under Article 7 (2);
6. If the business entity fails to comply with an order to make improvements under Article 7 (3);
7. If the business entity fails to run its business without a justifiable ground for not less than one year.

(2) When the head of the competent Si/Gun intends to revoke the designation of an entity for community experiential and recreational business in an agricultural or fishing village pursuant to paragraph (1), he/she shall hold a hearing.

CHAPTER III PROMOTION OF ACTIVITIES OF MUTUAL EXCHANGES BETWEEN CITIES AND RURAL COMMUNITIES

Article 12 (Assistance in Activities of Mutual Exchanges between Cities and Rural Communities)

(1) In order to expand mutual exchanges between cities and rural communities, the central government and each local government shall establish and implement a plan for the promotion of activities of mutual exchanges between cities and rural communities, such as experiencing daily life in agricultural and fishing villages, the promotion of investment in agricultural and fishing villages, and sisterhood affiliation between a city and a rural community, as prescribed by Presidential Decree.

(2) In order to help city dwellers or consumer organizations have better understanding of agriculture and fisheries as well as agricultural and fishing villages, the central government and each local government shall endeavor to introduce to them agricultural and fishing villages through experience of daily life in agricultural and fishing villages and the advertisement of quality-certified agricultural and fishery products, etc. <Amended by Act No. 9715, May 27, 2009>

(3) If it is necessary to promote activities of mutual exchanges between cities and rural communities under paragraphs (1) and (2), the central government and each local government may subsidize individuals and organizations that promote programs for mutual exchanges between cities and rural communities within budgetary limits. <Amended by Act No. 9715, May 27, 2009>

(4) Matters necessary for the criteria for selecting persons eligible for subsidization under paragraph (3) and the procedure for the subsidization shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

Article 13 (Evaluation and Determination of Grade on Agricultural and Fishing Village Tourism)

(1) In order to provide convenience to users of agricultural and fishing villages for experience and recreation, tourist farms, and rural homestay service and to improve the level of their facilities and services, the Minister of Agriculture, Food and Rural Affairs may evaluate community experiential and recreational business in agricultural and fishing villages, tourist farm business, and rural homestay service as defined in subparagraph 16 (d) of Article 2 of the Rearrangement of Agricultural and Fishing Villages Act (hereinafter referred to as "agricultural and fishing village tourism), and determine the grade thereof: Provided, That The Minister of Oceans and Fisheries may evaluate and determine the grade of agricultural and fishing village tourism operated by fishing village fraternities. <Amended by Act No. 11699, Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall reflect the outcomes of the evaluation and determination of grade under paragraph (1) in policies for the promotion and support of agricultural and fishing village tourism. <Amended by Act No. 11699, Mar. 23, 2013>

(3) Matters necessary for the criteria, methods, and procedures for the evaluation and determination of grade under paragraph (1) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 11699, Mar. 23, 2013>

Article 14 (Promotion of Education through Experience in Agricultural and Fishing Villages)

(1) The central government and each local government shall endeavor to promote education through experience in agricultural and fishing villages, as prescribed by Presidential Decree, so that young children in kindergartens and students enrolled in schools can learn the value of agriculture and fisheries as well as agricultural and fishing villages.

(2) The head of a local government may recommend the superintendent of the competent office of education an experiential and recreational program in agricultural and fishing villages or a program for experience in tourist farms, which can be implemented by an elementary school, a secondary school, or a high school under the Elementary and Secondary Education Act, and upon receiving the recommendation the superintendent of the competent office of education may encourage elementary schools, secondary schools, and high schools within his/her jurisdiction to implement the program as a curriculum.

(3) In order to promote education through experience in agricultural and fishing villages, the central government and each local government may subsidize kindergartens under subparagraph 2 of Article 2 of the Early Childhood Education Act and schools under the Elementary and Secondary Education Act, within the budgetary limit, for the implementation of education through experience in agricultural and fishing villages. *<Newly Inserted by Act No. 10479, Mar. 29, 2011>*

Article 15 (Issuance of Certificate of Mutual Exchanges between Cities and Rural Communities)

(1) In order to promote activities of mutual exchanges between cities and rural communities, the head of the competent Si/Gun may issue a certificate of the performance of activities of mutual exchanges between a city and a rural community (hereinafter referred to as "certificate of mutual exchanges between a city and a rural community") to a person who makes a donation (including a donation in cash and in kind) to an organization of rural communities and agricultural and fishing villages, a rural community for experience and recreation in an agricultural or fishing village, a tourist farm.

(2) The head of a Ri/Dong, an entity for community experiential and recreational business in an agricultural or fishing village, or a tourist farm business, in which activities for experiencing daily life in the rural community or volunteer works have been provided, may issue a certificate of mutual exchanges between a city and a rural community.

(3) Matters necessary for the procedure for application and issuance of a certificate of mutual exchanges between a city and a rural community under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>*

Article 16 (Assistance in Settlement in Agricultural and Fishing Villages and Promotion of Inducement of Investment in Rural Areas)

(1) In order to promote mutual exchanges between cities and rural communities and the settlement in agricultural and fishing villages, the central government and each local government shall endeavor to effectively provide city dwellers and enterprises with information, programs, and administrative support necessary to invest in rural communities for experience and recreation in agricultural and fishing villages, tourist farms, and other projects for rural areas or to voluntarily assist and participate in such activities.

(2) In order to assist in preparing the infrastructure for the settlement in agricultural and fishing villages and promoting the inducement of investment by city dwellers and enterprises, the central government and

each local government may authorize the center for mutual exchanges between cities and rural communities established pursuant to Article 37 of the Special Act on Quality Improvement of Life of Farmers and Fishers and Development Promotion of Agricultural and Fishing Villages (hereinafter referred to as the "Center for Mutual Exchanges between Cities and Rural Communities") to perform the following: <Amended by Act No. 10386, Jul. 23, 2010>

1. Analysis of projects eligible for the promotion of inducement of investment in rural areas and assistance in financing;
2. Development and operation of programs for education and training of human resources to promote inducement of investment in rural areas;
3. Assistance in survey and research for the improvement of systems for the inducement of investment in rural areas and promotional activities therefor.

CHAPTER IV EDUCATION AND TRAINING OF PROFESSIONAL HUMAN RESOURCES

Article 17 (Certification, etc. of Educational Programs for Mutual Exchanges between Cities and Rural Communities)

(1) In order to promote mutual exchanges between cities and rural communities, a Special Metropolitan City Mayor, a Metropolitan City Mayor, a Special Self-governing City Mayor, a Do Governor or a Special Self-governing Province Governor (hereinafter referred to as the "Mayor/Do Governor") may develop and proliferate educational programs for mutual exchanges between cities and rural communities for residents in rural communities and city dwellers. <Amended by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012>

(2) A person who intends to develop and proliferate any of the following educational programs or who intends to open and operate an educational course may file an application for certification with the Mayor/Do Governor: <Amended by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012>

1. A program for training professional human resources for mutual exchanges between cities and rural communities or for the development of rural areas;
2. An educational course for instructors for experience in agricultural and fishing villages;
3. An educational course for guides of rural communities.

(3) Upon receipt of an application for certification pursuant to paragraph (2), the Mayor/Do Governor shall examine whether the educational program or educational course meets the standards prescribed for certification by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries in regard to class hours, subjects, and educational facilities before granting certification. <Amended by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012; Act No. 11699, Mar. 23, 2013>

(4) A person who obtains certification under paragraph (3) may apply the certification mark on the relevant educational program or educational course, as determined by the Mayor/Do Governor. <Amended

by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012>

(5) No one shall apply the certification mark or similar thereto on an educational program or educational course without the certification under paragraph (3).

(6) The certification under paragraph (3) shall be effective for three years from the day on which the certification is granted.

(7) Matters necessary for the procedure for the application for certification and examination thereon shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>*

Article 18 Deleted. *<by Act No. 9715, May 27, 2009>*

Article 19 (Revocation of Certification)

(1) If an educational program or educational course certified pursuant to Article 17 (2) and (3) falls under any of the following cases, the Mayor/Do Governor may revoke the certification: Provided, That such certification shall be revoked in cases falling under subparagraph 1: *<Amended by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012>*

1. If an educational program or educational course has been certified by fraud or other wrongful means;
2. If an educational program or educational course no longer meets the standards for certification under Article 17 (3).

(2) When the Mayor/Do Governor intends to revoke certification pursuant to paragraph (1), he/she shall hold a hearing. *<Amended by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012>*

Article 20 (Utilization of Professional Human Resources for Mutual Exchanges between Cities and Rural Communities and Development of Rural Areas)

(1) In order to systematically provide information about community experiential and recreational business in agricultural and fishing villages and tourist farm business and provide guidance and advice for mutual exchanges between cities and rural communities and activities for the development of rural areas, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of a local government may utilize professional human resources who shall be selected from among persons who have finished an educational program certified pursuant to Article 17 (2) and (3). *<Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>*

(2) In order to introduce experience programs to persons who use a rural community for experience and recreation in an agricultural or fishing village and provide guidance for systematically experiencing daily life in a rural community, such as safety management for users and the protection of crops, environment, and landscape, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of a local government may utilize instructors for experience in a rural community from among those who shall be selected from among persons who have finished an educational program certified for

instructors for experience in a rural community pursuant to Article 17 (2) and (3). <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

(3) In order to provide guidance for agricultural and fishing villages to persons who intend to experience daily life in an agricultural or fishing village and explain and educate the history and traditional culture of the agricultural or fishing village and its nearby communities, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of a local government may utilize guides for rural communities who shall be selected from among persons who have finished an educational course certified for guides of rural communities pursuant to Article 17 (2) and (3). <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

(4) The central government or a local government may subsidize professional human resources, instructors for experience in a rural community, and guides of rural communities under paragraphs (1) through (3), within budgetary limits, for expenses to be incurred in their activities.

CHAPTER V DESIGNATION, ETC. OF ORGANIZATIONS FOR ASSISTING IN MUTUAL EXCHANGES BETWEEN CITIES AND RURAL COMMUNITIES

Article 21 (Designation of Organizations for Assisting in Mutual Exchanges between Cities and Rural Communities)

(1) In order to facilitate the private sector's activities for assisting in mutual exchanges between cities and rural communities, the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may designate institutions and organizations that meet the following requirements as organizations for assisting in mutual exchanges between cities and rural communities: <Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>

1. An institution or organization shall have experience in and be capable of performing work related to mutual exchanges between cities and rural communities;
 2. An institution or organization shall have a nationwide organization;
 3. An institution or organization shall have professional human resources for mutual exchanges between cities and rural communities;
 4. An institution or organization shall have a division dedicated to the performance of activities for assisting in mutual exchanges between cities and rural communities;
 5. An institution or organization shall be capable of developing programs for mutual exchanges between cities and rural communities and the training of professional human resources for the development of rural areas and conducting educational courses.
- (2) An institution or organization designated pursuant to paragraph (1) as an organization for assisting in mutual exchanges between cities and rural communities may perform the following activities:

1. Sisterhood affiliation between a city and a rural community and other collaborative activities for the mutual exchanges between cities and rural communities;
 2. Training of professional human resources for mutual exchanges between cities and rural communities and the development of rural areas;
 3. Survey and research for the facilitation of mutual exchanges between cities and rural communities;
 4. Counseling, information, and promotional services related to the mutual exchanges between cities and rural communities;
 5. Other activities necessary for the facilitation of the mutual exchanges between cities and rural communities.
- (3) A person who intends to have his/her institution or organization designated as an organization for assisting in mutual exchanges between cities and rural communities under paragraph (1) shall file an application with the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries, and the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall notify the applicant of results thereof within 60 days from the filing date of the application. *<Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>*
- (4) When a person who has his/her institution or organization designated as an organization for assisting in mutual exchanges between cities and rural communities under paragraph (3) intends to change an essential fact specified by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries, such as its representative and the name of the institution or organization, he/she shall obtain revised designation from the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries. *<Newly Inserted by Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>*
- (5) The central government or a local government may subsidize organizations for assisting in mutual exchanges between cities and rural communities, designated pursuant to paragraph (1), within budgetary limits, for expenses necessary for performing the activities under paragraph (2). *<Amended by Act No. 10479, Mar. 29, 2011>*
- (6) Matters necessary for the procedure for and method of the application for designation of an organization for assisting in mutual exchanges between cities and rural communities under paragraphs (1) through (5) and the designation and revised designation thereof and the issuance of a certificate of designation shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. *<Amended by Act No. 10479, Mar. 29, 2011>*

Article 22 (Revocation of Designation of Organizations for Assisting in Mutual Exchanges between Cities and Rural Communities)

- (1) If it is found that an organization designated pursuant to Article 21 (1) for assisting in mutual exchanges between cities and rural communities is incapable of providing assistance in mutual exchanges between cities and rural communities under Article 21 (2) or no longer meets the standards for designation

under Article 21 (1), the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may order the organization to make corrections within a specified period not exceeding two months. <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

(2) If an organization for assisting in mutual exchanges between cities and rural communities falls under any of the following cases, the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may revoke the designation: Provided, That the designation shall be revoked in cases falling under subparagraph 1: <Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>

1. If an organization has obtained the designation by fraud or other wrongful means;
2. If an organization fails to perform activities for assisting in mutual exchanges between cities and rural communities without a justifiable ground for not less than one year;
3. If an organization fails to make corrections, in violation of an order to make corrections under paragraph (1);
4. If an organization fails to obtain revised designation under Article 21 (4).

(3) When the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries intends to revoke designation pursuant to paragraph (2), he/she shall hold a hearing. <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

CHAPTER VI SUPPLEMENTARY PROVISIONS

Article 23 (Support by Taxation and Financing)

In order to facilitate mutual exchanges between cities and rural communities, the central government and any local government may provide taxation and financial support, as provided for in the Restriction of Special Local Taxation Act. <Amended by Act No. 10220, Mar. 31, 2010>

Article 24 (Assistance to Quasi-Rural Areas)

An agricultural promotion area under the Farmland Act and a development restriction zone under the National Land Planning and Utilization Act (hereinafter referred to as "quasi-rural area") in any area, other than agricultural and fishing villages, may be deemed an agricultural or fishing village and may be provided with necessary assistance, as prescribed by Presidential Decree. <Amended by Act No. 9715, May 27, 2009>

Article 25 (Promotional Activities, Survey and Research)

(1) In order to raise people's awareness of the value of agricultural and fishing villages and induce people's attention to activities for mutual exchanges between cities and rural communities, such as community experiential and recreational business in an agricultural or fishing village, tourist farm business, and sisterhood affiliation between a city and a rural community, the central government and a local

government shall endeavor to conduct promotional activities and provide information.

(2) If it is necessary to introduce multi-dimensional value of agriculture, fisheries, and rural communities and to efficiently perform promotional activities related to agriculture, fisheries, and rural communities and survey and research related to such activities, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries and the head of each local government may designate a specialized institution that will take charge of such activities and may fully or partially subsidize the institution for expenses to be incurred in its operation on a preferential basis. <Amended by Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012; Act No. 11699, Mar. 23, 2013>

(3) Matters necessary for the procedure for designation of a specialized institution under paragraph (2) and the method of subsidization shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries. <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

Article 26 (Delegation and Entrustment of Authority)

(1) The authority of the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries vested under this Act may be delegated partially to each Metropolitan City Mayor or Do Governor or the head of the competent Si/Gun, as prescribed by Presidential Decree. <Amended by Act No. 9715, May 27, 2009; Act No. 11699, Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may entrust the following affairs to the Center for Mutual Exchanges between Cities and Rural Communities under Article 16 (2), the organizations for assisting in mutual exchanges between cities and rural communities under Article 21, the Korea Rural Community Corporation under Article 3 of the Korea Rural Community Corporation and Farmland Management Fund Act, the National Agricultural Cooperative Federation under subparagraph 4 of Article 2 of the Agricultural Cooperatives Act, the National Federation of Fisheries Cooperatives under subparagraph 5 of Article 2 of the Fisheries Cooperatives Act, or nonprofit non-governmental organizations under Article 2 of the Assistance for Non-Profit, Non-Governmental Organizations Act, as prescribed by Presidential Decree: <Amended by Act No. 9276, Dec. 29, 2008; Act No. 9715, May 27, 2009; Act No. 11455, Jun. 1, 2012; Act No. 11699, Mar. 23, 2013>

1. Evaluation and determination of grade on agricultural and fishing village tourism under Article 13;
2. Assistance in settlement in an agricultural or fishing village and promoting inducement of investment in agricultural and fishing villages;
3. Development and dissemination of educational programs for the mutual exchanges between a city and a rural community under Article 17 (1);
4. Selection and utilization of instructors for experience in a rural community and guides for rural communities under Article 20 (2) and (3).

Article 26-2 (Legal Fiction as Public Officials in Application of Penalty Provisions)

When executive officers and employees of agencies or organizations engaging in the duties entrusted by the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries under Article 26 (2) shall be deemed public officials in applying Articles 129 through 132 of the Criminal Act.

CHAPTER VII PENALTY PROVISIONS

Article 27 (Penalty Provisions)

If an entity for community experiential and recreational business in an agricultural or fishing village falls under any of the following subparagraphs, its representative shall be punished by imprisonment with labor for not more than six months or by a fine not exceeding five million won:

1. If the business entity has obtained the designation of the entity for community experiential and recreational business in an agricultural or fishing village by fraud or other wrongful means;
2. If the business entity fails to perform the obligations that it shall perform as an entity for community experiential and recreational business in an agricultural or fishing village, in violation of Article 7 (2).

Article 28 (Administrative Fines)

(1) If an entity for community experiential and recreational business in an agricultural or fishing village falls under any of the following cases, its representative shall be subject to an administrative fine not exceeding five million won:

1. If the business entity fails to comply with an order to make improvements under Article 7 (3);
2. If the business entity continues the business during a period of suspension of the community experiential and recreational business in an agricultural or fishing village under Article 11 (1).

(2) If an entity for community experiential and recreational business in an agricultural or fishing village falls under any of the following cases, its representative shall be subject to an administrative fine not exceeding one million won: *<Amended by Act No. 10479, Mar. 29, 2011>*

1. If the business entity runs its business, in violation of the requirements for designation under Article 5 (1);

1-2. If the business entity changes an essential fact without obtaining revised designation, in violation of Article 5 (3);

1-3. If the business entity has obtained the revised designation of the entity for community experiential and recreational business in an agricultural or fishing village by fraud or other wrongful means;

2. If the business entity fails to post details of the designation, in violation of Article 5 (4);

3. If the business entity fails to receive education on safety and hygiene under Article 7 (4).

(3) If an organization for assisting in mutual exchanges between cities and rural communities falls under any of the following cases, its representative shall be subject to an administrative fine not exceeding 500,000 won: *<Newly Inserted by Act No. 10479, Mar. 29, 2011>*

1. If the organization changes an essential fact without revised designation, in violation of Article 21 (4);
 2. If the business entity has obtained the revised designation as an organization for assisting in mutual exchanges between cities and rural communities by fraud or other wrongful means.
- (4) A person who applies the certification mark or similar thereto on any educational program or educational course without certification, in violation of Article 17 (5) shall be subject to an administrative fine not exceeding 200,000 won. <Amended by Act No. 10479, Mar. 29, 2011>
- (5) Administrative fines under paragraphs (1) through (4) shall be imposed and collected by the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of a local government, as prescribed by Presidential Decree. <Amended by Act No. 9715, May 27, 2009; Act No. 10479, Mar. 29, 2011; Act No. 11699, Mar. 23, 2013>
- (6) and (7) Deleted. <by Act No. 9715, May 27, 2009>

ADDENDA

(1) (Enforcement Date)

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

(2) (Transitional Measure concerning Facilities for Experience and Recreation in Agricultural and Fishing Villages in Quasi-Rural Areas)

Notwithstanding Article 5, a person who runs a facility for experience or recreation in an agricultural or fishing village within a quasi-rural area selected and managed as an area eligible for subsidization from the government as at the time this Act enters into force shall be deemed a person who runs a facility for experience or recreation in an agricultural or fishing village within a rural area and may file an application for the designation as a community business entity for experience or recreation in an agricultural or fishing village.

ADDENDA <Act No. 9276, Dec. 29, 2008>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 5 Omitted.

ADDENDA <Act No. 9432, Feb. 6, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 7 Omitted.

ADDENDUM <Act No. 9715, May 27, 2009>

This Act shall enter into force on the date of its promulgation. (Proviso Omitted.)

ADDENDA <Act No. 9758, Jun. 9, 2009>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 23 Omitted.

ADDENDA <Act No. 10220, Mar. 31, 2010>

Article 1 (Enforcement Date)

This Act shall enter into force on January 1, 2011.

Articles 2 through 5 Omitted.

ADDENDA <Act No. 10386, Jul. 23, 2010>

Article 1 (Enforcement Date)

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

Articles 2 through 8 Omitted.

ADDENDA <Act No. 10479, Mar. 29, 2011>

Article 1 (Enforcement Date)

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

Article 2 (Applicability to Community Facilities)

The amended provisions of subparagraph 4-4 of Article 2 and Article 8 shall apply to applications filed for the designation or revised designation of an entity for community experiential and recreational business in an agricultural or fishing village on or after the date this Act enters into force.

Article 3 (Applicability to Revised Designation of Organizations for Assisting in Mutual Exchanges between Cities and Rural Communities)

The amended provisions of Article 21 (4) shall apply to changes made with regard to an essential fact of an organization for assisting in mutual exchanges between cities and rural communities on or after the date this Act enters into force.

ADDENDA <Act No. 11455, Jun. 1, 2012>

Article 1 (Enforcement Date)

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

Article 2 (Transitional Measures concerning Certification of Education Courses for Mutual Exchanges between Cities and Rural Communities, etc.)

Educational programs and education courses certified in accordance with the former provisions as at the time this Act enters into force shall be deemed certified by the Mayor/Do Governor in accordance with the amended provisions of Article 17.

ADDENDUM <Act No. 11699, Mar. 23, 2013>

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

ADDENDUM <Act No. 11877, Jun. 12, 2013>

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

ADDENDA <Act No. 13383, Jun. 22, 2015>

Article 1 (Enforcement Date)

This Act shall enter into force six months after the date of its promulgation. (Proviso Omitted.)

Articles 2 through 4 Omitted.

ADDENDUM <Act No. 15074, Nov. 28, 2017>

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

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