

# FUNCTIONAL SERICULTURE INDUSTRY FOSTERAGE AND SUPPORT ACT

Act No. 9726, May 27, 2009

Amended by Act No. 11690, Mar. 23, 2013

Act No. 15381, Feb. 21, 2018

Act No. 17313, May 26, 2020

## Article 1 (Purpose)

The purpose of this Act is to plan increase in income of farm households and to contribute to national health and economic development through the promotion and development of the functional sericulture industry by prescribing matters necessary for the continuous development of the functional sericulture industry and for the establishment of stable foundation for sericulture.

## Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term "functional sericulture industry" means an industry in the following items:
  - (a) Industry producing (including processing) silkworms, mulberry trees, cocoons, and other products prescribed by Presidential Decree, or respective byproducts thereof in order to use for food, material, etc. that gives useful efficacy to human body;
  - (b) Industry producing (including processing) food, material, etc. that gives useful efficacy to human body from silkworms, mulberry trees, cocoons, and other products prescribed by Presidential Decree, or from respective byproducts thereof;
2. The term "functional silkworm cultivating households" means households engaged in the functional sericulture industry.

## Article 3 (Responsibilities of the State and Local Governments)

- (1) The State and local governments may establish and implement measures necessary for the continuous growth of functional sericulture industry and for the stable settlement of functional silkworm cultivating households.
- (2) In establishing measures under paragraph (1), the State and local governments shall prepare the measures of administrative and financial support necessary for the stable settlement of functional

silkworm cultivating households.

(3) Functional silkworm cultivating households shall endeavor to advance the functional sericulture industry and to foster and develop eco-friendly silkworms and cultivated crops. *<Amended on May 26, 2020>*

#### **Article 4 (Relationship to Other Statutes)**

Unless otherwise provided in other statutes, this Act shall apply to the fostering and support of the functional sericulture industry and functional silkworm cultivating households.

#### **Article 5 (Establishment of Comprehensive Plans)**

(1) For the continuous growth of the functional sericulture industry and the stable settlement of functional silkworm cultivating households, the Minister of Agriculture, Food and Rural Affairs shall establish a comprehensive plan to foster the functional sericulture industry (hereinafter referred to as "comprehensive plans") every five years after consultation with the heads of related central administrative agencies.

*<Amended on Mar. 23, 2013>*

(2) A comprehensive plan shall include the following: *<Amended on May 26, 2020>*

1. Present status of the functional sericulture industry and prospect therefor;
2. Direction of support and objective of the functional sericulture industry;
3. Strategy of support for the promotion of economic vitality of the functional sericulture industry;
4. Long-term and mid-term investment plans to support the functional sericulture industry;
5. Technical education of functional sericulture and plans to foster support personnel;
6. Matters related to research, development, and dissemination of technologies related to the functional sericulture industry;
7. Other matters acknowledged as necessary for the development of the functional sericulture industry.

(3) When establishing comprehensive plans, the Minister of Agriculture, Food and Rural Affairs shall have such plans deliberated upon by the central deliberation committee of agriculture, rural community and food industry under Article 15 of the Framework Act on Agriculture, Rural Community and Food Industry.

#### **Article 6 (Fact-Finding Surveys)**

(1) In order to efficiently establish and promote comprehensive plans and to build stable foundations for the self-sustenance of functional silkworm cultivating households, the Minister of Agriculture, Food and Rural Affairs may conduct a fact-finding survey on the state, etc. of the functional sericulture industry.

*<Amended on Mar. 23, 2013>*

(2) Where necessary for a fact-finding survey under paragraph (1), the Minister of Agriculture, Food and Rural Affairs may request research institutions, organizations, etc. to submit data or to state opinions.

*<Amended on Mar. 23, 2013>*

- (3) Research institutions, organizations, etc. requested to submit data or to state opinions under paragraph (2) shall cooperate with such requests unless any extenuating circumstance exists.
- (4) The extent and method of a fact-finding survey under paragraph (1), and other necessary matters shall be prescribed by Presidential Decree.

#### **Article 7 (Performance of Functional Sericulture Duties by Local Governments)**

(1) The Minister of Agriculture, Food and Rural Affairs may allow the heads of local governments to engage in the following activities in order to disseminate technologies necessary for the seed industry to strike root stably: *<Amended on Mar. 3, 2013; May 26, 2020>*

- 1. Collection of information necessary for the dissemination of functional sericulture technology;
  - 2. Performance of education projects and experience projects relating to functional sericulture;
  - 3. Counseling on the types of silkworms and cultivated crops necessary for functional sericulture, methods of their cultivation, etc.;
  - 4. Installation and operation of education programs of functional sericulture technology;
  - 5. Other projects delegated by the Minister of Agriculture, Food and Rural Affairs.
- (2) The State may subsidize funds within budget limits in order to efficiently perform the projects under paragraph (1).

#### **Article 8 (Promotion of Technology Development)**

- (1) The State or local governments shall endeavor to develop technology for the promotion of the functional sericulture industry.
- (2) The State or local governments may assist those who research and develop, or industrialize technology, etc. in order to promote technology development under paragraph (1).

#### **Article 9 (Assistance to Functional Sericulture Industry)**

The State and local governments may give necessary assistance to the following subparagraphs in order to promote the functional sericulture industry:

- 1. Facilities, machinery, materials and sericulture products processing facilities necessary for the functional sericulture industry;
- 2. Overseas production sites relating to the functional sericulture industry;
- 3. The functional sericulture industry succeeding to the spirit of the traditional industry relating to sericulture.

#### **Article 10 (Management of Functional Silkworm Cultivating Households)**

In order to efficiently promote policies to foster and support functional silkworm cultivating households, the Minister of Agriculture, Food and Rural Affairs may have functional silkworm cultivating households register information relating to the management of functional sericulture as prescribed in Article 41 of the

Framework Act on Agriculture, Rural Community and Food Industry and in Article 4 (1) of the Act on Fostering and Supporting Agricultural and Fisheries Enterprises. <Amended on Mar. 23, 2013>

**Article 11 (Delegation and Entrustment of Authority)**

@Part of the authority of the Minister of Agriculture, Food and Rural Affairs under this Act may be delegated or entrusted to the heads of affiliated agencies, related institutions or organizations, as prescribed by Presidential Decree. <Amended on Mar. 23, 2013>

**Article 12 (Legal Fiction as Public Officials for Purposes of Applying Penalty Provisions)**

The executive officers and employees of institutions or organizations engaged in the business affairs entrusted by the Minister of Agriculture, Food and Rural Affairs pursuant to Article 11 shall be deemed public officials for purposes of applying the penalty provisions under Articles 129 through 132 of the Criminal Act.

ADDENDUM <Act No. 9726, May 27, 2009>

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

ADDENDA <Act No. 11690, Mar. 23, 2013>

**Article 1 (Enforcement Date)**

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

(2) Omitted.

**Articles 2 through 7 Omitted.**

ADDENDUM <Act No. 15381, Feb. 21, 2018>

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

ADDENDUM <Act No. 17313, May 26, 2020>

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

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