

ENFORCEMENT DECREE OF THE ACT ON SAFETY INSURANCE FOR FARMERS AND FISHERS AND PREVENTION OF WORK ACCIDENTS

Presidential Decree No. 26859, Jan. 6, 2016
Amended by Presidential Decree No. 27556, Oct. 25, 2016
Presidential Decree No. 28842, Apr. 30, 2018
Presidential Decree No. 29950, Jul. 2, 2019
Presidential Decree No. 31553, Mar. 23, 2021
Presidential Decree No. 32658, May 31, 2022
Presidential Decree No. 33041, Dec. 9, 2022

Article 1 (Purpose)

The purpose of this Decree is to provide for the matters mandated by the Act on Safety Insurance for Farmers and Fishers and Prevention of Work Accidents and matters necessary for the enforcement thereof.

Article 2 (Subsidization of Insurance Premiums)

(1) Where the State or a local government subsidizes insurance premiums that shall be borne by policyholders of the safety insurance for farmers or fishers (hereinafter referred to as the "Insurance") pursuant to Article 4 (1) of the Act on Safety Insurance for Farmers and Fishers and Prevention of Work Accidents (hereinafter referred to as the "Act"), it shall pay the subsidies to the insurance business entities under Article 7 of the Act (hereinafter referred to as "insurance business entities").

(2) An insurance business entity who wishes to receive subsidies under paragraph (1) shall submit a report on the current state of subscription to the Insurance to the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of the relevant local government in the form prescribed by the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries.

(3) Upon receipt of a report on the current state of subscription to the Insurance under paragraph (2), the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of the relevant local government shall review the report and shall determine and pay the amount of subsidies for insurance premiums after ascertaining whether the relevant insurance policyholder is qualified as the insured under Article 6 of the Act.

(4) Pursuant to Article 4 (2) of the Act, subsidies may be granted preferentially to the recipients under subparagraph 2 of Article 2 of the National Basic Living Security Act and to the persons in the second-lowest income bracket under subparagraph 10 of Article 2 of the same Act. In such cases, the subsidy rate shall be determined by the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of a local government. <Amended on Apr. 30, 2018>

Article 3 (Conclusion of Agreements on Insurance Services)

(1) "Documents specified by Presidential Decree" in Article 7 (2) 4 of the Act means articles of incorporation.

(2) Upon receipts of the documents specified in Article 7 (2) of the Act, the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall verify the corporate registration certificate through administrative data matching under Article 36 (1) of the Electronic Government Act.

(3) An agreement that the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall make pursuant to Article 7 (2) of the Act shall provide for the following matters:

1. The term of agreement;
2. Obligations of the insurance business entity;
3. Financial support for the insurance business entity;
4. Amendment, termination, etc. of the agreement;
5. Other provisions concerning the management of insurance services.

(4) "Important matter specified by Presidential Decree" in Article 7 (3) of the Act means the insurance premium rate.

Article 4 (Specific Criteria for Recognizing Work Accidents in Agriculture or Fisheries)

(1) The specific criteria for recognizing work accidents in agriculture and the kinds of diseases related to work for agriculture under Article 8 (3) of the Act are as prescribed in attached Table 1.

(2) The specific criteria for recognizing work accidents in fisheries and the kinds of diseases related to work for fisheries under Article 8 (3) of the Act are as prescribed in attached Table 2.

Article 5 (Other Benefits)

(1) "Benefits prescribed by Presidential Decree" in Article 9 (1) 9 of the Act means the following benefits:

1. Benefit for diagnosis of a specific infectious disease;
2. Benefit for surgery for a specific disease.

(2) The benefit for diagnosis of a specific infectious disease under paragraph (1) 1 shall be paid to the insured, where an infectious disease that the insured has contracted due to work for agriculture or fisheries is finally diagnosed by a medical institution as any of the infectious diseases specified by the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries.

(3) The benefit for surgery for a specific disease under paragraph (1) 2 shall be paid to the insured, where the insured undergoes surgery in a medical institution for any of the diseases specified by the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries, among diseases that the insured has contracted due to work for agriculture or fisheries.

Article 6 (Entrustment of Insurance Services)

"Persons specified by Presidential Decree" in Article 12 of the Act means any of the following persons:
<Amended on Oct. 25, 2016>

1. A local cooperative or a cooperative for a specific item, as defined in subparagraph 2 or 3 of Article 2 of the Agricultural Cooperatives Act;
2. A local cooperative or a specialized cooperative, as defined in subparagraph 2 or 3 of the Forestry Cooperatives Act;
3. A cooperative, as defined in subparagraph 4 of Article 2 of the Fisheries Cooperatives Act, or the Suhyup Bank under Article 141-4 of that Act;
4. A person who engages in the damage adjusting business under Article 187 of the Insurance Business Act.

Article 6-2 (Methods and Procedures for Applying for Exclusive Account for Receiving Insurance Money)

(1) A beneficiary who intends to receive insurance money into a designated account in the name of the beneficiary (hereinafter referred to as the "exclusive account for receiving insurance money") pursuant to the main clause of Article 16-2 (1) of the Act shall write the exclusive account for receiving insurance money in the name of the beneficiary on the insurance claim form determined by the insurance business entity and submit it to the insurance business entity with a copy of the bankbook (referring to the page containing the account number).

(2) "If it is impossible to transfer the insurance money to the exclusive account for receiving insurance money due to ... unavoidable reasons prescribed by Presidential Decree" in the proviso of Article 16-2 (1) of the Act means cases where normal business operation is impossible due to the closure, suspension of business, etc. of a financial institution in which the exclusive account for receiving insurance money is opened.

(3) If it is impossible to transfer insurance money for any reason under the proviso of Article 16-2 (1) of the Act, the insurance business entity shall, upon application of the beneficiary, transfer it to an exclusive account for receiving insurance money opened in another financial institution: Provided, That if it is impossible to transfer it to another exclusive account for receiving insurance money, the insurance money can be paid directly in cash after verification of the beneficiary's identification card such as a resident registration certificate.

Article 6-3 (Prohibition on Seizure of Insurance Money)

"Amount prescribed by Presidential Decree" in Article 17 (3) of the Act means the total amount of insurance money deposited into the exclusive account for receiving insurance money.

Article 7 (Delegation of Authority)

(1) Pursuant to Article 22 (1) of the Act, the Minister of Agriculture, Food and Rural Affairs shall delegate his or her authority for the following work to the Administrator of the Rural Development Administration:

<Amended on Apr. 30, 2018; Dec. 9, 2022>

1. Collection of statistical data necessary for preventing work accidents in agriculture or fisheries (limited to accidents caused by work related to agriculture; hereafter in this paragraph the same shall apply), and request for provision of data, under Article 15 (1) and the former part of paragraph (3) of that Article of the Act;
2. Investigation into the actual conditions of work accidents (limited to accidents caused by work related to agriculture), disclosure of investigation results, and request for provision of data, under Article 15 (2) and the former part of paragraph (3) of that Article of the Act;
3. Establishment and execution of implementation plans for the prevention of work accidents in agriculture or fisheries under Article 16 (3) of the Act;
4. Implementation of projects for the prevention of work accidents in agriculture or fisheries under Article 16-3 (1) of the Act and requests for cooperation from the head of a local government under the former part of paragraph (2) of that Article.

(2) Pursuant to Article 22 (1) of the Act, the Minister of Oceans and Fisheries shall delegate his or her authority for the following work to the President of the National Institute of Fisheries Science: *<Amended on Apr. 30, 2018; Dec. 9, 2022>*

1. Collection of statistical data necessary for the prevention, etc. of work accidents in agriculture or fisheries (limited to accidents caused by work related to fisheries and aquaculture; hereafter in this paragraph the same shall apply) and requests for provision of data, under Article 15 (1) and the former part of paragraph (3) of that Article of the Act;
2. Investigation into the actual conditions of work accidents (limited to accidents caused by work related to fisheries and aquaculture), disclosure of investigation results, and request for provision of data, under Article 15 (2) and the former part of paragraph (3) of that Article of the Act;
3. Establishment and execution of implementation plans for the prevention of work accidents in agriculture or fisheries under Article 16 (3) of the Act;
4. Implementation of projects for the prevention of work accidents in agriculture or fisheries under Article 16-3 (1) of the Act and requests for cooperation from the head of a local government under the former part of paragraph (2) of that Article.

Article 8 (Entrustment of Affairs)

(1) Pursuant to Article 22 (2) of the Act, the Minister of Agriculture, Food and Rural Affairs may entrust an institution designated under paragraph (3) with the following affairs: *<Amended on Apr. 30, 2018>*

1. Management of insurance services under Article 14 of the Act;
2. Collection of statistical data necessary for managing insurance services, and request for provision of data, under Article 15 (1) and the former part of paragraph (3) of that Article of the Act.

(2) Pursuant to Article 22 (2) of the Act, the Minister of Oceans and Fisheries may entrust an institution designated under paragraph (3) with the management of insurance services under Article 14 of the Act. *<Newly Inserted on Apr. 30, 2018>*

(3) The institution to which the affairs under paragraphs (1) and (2) may be entrusted shall be designated by the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries, from among public institutions under Article 4 of the Act on the Management of Public Institutions that meet all the following requirements: *<Amended on Apr. 30, 2018>*

1. An institution that engages in insurance services or any service related to work accidents in agriculture or fisheries;
 2. An institution with specialized human resources and organizations capable of performing the affairs entrusted under the subparagraphs of paragraph (1) or under paragraph (2).
- (4) Where entrusting affairs pursuant to paragraph (1) or (2), the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries shall publicly notify the entrusted person, entrusted affairs, etc. *<Amended on Apr. 30, 2018>*

Article 9 (Handling of Personally Identifiable Information)

(1) If it is essential to execute any administrative affair for verifying the qualification of an insurance policyholder pursuant to Article 6 of the Act, an insurance business entity may handle data containing a resident registration number under subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act.

(2) If it is essential to execute any administrative affair in connection with the conclusion, maintenance, or management of an insurance contract for the benefit of a third party, the payment of insurance benefits, etc. under Article 639 of the Commercial Act, an insurance business entity (excluding insurance companies under Article 7 (1) 1 of the Act) may handle data containing a resident registration number under subparagraph 1 of Article 19 of the Enforcement Decree of the Personal Information Protection Act.

Article 10 (Criteria for Imposition of Administrative Fines)

The criteria for the imposition of administrative fines under Article 25 (1) through (3) of the Act are as prescribed in attached Table 3.

ADDENDUM <Presidential Decree No. 26859, Jan. 6, 2016>

This decree shall enter into force on January 7, 2016.

ADDENDA <Presidential Decree No. 27556, Oct. 25, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 1, 2016.

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 28842, Apr. 30, 2018>

This Decree shall enter into force on May 1, 2018.

ADDENDUM <Presidential Decree No. 29950, Jul. 2, 2019>

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

ADDENDA <Presidential Decree No. 31553, Mar. 23, 2021>

Article 1 (Enforcement Date)

This Decree shall enter into force on March 25, 2021. (Proviso Omitted)

Article 2 Omitted.

ADDENDUM <Presidential Decree No. 32658, May 31, 2022>

This Decree shall enter into force on June 1, 2022.

ADDENDUM <Presidential Decree No. 33041, Dec. 9, 2022>

This Decree shall enter into force on December 11, 2022.

Last updated : 2023-05-19