

ACT ON OPERATION OF DIRECT PAYMENT PROGRAM FOR PROMOTING PUBLIC FUNCTIONS OF AGRICULTURE AND RURAL COMMUNITIES

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Act No. 18995, Oct. 18, 2022

CHAPTER I GENERAL PROVISIONS

Article 1 (Purpose)

The purpose of this Act is to prescribe matters regarding the establishment and implementation of a direct payment program for promoting the public functions of agriculture and rural communities in order to promote the public functions of agriculture and rural communities and stabilize the income of farmers, etc. and regarding the creation, operation, etc. of the Direct Payment Fund for the Promotion of Public Functions of Agriculture and Rural Communities to secure financial resources necessary for such establishment and implementation.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term "farmer, etc." means any farmer defined in subparagraph 2 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry (excluding a person who falls under Article 3 (1) 4 and 5 of the Enforcement Decree of the same Act; hereinafter the same shall apply) and any agricultural corporation defined in subparagraph 2 of Article 2 of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities;
2. The term "public function of agriculture and rural communities" means any function defined in subparagraph 9 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry;
3. The term "rice farming" means agriculture for cultivating rice, lotus roots, dropwort, rushes, and other plants prescribed by Presidential Decree in farmland used as a rice field, irrespective of its land category;

4. The term “dry field farming” means agriculture for cultivating barley, wheat, beans, peppers, garlic, fodder crops, and other plants prescribed by Presidential Decree in farmland used as a dry field, irrespective of its land category;
5. The term "farmland" means any land defined in subparagraph 1 of Article 2 of the Farmland Act;
6. The term "grassland" means any land defined in subparagraph 1 of Article 2 of the Grassland Act, for which permission is granted pursuant to Article 5 of the same Act;
7. The term "engage in" means performing farming work directly (including where only part of farming work is entrusted) at one's own expenses and under one's own responsibility;
8. The term “global income” means any income under Article 4 (1) 1 of the Income Tax Act.

Article 3 (Responsibilities of the State and Local Governments)

- (1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement comprehensive policies on a direct payment program for promoting the public functions of agriculture and rural communities (hereinafter referred to as "public direct payment program") in order to promote the public functions of agriculture and rural communities and stabilize the income of farmers, etc.
- (2) The State and local governments shall ascertain global trends and strive for international cooperation in implementing the direct payment program for promoting the public functions of agriculture and rural communities and stabilizing the income of farmers, etc.
- (3) The State shall raise financial resources necessary for implementing the public direct payment program each year.

Article 4 (Formulation of Master Plans for Public Direct Payment Program)

- (1) In order to promote the public functions of agriculture and rural communities and stabilize the income of farmers, etc., the Minister of Agriculture, Food and Rural Affairs shall formulate a master plan for the public direct payment program (hereinafter referred to as "master plan") every five years following consultation with the heads of relevant central administrative agencies and deliberation by the National Assembly.
- (2) A master plan shall include the following:
 1. Basic direction-setting for, and objectives of, the public direct payment program;
 2. Matters regarding the implementation of the basic-type public direct payment program under Article 5;
 3. Matters regarding the implementation of the selective-type public direct payment program under Article 5.
- (3) Other matters necessary for formulating and implementing a master plan shall be prescribed by Presidential Decree.

CHAPTER II COMPOSITION OF AND ELIGIBILITY FOR DIRECT PAYMENT PROGRAM FOR PROMOTING PUBLIC FUNCTIONS OF AGRICULTURE AND RURAL COMMUNITIES

Article 5 (Composition of Public Direct Payment Program)

The public direct payment program shall be composed of a basic-type public direct payment program (hereinafter referred to as "basic direct payment program") and a selective-type public direct payment program (hereinafter referred to as "selective direct payment program") under which subsidies are granted to farmers, etc. to promote the public functions of agriculture and rural communities.

Article 6 (Eligibility for Public Direct Payment Program)

(1) A person who may apply for direct payments under the public direct payment program shall be a farmer, etc. who register business information on agriculture under Article 4 (1) 1 of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities (including registration of changes; hereinafter the same shall apply).

(2) Land eligible for the application of the public direct payment program shall be farmland or grassland registered pursuant to Article 4 (1) 1 of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities (hereinafter referred to as "farmland, etc.").

Article 6-2 (Guidance on Support for Public Direct Payment Program)

The Minister of Agriculture, Food and Rural Affairs and the head of a local government may request a person eligible for the application of the public direct payment program under Article 6 to provide necessary data as prescribed by presidential decree, in order to confirm the possibility of making public direct payments and provide guidance on the results thereof. In such cases, the person who is requested to provide data shall comply with the request unless there is a compelling reasons not to do so.

CHAPTER III OPERATION OF BASIC-TYPE PUBLIC DIRECT PAYMENT PROGRAM

Article 7 (Making of Basic-Type Public Direct Payments)

(1) The Minister of Agriculture, Food and Rural Affairs shall make basic-type public direct payments under the basic direct payment program (hereinafter referred to as "basic direct payments") to farmers, etc. in order to promote the public functions of agriculture and rural communities and stabilize the income of farmers, etc.

(2) Basic direct payments shall be divided into direct payments for small-scale farm households (hereinafter referred to as "direct payments for small-scale farm households") made to small-scale farm

households under Article 10 (referring to a farm household within the scope prescribed by Presidential Decree in consideration of residence, livelihood, agricultural business, etc.; hereinafter the same shall apply) and area direct payments made to other farmers, etc. <Amended on Oct. 18, 2022>

Article 8 (Farmland Eligible for Basic Direct Payments)

(1) Farmland, etc. which may be eligible for basic direct payments to farmers, etc. who engage in agriculture (excluding grassland used for cultivating improved perennial grasses and fodder crops; hereafter in this Article through Article 20, the same shall apply) shall be any of the following: <Amended on Oct. 18, 2022>

1. Farmland, etc. which were used for rice farming (limited to agriculture for cultivating rice, lotus roots, dropwort, and rushes; hereafter in this Article, the same shall apply) from January 1, 1998 to December 31, 2000: Provided, That any of the following farmland, etc. which were not used for rice farming from January 1, 1998 to December 31, 2000 shall be deemed used for rice farming from January 1, 1998 to December 31, 2000:

(a) Farmland, etc. which were used for rice farming for at least one year on or before December 31, 1997 and in which rice farming was inevitably interrupted for the period from January 1, 1998 to December 31, 2000 due to an agricultural infrastructure improvement project under subparagraph 5 (a) through (c) of Article 2 of the Agricultural and Fishing Villages Improvement Act such as a project to adjust arable land and a reclamation project;

(b) Farmland, etc. which were used for rice farming for at least one year on or before December 31, 1997 and in which rice farming was inevitably interrupted for the period from January 1, 1998 to December 31, 2000 due to a natural disaster and damage caused by storms and floods under subparagraphs 2 and 3 of Article 2 of the Countermeasures against Natural Disasters Act such as a typhoon or flood;

2. Farmland, etc. which were used for dry field farming from January 1, 2012 to December 31, 2014: Provided, That any of the following farmland, etc. which were not used for dry field farming from January 1, 2012 to December 31, 2014 shall be deemed used for dry field farming from January 1, 2012 to December 31, 2014:

(a) Farmland, etc. which were used for dry field farming for at least one year on or before December 31, 2011 and in which dry field farming was inevitably interrupted for the period from January 1, 2012 to December 31, 2014 due to an agricultural infrastructure improvement project under subparagraph 5 (a) through (c) of Article 2 of the Agricultural and Fishing Villages Improvement Act such as a project to adjust arable land and a reclamation project;

(b) Farmland, etc. which were used for dry field farming for at least one year on or before December 31, 2011 and in which dry field farming was inevitably interrupted for the period from January 1, 2012 to December 31, 2014 due to a natural disaster and damage caused by storms and floods under subparagraphs 2 and 3 of Article 2 of the Countermeasures against Natural Disasters Act such as a

typhoon or flood;

3. Farmland, etc. which were used for agriculture from January 1, 2003 to December 31, 2005 and are located in areas with unfavorable conditions selected under the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products.

(2) Notwithstanding the subparagraphs of paragraph (1), any of the following farmland, etc. shall be excluded from farmland, etc. eligible for basic direct payments under paragraph (1):

1. Farmland, etc. located in a river area defined in subparagraph 2 of Article 2 of the River Act: Provided, That farmland, etc. shall be deemed farmland, etc. eligible for basic direct payments in the following cases:

(a) Where direct payments compensating rice income, etc. (hereinafter referred to as “direct payments compensating rice income, etc.”) under the Act on Rice Income Compensation (referring to the one before repealed by the Act on Preserving Agricultural Income (Act No. 11230)) were duly made at least once for the period from January 1, 2005 to December 31, 2008 for farmland and where a parcel of such farmland for which no compensation has been granted until the year immediately preceding the year in which an application for registration is filed under Article 14 (2) is deemed usable by the Minister of Agriculture, Food and Rural Affairs for rice farming for at least one year;

(b) Where a parcel of land, etc. in an area under paragraph (1) 3 for which no compensation has been granted until the year immediately preceding the year in which an application for registration is filed under Article 14 (2) is deemed usable by the Minister of Agriculture, Food and Rural Affairs for agriculture for at least one year;

2. Farmland for which permission for, or a report or consultation on, diversion of farmland is granted, filed, or completed under Article 34, 35, or 43 of the Farmland Act (including where permission for, or a report or consultation on, diversion of farmland is deemed granted, filed, or completed under other statutes);

3. Farmland for which permission for or consultation on the temporary use of farmland for other purposes is granted or completed under Articles 36 and 36-2 of the Farmland Act (including where permission for or consultation on the temporary use of farmland for other purposes is deemed granted or completed under other statutes);

4. Land (limited to an area under paragraph (1) 3) whose land category is classified as forestry under the Act on the Establishment and Management of Spatial Data and which is used for cultivating crops or growing perennial plants without permission for conversion of a mountainous district under the Mountainous Districts Management Act (including authorization, permission, approval, etc. which are deemed permission for conversion of a mountainous district under other statutes);

5. Land owned by a person subject to a period of restriction on registration under Article 19 (2). In such cases, a period of restriction as farmland, etc. eligible for basic direct payments shall be a period of restriction on registration of a person eligible for basic direct payments under Article 19 (2);

6. Any of the following farmland, etc.: Provided, That with respect to a parcel of land located in the following districts, areas, or complexes for which no compensation has been granted until the year immediately preceding the year in which an application for registration is filed under Article 14 (2) and which is deemed farmland, etc. by the Minister of Agriculture, Food and Rural Affairs that are usable for agriculture for at least one year, such land shall be deemed farmland, etc. eligible for basic direct payments:

(a) Land located in a residential, commercial, or industrial area referred to in Article 36 (1) 1 (a) through (c) of the National Land Planning and Utilization Act;

(b) Land located in an industrial complex and an agricultural and industrial complex designated pursuant to Articles 6, 7, 7-2, and 8 of the Industrial Sites and Development Act;

(c) Land located in a housing site development zone designated pursuant to Article 3 of the Housing Site Development Promotion Act;

(d) Other land located in an area designated or publicly notified as a prearranged area for various development projects pursuant to other statutes.

(3) Detailed matters regarding farmland, etc. eligible for basic direct payments under paragraphs (1) and (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 9 (Persons Eligible for Basic Direct Payments)

(1) A person who may be eligible for basic direct payments shall be a farmer, etc. engaging in agriculture in farmland, etc. eligible for basic direct payments under Article 8 (including where farmland, etc. are left fallow) and shall fall under any of the following:

1. A person who, as an agricultural business successor, a full-time farmer, etc., meets the requirements prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs;

2. A person who duly received direct payments for agricultural income preservation under the previous Act on Preserving Agricultural Income or income subsidies for areas with unfavorable conditions under the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products at least once for the period from January 1, 2016 to December 31, 2019.

(2) A person who falls under paragraph (1) 2 and has his or her address or principal office in an area other than a rural community defined in subparagraph 5 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry may be eligible for basic direct payments under paragraph (1) in consideration of the area of the farmland, etc. that he or she cultivates, annual sales of agricultural products, and other matters, only where agriculture is his or her main business, as prescribed by Presidential Decree. *<Amended on Oct. 18, 2022>*

(3) Notwithstanding paragraph (1), any of the following persons shall be ineligible for basic direct payments: Provided, That in cases falling under subparagraph 4 or 5, a person shall be ineligible for basic direct payments only with respect to the relevant parcel of land:

1. A person whose global income, excluding agricultural income, is at least the amount prescribed by Presidential Decree;
2. A person, the area of whose farmland, etc. used for agriculture (excluding the area of farmland, etc. left fallow) is less than 1,000 square meters;
3. A person who falls under at least one of the following, among persons who have duly received fixed direct payments under Article 10 of the previous Act on Preserving Agricultural Income or income subsidies for areas with unfavorable conditions under Article 24 of the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products at least once and those who apply for registration under Article 14 (2) as they fall under paragraph (1) 1: Provided, That a person shall be deemed eligible for basic direct payments where the person proves that he or she does not fall under Article 19 (1) 2 in a manner prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:
 - (a) Where the registered area of farmland, etc. eligible for payment under Article 5 of the previous Act on Preserving Agricultural Income or Article 27 of the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products is larger than the area of farmland, etc. eligible for payment of which an application for registration is filed under Article 8;
 - (b) Where the area registered as farmland, etc. eligible for basic direct payments in the latest year immediately preceding the year of application for registration is larger than the area of farmland, etc. eligible for payment of which an application for registration is filed in that year;
4. A person subject to an order to dispose of farmland pursuant to Article 11 (1) of the Farmland Act;
5. A person who occupies or uses farmland, etc. not owned by him or her without a lawful title.

Article 10 (Making of Direct Payments for Small-Scale Farm Households)

(1) In order to promote the public functions of agriculture and rural communities and stabilize the income of farmers, the Minister of Agriculture, Food and Rural Affairs shall make direct payments for small-scale farm households to one person eligible for basic direct payments who is a member of a farm household (including a person who is ineligible for basic direct payments under Article 9; hereinafter the same shall apply) where all of the following cases are applicable: Provided, That an agricultural corporation shall be excluded from those eligible for direct payments for small-scale farm households:

1. Where the total area of the farmland, etc. eligible for payment under Article 8 that are owned by all persons of a farm household eligible for basic direct payments is not more than the area prescribed by Presidential Decree: Provided, That where the total area of the farmland, etc. owned by the members of a farm household is not less than the area prescribed by Presidential Decree, such members shall be excluded from those eligible for direct payments for small-scale farm households;
2. Where each person of a farm household eligible for basic direct payments continues to meet the requirements prescribed by Presidential Decree respectively, such as the period of engaging in farming and of residing in a rural community, immediately before the year of application for registration;

3. Where the global income, excluding agricultural income, earned by each person of a farm household eligible for basic direct payments is less than the amount prescribed by Presidential Decree and the total global income, excluding agricultural income, earned by all members of a farm household is less than the amount prescribed by Presidential Decree;

4. Where the income earned from livestock farming or the business of growing crops under cover by each person of a farm household eligible for basic direct payments is less than the amount prescribed by Presidential Decree.

(2) Where any of the requirements prescribed in the subparagraphs of paragraph (1) is not met, the Minister of Agriculture, Food and Rural Affairs shall make area direct payments under Article 11.

(3) Where the area of farmland, etc. exceeds the area under the main clause of paragraph (1) 1 but does not exceed the area under the proviso of paragraph (1) 1 and the total amount of the area direct payments made under Article 11 to a farm household to which to all of the cases prescribed in paragraph (1) 2 through 4 is applicable is lower than the payment rate for direct payments for small-scale farm households, the Minister of Agriculture, Food and Rural Affairs may allow a person eligible for payment to select and apply for direct payments for small-scale farm households.

(4) Detailed matters necessary for making direct payments for small-scale farm households, such as specific payment rates and methods of making such payments, shall be prescribed by Presidential Decree.

Article 11 (Making of Area Direct Payments)

(1) Area direct payments shall be made by applying the regressive rates prescribed by Presidential Decree with respect to farmland, etc. eligible for payment which are classified into farmland, etc. used for rice farming or dry field farming within an agriculture promotion area, farmland, etc. used for rice farming outside an agriculture promotion area, and farmland, etc. used for dry field farming outside an agriculture promotion area, by range of base areas prescribed by Presidential Decree

(2) The upper limit of the area of farmland, etc. eligible for area direct payments shall be prescribed by Presidential Decree.

(3) Except as provided in paragraphs (1) and (2), detailed matters necessary for the calculation of area direct payments, methods of making such payments, etc. shall be prescribed by Presidential Decree.

Article 12 (Matters to Be Observed to Receive Basic Direct Payments)

A person registered as eligible for basic direct payments under Article 15 (hereinafter referred to as “registrant of basic direct payments”) shall fulfill the following obligations to receive basic direct payments: Provided, That matters regarding obligations with respect to farmland, etc. left fallow shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. The person shall maintain the shape and function of his or her farmland, as prescribed by Presidential Decree;

2. The person shall use pesticides and chemical fertilizers within the limits, at the intervals, or in compliance with the standards, as prescribed by Presidential Decree;
3. The person shall complete education related to promoting the public functions of agriculture and rural communities, as prescribed by Presidential Decree;
4. The person shall implement other matters prescribed by Presidential Decree for the stable supply of food, the conservation of the national land environment, natural landscape, and the ecosystem, and the preservation of a unique tradition and culture of rural communities, etc.

Article 13 (Imposition of Obligation to Adjust Cultivation Areas)

(1) Where the management of cultivation areas is necessary for stabilizing supply and demand, the Minister of Agriculture, Food and Rural Affairs may impose an obligation to adjust cultivation areas on farmers, etc. who apply for and register basic direct payments to cultivate the crops for cultivation determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. <Amended on Oct. 18, 2022>

(2) Where the Minister of Agriculture, Food and Rural Affairs imposes an obligation to adjust cultivation areas under paragraph (1) on farmers, etc. who apply for and register basic direct payments under Articles 14 (2) and 15 (3), he or she shall notify such imposition to the farmers, etc.

(3) The selection of crops for cultivation subject to an obligation to adjust cultivation areas under paragraphs (1) and (2), procedures and methods for imposing such obligation, the details to be notified, and other necessary matters shall be prescribed by Presidential Decree. <Amended on Oct. 18, 2022>

CHAPTER IV APPLICATION FOR AND REGISTRATION OF BASIC-TYPE PUBLIC DIRECT PAYMENTS AND FOLLOW-UP MANAGEMENT

Article 14 (Application for Registration and Public Announcement)

(1) The Minister of Agriculture, Food and Rural Affairs and the head of a local government shall publicly announce matters necessary for applying for registration of basic direct payments, including the following matters, no later than seven days before the date an application for registration starts to be received, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. Farmland, etc. eligible for payment under Article 8;
2. A person eligible for payment under Article 9;
3. Period and methods of applying for registration;
4. Other matters necessary for applying for registration of basic direct payments.

(2) A person who intends to receive basic direct payments shall apply for registration thereof each year to the head of the Eup/Myeon/Dong (hereinafter referred to as the "head of an Eup/Myeon") having jurisdiction over the location of his or her farmland, etc. by the date prescribed by the Minister of

Agriculture, Food and Rural Affairs.

(3) Matters necessary for applying for registration pursuant to paragraph (2) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs. In such cases, the matters may be prescribed separately for cultivators within the relevant jurisdiction [*referring to applicants who have their addresses in the Si/Gun/Gu having jurisdiction over the location of their farmland, etc. of which an application for registration is filed (including where applicants cultivate their farmland, etc. located in an Eup/Myeon/Dong of another Si/Gun/Gu adjacent to the Eup/Myeon/Dong in which they have their addresses)*] and those other than such cultivators.

(4) Upon receipt of an application for registration under paragraph (2), the head of an Eup/Myeon shall issue a receipt to the relevant applicant.

Article 15 (Registration of Persons Eligible for Basic Direct Payments)

(1) Upon receipt of an application for registration under Article 14 (2), the head of an Eup/Myeon shall conduct an inspection of documents, an on-site inspection, or any other necessary inspection to ascertain whether such application meets the standards for registration and shall submit the application to the Minister of Agriculture, Food and Rural Affairs, along with the results of such inspection.

(2) A committee shall be established to conduct an inspection under paragraph (1), and methods of the composition and operation of such committee and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) Where an applicant for registration is deemed eligible for basic direct payments pursuant to Article 9 based on the results of an inspection conducted under paragraphs (1) and (2), the Minister of Agriculture, Food and Rural Affairs shall register such applicant as a person eligible for basic direct payments and issue him or her a registration certificate.

(4) Where the Minister of Agriculture, Food and Rural Affairs refuses registration based on the results of an inspection conducted under paragraphs (1) and (2), he or she shall notify such results to the relevant applicant for registration.

(5) A person who has an objection to the results of an examination of registration conducted under paragraphs (3) and (4) may apply for re-examination, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(6) Matters necessary for procedures and methods for an inspection, re-examination, the issuance of a registration certificate, etc. under paragraphs (1) through (5) shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 16 (Reporting on Changes to Registered Matters regarding Basic Direct Payments)

(1) Where any change is made to the registered matters prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs, such as the area of farmland, etc. eligible for payment under Article 8, a registrant of basic direct payments shall prepare relevant documents to file for registration of such

change with the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(2) A farmer, etc. to whom a registrant of basic direct payments transfers, leases, or leases free of charge all or part of farmland, etc. eligible for basic direct payments shall prepare relevant documents to file a report on such fact with the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(3) Where a registrant of basic direct payments dies or is determined to be brain dead under Article 18 of the Internal Organs Transplant Act, a farmer, etc. who intend to succeed to the status of such registrant shall prepare relevant documents to file a report on such intent with the Minister of Agriculture, Food and Rural Affairs, as prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) Where a farmer, etc. who file a report under paragraphs (2) and (3) are deemed eligible for basic direct payments pursuant to Article 9, the Minister of Agriculture, Food and Rural Affairs shall register a change to their status as registrants of basic direct payments with respect to the relevant farmland, etc.

(5) Article 15 shall apply mutatis mutandis to the registration of a change under paragraphs (1) and (4).

Article 17 (Investigation of Registered Matters and Matters to Be Observed regarding Basic Direct Payments)

(1) In order to verify facts regarding registered matters, such the ownership, transaction, and fallowness of farmland, etc. (including matters regarding an application for registration under Article 14 (2); hereafter in this Article and Article 18, the same shall apply), the Minister of Agriculture, Food and Rural Affairs shall require relevant public officials, etc. to investigate the actual state of such registered matters, as prescribed by Presidential Decree.

(2) In order to verify whether the matters to be observed under Article 12 and the obligations of a registrant under Article 18 are fulfilled and to verify the reduced payments or the registration restrictions under Article 19, the Minister of Agriculture, Food and Rural Affairs may require relevant public officials, etc. to conduct an investigation or collection, as prescribed by Presidential Decree. <Amended on Oct. 18, 2022>

(3) Where necessary for an investigation or collection under paragraphs (1) and (2), relevant public officials, etc. may enter the residence of a registrant of basic direct payments, his or her place for engaging in agricultural business, stores of agricultural materials, shipping destinations, or other places to conduct an investigation, collection, and other activities and inspect related books or documents.

(4) Relevant public officials, etc. who conduct an investigation or collection or inspect books or documents pursuant to paragraphs (1) through (3) (hereinafter referred to as "investigation, etc.") shall carry identification indicating his or her authority, and shall present it to a registrant of basic direct payments (including his or her representative, agent, employee, performance assistant, family member, and other relevant persons; hereafter in this Article and Article 18, the same shall apply) where such registrant attends the site of an investigation, etc. With regard to an investigation, etc. conducted to verify

matters regarding an application for registration under Article 14 (2), a person who applies for registration of basic direct payments shall be deemed a registrant of basic direct payments in this Article and Article 18. *<Amended on Oct. 18, 2022>*

(5) When an on-site investigation, etc. is conducted under paragraph (4), the date and time, purpose, and details of such investigation, etc. and other matters shall be notified to a registrant of basic direct payments no later than seven days before the date the investigation, etc. commence: Provided, That the same shall not apply where it is deemed that prior notification makes it impossible to achieve the purpose of the investigation, etc. due to destruction of evidence, etc.

Article 18 (Obligations of Registrants of Basic Direct Payments)

(1) A registrant of basic direct payments shall faithfully cooperate in inspections under Article 15 (1) and (2) and investigations, etc. under Article 17, and shall not refuse, obstruct, or evade such inspections and investigations, etc. without good reason.

(2) A registrant of basic direct payments shall retain and keep documents, etc. related to the matters to be observed under Article 12 and the registered matters under Articles 15 and 16: Provided, That types of documents to be retained and kept, the period and methods of retaining and keeping such documents, and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 19 (Making of Reduced Basic Direct Payments or Restriction on Registering Basic Direct Payments)

(1) Where any registrant or recipient of basic direct payments falls under any of subparagraphs 1 through 4, the Minister of Agriculture, Food and Rural Affairs shall not make all of such payments with respect to all registered farmland, etc., and where such registrant or recipient falls under any of subparagraphs 5 through 9, he or she shall not make all or some of the payments with respect to the relevant farmland, etc.:

1. Where the registrant or recipient registers or receives the basic direct payments by fraud or other improper means;
2. Where the registrant or recipient divides farmland, etc. by fraud or other improper means to receive the basic direct payments;
3. Where the registrant or recipient fails to meet the requirements for eligibility for payment under Article 9 (1) and (2);
4. Where the registrant or recipient fails to meet the requirements for eligibility for payment as he or she falls under any of Article 9 (3) 1 through 3;
5. Where the registrant or recipient fails to meet the requirements for eligibility for payment with regard to the relevant parcel of land as he or she falls under Article 9 (3) 4 or 5;
6. Where the registrant or recipient fails to fulfill the obligations referred to in the subparagraphs of Article 12;

7. Where the registrant or recipient fails to fulfill an obligation to adjust cultivation areas notified pursuant to Article 13 (2);
 8. Where the registrant or recipient fails to fulfill the obligation under Article 18 (1);
 9. Where the registrant or recipient falsely registers or erroneously receives basic direct payments by mistake or minor negligence.
- (2) With respect to a person to whom all of basic direct payments is not made as he or she falls under paragraph (1) 1, 2, 6, or 7 (referring to all members of the relevant farm household where an application for registration of direct payments for small-scale farm households is filed under Article 10), the Minister of Agriculture, Food and Rural Affairs may restrict his or her from being registered as a person eligible for basic direct payments under Article 15 for up to eight years.
- (3) The detailed standards of restriction on payment by detailed item classified under the subparagraphs of paragraph (1), and the detailed standards and period of restriction on registration under paragraph (2) shall be prescribed by Presidential Decree in consideration of the type, severity, etc. of the relevant violation.

Article 20 (Unjust Gains and Additional Charges)

- (1) Where the Minister of Agriculture, Food and Rural Affairs has already made all or some of basic direct payments even in cases falling under the subparagraphs of Article 19 (1), he or she shall immediately recover the amount already paid with regard to all the farmland, etc. registered by the relevant registrant of basic direct payments.
- (2) Notwithstanding paragraph (1), in cases falling under Article 19 (1) 1 or 2, the Minister of Agriculture, Food and Rural Affairs may collect additional monetary sanctions not exceeding five times the amount already paid with regard to the farmland, etc. directly related to the relevant case, in addition to the unjust gains under paragraph (1). In such cases, other matters regarding the standards for calculating, imposing, and paying additional monetary sanctions shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.
- (3) Where a person liable to pay unjust gains or additional monetary sanctions under paragraphs (1) and (2) fails to fully pay them by the payment deadline, the Minister of Agriculture, Food and Rural Affairs shall collect as additional charges the amount obtained by calculating an amount in arrears for the period from the date after the deadline to the date preceding the date the unjust gains or additional monetary sanctions are fully paid based on the interest rate prescribed by Presidential Decree. In such cases, the period for which additional charges are collected shall not exceed 60 months.
- (4) Where a person liable for payment fails to pay unjust gains under paragraph (1), additional monetary sanctions under paragraph (2), or additional charges under paragraph (3) by the payment deadline, the Minister of Agriculture, Food and Rural Affairs may urge such person to pay them by a prescribed date, and where the person fails to pay them by the prescribed date, he or she may collect them in the same manner as delinquent national taxes.

CHAPTER V OPERATION OF SELECTIVE-TYPE PUBLIC DIRECT PAYMENT PROGRAM

Article 21 (Implementation and Types of Selective Direct Payment Program)

(1) The Minister of Agriculture, Food and Rural Affairs shall implement a selective direct payment program for farmers, etc. to promote the public functions of agriculture and rural communities and to stabilize the income of farmers, etc.

(2) The selective direct payment program shall include the following:

1. An environment-friendly agriculture direct payment program;
2. A direct payment program for environment-friendly and safe livestock products;
3. A landscape conservation direct payment program.

(3) The Minister of Agriculture, Food and Rural Affairs may implement other selective direct payment programs prescribed by Presidential Decree to promote the public functions of agriculture and rural communities and stabilize the income of farmers, etc.

(4) Detailed matters regarding the implementation of the selective direct payment program under paragraphs (2) and (3) shall be prescribed by Presidential Decree.

Article 22 (Making of Selective-Type Public Direct Payments)

(1) The Minister of Agriculture, Food and Rural Affairs shall make selective-type public direct payments under Article 21 (hereinafter referred to as “selective direct payments”) to farmers, etc. who meet the requirements under paragraph (2).

(2) Other detailed matters regarding selective direct payments under paragraph (1) shall be prescribed by Presidential Decree, including qualifications for eligibility, requirements and standards for making payments, methods and procedures for applying for the payments, obligations of recipients, methods and procedures for making the payments, and recovery of and restriction on the payment.

CHAPTER VI DELIBERATIVE COMMITTEE FOR OPERATION OF DIRECT PAYMENT PROGRAM FOR PROMOTION OF PUBLIC FUNCTIONS OF AGRICULTURE AND RURAL COMMUNITIES

Article 23 (Establishment of Deliberative Committee for Operation of Direct Payment Program for Promotion of Public Functions of Agriculture and Rural Communities)

(1) A Deliberative Committee for Operation of Direct Payment Program for Promotion of Public Functions of Agriculture and Rural Communities (hereinafter referred to as the “Deliberative Committee”) shall be established under the authority of the Minister of Agriculture, Food and Rural Affairs to deliberate

on matters regarding the operation of the public direct payment program.

(2) The Deliberative Committee shall deliberate on the following: <Amended on Oct. 18, 2022>

1. Matters regarding the formulation and implementation of policies on the operation of the public direct payment program to promotion the public functions of agriculture and rural communities and to stabilize the income of farmers, etc.;
2. Matters regarding the determination and change of a base area, a rate system, matters to be observed, etc. with regard to basic direct payments;
- 2-2. Matters regarding the types of selective direct payment programs and the eligibility for the selective direct payment program, payment requirements and standards, etc.;
3. Matters regarding financial support to promote the public functions of agriculture and rural communities and stabilize the income of farmers, etc.;
4. Other matters deemed necessary by the Minister of Agriculture, Food and Rural Affairs.

Article 24 (Composition and Operation of Deliberative Committee)

(1) The Deliberative Committee shall be composed of up to 21 members, including one chairperson and one vice chairperson.

(2) The Minister of Agriculture, Food and Rural Affairs shall serve as the chairperson; the vice chairperson shall be elected from among and by commissioned members; and members shall be the following persons:

1. The Vice Minister of Economy and Finance, the Vice Minister of the Interior and Safety, the Vice Minister of Agriculture, Food and Rural Affairs, the Vice Minister of Environment, and Vice Minister of Food and Drug Safety;
2. The following persons who are commissioned by the Minister of Agriculture, Food and Rural Affairs:
 - (a) Up to five representatives of farmers' organization;
 - (b) Up to five persons from among the representatives of consumer organizations under subparagraph 3 of Article 2 of the Framework Act on Consumers and journalists;
 - (c) Up to five persons who have abundant knowledge in agriculture and economics.

(3) The term of office of each commissioned member under paragraph (2) 2 shall be three years, and they may be recommissioned consecutively.

(4) Except as provided in paragraphs (1) through (3), matters necessary for the composition and operation of the Deliberative Committee shall be prescribed by Presidential Decree.

CHAPTER VII DIRECT PAYMENT FUND FOR THE PROMOTION OF PUBLIC FUNCTIONS OF AGRICULTURE AND RURAL COMMUNITIES

Article 25 (Establishment of the Direct Payment Fund for the Promotion of Public Functions of Agriculture and Rural Communities)

The Government shall establish the Direct Payment Fund for the Promotion of Public Functions of Agriculture and Rural Communities (hereinafter referred to as the "Fund") in order to secure and efficiently manage financial resources necessary for making direct payments under the public direct payment program.

Article 26 (Financial Resources of the Fund)

(1) The Fund shall be created from the following financial resources:

1. Contributions from the Government;
2. Import profits under Article 13-2 of the Grain Management Act;
3. Loans under Article 27;
4. Profits accruing from the operation of the Fund;
5. Money transferred from the account for projects financed by the special rural development tax of special accounts for the structural improvement of agricultural and fishing villages under Article 5 (2) 6 of the Act on Special Accounts for the Structural Improvement of Agricultural and Fishing Villages and money transferred from general accounts;
6. Money collected and administrative fines under this Act;
7. Other revenues prescribed by Presidential Decree.

(2) The Government may make contributions to the Fund, within the budget.

Article 27 (Loans)

(1) Where necessary for creating and administering the financial resources of the Fund, the Minister of Agriculture, Food and Rural Affairs may obtain long-term or temporary loans from the Bank of Korea, financial institutions, or other funds or accounts at the expense of the Fund.

(2) A temporary loan under paragraph (1) shall be repaid within the relevant fiscal year.

Article 28 (Uses of the Fund)

The Fund shall be used for the following purposes:

1. Making of public direct payments;
2. Expenses incurred in managing and operating the Fund;
3. Expenses incurred in investigations under Article 17;
4. Repayment of the principal of, and payment of the interest on, loans;
5. Other business prescribed by the Minister of Agriculture, Food and Rural Affairs as necessary for promoting the public functions of agriculture and rural communities and stabilizing the income of farmers, etc.

Article 29 (Formulation of Fund Operation Plans)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate a draft fund operation plan under the National Finance Act each year. The same shall also apply to any change made to a fund operation plan.

(2) Where a draft fund operation plan is formulated or a fund operation plan is changed under paragraph (1), deliberation thereon shall be rendered by the Deliberative Committee.

Article 30 (Management and Operation of the Fund)

(1) The Fund shall be managed and operated by the Minister of Agriculture, Food and Rural Affairs.

(2) The Minister of Agriculture, Food and Rural Affairs may entrust part of affairs regarding the management and operation of the Fund to an agriculture-related corporation designated by the Minister of Agriculture, Food and Rural Affairs.

(3) Matters necessary for the management and operation of the Fund shall be prescribed by Presidential Decree.

Article 31 (Fiscal Year of the Fund)

The fiscal year of the Fund shall be the same as that of the Government.

Article 32 (Accounting Organs of the Fund)

(1) The Minister of Agriculture, Food and Rural Affairs shall appoint a Fund revenue collection officer, Fund financial officer, Fund expenditure officer, and Fund accounting public official from among public officials under his or her authority to have them perform affairs related to the revenue and expenditure of the Fund.

(2) Where the Minister of Agriculture, Food and Rural Affairs entrusts an institution with affairs regarding the management and operation of the Fund pursuant to Article 30 (2), he or she shall appoint an executive officer in charge of the Fund revenue and an executive officer in charge of incurring expenditure of the Fund from among the executive officers of the institution entrusted with such affairs, and a Fund expenditure official and Fund accounting official from among the employees of the institution, respectively. In such cases, the executive officer in charge of the Fund revenue shall perform the duties of the Fund revenue collection officer; the executive officer in charge of incurring expenditure of the Fund the duties of the Fund financial officer; the Fund expenditure official the duties of the Fund expenditure officer; and the Fund accounting official the duties of the Fund accounting public official, respectively.

Article 33 (Establishment of Fund Account)

The Minister of Agriculture, Food and Rural Affairs shall establish a Fund account at the Bank of Korea to clarify the revenue and expenditure of the Fund.

Article 34 (Revenue and Expenditure of the Fund)

(1) The revenue of the Fund shall be composed of the financial resources referred to in the subparagraphs of Article 26 (1).

(2) The expenditure of the Fund shall be composed of the expenses used for the purposes of the Fund under Article 28 and costs incidental to the operation of the Fund.

Article 35 (Settlement of Profits and Losses)

(1) Where any profit accrues upon the settlement of accounts, the whole amount of the profit shall be reserved.

(2) Where any loss accrues upon the settlement of accounts, the loss shall be made up for from the reserve under paragraph (1), and where the reserve is insufficient, the Government may make up for the shortfall from general accounts.

CHAPTER VIII SUPPLEMENTARY PROVISIONS

Article 36 (Informatization and Request for Provision of Materials)

(1) The Minister of Agriculture, Food and Rural Affairs shall formulate and implement policies necessary for informatization in order to efficiently manage information for implementing the public direct payment program.

(2) Where necessary for verifying and investigating the appropriateness of registration of public direct payments, whether the matters to be observed are implemented, the appropriateness of payment, etc., the Minister of Agriculture, Food and Rural Affairs may request the head of a relevant central administrative agency, the Minister of National Court Administration, the head of a local government, the head of a public institution under Article 4 of the Act on the Management of Public Institutions, a producers organization under subparagraph 4 of Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry, or a person who has administrative authority or to whom administrative authority is delegated or entrusted under statutes, regulations, or municipal ordinances (hereinafter referred to as “head of a relevant central administrative agency, etc.”) to provide materials containing personal information, such as resident registration numbers, alien registration numbers, or computerized information on the family relations registration. *<Amended on Oct. 18, 2022>*

(3) Upon receipt of a request for providing materials from the Minister of Agriculture, Food and Rural Affairs under paragraph (2), the head of a relevant central administrative agency, etc. shall comply with such request unless there is good reason.

(4) The Minister of Agriculture, Food and Rural Affairs may use, process, or provide to the head of a relevant central administrative agency, etc. the materials collected under paragraphs (2) and (3).

(5) Matters necessary for using, processing, or providing materials containing personal information under paragraphs (2) through (4) shall be prescribed by Presidential Decree.

Article 37 (Disclosure and Protection of Information Related to Public Direct Payment Program)

(1) In order to enhance transparency in making public direct payments, the Minister of Agriculture, Food and Rural Affairs shall annually classify and disclose the following information on applicants for and recipients of public direct payments in a manner prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs:

1. Farmers: Names, lot numbers and registered areas of farmland, etc., types of direct payments, and amounts of the payments received;
2. Agricultural corporations: Names of corporations, lot numbers and registered areas of farmland, etc., types of direct payments, and amounts of the payments received;
3. Other matters prescribed by the Minister of Agriculture, Food and Rural Affairs.

(2) No person who is or was engaged in registering, selecting, and managing persons eligible for public direct payments or other related duties shall provide a third person with, divulge, or use for other purposes than the intended purposes, any information that he or she has learned in the course of performing his or her duties, other than the information disclosed pursuant to paragraph (1) or the information used, processed, or provided pursuant to Article 36 (2) through (4).

(3) Upon receipt of an objection to the matters disclosed under paragraph (1), the Minister of Agriculture, Food and Rural Affairs shall investigate whether or not such objection is well-grounded and notify the person who raises the objection of the results of the investigation. The details and methods of raising an objection and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

(4) Where, upon an investigation under paragraph (3), farmers, etc. are found eligible for public direct payments, such farmers, etc. may file for registration of and apply for public direct payments in accordance with the standards and procedures for registration and selection.

Article 38 (Obligation to Provide Guidance)

(1) The Minister of Agriculture, Food and Rural Affairs shall guide, supervise, and manage the entire process of implementing the public direct payment program, from application for registration to payment and follow-up management, in order to operate such program and to ensure transparency in executing public direct payments, as prescribed by Presidential Decree.

(2) The Minister of Agriculture, Food and Rural Affairs may designate and operate a management agency to fulfill the obligation under paragraph (1), as prescribed by Presidential Decree.

(3) The State, local governments, and other persons or institutions which have administrative authority or to which administrative authority is delegated or entrusted under statutes, regulations, or municipal ordinances shall cooperate with each other to achieve the purpose of the public direct payment program.

Article 39 (Delegation and Entrustment of Authority)

(1) Part of the authority of the Minister of Agriculture, Food and Rural Affairs under this Act may be delegated to the head of an affiliated agency, the head of a relevant administrative agency, a Special Self-Governing City Mayor, a Special Self-Governing Province Governor, a Do Governor, or the head of a Si/Gun/autonomous Gu, as prescribed by Presidential Decree.

(2) Part of the authority of the Minister of Agriculture, Food and Rural Affairs under this Act may be entrusted to institutions or organizations, as prescribed by Presidential Decree.

Article 40 (Honorary Monitors for Public Direct Payment Program)

(1) The Minister of Agriculture, Food and Rural Affairs and the head of a local government may commission the head of a Ri or Dong under Article 7 (4) of the Local Autonomy Act, a member or an employee of a consumer organization or producers organization, or any other person as an honorary monitor for the public direct payment program to have him or her monitor, guide, and publicize the fulfillment of requirements for registration of public direct payments, the implementation of the matters to be observed, etc. and report violations. *<Amended on Jan. 12, 2021>*

(2) The Minister of Agriculture, Food and Rural Affairs and the head of a local government may, within the budget, reimburse honorary monitors for the public direct payment program for expenses incurred in their monitoring activities.

(3) Matters necessary for qualifications for, and methods of commission and duties of, honorary monitors for the public direct payment program under paragraph (1), and other matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 41 (Payment of Monetary Awards)

(1) The Minister of Agriculture, Food and Rural Affairs may, within the budget, pay a monetary reward to whoever reports, to the competent authority or relevant administrative agency, a person who applies for registration of or receives public direct payments without satisfying the requirements for making such payments.

(2) The Minister of Agriculture, Food and Rural Affairs may select exemplary central administrative agencies, local governments, individuals, companies, or organizations that achieve the best results in fulfilling the purposes of the public direct payment program and enhancing its transparency, and grant awards to them.

(3) Eligibility for and methods of paying monetary awards, and details and methods of granting awards under paragraphs (1) and (2), and other necessary detailed matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs.

Article 42 (Legal Fiction as Public Officials for Purposes of Applying Penalty Provisions)

Any of the following persons shall be deemed a public official for purposes of applying Articles 127 and 129 through 133 of the Criminal Act:

1. A person who is commissioned as a member of a committee under Article 15 (2) to perform relevant affairs;
2. A person who is commissioned as a member of the Deliberative Committee (including the vice chairperson) under Article 24 (2) to perform relevant affairs;
3. A person who is entrusted with and performs part of affairs regarding the management and operation of the Fund under Article 30 (2);
4. A person to whom part of the authority of the Minister of Agriculture, Food and Rural Affairs is delegated or entrusted and who exercises such authority under Article 39 (1) and (2).

CHAPTER IX PENALTY PROVISIONS

Article 43 (Penalty Provisions)

Any of the following persons shall be punished by imprisonment with labor for up to one year or by a fine not exceeding 10 million won:

1. A person who applies for or receives public direct payments by fraud or other improper means;
2. A person who applies for registration of public direct payments under Article 14 (2) or files a report on changes under Article 16 by fraud or other improper means;
3. A person who certifies documents submitted under Articles 14 (2) and 16 while knowing that the details of such documents are false;
4. A person who provides a third person with, divulges, or uses for other purposes than the intended purposes, any information that he or she has learned in the course of performing his or her duties, in violation of Article 37 (2).

Article 44 (Joint Penalty Provisions)

Where the representative of a corporation or an agent, employee of, or any other person employed by a corporation or an individual commits any violation prescribed in Articles 43 in conducting the business affairs of the corporation or individual, not only shall the violator be punished but the corporation or individual shall be punished by a fine prescribed in the relevant Article: Provided, That the same shall not apply where such corporation or individual has not been negligent in paying due attention and supervision concerning the relevant business affairs in order to prevent such violation.

Article 45 (Administrative Fines)

(1) Any of the following persons shall be subject to an administrative fine not exceeding 10 million won:

1. A person who refuses, obstructs, or evades an investigation, collection, inspection, etc., in violation of Article 18 (1);
 2. A person who fails to retain and keep documents, etc. related to registered matters or the matters to be observed, in violation of Article 18 (2).
- (2) Administrative fines under paragraph (1) shall be collected by the Minister of Agriculture, Food and Rural Affairs or the head of a local government, as prescribed by Presidential Decree.

ADDENDA <Act No. 16858, Dec. 31, 2019>

Article 1 (Enforcement Date)

- (1) This Act shall enter into force four months after the date of its promulgation: Provided, That Article 4 of these Addenda shall enter into force on the date of its promulgation.
- (2) Notwithstanding paragraph (1), the establishment of the Direct Payment Fund for the Promotion of Public Functions of Agriculture and Rural Communities under Article 25 of this Act shall enter into force on January 1, 2020.

Article 2 (Preparations for Enforcement of This Act)

Where deemed necessary for enforcing this Act, the Minister of Agriculture, Food and Rural Affairs may receive applications or take necessary measures under the amended provisions of Articles 12, 14, 15, 17, and 36 before this Act enters into force.

Article 3 (General Transitional Measures)

- (1) Dispositions or measures taken or other acts done by or to administrative agencies under the previous Act on Preserving Agricultural Income and the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products as at the time this Act enters into force shall be deemed dispositions or measures taken or acts done by or to administrative agencies under this Act.
- (2) The environment-friendly agriculture direct payment program, direct payment program for environment-friendly and safe livestock, and landscape conservation direct payment program implemented under Article 11 (2) of the Special Act on the Implementation of the Agreement Establishing the World Trade Organization shall be governed by the relevant provisions of this Act on or after the date this Act enters into force.

Article 4 (Transitional Measures concerning Making of Variable Direct Payments)

- (1) Variable direct payments under Article 12 (2) and (3) of the previous Act on Preserving Agricultural Income shall be made for the rice produced in the years of 2018 and 2019 to a person who is registered as eligible for direct payments for agricultural income preservation under Article 8 of the same Act and meets the requirements under Article 12 (1) of the same Act as at the time this Act enters into force.
- (2) The target price based upon which variable direct payments under paragraph (1) are made shall be 26,750 won per 10 kilograms of rice (214,000 won per 80 kilograms of rice).
- (3) Variable direct payments for the rice produced in the year of 2019 under paragraph (1) shall be made from the Fund established pursuant to Article 25 of this Act.

Article 5 (Transitional Measures concerning Abolishment and Disposal of the Fund)

The Fund for Direct Payments for Agricultural Income Preservation established pursuant to Article 19 of the previous Act on Preserving Agricultural Income as at the time this Act enters into force shall be abolished at the same time as the enforcement under Article 1 (2) of these Addenda, and the remainder shall be transferred to the Direct Payment Fund for the Promotion of Public Functions of Agriculture and Rural Communities under Article 25 of this Act.

Article 6 (Transitional Measures concerning Restriction on Registration)

With regard to a person eligible for payment who is subject to restriction on registration under Article 14 of the previous Act on Preserving Agricultural Income or the recovery, etc. of subsidies under Article 33 of the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products as at the time this Act enters into force, the previous Act on Preserving Agricultural Income or the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products shall apply until the relevant measure is completed.

Article 7 (Transitional Measures concerning Deliberative Committee for Farm Household Income Stabilization)

The Deliberative Committee for Farm Household Income Stabilization established pursuant to Article 16 of the previous Act on Preserving Agricultural Income as at the time this Act enters into force shall be deemed the Deliberative Committee for Operation of Direct Payment Program for Promotion of Public Functions of Agriculture and Rural Communities established pursuant to Article 23 of this Act.

Article 8 (Transitional Measures concerning Penalty Provisions)

The application of penalty provisions to any act committed before this Act enters into force shall be governed by the previous Act on Preserving Agricultural Income and the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products.

Article 9 Omitted.

Article 10 (Relationship to Other Statutes or Regulations)

A citation of the provisions of the previous Act on Preserving Agricultural Income or the provisions of the previous Enforcement Regulations on Direct Payment Program for Producers of Agricultural Products by any other statute or regulation as at the time this Act enters into force shall be deemed a citation of the corresponding provisions of this Act in lieu of the previous provisions, if such corresponding provisions exist herein.

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 through 23 Omitted.

ADDENDA <Act No. 18995, Oct. 18, 2022>

Article 1 (Enforcement Date)

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

Article 2 (Preparations for Enforcement of This Act)

The Minister of Agriculture, Food and Rural Affairs, the head of a local government, etc. may receive applications or take necessary measures pursuant to Articles 14 and 15 for the enforcement of the amended provisions of Articles 6-2 and 8 (1) before this Act enters into force.

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