

ENFORCEMENT DECREE OF THE ACT ON THE SUPPORT FOR THE RICE PROCESSING INDUSTRY AND THE PROMOTION OF USE OF RICE

Presidential Decree No. 23798, May 22, 2012
Amended by Presidential Decree No. 24455, Mar. 23, 2013
Presidential Decree No. 25110, Jan. 21, 2014
Presidential Decree No. 25840, Dec. 9, 2014
Presidential Decree No. 26754, Dec. 22, 2015
Presidential Decree No. 27299, jun. 30, 2016
Presidential Decree No. 27751, Dec. 30, 2016

Article 1 (Purpose)

The purpose of this Decree is to prescribe matters mandated by the Act on the Support for the Rice Processing Industry and the Promotion of Use of Rice and those necessary for enforcing said Act.

Article 2 (Definition of Rice Processing Industry)

“Industry specified by Presidential Decree” in subparagraph 4 of Article 2 of the Act on the Support for the Rice Processing Industry and the Promotion of Use of Rice (hereinafter referred to as the “Act”) means any of the following industries:

1. Industry for manufacturing rice products;
2. Industry for packing, storing, transporting, or selling rice products manufactured pursuant to subparagraph 1.

Article 3 (Formulation of Master Plan)

(1) “Matters specified by Presidential Decree” in Article 5 (2) 7 of the Act means the following matters:
<Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Developing varieties of rice used as a raw material for rice products;
2. Strengthening the link between the rice processing industry and the food service industry;
3. Promoting the export of rice products;
4. Other matters deemed necessary by the Minister of Agriculture, Food and Rural Affairs to promote the rice processing industry.

(2) “Minor matter specified by Presidential Decree” in the proviso of Article 5 (3) of the Act means the following matters:

1. Matters falling under Article 5 (2) 2, 4, and 5 of the Act;
2. Matters falling under Article 3 (1) 1.

Article 4 (Persons Eligible for Assistance in Improving Business Management)

(1) A person eligible for assistance in improving business management by the Minister of Agriculture, Food and Rural Affairs under Article 6 (1) of the Act shall be any of the following rice processing business entities: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. A rice processing business entity producing rice products selected as the representative brands of rice products in a contest of rice products under Article 22 (1) of the Act;
2. A rice processing business entity deemed excellent in endeavoring to advertise representative brands of rice products or develop overseas markets under Article 23 (1) of the Act;
3. A rice processing business entity producing rice products by using excellent quality and safe rice (hereinafter referred to as “excellent rice”) under each subparagraph of Article 24 (1) of the Act;
4. Other rice processing business entities deemed necessary by the Minister of Agriculture, Food and Rural Affairs to provide assistance in improving business management.

(2) The Minister of Agriculture, Food and Rural Affairs may provide rice processing business entities under paragraph (1) with financial support necessary to promote the following matters: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Purchasing rice used as a raw material to make rice products;
2. Improving facilities for manufacturing or storing rice products;
3. Installing, repairing, or maintaining sanitation equipment and facilities to prevent harmful elements of foods pursuant to Article 48 of the Food Sanitation Act;
4. Developing the markets for rice products and promoting their advertisement and export;
5. Improving the quality of rice products and supporting the development of new products;
6. Providing consulting services on business management for rice processing business entities;
7. Other matters deemed by the Minister of Agriculture, Food and Rural Affairs as requiring support to stimulate the manufacture and distribution of rice products.

(3) Except as provided in paragraphs (1) and (2), the Minister of Agriculture, Food and Rural Affairs shall determine and publicly notify detailed matters necessary for assistance in improving business management of rice processing business entities. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 5 (Requirements for Designation as Cultivation Zones for Rice for Processing)

The requirements for designation as a cultivation zone for rice used as a raw material for rice products (hereinafter referred to as “rice for processing”) under Article 8 (2) of the Act shall be as follows:

<Amended by Presidential Decree No. 27299, Jun. 30, 2016>

1. An area shall be land on which it is possible to cultivate rice for processing;
2. The zone shall secure facilities that can dry, store, pound, and polish rice produced in land under subparagraph 1.

Article 6 (Procedures for Designating Cultivation Zones for Rice for Processing)

(1) A farmer or producers' organization under Article 3 of the Framework Act on Agriculture, Rural Community and Food Industry (hereinafter referred to as "producers' organization, etc.") who intends to obtain designation as a cultivation zone for rice for processing pursuant to Article 8 (3) of the Act shall file an application for designation prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs with the Minister of Agriculture, Food and Rural Affairs, along with the following documents: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013; Presidential Decree No. 26754, Dec. 22, 2015>*

1. One copy of a statement of developing a cultivation zone for rice for processing;
2. One copy of the current status of having facilities for drying, storing, pounding, and polishing rice.

(2) Upon receipt of the application for designation under paragraph (1), the Minister of Agriculture, Food and Rural Affairs shall assess whether the requirements for designation prescribed in Article 5 are met, determine whether to make designation, and then notify the applicant of such results within 30 days from the date of receipt. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

(3) When the Minister of Agriculture, Food and Rural Affairs designates an area as a cultivation zone for rice for processing pursuant to paragraph (2), he or she shall hear in advance the opinions of the competent Special Metropolitan City Mayor, Metropolitan City Mayor, Do Governor, and Special Self-Governing Province Governor (hereinafter referred to as "Mayor/Do Governor"). *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 7 (Cancellation of Designation as Cultivation Zones for Rice for Processing)

Where the Minister of Agriculture, Food and Rural Affairs intends to cancel the designation of a cultivation zone for rice for processing pursuant to Article 8 (4) of the Act, he or she shall hear in advance the opinions of the competent Mayor/Do Governor. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 8 (Support for Cultivation Zones for Rice for Processing)

The Minister of Agriculture, Food and Rural Affairs may provide the following financial support to producers' organization, etc. which have obtained designation as a cultivation zone for rice for processing pursuant to Article 8 (5) of the Act: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Funds for purchasing rice which is a raw material for rice for processing;
2. Other business funds deemed necessary by the Minister of Agriculture, Food and Rural Affairs to stimulate cultivation zones for rice for processing.

Article 9 Deleted. <by Presidential Decree No. 25110, Jan. 21, 2014>

Article 10 (Details of Statistical Survey)

Statistical surveys on production, distribution, and consumption of rice products under Article 16 (1) of the Act shall include the following matters: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Current status of supplying and using rice as a raw material for rice products;
2. Current status of producing and distributing rice products;
3. Current status of research and development of rice products;
4. Current status of exporting and importing rice products;
5. Current status of workers related to manufacturing or distributing rice products;
6. Other matters deemed necessary by the Minister of Agriculture, Food and Rural Affairs to formulate policies for the rice processing industry.

Article 11 (Designation and Operation of Educational and Training Institutions)

(1) A person who intends to be designated as an educational and training institution under Article 18 (2) of the Act shall file an application for designation prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs with the Minister of Agriculture, Food and Rural Affairs or the head of a local government, along with the following documents: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Current status of having educational facilities and equipment;
2. Current status of securing relevant human resources, including instructors;
3. An operational plan including educational courses and contents;
4. A plan to obtain operational expenses.

(2) Upon receipt of the application for designation under paragraph (1), the Minister of Agriculture, Food and Rural Affairs or the head of a local government shall review whether the details referred to in each subparagraph of paragraph (1) are proper to conduct education and shall designate an educational and training institution in consideration of the regional demand for education, etc. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(3) Where the Minister of Agriculture, Food and Rural Affairs or the head of a local government designates an educational and training institution pursuant to paragraph (2), he or she shall issue a written designation prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and publicly announce such fact on the website of the Ministry of Agriculture, Food and Rural Affairs or the relevant local government. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 12 (Designation of Institutions for Training Professional Human Resources)

(1) The Minister of Agriculture, Food and Rural Affairs may designate any of the following institutions or organizations as an institution for training professional human resources pursuant to Article 19 (2) of the Act: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. A school falling under each subparagraph of Article 2 of the Higher Education Act which opens and operates educational courses regarding the rice processing industry;
2. An affiliated research center, etc. established in a school under subparagraph 1 which conducts research on the rice processing industry;
3. A government-funded research institution established pursuant to Article 8 of the Act on the Establishment, Operation and Fostering of Government-Funded Research Institutes, Etc. which conducts research on the rice processing industry;
4. A public institution related to the rice processing industry, among public institutions under Article 4 of the Act on the Management of Public Institutions;
5. A non-profit corporation related to the rice processing industry, among non-profit corporations established pursuant to Article 32 of the Civil Act;
6. A vocational skills development training establishment related to the rice processing industry, among vocational skills development training establishments under subparagraph 3 of Article 2 of the Act on the Development of Vocational Skills of Workers.

(2) A person who intends to be designated as an institution for training professional human resources pursuant to paragraph (1) shall file an application for designation with the Minister of Agriculture, Food and Rural Affairs, along with the following documents: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Current status of having educational facilities and equipment;
 2. Current status of securing professional instructors;
 3. An operational plan including educational courses and contents;
 4. Research results regarding rice products;
 5. A plan to obtain operational expenses.
- (3) The criteria for designating an institution for training professional human resources, such as facilities and equipment that the institution should have, training programs, training hours, and instructors' qualifications, shall be as specified in attached Table 1.
- (4) Where the Minister of Agriculture, Food and Rural Affairs designates an institution for training professional human resources pursuant to paragraph (1), he or she shall issue a written designation prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs and publicly announce the details on the website of the Ministry of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 13 (Subsidization for Institutions for Training Professional Human Resources)

Expenses that can be provided for institutions for training professional human resources pursuant to Article 19 (3) of the Act shall be as follows: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Expenses incurred in developing educational programs, such as developing or providing educational materials related to the rice processing industry;
2. Expenses incurred in operating educational programs, such as instructor salaries and allowances;
3. Expenses incurred in purchasing equipment, including equipment and materials for practice, and managing educational facilities;
4. Expenses incurred in conducting surveys and research to provide education for training professional human resources for the rice processing industry;
5. Other expenses deemed necessary by the Minister of Agriculture, Food and Rural Affairs to train professional human resources for the rice processing industry.

Article 14 (Support for Operating Exhibition Hall for Rice Products or Rice Culture)

(1) The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun or an autonomous Gu (hereinafter referred to as “head of a Si/Gun/ Gu”) may provide a person who operates an exhibition hall for rice products or rice culture with expenses incurred in conducting the following projects pursuant to Article 20 of the Act: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Projects to promote the excellence of rice products;
2. Projects to provide education on the method for manufacturing rice products, etc.;
3. Other matters deemed necessary by the Minister of Agriculture, Food and Rural Affairs to stimulate the rice processing industry.

(2) Detailed matters necessary for support under paragraph (1) shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

Article 15 (Support for Distribution Centers)

(1) The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu may provide a person who operates a distribution center or specialized store with expenses incurred in conducting the following projects pursuant to Article 21 of the Act: *<Amended by Presidential Decree No. 24455, Mar. 23, 2013>*

1. Projects for packing improvement and standard shipping of rice products;
2. Projects to improve the distribution structure of rice products;
3. Projects to promote the advertisement and sales of rice products;
4. Other projects deemed necessary by the Minister of Agriculture, Food and Rural Affairs for the efficiency of distribution of rice products.

(2) Detailed matters necessary for support under paragraph (1) shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 16 (Promotion of Globalization)

The Minister of Agriculture, Food and Rural Affairs, the Mayor/Do Governor, or the head of a Si/Gun/Gu may provide a person or organization that advertises representative brands of rice products or develops overseas markets with expenses incurred in conducting the following projects pursuant to Article 23 (1) of the Act: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Projects to advertise the excellence of representative brands of rice products selected pursuant to Article 22 of the Act;
2. Projects to conduct education, advertisement, surveys, and research for the globalization of rice products;
3. Projects to install shops, experience halls, etc. for rice products abroad for the globalization of rice products;
4. Hosting and participating in domestic and international expositions, exhibitions, etc. for rice products;
5. Projects to establish and manage the information network for the globalization of rice products;
6. Other projects deemed necessary by the Minister of Agriculture, Food and Rural Affairs for the globalization of rice products.

Article 17 (Assistance for Excellent Rice Processors)

(1) A person eligible for measures for encouraging the use of excellent rice under Article 24 (1) of the Act shall be any of the following rice processors:

1. Rice processors who produce or specialize in selling rice products by using excellent rice;
2. Rice processors who cook and sell rice products produced by using excellent rice.

(2) Where any of the rice processors falling under each subparagraph of paragraph (1) implements any of the following projects, the Minister of Agriculture, Food and Rural Affairs may subsidize him or her within budgetary limits: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Purchasing excellent rice;
2. Projects to promote the advertisement and sales of rice products produced by using excellent rice;
3. Projects to improve the facilities for producing rice products by using excellent rice;
4. Other projects deemed necessary by the Minister of Agriculture, Food and Rural Affairs to encourage the use of excellent rice.

(3) Except as provided in paragraphs (1) and (2), matters necessary for encouraging the use of excellent rice, such as procedures for support, shall be determined and publicly notified by the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 18 (Supervision)

The Minister of Agriculture, Food and Rural Affairs may order a rice processing business entity to report on the following matters or to submit (including submitting by electronic means) relevant data pursuant to Article 25 (1) of the Act, imposing a deadline: <Amended by Presidential Decree No. 24455, Mar. 23, 2013; Presidential Decree No. 27751, Dec. 30, 2016>

1. The quantity of purchase and inventory of rice as a raw material for rice products;
2. The quantity of production, sales, and inventory of rice products.

Article 19 (Delegation and Entrustment of Authority)

(1) The Minister of Agriculture, Food and Rural Affairs shall delegate the authority to implement a project for developing varieties of rice for processing for specific purposes under Article 10 (1) 1 of the Act to the Administrator of the Rural Development Administration pursuant to Article 28 (1) of the Act. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(2) The Minister of Agriculture, Food and Rural Affairs shall delegate the following authority to the Director General of the National Agricultural Products Quality Management Service pursuant to Article 28 (1) of the Act: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Designation and management of an educational and training institution under Article 18 of the Act;
2. Designation and management of an institution for training professional human resources under Article 19 of the Act;
3. Supervision over rice processors under Article 25 of the Act.

(3) The Director General of the National Agricultural Products Quality Management Service may re-delegate part of his or her authority delegated pursuant to paragraph (2) to the head of an affiliated agency, after obtaining approval from the Minister of Agriculture, Food and Rural Affairs. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(4) The Minister of Agriculture, Food and Rural Affairs shall entrust the following business affairs to the President of the Korea Food Research Institute under the Act on the Establishment, Operation and Fostering of Government-Funded Science and Technology Research Institutes, Etc. pursuant to Article 28 (2) of the Act: <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

1. Improvement of the quality of rice products and the development of technology and machines for manufacturing under Article 10 (1) 2 of the Act;
2. Standardization of rice products to meet international standards under Article 23 (2) of the Act.

(5) The Minister of Agriculture, Food and Rural Affairs shall entrust the business affairs regarding statistical surveys under Article 16 (1) of the Act to the Korea Agro-Fisheries and Food Trade Corporation under the Korea Agro-Fisheries and Food Trade Corporation Act pursuant to Article 28 (2) of the Act. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

(6) The Minister of Agriculture, Food and Rural Affairs shall entrust the business affairs regarding holding contests of rice products under Article 22 of the Act to a corporation established to support the rice processing industry under Article 32 of the Civil Act, which shall be designated and publicly notified by the Minister of Agriculture, Food and Rural Affairs, pursuant to Article 28 (2) of the Act. <Amended by Presidential Decree No. 24455, Mar. 23, 2013>

Article 20 (Re-Examination of Regulation)

The Minister of Agriculture, Food and Rural Affairs shall examine the appropriateness of supervision over rice processing business entities under Article 18 every three years, counting from January 1, 2017 (referring to the period that ends on the day before January 1 of every third year) and shall take measures, such as making improvements. <Amended by Presidential Decree No. 27751, Dec. 30, 2016>

ADDENDUM

This Decree shall enter into force on May 23, 2012.

ADDENDA <Presidential Decree No. 24455, Mar. 23, 2013>

Article 1 (Enforcement Date)

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

Articles 2 through 6 Omitted.

ADDENDUM <Presidential Decree No. 25110, Jan. 21, 2014>

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

ADDENDA <Presidential Decree No. 25840, Dec. 9, 2014>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2015.

Articles 2 through 16 Omitted.

ADDENDA <Presidential Decree No. 26754, Dec. 22, 2015>

Article 1 (Enforcement Date)

This Decree shall enter into force on December 23, 2015.

Articles 2 and 3 Omitted.

ADDENDA <Presidential Decree No. 27299, Jun. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on July 1, 2016. (Proviso Omitted.)

Articles 2 through 15 Omitted.

ADDENDA <Presidential Decree No. 27751, Dec. 30, 2016>

Article 1 (Enforcement Date)

This Decree shall enter into force on January 1, 2017. (Proviso Omitted.)

Articles 2 through 12 Omitted.

Last updated : 2020-06-16

