

ACT ON FOSTERING OF AND SUPPORT FOR NEXT GENERATION FARMERS OR FISHERS AND YOUNG FARMERS OR FISHERS

Act No. 17278, May 19, 2020

Article 1 (Purpose)

The purpose of this Act is to guide next generation farmers or fishers and young farmers or fishers for their stable settlement in agricultural or fishing villages and contribute to sustainable development of agricultural or fishing societies through systematic production of workforce for agriculture or fisheries.

Article 2 (Definitions)

The terms used in this Act are defined as follows:

1. The term “next generation farmer or fisher” means a person who meets the requirements prescribed by Presidential Decree with respect to age, the period during which the person has engaged in farming or fishing, etc., among persons who engage, or intend to engage, in agriculture or fisheries as a business or occupation in order to succeed to and develop agriculture or fisheries (including aquaculture; hereinafter the same shall apply);
2. The term “young farmer or fisher” means a person who meets the requirements prescribed by Presidential Decree with respect to age, the requirement of residence, etc., among persons who engage in agriculture or fisheries or who intend to establish a new business or find a job in agriculture or fisheries;
3. The term “agricultural or fisheries business entity” means an agricultural or fisheries business entity defined in subparagraph 7 of Article 2 of the Act on Fostering and Supporting Agricultural and Fisheries Business Entities;
4. The term “organization of next generation farmers or fishers” means a corporation established by next generation farmers or fishers with main objectives of increasing future competitiveness of agriculture or fisheries, protecting rights and interests of next generation farmers or fishers, enhancing their status, promoting their welfare, etc. or an organization specified by Presidential Decree.

Article 3 (Responsibilities of the State and Local Governments)

The State and local governments shall establish and implement a comprehensive policy necessary for fostering competitive next generation farmers or fishers.

Article 4 (Role of Next Generation Farmers or Fishers)

Next generation farmers or fishers shall endeavor to contribute to the development of agriculture or fisheries and agricultural or fishing villages and establish infrastructure for self-sufficiency in food production for the people by stably producing and supplying safe agricultural or fisheries products of good quality through production activities in agriculture and fisheries as main players for the development of agriculture and fisheries and agricultural and fishing villages.

Article 5 (Relationship to Other Statutes)

With respect to the fostering of next generation farmers or fishers and young farmers or fishers, this Act shall prevail over other statutes.

Article 6 (Establishment of Master Plan)

(1) The Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries shall establish a five-year master plan for policies on the fostering of next generation farmers and fishers (hereinafter referred to as “master plan”) every five years.

(2) The master plan shall include the following matters:

1. The basic direction and goals of the policies on the fostering of next generation farmers and fishers;
2. Educational programs for improving management skills of next generation farmers and fishers;
3. Support for next generation farmers and fishers in business management, dwelling conditions, cultural activities, and welfare;
4. A plan for raising funds required for the implementation of the policies on the fostering of next generation farmers and fishers;
5. Other matters prescribed by Presidential Decree for the fostering of next generation farmers and fishers.

(3) The Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries shall establish and implement an implementation plan for the fostering of next generation farmers and fishers (hereinafter referred to as “implementation plan”) every year in accordance with the master plan and shall monitor the progress of performance of the plan.

(4) If the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries consider that it is necessary to establish the master plan or the implementation plan, they may request the heads of relevant central administrative agencies, the heads of local governments, or the heads of the public institutions under the Act on the Management of Public Institutions to provide relevant information. Upon the receipt of a request in such cases, the heads of relevant central administrative agencies, etc. shall comply with the request, unless a compelling reason exists not to do so.

Article 7 (Current Situation Survey on Next Generation Farmers or Fishers)

(1) In order to efficiently establish and implement the master plan and policies necessary for support for next generation farmers or fishers, the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries shall survey actual conditions of next generation farmers or fishers periodically, including the current status of next generation farmers or fishers settled for agriculture or fisheries, and shall reflect the findings therefrom in the master plan.

(2) If necessary for the current situation survey under paragraph (1), the Minister of Agriculture, Food and Rural Affairs and the Minister of Oceans and Fisheries may request the heads of relevant central administrative agencies, the heads of local governments, or the heads of the public institutions under the Act on the Management of Public Institutions to provide information. Upon the receipt of a request in such cases, the heads of relevant central administrative agencies, etc. shall comply with the request, unless a compelling reason exists not to do so.

(3) The interval, scope, and method of the current situation survey to be conducted under paragraph (1) and other necessary matters shall be prescribed by Presidential Decree.

Article 8 (Selection of, and Support for, Successor Agricultural or Fisheries Business Operators)

(1) In order to secure persons who will engage exclusively in an agricultural or fisheries business, the State and local governments may select agricultural or fisheries business successors by evaluating farming or fishing plans, etc. of next generation farmers or fishers.

(2) In selecting agricultural or fisheries business successors under paragraph (1), the State and local governments may separately select young farmers or fishers as agricultural business successors of a youth startup or fisheries business successors of a youth startup.

(3) In order to support sustainable development of the agricultural or fisheries business successors under paragraph (1) and the agricultural business successors of a youth startup or fisheries business successors of a youth startup under paragraph (2) (hereinafter referred to as “next generation agricultural or fisheries business operators, etc.”), the State and local governments may provide them with funds, consulting service, educational programs on technology and business management for agriculture and fisheries, etc.

(4) The State and local governments may provide agricultural business successors of a youth startup or fisheries business successors of a youth startup under paragraph (2) with funds necessary for their living and farming or fishing activities (hereafter referred to as “subsidies for settlement for farming or fishing activities” in this Article) on condition that they shall fulfill their obligations of farming or fishing for a certain period.

(5) In selecting agricultural or fisheries business successors, etc., the State and local governments may give preference to women residing in agricultural or fishing villages and members of the multicultural families defined in subparagraph 1 of Article 2 of the Multicultural Families Support Act in accordance with Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of

Oceans and Fisheries.

(6) The requirements and procedure for the selection of agricultural or fisheries business successors, the conditions and details of support, the purposes of use of the subsidies for settlement for farming or fishing activities, obligations to be observed for receiving the subsidies for settlement for farming or fishing activities, follow-up management of selected persons, and other necessary matters shall be prescribed by Ordinance of the Ministry of Agriculture, Food and Rural Affairs or Ordinance of the Ministry of Oceans and Fisheries.

Article 9 (Support for Education Programs of Schools and Other Institutions on Agriculture or Fisheries)

(1) In order to secure future workforce for agriculture and fisheries, the State and local governments may support practical education on agriculture or fisheries or education on business startup for agriculture or fisheries, conducted by schools specialized in agriculture or fisheries or special educational institutions.

(2) The State and local governments may provide persons who intend to engage in agriculture or fisheries with necessary field training programs for agriculture or fisheries, in cooperation with exemplary agricultural or fisheries business entities.

Article 10 (Support for Employment of Young Farmers or Fishers)

The State and local governments may give subsidies, full or partial, to agricultural or fisheries business entities that employ young farmers or fishers for the expenses of such employment in order to foster next generation farmers or fishers.

Article 11 (Support for Education of Next Generation Farmers or Fishers)

(1) The State and local governments may provide necessary support to agricultural or fisheries corporations, organizations, etc. providing educational programs for next generation farmers or fishers for the development and operation of educational programs on agriculture or fisheries.

(2) The State and local governments may support educational programs suitable for special needs of each region in order to efficiently provide educational programs to next generation farmers or fishers.

(3) In order to improve the quality of education of next generation farmers or fishers, the State and local governments may produce specialists in the education of next generation farmers or fishers, develop educational programs, provide places of education, or provide information about specialists in the education of next generation farmers or fishers.

Article 12 (Support for Organizations of Next Generation Farmers or Fishers)

The State and local governments may provide organizations of next generation farmers or fishers with administrative and financial support necessary for their formation and activities, within the budget.

Article 13 (Preferential Treatment of Young Farmers or Fishers)

In establishing and implementing policies for fostering next generation farmers or fishers or providing support for next generation farmers or fishers, the State and local governments may give preference to young farmers or fishers.

Article 14 (Establishment and Operation of Integrated Information System)

(1) The Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may establish and operate an integrated information system on projects for supporting next generation farmers or fishers, technologies for agriculture or fisheries, practical information about agricultural or fishing villages, etc. in order to efficiently establish and implement policies for supporting next generation farmers or fishers.

(2) Matters necessary for the establishment and operation of the integrated information system under paragraph (1) shall be prescribed by Presidential Decree.

Article 15 (Request for Information and Verification of Information for Support)

If necessary to make smooth the support and follow-up management under this Act and verify information for support, the Minister of Agriculture, Food and Rural Affairs, the Minister of Oceans and Fisheries, or the head of a local government may request the heads of relevant central administrative agencies, the heads of local governments, or the heads of the public institutions under the Act on the Management of Public Institutions to provide relevant information. Upon the receipt of a request in such cases, the heads of relevant central administrative agencies, etc. shall comply with the request, unless a compelling reason exists not to do so.

Article 16 (Recovery of Subsidies)

(1) If a person who received a subsidy under this Act falls under any of the following, the State and local governments may recover the subsidy fully or partially:

1. If such person received the subsidy by fraud or other improper means;
2. If such person uses the subsidy for any purpose other than the purpose of support;
3. If such person fails to meet the requirements for receiving the subsidy;
4. If such person fails to fulfill the obligations ensuing from the payment of the subsidy.

(2) Matters necessary for the recovery of the subsidies under paragraph (1) shall be prescribed by Presidential Decree.

(3) If a person obligated to return a subsidy under paragraph (1) does not return the relevant amount, the State and local governments may collect it in the same manner as provided for the disposition on the delinquency of national taxes or in accordance with the Act on the Collection of Local Non-Tax Revenue.

Article 17 (Provision of Opportunities to Young Farmers or Fishers to Practice Farming or Fishing Activities)

(1) The State and local governments shall endeavor to provide young farmers or fishers with opportunities to practice farming or fishing activities.

(2) The State and local governments may give subsidies, full or partial, to agricultural or fisheries business entities, organizations, or schools for expenses necessary for participating in projects for providing opportunities to practice farming or fishing activities under paragraph (1).

Article 18 (Delegation of Authority)

@Part of the authority of the Minister of Agriculture, Food and Rural Affairs or the Minister of Oceans and Fisheries may be delegated to the Special Metropolitan City Mayor or a Metropolitan City Mayor, Special Self-Governing City Mayor, Do Governor, or Special Self-Governing Province Governor or to the head of a Si/Gun/Gu (the head of a Gu means the head of an autonomous Gu) in accordance with Presidential Decree.

ADDENDA <Act No. 17278, May. 19, 2020>

Article 1 (Enforcement Date)

This Act shall enter into force one year after the date of its promulgation.

Article 2 (Transitional Measure concerning Agricultural or Fisheries Business Successor)

A person selected as an agricultural or fisheries business successor under Article 10 of the previous Act on Fostering and Supporting Agricultural and Fisheries Business Entities or as a agricultural or fisheries business successor of a youth startup before this Act enters into force shall be deemed to have been selected as an agricultural or fisheries business successor or as an agricultural or fisheries business successor of a youth startup under this Act.

Article 3 Omitted.

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