



**Enforcement Decree of the Seed Industry Act**  
**Presidential Decree No. 15576 on December 31, 1997**  
**As last amended by Presidential Decree No. 16442, June 30, 1999**

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## Part I General Provisions

### *Purpose of the Enforcement Decree*

1. The purpose of the Enforcement Decree is to prescribe matters entrusted in the Seed Industry Act and matters necessary for their enforcement.

### *Definitions*

2. For the purpose of this Enforcement Decree:

(i) “Variety bred by an employee” means a variety which is bred or discovered and developed by a public official falling under the scope of duties of the Government or District Self-Ruling Entity by reason of its nature, and an act or acts of breeding, or discovery and development of the variety are part of the present or past duties of the public official; and

(ii) “nationally owned variety protection right” means a variety protection right which is registered under the name of the Government pursuant to the Seed Industry Act (hereinafter referred to as “Act”).

## Part II Protection of the Rights of the Breeder and Other Provisions

### *Performance of the Procedure by Non-Resident*

3. “... or the case that a Presidential Decree otherwise prescribes” in Paragraph (1) of Article 3 of the Act means the case that a non-resident who is represented by a variety protection agent (or the representative in case of a legal entity).

### *Report of the Variety bred by an Employee*

4. A public official who has bred, or discovered and developed a new variety as a matter of duty (hereinafter referred to as an “employee breeder”) shall report matters related to that variety without delay to the head of the organization to which he/she belongs

(hereinafter referred to as the “head of breeding organization”) as prescribed by an Ordinance of the Ministry of Agriculture and Forestry.

#### *Determination of Succession*

5.—(1) The head of breeding organization who has received a report pursuant to Article 4 and Paragraph (2) of Article 8 of this Enforcement Decree shall determine whether the variety belongs to a variety bred by an employee.

(2) The head of breeding organization shall notify matters which have been determined pursuant to the above Paragraph (1) to the employee breeder in writing.

#### *Assignment of Rights*

6. Upon receipt of notification from the head of breeding organization that the new variety which has been bred, or discovered and developed by him/her belongs to a variety bred by an employee, an employee breeder shall assign the right of being entitled to variety protection to the head of breeding organization without delay.

#### *Application for Variety Protection*

7.—(1) The head of breeding organization who has been assigned the right of being entitled to variety protection pursuant to the above Article 6 shall apply for variety protection to the Minister of the Ministry of Agriculture and Forestry without delay.

(2) Application for variety protection pursuant to the above Paragraph (1) shall be done under the name of the head of breeding organization.

(3) When the variety protection is applied for pursuant to the above Paragraph (1), the head of breeding organization shall notify such fact to the employee breeder in writing.

#### *Application for Variety Protection by an Employee Breeder*

8.—(1) Unless an employee breeder is notified by the head of breeding organization that the new variety which has been bred, or discovered and developed by him/her does not belong to the variety bred by an employee, he/she shall not apply for variety protection under his/her name. However, this shall not be applicable if it is deemed to be necessary to apply for variety protection under the name of an employee breeder urgently.

(2) When an employee breeder has applied for variety protection pursuant to the proviso of the above Paragraph (1), he/she shall report such content to the head of breeding organization as prescribed by an Ordinance of the Ministry of Agriculture and Forestry.

#### *Registration of Establishment of the Variety Protection Right*

9. If the variety bred by an employee for which variety protection has been applied pursuant to Paragraph 1 of Article 7 is decided to be entitled to variety protection pursuant to



Article 46 of the Act, the Minister of the Ministry of Agriculture and Forestry shall register for the establishment of variety protection right for the variety bred by the employee under the name of the nation as shown below without delay:

- (i) Variety protection right holder: Nation
- (ii) Managing department: Ministry of Agriculture and Forestry
- (iii) Succeeding organization: Ministry of Agriculture and Forestry

*Disposal of Nationally Owned Variety Protection Right*

**10.** In principle, a non-exclusive license shall be granted in the assignment with a consideration, establishment of an exclusive license, or grant of a non-exclusive license of the nationally owned variety protection right (hereinafter referred to as “disposal of the nationally owned variety protection right”). However, the Minister of the Ministry of Agriculture and Forestry may assign the nationally owned variety protection right with a consideration or establish an exclusive license for others if no person desires to be granted the non-exclusive license or it is deemed to be necessary for the enforcement of the non-exclusive license in the disposition of the corresponding nationally owned variety protection right.

*Principles for the Establishment of an Exclusive License and Other Matters*

**11.**—(1) Establishment of an exclusive license or grant of a non-exclusive license for the nationally owned variety protection right shall be with remuneration.

(2) If the nationally owned variety protection right is enforced directly by the head of a Government organization (including the head of breeding organization; hereinafter the same), the above may be without remuneration as prescribed by an Ordinance of the Ministry of Agriculture and Forestry.

*Approval of the Nationally Owned Variety Protection Right*

**12.**—(1) The head of a Government organization desiring to enforce the nationally owned variety protection right shall obtain approval of the Minister of the Ministry of Agriculture and Forestry.

(2) The head of a Government organization desiring to obtain approval under Paragraph (1) shall submit an application for approval with the following documents attached to the Minister of the Ministry of Agriculture and Forestry:

- (i) one copy of business planning related to the enforcement of the nationally owned variety protection right; and
- (ii) one copy of estimate of enforcement fees (one copy of reason for enforcement if the enforcement is without remuneration under Paragraph (2) of Article 11).

*Duration of Enforcement of the Exclusive License and Others*

**13.** In the establishment of an exclusive license or approval of a non-exclusive license for a nationally owned variety protection right, duration of its enforcement shall be within seven (7) years from the date of reaching an agreement on the establishment of the corresponding exclusive license or approval of the non-exclusive license.

*Method of Disposal of the Nationally Owned Variety Protection Right*

**14.** Disposal of the nationally owned variety protection right shall be according to the general competitive bid method. However, in any of the following cases, disposal may be according to the private contract method:

(i) when employing the general competitive bid method is not feasible as the technology or facilities of a specific person are required for the enforcement of the nationally owned variety protection right;

(ii) when the nationally owned variety protection right is assigned to an exclusive licensee;

(iii) when the agreement is re-established with the enforcement fees increased after expiration of establishment of the exclusive license or of approval of the non-exclusive license;

(iv) when there is no time to employ the general competitive bid method due to natural disaster, war, incident, or the corresponding national emergency; or

(v) when the bid was not successful for more than twice or a person taking the bid failed to establish an agreement.

*Application for the Private Contract*

**15.** A person desiring to be disposed of the nationally owned variety protection right according to the private contract method under proviso of Article 14 shall submit an application for private contract with the following documents attached to the Minister of the Ministry of Agriculture and Forestry:

(i) one copy of business planning related to the enforcement of the nationally owned variety protection right; and

(ii) one copy of estimate of assignment charge or estimate of enforcement fees.

*Request for Materials to Compute the Expected Amount*

**16.** The Minister of the Ministry of Agriculture and Forestry desiring to dispose of the nationally owned variety protection right (excluding the case of enforcing without remuneration by the head of a Government organization under Paragraph (2) of Article 11; hereinafter the same in Articles 17 and 27) may request for the submission of materials which



are necessary in computing the expected amount of the assignment charge or enforcement fees of the nationally owned variety protection right.

*Expected Amount*

**17.** The Minister of the Ministry of Agriculture and Forestry desiring to dispose of the nationally owned variety protection right shall determine the expected amount referring to materials to compute the expected amount submitted by the head of breeding organization under Article 16.

*Public Announcement of the Disposal*

**18.** The Minister of the Ministry of Agriculture and Forestry desiring to dispose of the nationally owned variety protection right according to the general competitive method under the main provision of Article 14 shall announce publicly matters necessary for the bid including the name of variety, the type of disposal, the date and place of bid, qualification for participation in the bid, etc. of the corresponding nationally owned variety protection right thirty (30) days prior to the date of bid in the official gazette, a newspaper, or other means.

*Preparation for an Agreement*

**19.** The Minister of the Ministry of Agriculture and Forestry desiring to dispose of the nationally owned variety protection right shall prepare for an agreement related to the disposal as prescribed by an Ordinance of the Ministry of Agriculture and Forestry.

*Notification of the Result of Disposal*

**20.** The Minister of the Ministry of Agriculture and Forestry who has disposed of the nationally owned variety protection right or has approved under Paragraph (1) of Article 12 shall notify its content, compensation of disposing and rewarding the nationally owned variety protection right under Article 27, and other matters to each of the head of breeding organization and the employee breeder. However, if the head of breeding organization is the head of a Government organization who has obtained approval under Paragraph (1) of Article 12, only the employee breeder shall be notified.

*Method of Payment of Assignment Charge and Others*

**21.—(1)** The assignment charge of the nationally owned variety protection right shall be paid in a lump sum.

(2) The enforcement fee of the nationally owned variety protection right may be paid in installments of twice a year during the term of enforcement.



*Handling of Assignment Charge and Other Fees*

**22.** The assignment charge or enforcement fee of the nationally owned variety protection right shall be revenue of general accounting.

*Termination of an Agreement*

**23.** The Minister of the Ministry of Agriculture and Forestry may terminate an agreement if a person who has established an agreement on the disposal of the nationally owned variety protection right fails to fulfill the agreement or violates the terms of the agreement.

*Hearing of Opinion of the Seed Committee with respect to Disposal of the Nationally Owned Variety Protection Right*

**24.** The Minister of the Ministry of Agriculture and Forestry shall hear opinion of the Seed Committee under Article 158 with respect to matters falling under any of the following items related to the nationally owned variety protection right:

- (i) matters related to the establishment of assignment with remuneration and an exclusive license for the nationally owned variety protection right under proviso of Article 10;
- (ii) matters related to enforcement without remuneration under Paragraph (2) of Article 11;
- (iii) matters related to approval under Paragraph (1) of Article 12;
- (iv) matters related to the private contract under proviso of Article 14; and
- (v) matters related to determination of the expected amount under Article 17.

*Keeping of a Ledger*

**25.** The Minister of the Ministry of Agriculture and Forestry shall keep a ledger related to disposal and management of the nationally owned variety protection right.

*Compensation for Registration*

**26.** The Minister of the Ministry of Agriculture and Forestry shall pay a compensation for registration of a right in the amount of 1 million won to the corresponding employee breeder for a variety protection right established and registered under the name of the Government under Paragraph (1) of Article 25 from the budget of the year when the variety protection right has been established and registered or the budget of the next year.



*Remuneration of the Nationally Owned Variety Protection Right and Other Payments*

27.—(1) The Minister of the Ministry of Agriculture and Forestry who has disposed of the nationally owned variety protection right shall pay remuneration falling under any of the following items based on assignment charge for each right or annual income of enforcement fee to the corresponding employee breeder under Paragraph (1) of Article 25:

(i) an amount corresponding to 30/100 of the assignment charge or enforcement fee if the annual income of assignment charge or enforcement fee for the nationally owned variety protection right is 1 million won or less;

(ii) an amount calculated according to the following equation if the annual income of assignment charge or enforcement fee for the nationally owned variety protection right exceeds 1 million won but 10 million won or less:

(The corresponding assignment charge or enforcement fee — 1 million won) x 20/100 + 300,000 won

(iii) an amount calculated according to the following equation if the annual income of assignment charge or enforcement fee for the nationally owned variety protection right exceeds 10 million won:

(The corresponding assignment charge or enforcement fee — 10 million won) x 10/100 + 2.1 million won

(2) The Minister of the Ministry of Agriculture and Forestry who has disposed of the nationally owned variety protection right shall pay once a reward falling under any of the following items to the head of the corresponding breeding organization based on the assignment charge or initial enforcement agreement amount for each right:

(i) 1 million won in case that the assignment charge or initial enforcement agreement amount of the nationally owned variety protection right exceeds 10 million won but 50 million won or less;

(ii) 5 million won in case that the assignment charge or initial enforcement agreement amount of the nationally owned variety protection right exceeds 50 million won but 100 million won or less; or

(iii) 10 million won in case that the assignment charge or initial enforcement agreement amount of the nationally owned variety protection right exceeds 100 million won.

(3) If the head of a Government organization has enforced the nationally owned variety protection right without remuneration under Paragraph (2) of Article 11, the Minister of the Ministry of Agriculture and Forestry shall pay the amounts calculated based on the above Paragraphs (1) and (2) to the corresponding employee breeder or the head of breeding organization as a remuneration and a reward.

(4) The remuneration and reward of the nationally owned variety protection right under Paragraphs (1) through (3) shall be paid from the budget of the year when the assignment

charge or enforcement fee has been paid or the budget of the next year (refers to the year of granting approval under Paragraph (1) of Article 12 or the next year if the right has been enforced by the head of a Government organization without remuneration under Paragraph (2) of Article 11).

#### *Payment of Shares of Compensation*

**28.** If there are more than two (2) employee breeders having the right of receiving compensation under Articles 26 and 27, the compensation shall be paid according to shares of the compensation.

#### *Compensation after Change of Employment, Resignation, or Death*

**29.—(1)** The compensation under Articles 26 and 27 shall be paid in full to the employee breeder even when the employee breeder has changed employment or resigned.

(2) The compensation under the above Paragraph (1) shall be paid in full to the successor of an employee breeder if the employee breeder has been deceased.

#### *Non-Return of Compensation and other Rewards*

**30.** The compensation paid to an employee breeder or his/her successor and the reward paid to the head of the corresponding breeding organization shall not be returned even when the variety protection has been invalidated. However, this shall not be applicable if the variety protection has been found to be misuse of the variety protection right of another person and thus has been invalidated.

#### *Mutatis Mutandis Application*

**31.** Articles 4 through 30 shall apply *mutatis mutandis* to the variety bred by a public official of a District Self-Ruling Entity as a matter of duty.

#### *Description of Properties of the Variety and Other Matters*

**32.—(1)** Description of properties and breeding procedures of the variety under Paragraph (3) of Article 26 of the Act shall be as any of the following items:

(i) properties of the variety for which variety protection has been applied and properties which are distinct from those of other varieties;

(ii) a breeding process chart of the variety for which variety protection has been applied (including a manual) and a systematic breeding diagram; and

(iii) cautions to take in the cultivation of the variety for which variety protection has been applied.

(2) Matters in each item of Paragraph (1) shall be described concretely so that a person who is equipped with professional knowledge in the corresponding field can understand easily.

#### *Change of Gist of the Application for Variety Protection*

**33.** “The cases prescribed by a Presidential Decree” in Item (iii) of Article 31 of the Act refer to the case falling under any of the following items:

- (i) when the address of an applicant for variety protection or a breeder is changed;
- (ii) when the name of an applicant for variety protection or a breeder is changed according to the decision of the Court;
- (iii) when the title of an applicant for variety protection or the name of the representative is changed according to general succession (limited to the case of a legal entity);
- (iv) when the place of business office of an applicant for variety protection is changed (limited to the case of a legal entity); or
- (v) when the name of the variety is changed under Paragraph (5) of Article 111 of the Act.

#### *Qualifications for Examiners*

**34.—(1)** A person who is qualified to become an examiner under Paragraph (2) of Article 33 of the Act shall be a general public official of the Ministry of Agriculture and Forestry, Ministry of Ocean Industry, Rural Development Administration, or Forestry Administration who is recognized by the Minister of the Ministry of Agriculture and Forestry to be equipped with knowledge in and ability for assuming duties of an examiner.

(2) An examiner shall complete the training session determined by the Minister of the Ministry of Agriculture and Forestry.

#### *Self Collection of Seeds by Farmers*

**35.** The scope of limiting the variety protection right when a farmer himself/herself gathers seeds for the purpose of self-production under Paragraph (3) of Article 58 of the Act shall be up to the maximum amount of seeds that can be planted on the land cultivated by the corresponding farmer.

#### *Exception for Arbitration Decision on Grant of Non-Exclusive License*

**36.** “Any justifiable reason prescribed by a Presidential Decree” in Item (i) of Paragraph (1) of Article 68 of the Act shall refer to the case falling under any of the following items:

(i) where the variety protection right holder is disabled due to a physical or mental defect (limited to the case that the head of a medical institution certifies the fact under the Medical Act);

(ii) where the permission, sanction, agreement, or approval is not obtained although such permission, sanction, agreement, or approval of a Government organization or another is necessary for the enforcement of the protected variety;

(iii) where the enforcement of the protected variety is prohibited or restricted according to Act provisions for the reason of environmental preservation or other reasons; or

(iv) where the enforcement of the protected variety can not be accomplished in the commercial scale as there is no or insignificant demand for it.

#### *Composition of Variety Protection Trial Committee*

**37.**—(1) The Variety Protection Trial Committee under Article 91 of the Act (hereinafter referred to as “Trial Committee”) shall be composed of eight or less Variety Protection Trial Committee Members (hereinafter referred to as “trial members”) including the Chairman of the Variety Protection Trial Committee (hereinafter referred to as “Chairman of Trial Committee”).

(2) The Chairman of Trial Committee shall be nominated by the Minister of the Ministry of Agriculture and Forestry.

#### *Qualifications for the Trial Members*

**38.**—(1) A person who is qualified to become a trial member under Paragraph (3) of Article 96 of the Act shall be a person falling under any of the following items:

(i) a general public official of the 4th or higher grade of the Ministry of Agriculture and Forestry, Ministry of Ocean Industry, Rural Development Administration, or Forestry Administration; or

(ii) a person who has been an examiner of the Korean Intellectual Property Office for more than two (2) years among general public officials of the 4th or higher grade of the Korean Intellectual Property Office.

(2) Paragraph (2) of Article 34 of the Decree shall apply *mutatis mutandis* to the training session of trial members.

#### *Executive Secretary*

**39.**—(1) There shall be one (1) executive secretary in the Trial Committee, who is nominated by the Minister of the Ministry of Agriculture and Forestry among public officials of the Ministry.



(2) An executive secretary shall handle administrative matters of the Trial Committee by order of the Chairman of Trial Committee.

*Cancellation of a Variety Denomination*

40. “Any other cases prescribed by a Presidential Decree” in Item (iii) of Paragraph (1) of Article 113 of the Act shall refer to the case that a variety denomination has been registered through a fraudulent act or any unActful method.

**Part III**  
**Management of Variety Performance**

*Scope of Agricultural Organization, Etc.*

41. “Any agricultural, forestry, or fishery organization prescribed by a Presidential Decree” in Item (iii) of Article 121 of the Act shall refer to an organization falling under any of the following items:

(i) an agricultural cooperative union and its central office under the Agricultural Cooperative Union Act;

(ii) a stock-raisers cooperative union and its central office under the Stock Raisers Cooperative Union Act;

(iii) a fisheries cooperative union and its central office under the Fisheries Cooperative Union Act;

(iv) a forestry cooperative union and its central office under the Forestry Cooperative Union Act;

(v) a ginseng cooperative union and its central office under the Ginseng Cooperative Union Act; or

(vi) a tobacco production cooperative union and its central office under the Tobacco Production Cooperative Union Act.

*[Without Title]*

42. (Deleted)

*[Without Title]*

43. (Deleted)

## Part IV Certification of the Seed

### *International Seed Testing Organization*

44. “An international seed testing organization prescribed by a Presidential Decree” in Paragraph (2) of Article 125 of the Act shall refer to an organization falling under any of the following items:

- (i) International Seed Testing Association (ISTA);
- (ii) International Seed Testers Association (AOSA); or
- (iii) other international seed testing associations prescribed by the Minister of the Ministry of Agriculture and Forestry.

### *Qualifications of Seed Quality Managers*

45. A seed quality manager shall be a person falling under any of the following items under Paragraph (1) of Article 127 of the Act:

- (i) a person who has a license for a seed technician under the National Technical License Act;
- (ii) a person who has a license for a seed engineer under the National Technical License Act (limited to a person who has been engaged in the seed business or a business similar to it for more than one (1) year);
- (iii) a person who has a license for a seed industry engineer under the National Technical License Act (limited to a person who has been engaged in the seed business or a business similar to it for more than three (3) years);
- (iv) a person who has a license for a seed industry engineer under the National Technical License Act (limited to a person who has a license for a seed technician under the National Technical License Act); or
- (v) a person who has a license for a mushroom germiculture engineer under the National Technical License Act (limited to a person who has been engaged in the seed business or a business similar to it for more than three (3) years particularly in the mushroom area).

## Part V Circulation of the Seeds

### *Standards for Facilities for the Seed Business*

46. “Facilities prescribed by a Presidential Decree” in Paragraph (1) of Article 137 of the Act shall refer to facilities indicated in the Appendix 1.

*Registration of Seed Business and Other Matters*

47.—(1) A person desiring to register seed business under Paragraph (1) of Article 137 of the Act shall be equipped with facilities in the Appendix 1 and one (1) or more seed manager and submit an application for the registration of seed business to the Mayor of Seoul, Mayor of a Wide City, or Provincial Governor who administers the site of the main production facility (hereinafter referred to as a “Mayor or Provincial Governor”) as prescribed by the Ordinance of the Ministry of Agriculture and Forestry.

(2) The Mayor or Provincial governor who has received the application for the registration of seed business under Paragraph (1) shall confirm matters described in the application and issue a certificate for registration of seed business to the applicant if the application is deemed to satisfy requirements for the registration.

(3) If there is any change in matters registered under Paragraph (1), a seed trader shall notify the change to the Mayor or Provincial Governor within thirty (30) days from the date of occurring the reason for the change.

*Exception for Having a Seed Manager*

48. “The crop seeds prescribed by a Presidential Decree” in proviso of Paragraph (2) of Article 137 of the Act shall refer to a crop seed falling under any of the following items:

- (i) flowering plants;
- (ii) feeding crops;
- (iii) pasturage crops;
- (iv) specialty crops;
- (v) mulberry tree;
- (vi) forest tree;
- (vii) marine plants;
- (viii) food crops except for rice plant, barley, soy bean, corn, and potatoes;
- (ix) fruit trees except for apple, pear, peach, grape, sweet persimmon, plum, mume, kiwifruit, and citrus;
- (x) vegetables except for radish, chinese cabbage, cabbage, pepper, tomatoes, cucumber, melon, watermelon, pumpkin, green onion, onion, carrot, lettuce, and spinach; or
- (xi) mushrooms except for botton mushrooms, oyster mushrooms, *Armillariella spp.*, Reishi mushrooms, *Hypsizigus marmoreus*, *Grifola frondosa*, wood-ear mushrooms, winter mushroom, *Poria cocos*, and *Agrocybe cylindracea*.

[Without Title]

49. (Deleted)

*Restriction to Domestic Circulation of the Exported or Imported Seeds*

50.—(1) The case in which export or import of the seeds or domestic circulation of the imported seeds under Paragraph (3) of Article 140 of the Act shall be as any of the following items:

(i) where weed seeds which are harmful to imported seeds in an amount of more than the amount prescribed by the Minister of the Ministry of Agriculture and Forestry are included;

(ii) where it is likely to destroy the existing national ecological system such as the crops ecological system, etc. seriously due to propagation of imported seeds, genetic transformation by crossing, etc.;

(iii) where it is likely to diffuse particular blights by the cultivation of imported seeds;

(iv) where it is likely that specific components of farm products produced from imported seeds have negative affects on health of people; or

(v) where it is likely to incur serious problems in the preservation of domestic natural resources by injudicious export of native seeds or domestic rare basic seeds, etc.

(2) The kinds of harmful weed seeds under Item (i) of Paragraph (1) of this Article and of particular blights under Item (iii) of the same Paragraph shall be prescribed by the Minister of the Ministry of Agriculture and Forestry.

[Without Title]

51. (Deleted)

[Without Title]

52. (Deleted)

**Part VI**  
**The Seed Fund**

*Plans to Operate the Seed Fund*

53.—(1) The Minister of the Ministry of Agriculture and Forestry shall establish plans to operate the seed fund (hereinafter referred to as the “fund”) under Article 149 of the Act prior to the beginning of each fiscal year.



(2) Plans to operate the fund under the above Paragraph (1) shall be subject to discussion of Cabinet Council and obtaining approval of the President. This shall be also applicable to modification of plans to operate the fund.

#### *Establishment of the Fund Account*

**54.** The Minister of the Ministry of Agriculture and Forestry shall establish the seed fund account (hereinafter referred to as the “fund account”) at the main office of the Bank of Korea in order to ensure the task of handling incoming and outgoing of the fund. (Revised 04/01/98)

#### *Appointment of Accounting Organization, Etc.*

**55.—(1)** When it is deemed to be necessary for the operation of the fund, the Minister of the Ministry of Agriculture and Forestry may have an assistant fund accounting supervisor or an assistant fund accounting officer at a District Self-Ruling Entity in order to divide a part of duties of the fund accounting supervisor or fund accounting officer.

(2) If an assistant fund accounting supervisor or an assistant fund accounting officer is appointed under the above Paragraph (1), the Minister of the Ministry of Agriculture and Forestry shall notify the fact to the Chairman of the Board of Audit and Inspection, the Chairman of the Finance and Economy Board, and the President of the Bank of Korea.

#### *Duties of Accounting Organization*

**56.—(1)** A fund accounting supervisor (including a fund accounting director or an assistant fund accounting supervisor; hereinafter the same) shall be in charge of contracts for the operation of the fund, other acts which are causes of expenditure (hereinafter referred to as “expenditure-causing acts”), and matters related to the collection of fund revenue.

(2) A fund accounting officer (including a fund accountant or an assistant fund accounting officer; hereinafter the same) shall be in charge of expenditure for the operation of the fund and accounts of deposit and securities.

#### *Designation of a Transaction Office*

**57.** A fund accounting officer shall designate the Bank of Korea (including the main office, branch office, and agency; hereinafter the same) as the granting branch of checks issued by him/her (hereinafter referred to as a “transaction office”).

#### *Collection Procedures of the Fund*

**58.—(1)** A fund accounting supervisor desiring to collect revenue of the fund shall investigate and determine the amount of collection and notify it to the payee.



(2) A person who has received a written notice to pay under the above Paragraph (1) shall make the payment to the Bank of Korea.

(3) If the revenue of the fund is received, the Bank of Korea shall send a notice of receipt to the fund accounting supervisor without delay.

(4) The Bank of Korea shall concentrate revenue of the fund received under Paragraph (2) to the fund account established at the main office of the Bank of Korea according to procedures for handling national funds. (Revised 04/01/98)

#### *Expenditure Procedures of the Fund*

**59.**—(1) A fund accounting supervisor desiring to disburse the fund shall send documents related to an expenditure-causing act to a fund accounting officer.

(2) A fund accounting officer desiring to disburse the fund according to an expenditure-causing act under Paragraph (1) shall issue a check payable to the transaction office.

(3) An amount which was subject to an expenditure-causing act of a fund accounting supervisor but was not disbursed within the corresponding fiscal year for an inevitable reason may be carried forward to and executed in the next fiscal year.

#### *Allocation of the Limit of Fund Expenditure*

**60.**—(1) The Minister of the Ministry of Agriculture and Forestry shall allocate the limit of expenditure to a fund accounting officer according to plans for the operation of the fund under Paragraph (1) of Article 53 and notify this to the Chairman of the Finance and Economy Board and the President of the Bank of Korea.

(2) When it is deemed to be necessary in view of the status of fund revenue, etc., the Chairman of the Finance and Economy Board may take a measure for limiting expenditure of the fund.

#### *Expenditure-Causing Act of the Fund*

**61.** A fund accounting supervisor shall not exceed the limit of expenditure which is allocated under Paragraph (1) of Article 60 in performing an expenditure-causing act of the fund.

#### *Report for the Operation of the Fund*

**62.**—(1) A fund accounting supervisor (excluding a fund accounting director and an assistant fund accounting supervisor) and a fund accounting officer (excluding a fund accountant or an assistant fund accounting officer) shall prepare for a report of collected amount of the fund and a report of the amount of expenditure-causing act of the fund, and a

report of fund expenditure, respectively, as of the end of each month, and submit them to the Minister of the Ministry of Agriculture and Forestry by the 10th of the following month.

(2) In a report under the above Paragraph (1), the sum of executed amounts of the fund accounting director, assistant fund accounting supervisor, fund accountant, and assistant fund accounting officer shall be shown and its report shall be added to.

(3) The Minister of the Ministry of Agriculture and Forestry shall prepare for and submit to the Chairman of the Finance and Economy Board a general report based on the report under the above Paragraph (1), by the 20th of the following month.

#### *Accounting Statement of the Fund*

**63.** The Minister of the Ministry of Agriculture and Forestry shall prepare for and submit to the Chairman of the Finance and Economy Board an accounting statement of the fund for each fiscal year within eighty (80) days of the close of a fiscal year.

#### *Mutatis Mutandis Application of Other Act Provisions*

**64.** The Budget Accounting Act and the Basic Fund Management Act are related to the operation and management of the fund, and shall apply *mutatis mutandis* to matters which are not prescribed by this Act.

#### *Usage of the Fund*

**65.** “The projects prescribed by a Presidential Decree” in Item (v) of Paragraph (1) of Article 154 of the Act refer to a project falling under any of the following items:

- (i) purchase of the seeds produced by Mayor of Seoul, Mayors of Wide Cities, Provincial Governors, agricultural organizations, etc. under Paragraph (1) of Article 121 of the Act;
- (ii) research project for the improvement of circulation structure of the seeds;
- (iii) research project for the improvement of management system of the seeds; or
- (iv) collection, investigation, and research project of superior genetic resources.

### **Part VII Supplementary Provisions**

#### *Composition of the Seed Council*

**66.—**(1) Council members of the Seed Council under Article 158 of the Act (hereinafter referred to as “Council”) shall be appointed or entrusted by the Minister of the Ministry of Agriculture and Forestry among people falling under the following items:



(i) a person who is or was a public official of the 3rd grade or higher and is experienced in the seed-related business;

(ii) a person who is or was an associate professor or higher of a university and is majored in the seed-related field;

(iii) a person who has the qualification for an attorney at-Act or patent attorney;

(iv) a person who is or was an executive of an agricultural, forestry, or fishery organization; and

(v) a person who is or was an executive of an association related to the seed industry.

(2) The Head of the Council shall be appointed or entrusted by the Minister of the Ministry of Agriculture and Forestry among council members of the Council.

#### *Term and Maintenance of Status of a Council Member*

**67.**—(1) The term of a council member shall be two (2) years, which may be extended up to two times.

(2) The Head of the Council and council members shall not be dismissed from office against his/her will except for the case falling under any of the following items:

(i) when the Head of the Council or a council member is sentenced to imprisonment or a heavier punishment; or

(ii) when the Head of the Council or a council member is unable to assume his/her duties due to long-time physical and mental weakness.

#### *Duties of the Head of the Council*

**68.**—(1) The Head of the Council shall represent the Council and supervise its business.

(2) A council member appointed by the Head of the Council shall carry out duties of the Head of the Council as proxy if the Head of the Council is unable to perform his/her duties for an unavoidable reason.

#### *Convocation and Making Decision of the Council*

**69.**—(1) The Head of the Council shall convene and preside the Council.

(2) The council meeting shall be open with a majority of enrolled council members present, and the decision shall be made with the approval of majority of present council members.

*Allowance*

**70.** An allowance may be paid to a council member who is present at the council meeting within the boundary of budget. However, an allowance shall not be paid to a public official if he/she attends the meeting as a matter of his/her direct duties.

*Executive Secretary*

**71.** Article 39 of this Decree shall apply *mutatis mutandis* to matters related to the executive secretary of the Council.

*Entrustment and Consignment of the Authority*

**72.—(1)** The Minister of the Ministry of Agriculture and Forestry shall entrust authorities related to matters falling under any of the following items (excluding authorities related to seeds and nursery trees for forestry under Paragraph (1) of Article 45 of the Forestry Act) to the Administrator of the Rural Development Administration under Article 166 of the Act:

- (i) extension of time under Article 6 of the Act;
- (ii) order of correction of a procedure under Article 7 of the Act;
- (iii) invalidation of a procedure and withdrawal of the invalidation under Article 8 of the Act;
- (iv) order to report the terms of an agreement under Paragraph (5) of Article 21 of the Act;
- (v) receipt of notification by the successor in title of the right to obtain a variety protection under Paragraph (4) of Article 23 of the Act;
- (vi) disposal and management of the variety protection right under Paragraph (2) of Article 24 of the Act;
- (vii) request for deferment of the examination of the variety by a person who has claimed the right of priority under the main provision of Paragraph (5) of Article 27 of the Act;
- (viii) receipt of an application and recording in the Register of Applications under Paragraph (1) of Article 28 of the Act;
- (ix) order of examination under Paragraph (1) of Article 33 of the Act;
- (x) publication of the variety protection application under Paragraph (1) of Article 34 of the Act;
- (xi) receipt of information and evidence related to the published variety under Paragraph (2) of Article 35 of the Act;



- (xii) entrustment of investigation or testing to perform the examination of the applied variety under Paragraph (2) of Article 35 of the Act;
- (xiii) order to furnish all materials under Paragraph (1) of Article 36 of the Act;
- (xiv) transmittal of a certified copy of the ruling of rejection and publication of the ruling in the Official Gazette under Paragraph (3) of Article 37 of the Act;
- (xv) transmittal of a certified copy of the decision of publication of the application and publication of the application in the Official Gazette under Paragraph (2) of Article 38 of the Act;
- (xvi) availability of application files and their attachments for public inspection under Paragraph (3) of Article 38 of the Act;
- (xvii) receipt of an opposition to the grant of variety protection under Paragraph (1) of Article 41 of the Act;
- (xviii) transmittal of a certified copy of the ruling on the opposition to the grant of variety protection under Paragraph (4) of Article 43 of the Act;
- (xix) transmittal of a certified copy of the decision of rejection under Paragraph (3) of Article 44 and Paragraph (3) of Article 45 of the Act;
- (xx) transmittal of a certified copy of the decision on grant of variety protection and publication of the decision in the Official Gazette under Paragraph (3) of Article 46 of the Act;
- (xxi) collection of an annual variety protection fee under Paragraph (2) of Article 49 of the Act;
- (xxii) registration in the variety protection register under Paragraph (1) of Article 53 of the Act;
- (xxiii) publication of the Official Variety Protection Gazette under Article 54 of the Act;
- (xxiv) registration of establishment of the variety protection right, publication in the Official Gazette, and issuance of a certificate of registration of a variety protection right under Article 55 of the Act;
- (xxv) receipt of notification of purport of transfer of a variety protection right, exclusive license, or pledge through inheritance or other general succession under Paragraph (2) of Article 63 of the Act;
- (xxvi) arbitration decision on grant of non-exclusive license under Article 68 of the Act;
- (xxvii) transmittal of written request for arbitration under Article 69 of the Act;



(xxviii) transmittal of certified copies of the arbitration decision under Article 71 of the Act;

(xxix) cancellation of request for an arbitration decision under Paragraph (2) of Article 73 of the Act;

(xxx) cancellation of the variety protection right under Paragraph (1) of Article 80 of the Act;

(xxxi) order to report exploitation of the variety protection right under Article 82 of the Act;

(xxxii) order to furnish materials and undertaking of necessary examination under Paragraph (2) of Article 83 of the Act;

(xxxiii) receipt of an application for the registration of a variety denomination under Paragraph (1) of Article 111 of the Act;

(xxxiv) receipt of an opposition to the registration of the variety denomination under Paragraph (7) of Article 111 of the Act;

(xxxv) registration and notification of the variety denomination under Paragraph (8) of Article 111 of the Act;

(xxxvi) cancellation of a registered variety denomination under Paragraph (1) of Article 113 of the Act and notification of the reasons for cancellation and order to submit a new variety denomination under Paragraph (2) of the same article;

(xxxvii) receipt of an application for entry in a catalogue of varieties under Article 115 of the Act;

(xxxviii) matters related to examination of the variety for which entry in a catalogue of varieties is applied under Article 116 of the Act;

(xxxix) publication of the variety entered in a catalogue of varieties under Article 117 of the Act;

(ivx) receipt of application for an extension of time of the entry in a catalogue of varieties under Paragraph (3) of Article 118 of the Act;

(ivxi) cancellation of the entry in a catalogue of varieties under Article 119 of the Act;

(ivxii) maintenance of a catalogue of varieties under Article 120 of the Act;

(ivxiii) (Deleted)

(ivxiv) (Deleted)

(ivxv) order to cancel or suspend qualification of a seed quality manager under Paragraph (2) of Article 127 of the Act, and registration or issue of a certificate for registration of a seed quality manager under Paragraph (4) of the same Article;



- (ivxvi) (Deleted)
- (ivxvii) control examination under Paragraph (1) of Article 134 of the Act;
- (ivxviii) selling or distribution of the seeds for which entry in a catalogue of varieties is cancelled under Paragraph (2) of Article 138 of the Act;
- (ivxix) receipt of report to produce and sell the seeds of a variety under Paragraph (3) of Article 138 of the Act;
- (vx) receipt of report to import and export the seeds under the main provision of Paragraph (1) of Article 140 of the Act;
- (vxi) restriction to export or import of the seeds or domestic circulation of the imported seeds under Paragraph (3) of Article 140 of the Act;
- (vxii) (Deleted)
- (vxiii) keeping and management of the seed sample under Article 147 of the Act;
- (vxiv) matters related to undertaking of a comparative examination under Article 148 of the Act;
- (vxv) borrowing of the fund under Article 151 of the Act;
- (vxvi) utilization and management of the fund under Paragraph (1) of Article 152 of the Act;
- (vxvii) classified accounting of accounting matters under Article 153 of the Act;
- (vxviii) deposit of the surplus fund under Paragraph (2) of Article 154 of the Act;
- (vxix) appointment of a fund accounting supervisor and a fund accounting officer (including an assistant fund accounting supervisor and an assistant fund accounting officer) under Article 155 of the Act;
- (vix) collection of supporting fund and loans under Article 156 of the Act;
- (vixi) matters related to hearing under Article 159 of the Act;
- (vixii) collection of official fees under Items (i) through (vi) and Items (ix) through (xvi) of Paragraph (1) of Article 160 of the Act;
- (vixiii) matters related to storage of documents under Article 164 of the Act;
- (vixiv) matters related to the imposition and collection of an administrative fine from a person falling under Items (i) through (iii) of Paragraph (2) of Article 176 of the Act; or
- (vixv) receipt of report of change of the place under Paragraph (9) of Article 74 of this Decree.

(2) The Administrator of the Rural Development Administration shall entrust authorities described in Items (i) through (v), (vii) through (xxv), (xxx) through (ivxiii), (ivxv)





through (ivxvii), (ivxix) through (vxi), (vxiii) through (vxviii), and (vix) through (vixv) among authorities entrusted by the Minister of the Ministry of Agriculture and Forestry under the above Paragraph (1) to the Director General of National Seed Management Office.  
(Newly established 08/11/98)

(3) The Minister of the Ministry of Agriculture and Forestry shall entrust authorities related to the seeds and nursery trees for forestry under Paragraph (1) of Article 45 of the Forestry Act (hereinafter referred to as “seeds for forestry”) among authorities related to matters falling under any of the following items to the Administrator of the Forestry Administration under Article 166 of the Act:

- (i) extension of time under Article 6 of the Act;
- (ii) order of correction of a procedure under Article 7 of the Act;
- (iii) invalidation of a procedure and withdrawal of the invalidation under Article 8 of the Act;
- (iv) order to report the terms of an agreement under Paragraph (5) of Article 21 of the Act;
- (v) receipt of notification by the successor in title of the right to obtain a variety protection under Paragraph (4) of Article 23 of the Act;
- (vi) disposal and management of the variety protection right under Paragraph (2) of Article 24 of the Act;
- (vii) request for deferment of the examination of the variety by a person who has claimed the right of priority under Paragraph (5) of Article 27 of the Act;
- (viii) receipt of an application and recording in the Register of Applications under Paragraph (1) of Article 28 of the Act;
- (ix) order of examination under Paragraph (1) of Article 33 of the Act;
- (x) publication of the variety protection application under Paragraph (1) of Article 34 of the Act;
- (xi) receipt of information and evidence related to the published variety under Paragraph (2) of Article 35 of the Act;
- (xii) entrustment of investigation or testing to perform the examination of the applied variety under Paragraph (2) of Article 35 of the Act;
- (xiii) order to furnish all materials under Paragraph (1) of Article 36 of the Act;
- (xiv) transmittal of a certified copy of the ruling of rejection and publication of the ruling in the Official Gazette under Paragraph (3) of Article 37 of the Act;



(xv) transmittal of a certified copy of the decision of publication of the application and publication of the application in the Official Gazette under Paragraph (2) of Article 38 of the Act;

(xvi) availability of application files and their attachments for public inspection under Paragraph (3) of Article 38 of the Act;

(xvii) receipt of an opposition to the grant of variety protection under Paragraph (1) of Article 41 of the Act;

(xviii) transmittal of a certified copy of the ruling on the opposition to the grant of variety protection under Paragraph (4) of Article 43 of the Act;

(xix) transmittal of a certified copy of the decision of rejection under Paragraph (3) of Article 44 and Paragraph (3) of Article 45 of the Act;

(xx) transmittal of a certified copy of the decision on grant of variety protection and publication of the decision in the Official Gazette under Paragraph (3) of Article 46 of the Act;

(xxi) collection of an annual variety protection fee under Paragraph (2) of Article 49 of the Act;

(xxii) registration in the variety protection register under Paragraph (1) of Article 53 of the Act;

(xxiii) publication of the Official Variety Protection Gazette under Article 54 of the Act;

(xxiv) registration of establishment of the variety protection right, publication in the Official Gazette, and issuance of a certificate of registration of a variety protection right under Article 55 of the Act;

(xxv) receipt of notification of purport of transfer of a variety protection right, exclusive license, or pledge through inheritance or other general succession under Paragraph (2) of Article 63 of the Act;

(xxvi) arbitration decision on grant of non-exclusive license under Article 68 of the Act;

(xxvii) transmittal of written request for arbitration under Article 69 of the Act;

(xxviii) transmittal of certified copies of the arbitration decision under Article 71 of the Act;

(xxix) cancellation of request for an arbitration decision under Paragraph (2) of Article 73 of the Act;

(xxx) cancellation of the variety protection right under Paragraph (1) of Article 80 of the Act;



(xxxix) order to report exploitation of the variety protection right under Article 82 of the Act;

(xxxixii) order to furnish materials and undertaking of necessary examination under Paragraph (2) of Article 83 of the Act;

(xxxixiii) receipt of an application for the registration of a variety denomination under Paragraph (1) of Article 111 of the Act;

(xxxixiv) receipt of an opposition to the registration of the variety denomination under Paragraph (7) of Article 111 of the Act;

(xxxixv) registration and notification of the variety denomination under Paragraph (8) of Article 111 of the Act;

(xxxixvi) cancellation of a registered variety denomination under Paragraph (1) of Article 113 of the Act and notification of the reasons for cancellation and order to submit a new variety denomination under Paragraph (2) of the same article;

(xxxixvii) receipt of an application for entry in a catalogue of varieties under Article 115 of the Act;

(xxxixviii) matters related to examination of the variety for which entry in a catalogue of varieties is applied under Article 116 of the Act;

(xxxixix) publication of the variety entered in a catalogue of varieties under Article 117 of the Act;

(ivx) receipt of application for an extension of time of the entry in a catalogue of varieties under Paragraph (3) of Article 118 of the Act;

(ivxi) cancellation of the entry in a catalogue of varieties under Article 119 of the Act;

(ivxii) maintenance of a catalogue of varieties under Article 120 of the Act;

(ivxiii) (Deleted)

(ivxiv) (Deleted)

(ivxv) order to cancel or suspend qualification of a seed quality manager under Paragraph (2) of Article 127 of the Act, and registration or issue of a certificate for registration of a seed quality manager under Paragraph (4) of the same Article;

(ivxvi) field inspection under Paragraph (1) of Article 128 of the Act;

(ivxvii) seed examination and re-examination under Article 130 of the Act;

(ivxviii) (Deleted)

(ivxix) issuance of a certificate under Article 133 of the Act;

(vx) control examination under Paragraph (1) of Article 134 of the Act;



(vxi) selling or distribution of the seeds for which entry in a catalogue of varieties is cancelled under Paragraph (2) of Article 138 of the Act;

(vxii) receipt of report to produce and sell the seeds of a variety under Paragraph (3) of Article 138 of the Act;

(vxiii) receipt of report to import and export the seeds under the main provision of Paragraph (1) of Article 140 of the Act;

(vxiv) restriction to export or import of the seeds or domestic circulation of the imported seeds under Paragraph (3) of Article 140 of the Act;

(vxv) (Deleted)

(vxvi) adaptability test of imported seeds under Paragraph (1) of Article 141 of the Act;

(vxvii) matters related to circulation inspection, etc. of the seeds under Article 145 of the Act;

(vxviii) (Deleted)

(vxix) keeping and management of the seed sample under Article 147 of the Act;

(vix) matters related to undertaking of a comparative examination under Article 148 of the Act;

(vixi) matters related to hearing under Article 159 of the Act;

(vixii) collection of official fees under Items (i) through (vi) and Items (ix) through (xvi) of Paragraph (1) of Article 160 of the Act;

(vixiii) matters related to storage of documents under Article 164 of the Act;

(vixiv) matters related to the imposition and collection of an administrative fine from a person falling under Paragraph (1) and Items (i) through (iii) of Paragraph (2) of Article 176 of the Act; or

(vixv) receipt of report of change of the place under Paragraph (9) of Article 74 of this Decree.

(4) The Minister of the Ministry of Agriculture and Forestry shall entrust authorities related to circulation inspection, etc. of the seeds under Article 145 of the Act (excluding authorities related to seeds for forestry) and those related to the imposition and collection of an administrative fine from a person falling under Paragraph (1) of Article 176 of the Act (excluding authorities related to seeds for forestry) to the Mayor or Provincial Governor.

(5) The Minister of the Ministry of Agriculture and Forestry shall consign authorities falling under any of the following items (excluding authorities related to seeds for forestry) to a legal entity or organization involved in agricultural, forestry, and fishery business prescribed by an Ordinance of the Ministry of Agriculture and Forestry under Article 166 of the Act:

(i) (Deleted)



- (ii) adaptability test of imported seeds under Paragraph (1) of Article 141 of the Act.

*Document to be Transmitted*

**73.** The document to be transmitted under *mutatis mutandis* application of Article 218 of the Patent Act under Article 168 of the Act shall be a notification of invalidation of procedure under Paragraph (1) of Article 8 of the Act.

*Transmittal of Documents, Etc.*

**74.**—(1) A document to be transmitted under the Act or Article 73 of this Decree shall be sent via registered mail except for the case that the interested party or its agent receives the document directly.

(2) If the document is received directly by the interested party or its agent, a receipt showing the date of receipt and name of receiver shall be given by the receiver and kept; whereas if the document is sent via registered mail, a receipt of special mail of the post office shall be kept.

(3) Transmittal of a decision or ruling of a trial, re-examination, arbitration on grant of non-exclusive license, or cancellation of the variety protection right shall be according to the special transmittal method under Sub-Item (a) of Item (vi) of Paragraph (1) of Article 10 of the Enforcement Decree of the Postal Act.

(4) In the transmittal of a document, the person receiving the document shall be served with a certified copy of the document unless it is prescribed otherwise by the Act or this Decree, and the person receiving the document shall be served with a certified copy or abstract of a written evidence if the written evidence is prepared for in place of submission of the document to be transmitted.

(5) Transmittal of a document to a person falling under *mutatis mutandis* application of the main provision of Paragraph (1) of Article 3 of the Patent Act under Article 10 of the Act shall be to his/her legal representative.

(6) If the right to represent is exercised jointly by a multiple number of people, transmittal of a document shall be to one among a multiple number of people.

(7) Transmittal of a document to a person who is confined in a jail or a prison shall be directed to the director of the prison.

(8) The place of transmittal shall be the address or business office of a person to receive the document.

(9) If the place of a person to receive the document has been changed, the purport of change shall be reported to the Minister of the Ministry of Agriculture and Forestry without delay.



(10) If it is not possible to transmit a document as a person to receive the document refuses to receive the document without any justifiable reason, it is deemed that the document is transmitted on the date of sending.

(11) Sending of documents other than those to be transmitted under the Act or Article 73 of this Decree and other matters shall be according to the method prescribed by the Minister of the Ministry of Agriculture and Forestry.

#### *Imposition of an Administrative Fine*

**75.**—(1) The Minister of the Ministry of Agriculture and Forestry, Mayor, or Provincial Governor (hereinafter referred to as an “imposer”) desiring to impose an administrative fine under Paragraph (3) of Article 176 of the Act shall investigate and conform the corresponding act of violation, indicate the fact of violation, amount of fine, etc., and notify in writing to a person punished by an administrative fine to pay the fine.

(2) The imposer desiring to impose the fine under the above Paragraph (1) shall give an opportunity to make an oral or written statement to a person punished by an administrative fine within the term of more than fifteen (15) days. If no statement is made without any justifiable reason by the designated date, it is deemed that the person has no opinion.

(3) In determining the amount of an administrative fine, the imposer shall refer to the motive, result, etc. of the corresponding act of violation, provided that the standards for imposition shall be as shown in Appendix 2.

(4) The procedure of collecting the administrative fine shall be prescribed by an Ordinance of the Ministry of Agriculture and Forestry if the imposer is the Minister of the Ministry of Agriculture and Forestry, and by rules of the corresponding District Self-Ruling Entity if the imposer is the Mayor or Provincial Governor.

### **Addendum**

#### *Entry into Force*

(1) This Decree shall enter into force as of December 31, 1997, provided that the provisions in Articles 37 through 39 shall enter into force as of March 1, 1998.

#### *Abrogation of Other Acts*

(2) Presidential Decree falling under any of the following items shall be abrogated:

- (i) Enforcement Decree of the Main Crops Seed Act; and
- (ii) Enforcement Decree of the Seed and Seedling Control Act.



*Interim Measures on Seed Quality Managers*

(3) A person who has a license for a seedling technician under the Old Enforcement Decree of Seed and Seedling Control Act at the time of enforcement of this Decree shall be deemed to have a license for a seed quality manager notwithstanding Article 45 of this Decree.

*Relationship with Other Acts*

(4) If the Old Enforcement Decree of the Main Crops Seed Act or Old Enforcement Decree of the Seed and Seedling Control Act are applied to other Acts at the time of enforcement of this Decree, it shall be deemed that the corresponding provision of this Decree is applied in place of the old provision if there is the corresponding provision in this Decree.

**Addendum  
(04/01/98)**

*Entry into Force*

1. This Decree shall enter into force as of April 1, 1998.

*[Without Title]*

**Articles 2 through 4.** (Deleted)

**Addendum  
(08/11/98)**

*Entry into Force*

1. This Decree shall enter into force as of the date of promulgation. (Proviso deleted)

*[Without Title]*

2. (Deleted)

**Addendum  
(02/26/99)**

This Decree shall enter into force as of the date of promulgation.

**Addendum  
(06/30/99)**

This Decree shall enter into force as of the date of promulgation.

[End of Document]



*In case of controversy caused by translation of these provisions into another language,  
the Korean text will prevail.*

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