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Grain Purchase Act

양곡매입법

Republic of Korea · 9 October 1948

Original Korean source · English translation, Gwangbok Archive

ACT NO. 7 · 9 OCTOBER 1948

Document type
: Act of the Republic of Korea (법률)

Legal reference
: Act No. 7 (법률 제7호)

Promulgation
: 9 October 1948

Gazette
: Government Gazette (관보), No. 8, 9 October 1948

Text included
: Original enactment: Articles 1–13; supplementary Articles 14–15

Base text
: National Law Information Center, 1948 original enactment (lsiSeq = 667)

Edition
: Gwangbok Archive · Korean original with English translation

Historical introduction

Promulgated on 9 October 1948, the Grain Purchase Act established a state-directed framework for purchasing rice and barley-type grains shortly after the founding of the Republic of Korea. It required producers and landowners to sell grain to the Government, subject to exceptions for household consumption and seed grain. The law also addressed the obligations of tenant cultivators, the pricing and inspection of grain, and sanctions for unauthorized transactions or removal of grain from the country.

The measure illustrates the difficulties of supplying food to households and regulating agricultural markets in the transition from military government to the new Republic. The National Archives of Korea describes the statute as an attempt to manage shortages through extensive government control. A 1948 legislative dispute over the exception for small household purchases and transfers also reveals competing demands for compulsory collection and limited private exchange.

The 1948 statute was not the final framework for Korean grain policy. In 1949 portions of the regime were suspended amid poor government purchase performance, and the Grain Management Act of 16 February 1950 replaced the Grain Purchase Act. Those subsequent developments are historical context only; the translation below reproduces the law enacted in October 1948.

Textual and translation policy

The Korean text reproduces the National Law Information Center's historical enactment transcription for Act No. 7. Its original vocabulary and unusual spellings—including 급, 운한다, 차한에 불재한다, and 만야—have not been silently modernized. The National Institute of Korean History's transcription of the same statute has variant readings, some affecting the substance of particular articles; the principal differences are itemized in the editorial notes. The English renders the legal meaning of the base text without changing its historical scope. This is an independent historical translation, not an official legal translation.

Primary source / facing translation

Original Korean and English Translation

Act No. 7 · 9 October 1948 · Original enactment

The articles and paragraphs correspond in order; the supplementary provisions follow Article 13. The historic Korean statutory transcription appears on the left, and the English translation on the right.

제1조 본법은 국민의 균등한 식생활의 보장 급 국민경제의 안정을 도모하기 위하여 정부에서 행하는 주요양곡매입에 관하여 규정함을 목적으로 한다.	ARTICLE 1 The purpose of this Act is to regulate the Government's purchase of principal grains in order to secure equitable access to food for the people and to promote stability in the national economy.
제2조 본법에 있어서 주요양곡이라 함은 미곡, 맥류를 운한다.	ARTICLE 2 For purposes of this Act, 'principal grains' means rice and barley-type grains.
제3조 양곡의 생산자와 지주는 자가용 식량 급 종곡을 제외한 양곡을 대통령령의 정하는 바에 의하여 정부에 매도하여야 한다. 단, 자가용 식량을 위한 소량의 운반과 매매는 차한에 불재한다.	ARTICLE 3 Producers of grain and landowners shall sell to the Government, as prescribed by Presidential Decree, their grain other than that required for their own household consumption and for seed. Provided, however, that the transport and purchase or sale of small quantities for household consumption are not subject to this restriction.
제4조 지주는 그 토지를 경작하는 자로 하여금 대통령령의 정하는 바에 의하여 지주를 대리하여 그 토지에서의 양곡생산량의 3분지 1을 지정된 기일내에 정부에 매도케 하며 경작자는 차를 이행할 의무가 있다.	ARTICLE 4 A landowner shall, as prescribed by Presidential Decree, cause the person cultivating the land to sell to the Government, on the landowner's behalf and within the designated period, one-third of the grain produced on that land; the cultivator is under an obligation to comply.

제5조
본법에 있어서 지주라 함은 토지에 대하여 권리를 가진 자연인, 법인, 공공단체, 기타 대통령령으로써 정하는 자를 운한다.

ARTICLE 5
For purposes of this Act, ‘landowner’ means a natural person, juridical person, public body, or other person specified by Presidential Decree who holds rights in land.

제6조
남조선과도정부법령 제173호에 의하여 중앙토지행정처로부터 토지매수를 계약한 자, 매수한 자 또는 그 소작인은 대통령령의 정하는 바에 의하여 불하 년부 납부량 또는 소작료의 전부를 정부에 납부 또는 매도하여야 한다.

ARTICLE 6
A person who has contracted to purchase land from the Central Land Administration, or has purchased such land, under South Korean Interim Government Ordinance No. 173, or a tenant farmer of such a person, shall, as prescribed by Presidential Decree, deliver or sell to the Government the entire quantity due as annual instalment payments on the disposed land, or the entire amount due as rent.

제7조
본법에 의하여 정부가 매입하는 양곡 가격은 대통령령의 정하는 바에 의하여 생산비, 생계비 급 물가 기타 경제 사정을 참작하여 차를 정한다.

ARTICLE 7
The price of grain purchased by the Government under this Act shall be determined, as prescribed by Presidential Decree, with consideration given to production costs, living costs, price levels, and other economic circumstances.

제8조
본법에 의하여 정부에 매도 또는 납부하는 양곡은 대통령령의 정하는 바에 의하여 검사를 받아야 한다.

ARTICLE 8
Grain sold or delivered to the Government under this Act shall undergo inspection as prescribed by Presidential Decree.

제9조
제3조・제4조・제6조의 규정에 위반하여 양곡을 매매한 자는 3년이하의 징역 또는 30만원이하의 벌금에 처한다.

ARTICLE 9
Any person who purchases or sells grain in violation of Article 3, 4, or 6 shall be punished by imprisonment for not more than three years or by a fine not exceeding 300,000 won.

제10조
양곡을 정부의 허가없이 국외유출시키는 자는 사형이나 무기 또는 1년이상의 징역에처한다.
전항의 죄를 범한 자에게는 유출양곡가격 10배이하의 벌금을 병과할 수 있다.

ARTICLE 10
Any person who takes grain out of the country without Government permission shall be punished by death, life imprisonment, or imprisonment for a term of at least one year.
A fine not exceeding ten times the value of the grain taken out of the country may also be imposed on a person committing the offence described in the preceding paragraph.

제11조 양곡의 매입, 매도를 방해하거나 또는 유출케 하도록 선동・교사・방조한 자는 무기 또는 10년이하의 징역에 처하고 50만원이하의 벌금을 병과할 수 있다.	ARTICLE 11 Any person who obstructs the purchase or sale of grain, or who incites, instigates, or aids another person in causing grain to be taken out of the country, shall be punished by life imprisonment or imprisonment for not more than ten years; a fine not exceeding 500,000 won may also be imposed.
제12조 범인이 소유 또는 소지한 양곡은 이를 몰수하며 만아 그 전부 또는 일부를 몰수할 수 없는 경우에는 그 가격을 추징할 수 있다.	ARTICLE 12 Grain owned or possessed by an offender shall be confiscated; where all or part of it cannot be confiscated, its monetary value may be recovered instead.
제13조 본법의 시행에 의하여 필요한 세칙은 대통령령으로 정한다. 전항의 대통령령에는 그 위반자에 대하여 6개월이하의 징역 또는 10만원이하의 벌금을 과하는 벌칙을 규정할 수 있다.	ARTICLE 13 Detailed rules necessary for the implementation of this Act shall be prescribed by Presidential Decree. Such Presidential Decree may prescribe penal provisions imposing imprisonment for not more than six months or a fine not exceeding 100,000 won for violations thereof.
부칙 / 제14조 본법 시행기일은 대통령령으로써 정한다.	SUPPLEMENTARY PROVISIONS / ARTICLE 14 The date on which this Act comes into force shall be determined by Presidential Decree.
제15조 본법 시행전에 발포된 법령으로 본법과 모순되는 것은 그 모순된 범위에서 폐지한다.	ARTICLE 15 Any law or ordinance promulgated before the coming into force of this Act that conflicts with this Act is repealed to the extent of that conflict.

Editorial apparatus

Editorial Notes and Sources

Editorial and translation notes

1. Documentary witness and dating. The National Law Information Center lists the original enactment as Act No. 7, 9 October 1948. The National Institute of Korean History reproduces the text under a catalogue date of 6 October 1948 but explicitly cites Government Gazette No. 8 of 9 October 1948. The date of this edition follows the promulgated statute and Gazette.

2. Commencement (Art. 14). Article 14 assigns the commencement date to a Presidential Decree.

Presidential Decree No. 11, “양곡매입법시행기일에관한건” (Concerning the Effective Date of the Grain Purchase Act), was itself issued on 9 October 1948. Promulgation and delegated commencement should not be confused when citing the enactment.

3. Variant readings in the purpose clause (Art. 1). The National Law Information Center reads “균등한 식생활의 보장” and “국민경제의 안정” (guarantee of equitable food consumption; stability of the national economy). The National Institute of Korean History’s transcription instead reads “보호” and “안전.” This edition follows the statutory transcription.

4. Covered grains (Art. 2). 미곡 means rice and 맥류 means barley-type cereal grains, including the barley/wheat group in agricultural terminology. “Principal grains” is a translation of the defined legal term 주요양곡; the statute does not enumerate specific species beyond these two categories.

5. Retained historical terms and spelling (Arts. 1–3 and elsewhere). 급 is the older conjunction meaning “and”; 운한다 is retained from the statutory transcription and understood as “means”; “차한에 불재한다” marks an exception (“does not fall within this restriction”). The English expresses the operative meaning without presenting the Korean as modernized.

6. Household-use exception (Art. 3). The proviso permits only transport and trade of small quantities for household use. It does not create a general free market in grain. The permissible quantity was to be set in subordinate regulations; the statute itself provides no numeric ceiling.

7. Cultivator’s duty (Art. 4). The one-third requirement is expressed as a fraction of the grain produced on the land (양곡생산량의 3분지 1). The cultivator acts on the landowner’s behalf and is independently required to comply. No different fraction has been assumed.

8. Substantive lacuna in the alternate transcription (Art. 5). The National Law Information Center defines landowners as natural persons, juridical persons, public bodies, and persons otherwise specified by Presidential Decree who hold rights in land. The National Institute of Korean History version reads only “토지 공공단체 기타 대통령령으로써 정하는 자,” apparently omitting crucial words. The fuller statutory reading is followed here; the 1948 Gazette scan should be compared before assigning the omission to the original print.

9. Interim-government land arrangements (Art. 6). The reference is to South Korean Interim Government Ordinance No. 173 and the Central Land Administration. 불하 년부 납부량 refers to the quantity payable by annual instalments for land disposed of to purchasers; 소작료 means tenancy rent. “Deliver or sell” preserves 납부 또는 매도 rather than conflating these legal obligations.

10. Price determination (Art. 7). The statutory transcription reads 참작 (“take into account”); the National Institute of Korean History transcription has 참착. The original statutory formula directs consideration of production costs, living costs, the general price level, and other economic circumstances.

11. Penal sanctions (Arts. 9–11, 13). The amounts are denominated in the historical won specified by the 1948 statute; they are not adjusted for inflation. Article 10 expressly provides the death penalty as one possible sentence for unauthorized removal of grain from the country. Article 11 specifies life imprisonment or a term not exceeding ten years. “May also be imposed” indicates an additional possible fine rather than an automatic fine.

12. Confiscation and source spelling (Art. 12). The statutory transcription reads 몰수하며 (“shall confiscate”) and 만야, an apparent typographical or transcription anomaly for 만약 (“if”). The National Institute of Korean History reading instead gives 몰수하여 and 만약. The base-text spelling has been preserved while the English renders the conditional sense.

13. Delegated rulemaking (Art. 13). The Act authorizes subordinate presidential rules necessary for its implementation and permits specified penalties for their infringement. The implementing Presidential Decree No. 12 was enacted on 15 October 1948, followed by Ministry of Agriculture and Forestry Ordinance No. 1 on 18 October 1948. Neither is reproduced as part of this Act.

14. Later history is not part of the text. National Archives material reports that emergency legislation in 1949 suspended elements of the grain-purchase regime and that the 1950 Grain Management Act repealed the Grain Purchase Act. Such later history must not be read back into the 1948 text.

15. Status of this edition. This edition is based on official online historical transcriptions, not on a completed character-by-character collation with the original Government Gazette scan. It is a scholarly translation for historical research and should not be cited as an officially authenticated English statute.

Primary sources and reference materials

National Law Information Center (국가법령정보센터), “양곡매입법,” Act No. 7, original enactment of 9 October 1948, https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=667. Base Korean text.

National Institute of Korean History (국사편찬위원회), “<법률 제7호, 糧穀買入法>,” 자료대한민국사, vol. 8, catalogue entry dated 6 October 1948; source: Government Gazette No. 8, 9 October 1948, https://db.history.go.kr/contemp/level.do?levelId=dh_008_1948_10_06_0020. Alternative transcription for source comparison.

National Law Information Center, “양곡매입법시행기일에관한건,” Presidential Decree No. 11, 9 October 1948, https://www.law.go.kr/lsInfoP.do?lsiSeq=22817&viewCls=lsRvsDocInfoR.

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Suggested chicago-style citation

Republic of Korea. “양곡매입법 [Grain Purchase Act].” Act No. 7, October 9, 1948. Korean text and English translation in Gwangbok Archive, bilingual documentary edition. Based on the original-enactment transcription of the National Law Information Center, https://www.law.go.kr/LSW/lsInfoP.do?lsiSeq=667.

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