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# 中华人民共和国农业法（2012修订）

# Agricultural Law of the People’s Republic of China (2012 Revision)

中华人民共和国农业法（2012修订）

Agricultural Law of the People’s Republic of China (2012 Revision)

中华人民共和国主席令第七十四号

Order of the President No.74

《全国人民代表大会常务委员会关于修改〈中华人民共和国农业法〉的决定》已由中华人民共和国第十一届全国人民代表大会常务委员会第三十次会议于2012年12月28日通过，现予公布，自2013年1月1日起施行。

The Decision of the Standing Committee of the National People's Congress on the Revision of the Agricultural Law of the People's Republic of China, which was adopted at the 30th session of the Standing Committee of the 11th National People's Congress on December 28, 2012, is hereby promulgated for implementation as of January 1, 2013.

中华人民共和国主席 胡锦涛

President Hu Jintao

2012年12月28日

December 28, 2012

中华人民共和国农业法

Agricultural Law of the People’s Republic of

（1993年7月2日第八届全国人民代表大会常务委员会第二次会议通过 2002年12月28日第九届全国人民代表大会常务委员会第三十一次会议修订 根据2009年8月27日第十一届全国人民代表大会常务委员会第十次会议《关于修改部分法律的决定》第一次修正 根据2012年12月28日第十一届全国人民代表大会常务委员会第三十次会议《关于修改〈中华人民共和国农业法〉的决定》第二次修正）

(Adopted at the 2nd Meeting of the Standing Committee of the Eighth National People's Congress on July 2, 1993; revised at the 31st Meeting of the Standing Committee of the Ninth National People's Congress on December 28, 2002; amended for the first time according to the Decision on Amending Certain Laws passed at the 10th Meeting of the Standing Committee of the 11th National People's Congress on August 27, 2009; and amended for the second time according to the Decision on Amending the Agricultural Law of the People's Republic of China passed at the 30th Meeting of the Standing Committee of the 11th National People's Congress on December 28, 2012)

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第一章 总 则

Chapter 1 General Provisions

第一条   为了巩固和加强农业在国民经济中的基础地位，深化农村改革，发展农业生产力，推进农业现代化，维护农民和农业生产经营组织的合法权益，增加农民收入，提高农民科学文化素质，促进农业和农村经济的持续、稳定、健康发展，实现全面建设小康社会的目标，制定本法。

Article 1 This Law is enacted with a view to consolidating and strengthening the position of agriculture as the foundation of the national economy, deepening the reform in rural areas, developing the productive forces of agriculture, pushing forward the modernization of agriculture, safeguarding the legitimate rights and interests of farmers and agricultural production and operation organizations, increasing the income of farmers, enhancing their scientific and cultural qualification, promoting the sustained, steady and sound growth of agriculture and the rural economy, and attaining the objectives of building a well-off society in an all-round way.

第二条   本法所称农业，是指种植业、林业、畜牧业和渔业等产业，包括与其直接相关的产前、产中、产后服务。

Article 2 For purposes of this Law, agriculture includes services before, during and after planting, forestry, animal husbandry and fishery, and such services are directly related to the above.

本法所称农业生产经营组织，是指农村集体经济组织、农民专业合作经济组织、农业企业和其他从事农业生产经营的组织。

Agricultural production and operation organizations as mentioned in this Law include rural collective economic organizations, specialized cooperative economic organizations of farmers, agricultural enterprises and other organizations engaged in agricultural production and operation.

第三条   国家把农业放在发展国民经济的首位。

Article 3 The State gives first priority to agriculture in the development of the national economy.

农业和农村经济发展的基本目标是：建立适应发展社会主义市场经济要求的农村经济体制，不断解放和发展农村生产力，提高农业的整体素质和效益，确保农产品供应和质量，满足国民经济发展和人口增长、生活改善的需求，提高农民的收入和生活水平，促进农村富余劳动力向非农产业和城镇转移，缩小城乡差别和区域差别，建设富裕、民主、文明的社会主义新农村，逐步实现农业和农村现代化。

The main objectives in developing agriculture and the rural economy are to establish a rural economic system that meets the need of developing the socialist market economy, to continuously emancipate and develop the productive forces in the countryside, to enhance the quality and efficiency of agriculture as a whole, to ensure the supply and quality of agricultural products, to satisfy the need of developing the national economy, of an increased population and of improving people's lives, to increase the income of farmers and raise their living standards, to promote the transfer of the surplus rural labor to non-agricultural industries and to cities and towns, to narrow the difference between town and country and between regions, to build a prosperous, democratic and culturally advanced new socialist countryside, and to gradually bring about the modernization of agriculture and the countryside.

第四条   国家采取措施，保障农业更好地发挥在提供食物、工业原料和其他农产品，维护和改善生态环境，促进农村经济社会发展等多方面的作用。

Article 4 The State adopts measures to ensure that agriculture plays a better role in many fields such as in the supply of food, industrial raw materials and other farm products, in the maintenance and improvement of the ecological environment and in the promotion of the rural economic and social development.

第五条   国家坚持和完善公有制为主体、多种所有制经济共同发展的基本经济制度，振兴农村经济。

Article 5 The State upholds and improves the basic economic system under which public ownership is the mainstay of the economy, while the economic sectors of diversified ownerships develop jointly, in order to invigorate the rural economy.

国家长期稳定农村以家庭承包经营为基础、统分结合的双层经营体制，发展社会化服务体系，壮大集体经济实力，引导农民走共同富裕的道路。

The State, for a long time to come, within a long period, stabilizes the two-tier management system that combines unified with separate management on the basis of household contractual management, develop systems for commercialized services, expand the actual strength of collective economy, and guide the farmers onto the road of common prosperity.

国家在农村坚持和完善以按劳分配为主体、多种分配方式并存的分配制度。

The State upholds and improves the distribution system under which to each according to his work is the predominant mode of distribution, while diversified modes of distribution coexist.

第六条   国家坚持科教兴农和农业可持续发展的方针。

Article 6 The State upholds the principles of invigorating agriculture through science and education and of sustainable development of agriculture.

国家采取措施加强农业和农村基础设施建设，调整、优化农业和农村经济结构，推进农业产业化经营，发展农业科技、教育事业，保护农业生态环境，促进农业机械化和信息化，提高农业综合生产能力。

The State takes measures to strengthen agriculture and the construction of infrastructure in rural areas, to readjust and optimize agriculture and the rural economic structure, to push forward the industrialized operation of agriculture, to develop the undertakings of agricultural science, technology and education, to protect the agricultural ecological environment, to promote mechanization of agriculture and application of the technology information and to raise the comprehensive production capacity of agriculture.

第七条   国家保护农民和农业生产经营组织的财产及其他合法权益不受侵犯。

Article 7 The State shall protect the property and other legitimate rights and interests of farmers and agricultural production and operation organizations from infringement.

各级人民政府及其有关部门应当采取措施增加农民收入，切实减轻农民负担。

People's governments at all levels and the relevant departments under them shall take measures to increase the income of farmers and effectively reduce the burden on them.

第八条   全社会应当高度重视农业，支持农业发展。

Article 8 All sectors of society shall attach great importance to agriculture and support agricultural development.

国家对发展农业和农村经济有显著成绩的单位和个人，给予奖励。

The State awards the units and individuals that have made remarkable achievements in the development of agriculture and the rural economy.

第九条   各级人民政府对农业和农村经济发展工作统一负责，组织各有关部门和全社会做好发展农业和为发展农业服务的各项工作。

Article 9 People's governments at all levels shall assume unified responsibility for work in respect of agriculture and development of the rural economy and make arrangements for the relevant departments and all sectors of society to do a good job in all fields of endeavor for the development of agriculture and for provision of services to the development of agriculture.

国务院农业行政主管部门主管全国农业和农村经济发展工作，国务院林业行政主管部门和其他有关部门在各自的职责范围内，负责有关的农业和农村经济发展工作。

The competent administrative department for agriculture under the State Council shall be in charge of work of agriculture and economic development in the rural areas throughout the country. The competent administrative department for forestry under the State Council and relevant departments shall, within the scope of their respective duties, be in charge of work related to agriculture and development of the rural economy.

县级以上地方人民政府各农业行政主管部门负责本行政区域内的种植业、畜牧业、渔业等农业和农村经济发展工作，林业行政主管部门负责本行政区域内的林业工作。县级以上地方人民政府其他有关部门在各自的职责范围内，负责本行政区域内有关的为农业生产经营服务的工作。

The competent administrative departments for agriculture under the local people's governments at or above the county level shall be in charge of work related to agriculture and development of the rural economy including crop- planting, animal husbandry and fishery, within their own administrative regions, while the competent administrative departments for forestry shall be in charge of forest work within their own administrative regions. Other relevant departments under local people's governments at or above the county level shall, within the scope of their respective functions and duties, be responsible for the relevant work in the service of agricultural production and operation.

第二章 农业生产经营体制

Chapter 2 System of Agricultural Production and Operation

第十条   国家实行农村土地承包经营制度，依法保障农村土地承包关系的长期稳定，保护农民对承包土地的使用权。

Article 10 The State applies the contractual management system in respect of land in rural areas, protects, in accordance with law, the long-term stability of the relationship of land contract in rural areas, and protects the right of farmers to use their contracted land.

农村土地承包经营的方式、期限、发包方和承包方的权利义务、土地承包经营权的保护和流转等，适用《中华人民共和国土地管理法》和《中华人民共和国农村土地承包法》。

The Land Administration Law of the People's Republic of China and the Law of the People's Republic of China on Land Contract in Rural Areas shall be applicable to matters such as the mode and term of contractual management of rural land, the rights and obligations of the party giving out the contract and the contractor, and protection and transfer of the right to land contractual management.

农村集体经济组织应当在家庭承包经营的基础上，依法管理集体资产，为其成员提供生产、技术、信息等服务，组织合理开发、利用集体资源，壮大经济实力。

The rural collective economic organizations shall, on the basis the household contractual management and in accordance with law, manage the collective assets, provide their members with services in respect of production, technology, information, etc., make arrangements for rational development and use of collective resources and build up the economic strength.

第十一条   国家鼓励农民在家庭承包经营的基础上自愿组成各类专业合作经济组织。

Article 11 The State encourages farmers to voluntarily organize themselves into various kinds of specialized cooperative economic organizations on the basis of household contractual management.

农民专业合作经济组织应当坚持为成员服务的宗旨，按照加入自愿、退出自由、民主管理、盈余返还的原则，依法在其章程规定的范围内开展农业生产经营和服务活动。

Specialized cooperative economic organizations of farmers shall adhere to the aim of serving their members and in accordance with the principles of voluntary participation, free withdrawal, democratic management and return of the surplus and in accordance with law, engage in agricultural production and operation and provide services within the scope prescribed by their articles of association.

农民专业合作经济组织可以有多种形式，依法成立、依法登记。任何组织和个人不得侵犯农民专业合作经济组织的财产和经营自主权。

Specialized cooperative economic organizations of farmers may take diversified forms and shall be established and registered in accordance with law. No organizations or individuals may infringe upon the property of such organizations or their right of decision-making in management.

第十二条   农民和农业生产经营组织可以自愿按照民主管理、按劳分配和按股分红相结合的原则，以资金、技术、实物等入股，依法兴办各类企业。

Article 12 Farmers and agricultural production and operation organizations may, on a voluntary basis and in accordance with the principles of democratic management, and distribution according to work combined with dividends on shares, buy shares by pooling funds, technologies or material objects to establish different types of enterprises according to law.

第十三条   国家采取措施发展多种形式的农业产业化经营，鼓励和支持农民和农业生产经营组织发展生产、加工、销售一体化经营。

Article 13 The State takes measures to develop industrial management of agriculture in various forms, and encourages and supports farmers and agricultural production and operation organizations in their efforts to develop integrated operation of production, processing and marketing.

国家引导和支持从事农产品生产、加工、流通服务的企业、科研单位和其他组织，通过与农民或者农民专业合作经济组织订立合同或者建立各类企业等形式，形成收益共享、风险共担的利益共同体，推进农业产业化经营，带动农业发展。

The State provides guidance and support to enterprises, scientific research institutions and other organizations which are in the service of production, processing and circulation of agricultural products through concluding contracts or establishing various kinds of enterprises with farmers or farmers' specialized cooperative economic organizations, in their efforts to form benefit communities that jointly share profits and assume risks, in order to push forward the industrial management of agriculture and give impetus to the development of agriculture.

第十四条   农民和农业生产经营组织可以按照法律、行政法规成立各种农产品行业协会，为成员提供生产、营销、信息、技术、培训等服务，发挥协调和自律作用，提出农产品贸易救济措施的申请，维护成员和行业的利益。

Article 14 Farmers and agricultural production and operation organizations may, in accordance with law and administrative regulations, establish trade associations of different kinds of agricultural products in order to provide their members with services related to production, marketing, information, technology, training, etc., to play the role of coordination and self-discipline, to submit applications for relief measures for trade in agricultural products and to safeguard the interests of their members and trade.

第三章 农业生产

Chapter III Agricultural Production

第十五条   县级以上人民政府根据国民经济和社会发展的中长期规划、农业和农村经济发展的基本目标和农业资源区划，制定农业发展规划。

Article 15 People's governments at or above the county level shall, on the basis of the medium and long-term national economic and social development plans, the basic objective for agriculture and rural economic development and the regional division of agricultural resources, work out their plans for agricultural development.

省级以上人民政府农业行政主管部门根据农业发展规划，采取措施发挥区域优势，促进形成合理的农业生产区域布局，指导和协调农业和农村经济结构调整。

The competent administrative department for agriculture under the people's governments at or above the provincial level shall, on the basis of their plans for agricultural development, take measures to give play to the advantages of their regions, in order to promote the formation of a rational regional distribution of agricultural production and to guide and coordinate the restructuring of agriculture and the rural economy.

第十六条   国家引导和支持农民和农业生产经营组织结合本地实际按照市场需求，调整和优化农业生产结构，协调发展种植业、林业、畜牧业和渔业，发展优质、高产、高效益的农业，提高农产品国际竞争力。

Article 16 The State guides and supports farmers and agricultural production and operation organizations in their efforts to readjust and optimize the structure of agricultural production according to market demand and in light of the actual local conditions, to coordinate the development of crop- planting, forestry, animal husbandry and fishery, and to develop an agriculture with high quality, yields and returns in order to enhance the competitiveness of agricultural products in the world.

种植业以优化品种、提高质量、增加效益为中心，调整作物结构、品种结构和品质结构。

In crop- planting, the mix of crops, varieties and quality shall be readjusted, centering around the optimization of varieties, improvement of quality and increase of returns.

加强林业生态建设，实施天然林保护、退耕还林和防沙治沙工程，加强防护林体系建设，加速营造速生丰产林、工业原料林和薪炭林。

Efforts shall be made to improve forest ecology, carry into execution the projects designed to protect natural forests, restore reclaimed land to forests and prevent and control sand encroachment, and shelter forests shall be expanded and the cultivation of fast-growing and high yielding timber forests, forests for industrial raw materials and charcoal forests shall be speeded up.

加强草原保护和建设，加快发展畜牧业，推广圈养和舍饲，改良畜禽品种，积极发展饲料工业和畜禽产品加工业。

Grasslands shall be better protected and cultivated, the development of animal husbandry speeded up, the rearing of livestock in pens and folds popularized, the breeds of livestock and poultry improved, and the feed industry and the processing industry of livestock and poultry products developed.

渔业生产应当保护和合理利用渔业资源，调整捕捞结构，积极发展水产养殖业、远洋渔业和水产品加工业。

In fisheries, attention shall be paid to protection and rational use of fishery resources, readjustment of the mix of fishing, and active development of aquaculture, deep-sea fishing and the processing of aquatic products.

县级以上人民政府应当制定政策，安排资金，引导和支持农业结构调整。

People's governments at or above the county level shall frame their policies, allocate funds, guide and support the structural readjustment of agriculture.

第十七条   各级人民政府应当采取措施，加强农业综合开发和农田水利、农业生态环境保护、乡村道路、农村能源和电网、农产品仓储和流通、渔港、草原围栏、动植物原种良种基地等农业和农村基础设施建设，改善农业生产条件，保护和提高农业综合生产能力。

Article 17 People's governments at various levels shall take measures to strengthen all-round agricultural development and the construction of infrastructures for agriculture and the rural areas, such as irrigation and water conservancy, protection of agricultural ecological environment, rural roads, rural energy and electric networks, storage and circulation of agricultural products, fishing ports, grassland enclosures and bases of original and fine breeds and improved strains of animals and plants, improve the conditions for agricultural production, and protect and increase the comprehensive production capacity of agriculture.

第十八条   国家扶持动植物品种的选育、生产、更新和良种的推广使用，鼓励品种选育和生产、经营相结合，实施种子工程和畜禽良种工程。国务院和省、自治区、直辖市人民政府设立专项资金，用于扶持动植物良种的选育和推广工作。

Article 18 The State supports the breeding, production and updating of animal breeds and plant varieties and the wide use of the improved strains and fine breeds, encourages the combination of variety breeding with production and operation, and sees that the seed project and the fine livestock and poultry breed project are carried into execution. The State Council and the people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall set up special funds in support of the breeding and wide use of fine breeds and improved strains of animals and plants.

第十九条   各级人民政府和农业生产经营组织应当加强农田水利设施建设，建立健全农田水利设施的管理制度，节约用水，发展节水型农业，严格依法控制非农业建设占用灌溉水源，禁止任何组织和个人非法占用或者毁损农田水利设施。

Article 19 People's governments at various levels and agricultural production and operation organizations shall strengthen the construction of irrigation and water conservancy facilities, establish a sound system for the management of such facilities, economize on the use of water, develop a water-saving agriculture, control strictly in accordance with law the use of irrigation water resources by non-agricultural construction projects and prohibit all organizations and individuals from unlawfully occupying or damaging irrigation and water conservancy facilities.

国家对缺水地区发展节水型农业给予重点扶持。

The State gives priority to water-deficient regions in supporting the development of a water-saving agriculture.

第二十条   国家鼓励和支持农民和农业生产经营组织使用先进、适用的农业机械，加强农业机械安全管理，提高农业机械化水平。

Article 20 The State encourages and supports farmers and agricultural production and operation organizations to use advanced, applicable agricultural machines and improves the safety control over such machines for the purpose of raising the level of agricultural mechanization.

国家对农民和农业生产经营组织购买先进农业机械给予扶持。

The State gives support to farmers and agricultural production and operation organizations in purchasing advanced agricultural machines.

第二十一条   各级人民政府应当支持为农业服务的气象事业的发展，提高对气象灾害的监测和预报水平。

Article 21 People's governments at various levels shall support the development of the meteorological undertakings in the service of agriculture and enhance the abilities of monitoring and forecasting meteorological calamities.

第二十二条   国家采取措施提高农产品的质量，建立健全农产品质量标准体系和质量检验检测监督体系，按照有关技术规范、操作规程和质量卫生安全标准，组织农产品的生产经营，保障农产品质量安全。

Article 22 The State takes measures to enhance the quality of agricultural products, establish a sound system for quality standards of agricultural products and supervisory system for quality inspection and testing, and, in accordance with relevant technical regulations, operational rules and quality, hygiene and safety standards, make arrangements for production and management of agricultural products and ensure the quality and safety of agricultural products.

第二十三条   国家支持依法建立健全优质农产品认证和标志制度。

Article 23 The State supports the establishment, according to law, of a sound certification and mark system for quality agricultural products.

国家鼓励和扶持发展优质农产品生产。县级以上地方人民政府应当结合本地情况，按照国家有关规定采取措施，发展优质农产品生产。

The State encourages and supports the production of quality agricultural products. Local people's governments at or above the county level shall, in light of their local conditions and in accordance with relevant State regulations, take measures for developing the production of quality agricultural products.

符合国家规定标准的优质农产品可以依照法律或者行政法规的规定申请使用有关的标志。符合规定产地及生产规范要求的农产品可以依照有关法律或者行政法规的规定申请使用农产品地理标志。

For high-quality agricultural products that are up to the standards prescribed by the State, an application may, in accordance with the provisions of laws or administrative regulations, be made for the use of relevant marks. For agricultural products that meet the requirements of the prescribed places of origin or production specifications, an application may, in accordance with the provisions of relevant laws or administrative regulations, be made for the use of geographical indications of agricultural products.

第二十四条   国家实行动植物防疫、检疫制度，健全动植物防疫、检疫体系，加强对动物疫病和植物病、虫、杂草、鼠害的监测、预警、防治，建立重大动物疫情和植物病虫害的快速扑灭机制，建设动物无规定疫病区，实施植物保护工程。

Article 24 The State applies the system of animal and plant epidemic prevention and quarantine, improves the setup for such prevention and quarantine, strengthens the monitoring, early warning, and prevention and control of animal epidemic diseases and plant diseases, insect pests, weeds, and damages caused by rats, sets up a rapid elimination mechanism for major animal epidemic diseases, plant diseases and insect pests, builds random animal epidemic disease zones and carries into execution the plant protection project.

第二十五条   农药、兽药、饲料和饲料添加剂、肥料、种子、农业机械等可能危害人畜安全的农业生产资料的生产经营，依照相关法律、行政法规的规定实行登记或者许可制度。

Article 25 The system of registration or license shall, in accordance with the provisions of relevant laws and administrative regulations, be applied in respect of the production and operation of such means of agricultural production as pesticides, veterinary medicines, fodder and feed additives, fertilizers, seeds and farm machines, which may endanger the safety of human beings and or livestock.

各级人民政府应当建立健全农业生产资料的安全使用制度，农民和农业生产经营组织不得使用国家明令淘汰和禁止使用的农药、兽药、饲料添加剂等农业生产资料和其他禁止使用的产品。

People's governments at all levels shall establish a sound system for the safe use of the means of agricultural production. No farmers or agricultural production and operation organizations may use such means of agricultural production as the pesticides, veterinary medicines and feed additives which are eliminated or the use of which is banned by State decree, or use other products the use of which is banned.

农业生产资料的生产者、销售者应当对其生产、销售的产品的质量负责，禁止以次充好、以假充真、以不合格的产品冒充合格的产品；禁止生产和销售国家明令淘汰的农药、兽药、饲料添加剂、农业机械等农业生产资料。

Producers and sellers of the means of agricultural production shall be responsible for the quality of the products they manufacture and sell. They are prohibited from passing off inferior products as good ones, or fake products as genuine ones, or substandard products as standard ones; and they are prohibited from manufacturing and selling such agricultural means of production as pesticides, veterinary medicines, feed additives and farm machines, which are eliminated by State decree.

第四章 农产品流通与加工

Chapter 4 Circulation and Processing of Agricultural Products

第二十六条   农产品的购销实行市场调节。国家对关系国计民生的重要农产品的购销活动实行必要的宏观调控，建立中央和地方分级储备调节制度，完善仓储运输体系，做到保证供应，稳定市场。

Article 26 The purchase and sale of agricultural products shall be regulated by market forces. The State exercises the necessary macro-economic control over in the purchase and sale of key agricultural products which have a bearing on the national economy and the people's livelihood, establishes a system for storage regulation at the central and local levels and improves the storage and transportation system, in order to guarantee supply and stabilize the market.

第二十七条   国家逐步建立统一、开放、竞争、有序的农产品市场体系，制定农产品批发市场发展规划。对农村集体经济组织和农民专业合作经济组织建立农产品批发市场和农产品集贸市场，国家给予扶持。

Article 27 The State gradually establishes a unified, open, competitive and orderly market system for agricultural products and formulates plans for the development of a wholesale market for agricultural products. The State gives support to the rural collective economic organizations and specialized cooperative economic organizations of farmers in their efforts to build up wholesale markets and rural fairs for agricultural products.

县级以上人民政府工商行政管理部门和其他有关部门按照各自的职责，依法管理农产品批发市场，规范交易秩序，防止地方保护与不正当竞争。

Administrative departments for industry and commerce under the people's governments at or above the county level and the relevant departments shall, in compliance with their respective duties and in accordance with law, administer the wholesale markets for agricultural products, standardize the order of trade and prevent local protectionism and unfair competition.

第二十八条   国家鼓励和支持发展多种形式的农产品流通活动。支持农民和农民专业合作经济组织按照国家有关规定从事农产品收购、批发、贮藏、运输、零售和中介活动。鼓励供销合作社和其他从事农产品购销的农业生产经营组织提供市场信息，开拓农产品流通渠道，为农产品销售服务。

Article 28 The State encourages and supports the circulation of agricultural products in various forms. Support farmers and the specialized cooperative economic organizations of farmers to engage in purchase, wholesale, storage, transportation and retail of agricultural products and other intermediary activities in accordance with the relevant regulations of the State. It encourages the supply and marketing cooperatives and other agricultural production and operation organizations engaged in purchase and sale of agricultural products to provide market information and open up circulation channels for agricultural products in the service of the purchase and sale of such products.

县级以上人民政府应当采取措施，督促有关部门保障农产品运输畅通，降低农产品流通成本。有关行政管理部门应当简化手续，方便鲜活农产品的运输，除法律、行政法规另有规定外，不得扣押鲜活农产品的运输工具。

People's governments at or above the county level shall take measures and urge the relevant departments to ensure unblocked transportation of agricultural products and to reduce the circulation costs for such products. The relevant administrative departments shall simplify procedures to facilitate the transportation of fresh and live farm products, they are not allowed to detain the means of transport for fresh and live farm products except where otherwise provided for in laws and administrative regulations.

第二十九条   国家支持发展农产品加工业和食品工业，增加农产品的附加值。县级以上人民政府应当制定农产品加工业和食品工业发展规划，引导农产品加工企业形成合理的区域布局和规模结构，扶持农民专业合作经济组织和乡镇企业从事农产品加工和综合开发利用。

Article 29 The State supports the development of the processing of agricultural products and the food industry in order to increase the added value of the products. People's governments at or above the county level shall formulate plans for the development of the processing of agricultural products and the food industry, provide guidance to the enterprises engaged in the processing of agricultural products, helping them form a rational regional layout and structure of scale, and support the specialized cooperative economic organizations of farmers and enterprises town and township enterprises in their efforts to engage in processing and comprehensive development and utilization of agricultural products.

国家建立健全农产品加工制品质量标准，完善检测手段，加强农产品加工过程中的质量安全管理和监督，保障食品安全。

The State establishes a well-defined quality standards for processed agricultural products, improves the means of inspection and testing and tightens control and supervision over quality safety during the processing of agricultural products, in order to guarantee food safety.

第三十条   国家鼓励发展农产品进出口贸易。

Article 30 The State encourages the development of import and export trade of agricultural products.

国家采取加强国际市场研究、提供信息和营销服务等措施，促进农产品出口。

The State takes measures for improving research in international markets and providing information and marketing services in order to promote the export of agricultural products.

为维护农产品产销秩序和公平贸易，建立农产品进口预警制度，当某些进口农产品已经或者可能对国内相关农产品的生产造成重大的不利影响时，国家可以采取必要的措施。

An early warning system for the import of agricultural products shall be established for maintaining the order of production and marketing of and fair trade in agricultural products, so that the State may take the necessary measures when the import of certain agricultural products has already occasioned or is likely to occasion serious effect detrimental to the production of relevant agricultural products at home.

第五章 粮食安全

Chapter 5 Grain Safety

第三十一条   国家采取措施保护和提高粮食综合生产能力，稳步提高粮食生产水平，保障粮食安全。

Article 31 The State takes measures to protect and enhance the comprehensive capacity for grain production, steadily to raise grain production level and to ensure gain safety.

国家建立耕地保护制度，对基本农田依法实行特殊保护。

The State establishes the system of protection for arable land and provides special protection to capital farm land according to law.

第三十二条   国家在政策、资金、技术等方面对粮食主产区给予重点扶持，建设稳定的商品粮生产基地，改善粮食收贮及加工设施，提高粮食主产区的粮食生产、加工水平和经济效益。

Article 32 The State gives major assistance in terms of policy, funds and technology to the main grain producing areas, in order to build up stable bases for the production of commodity grains, improve grain storage and processing facilities and raise the grain production and processing level and increase the economic returns in the main grain producing areas.

国家支持粮食主产区与主销区建立稳定的购销合作关系。

The State supports the establishment of stable cooperative relations between the main grain producing areas and the main grain marketing areas.

第三十三条   在粮食的市场价格过低时，国务院可以决定对部分粮食品种实行保护价制度。保护价应当根据有利于保护农民利益、稳定粮食生产的原则确定。

Article 33 When the market price of grain is too low, the State Council may decide to introduce the protective price system for some varieties of grain. The protective price shall be set in accordance with the principle of protecting the interests of farmers and stabilizing grain production.

农民按保护价制度出售粮食，国家委托的收购单位不得拒收。

When farmers sell their grains in accordance with the protective price system, no purchasing units entrusted by the State may refuse to purchase them.

县级以上人民政府应当组织财政、金融等部门以及国家委托的收购单位及时筹足粮食收购资金，任何部门、单位或者个人不得截留或者挪用。

People's governments at or above the county level shall make arrangements for departments of finance, banking, etc. as well as purchasing units entrusted by the State to raise enough funds in time for the purchase of grain. No departments, units or individuals may withhold or misappropriate such funds.

第三十四条   国家建立粮食安全预警制度，采取措施保障粮食供给。国务院应当制定粮食安全保障目标与粮食储备数量指标，并根据需要组织有关主管部门进行耕地、粮食库存情况的核查。

Article 34 The State establishes an early warning system for grain safety and takes measures to guarantee the supply of grain. The State Council shall formulate the objective for ensuring grain safety and the quantity index for grain storage and, when necessary, make arrangements for the relevant competent departments to verify the fields cultivated and the grain stored.

国家对粮食实行中央和地方分级储备调节制度，建设仓储运输体系。承担国家粮食储备任务的企业应当按照国家规定保证储备粮的数量和质量。

The State applies a system for the regulation of grain storage at central and local levels and establishes a network for storage and transportation of grain. Enterprises to which the State assigns the task of grain storage shall, in accordance with the regulations of the State, guarantee the quantity and quality of the grain stored.

第三十五条   国家建立粮食风险基金，用于支持粮食储备、稳定粮食市场和保护农民利益。

Article 35 The State establishes a risk fund for grain, which shall be used to support grain storage, stabilize grain markets and protect the interests of farmers.

第三十六条   国家提倡珍惜和节约粮食，并采取措施改善人民的食物营养结构。

Article 36 The State encourages people to value and economize on the use of grain, and takes measures to improve people's food nutrition patterns.

第六章 农业投入与支持保护

Chapter 6 Input to and Support and Protection of Agriculture

第三十七条   国家建立和完善农业支持保护体系，采取财政投入、税收优惠、金融支持等措施，从资金投入、科研与技术推广、教育培训、农业生产资料供应、市场信息、质量标准、检验检疫、社会化服务以及灾害救助等方面扶持农民和农业生产经营组织发展农业生产，提高农民的收入水平。

Article 37 The State establishes a sound network for support and protection of agriculture, and takes such measures as financial investment, preferential taxation and banking assistance to support, in terms of fund input, scientific research and popularization of technology, education and training, supply of the means of agricultural production, market information, quality standard, test and quarantine, commercialized services and disaster relief, farmers and agricultural production and operation organizations in their efforts to develop agricultural production, in order to help increase the income of farmers.

在不与我国缔结或加入的有关国际条约相抵触的情况下，国家对农民实施收入支持政策，具体办法由国务院制定。

On condition that the relevant international treaties concluded or acceded to by the State are not contravened, the State pursues a policy in support of the income of farmers, and the specific measures thereof shall be formulated by the State Council.

第三十八条   国家逐步提高农业投入的总体水平。中央和县级以上地方财政每年对农业总投入的增长幅度应当高于其财政经常性收入的增长幅度。

Article 38 The State shall gradually increase the overall input to agriculture. The annual overall input to agriculture by the Central Government and the local governments at or above the county level shall be increased by a larger margin than their regular revenues respectively.

各级人民政府在财政预算内安排的各项用于农业的资金应当主要用于：加强农业基础设施建设；支持农业结构调整，促进农业产业化经营；保护粮食综合生产能力，保障国家粮食安全；健全动植物检疫、防疫体系，加强动物疫病和植物病、虫、杂草、鼠害防治；建立健全农产品质量标准和检验检测监督体系、农产品市场及信息服务体系；支持农业科研教育、农业技术推广和农民培训；加强农业生态环境保护建设；扶持贫困地区发展；保障农民收入水平等。

The various funds earmarked for agriculture in the financial budgets of the people's governments at various levels shall chiefly be used for the following: strengthening the construction of agricultural infrastructure; supporting readjustment of the agricultural structure and promoting industrial management of agriculture; protecting the overall production capacity of grain and ensuring safety of State grains; improving the system for animal and plant quarantine and epidemic prevention and prevention and control of animal epidemic diseases and plant diseases, insect pests, weeds and damage caused by rats; establishing a sound system for quality standards of agricultural products and supervisory system for quality inspection as well as networks for agricultural product markets and information service; supporting scientific research and education in agricultural, popularization of agricultural technology and training of farmers; strengthening the construction of projects for protection of agricultural ecological environment; supporting the development of poverty-stricken areas; ensuring the income level of farmers; and so on.

县级以上各级财政用于种植业、林业、畜牧业、渔业、农田水利的农业基本建设投入应当统筹安排，协调增长。

The investment made by the governments at or above the county level in capital construction in agriculture including crop- planting, forestry, animal husbandry, fishery and irrigation and water conservancy shall be given overall consideration and increased in a coordinated manner.

国家为加快西部开发，增加对西部地区农业发展和生态环境保护的投入。

The State increases its investment in agricultural development and protection of the ecological environment in the western region in order to speed up the development of the region.

第三十九条   县级以上人民政府每年财政预算内安排的各项用于农业的资金应当及时足额拨付。各级人民政府应当加强对国家各项农业资金分配、使用过程的监督管理，保证资金安全，提高资金的使用效率。

Article 39 The various funds earmarked for agriculture in the annual financial budgets of the people's governments at or above the county level shall be appropriated in time and in full. People's governments at all levels shall tighten supervision over the allocation and use of the various funds earmarked by the State for agriculture, in order to guarantee safety of the funds and to raise their efficiency of use.

任何单位和个人不得截留、挪用用于农业的财政资金和信贷资金。审计机关应当依法加强对用于农业的财政和信贷等资金的审计监督。

No unit or individual may withhold or misappropriate financial or credit funds to be used for agriculture. The auditing authorities shall, in accordance with law, exercise strict supervision over such funds through auditing.

第四十条   国家运用税收、价格、信贷等手段，鼓励和引导农民和农业生产经营组织增加农业生产经营性投入和小型农田水利等基本建设投入。

Article 40 The State, through taxation, pricing, credit and other means, encourages and guides farmers and agricultural production and operation organizations to increase investment in agricultural production and operation and in capital construction such as small irrigation and water conservancy projects.

国家鼓励和支持农民和农业生产经营组织在自愿的基础上依法采取多种形式，筹集农业资金。

The State encourages and supports farmers and agricultural production and operation organizations to raise agricultural funds in various forms on a voluntary basis and in accordance with law.

第四十一条   国家鼓励社会资金投向农业，鼓励企业事业单位、社会团体和个人捐资设立各种农业建设和农业科技、教育基金。

Article 41 The State encourages investment of public funds in agriculture and encourages enterprises and institutions, public organizations and individuals to donate money for setting up various funds for agricultural development, agricultural science and technology as well as education in agriculture.

国家采取措施，促进农业扩大利用外资。

The State takes measures to promote increased use of foreign funds in agriculture.

第四十二条   各级人民政府应当鼓励和支持企业事业单位及其他各类经济组织开展农业信息服务。

Article 42 People's governments at all levels shall encourage and support enterprises, institutions and other economic organizations of different types to provide information services to agriculture.

县级以上人民政府农业行政主管部门及其他有关部门应当建立农业信息搜集、整理和发布制度，及时向农民和农业生产经营组织提供市场信息等服务。

The competent administrative department for agriculture and the relevant departments under the people's governments at or above the county level shall establish a system for collecting, sorting out and publishing agricultural information, in order to provide timely services such as market information to farmers and agricultural production and operation organizations.

第四十三条   国家鼓励和扶持农用工业的发展。

Article 43 The State encourages and supports the development of agro-industry.

国家采取税收、信贷等手段鼓励和扶持农业生产资料的生产和贸易，为农业生产稳定增长提供物质保障。

The State, by such means as taxation and credit, encourages and supports the manufacture of and trade in the means of agricultural production in order to provide the material guaranteed for stable growth of agricultural production.

国家采取宏观调控措施，使化肥、农药、农用薄膜、农业机械和农用柴油等主要农业生产资料和农产品之间保持合理的比价。

The State takes macro-regulation and -control measures to maintain a reasonable price ratio between agricultural products and the principal means of agricultural production such as chemical fertilizers, pesticides, agricultural plastic films, agricultural machinery and diesel oil for agricultural use.

第四十四条   国家鼓励供销合作社、农村集体经济组织、农民专业合作经济组织、其他组织和个人发展多种形式的农业生产产前、产中、产后的社会化服务事业。县级以上人民政府及其各有关部门应当采取措施对农业社会化服务事业给予支持。

Article 44 The State encourages the supply and marketing cooperatives, rural collective economic organizations, specialized cooperative economic organizations of farmers, other organizations and individuals to develop diversified forms of undertakings that provide commercialized services before, during and after the process of agricultural production. People's governments at or above the county level and the relevant departments under them shall take measures to provide support to undertakings that render commercialized services to agriculture.

对跨地区从事农业社会化服务的，农业、工商管理、交通运输、公安等有关部门应当采取措施给予支持。

The departments for agriculture, industry and commerce, transportation and public security and other relevant departments shall take measures to give support to units that provide trans regional commercialized services to agriculture.

第四十五条   国家建立健全农村金融体系，加强农村信用制度建设，加强农村金融监管。

Article 45 The State establishes a sound rural financial network, improves the rural credit system and tightens supervision over rural finance.

有关金融机构应当采取措施增加信贷投入，改善农村金融服务，对农民和农业生产经营组织的农业生产经营活动提供信贷支持。

The financial institutions concerned shall take measures to increase input to credit, improve financial services in the countryside and extend credit in support of agricultural production and operation conducted by farmers and agricultural production and operation organizations.

农村信用合作社应当坚持为农业、农民和农村经济发展服务的宗旨，优先为当地农民的生产经营活动提供信贷服务。

Rural credit cooperatives shall adhere to their aims of serving agriculture, the farmers and economic development in rural areas and, in providing credit services, give priority to production and operation conducted by local farmers.

国家通过贴息等措施，鼓励金融机构向农民和农业生产经营组织的农业生产经营活动提供贷款。

The State, by taking such measures as discount, encourages financial institutions to provide credit to the farmers and agricultural production and operation organizations engaged in agricultural production and operation.

第四十六条   国家建立和完善农业保险制度。

Article 46 The State establishes a sound insurance system for agriculture.

国家逐步建立和完善政策性农业保险制度。鼓励和扶持农民和农业生产经营组织建立为农业生产经营活动服务的互助合作保险组织，鼓励商业性保险公司开展农业保险业务。

The State gradually establishes a sound policy-related insurance system for agriculture. It encourages and supports farmers and agricultural production and operation organizations to form mutual-aid cooperative insurance organizations in the service of agricultural production and operation, and encourages commercial insurance companies to conduct insurance business in agriculture.

农业保险实行自愿原则。任何组织和个人不得强制农民和农业生产经营组织参加农业保险。

The principle of voluntariness shall be practiced in agricultural insurance. No organizations or individuals may compel farmers or agricultural production and operation organizations to buy agricultural insurance.

第四十七条   各级人民政府应当采取措施，提高农业防御自然灾害的能力，做好防灾、抗灾和救灾工作，帮助灾民恢复生产，组织生产自救，开展社会互助互济；对没有基本生活保障的灾民给予救济和扶持。

Article 47 People's governments at all levels shall take measures to increase the capabilities of fighting against natural disasters in agriculture, do a good job of preventing and fighting against disasters and providing disaster relief, help victims to restore production, and encourage them to support themselves by engaging in production and give each other assistance; and they shall give relief and help to the victims who lack the basic living guarantee.

第七章 农业科技与农业教育

Chapter 7 Agricultural Science and Technology, and Agricultural Education

第四十八条   国务院和省级人民政府应当制定农业科技、农业教育发展规划，发展农业科技、教育事业。

Article 48 The State Council and the people's governments at the provincial level shall make plans for the development of agricultural science and technology and education in agriculture to promote the undertakings of agricultural science and technology and education in agriculture.

县级以上人民政府应当按照国家有关规定逐步增加农业科技经费和农业教育经费。

People's governments at or above the county level shall, in accordance with the relevant regulations of the State, steadily increase funds for agricultural science and technology and for education in agriculture.

国家鼓励、吸引企业等社会力量增加农业科技投入，鼓励农民、农业生产经营组织、企业事业单位等依法举办农业科技、教育事业。

The State encourages enterprises and other sectors of society to increase investment in agricultural science and technology and draws their attention to that direction, and encourages farmers, agricultural production and operation organizations, enterprises and institutions to sponsor agricultural science and technology and education undertakings in accordance with law.

第四十九条   国家保护植物新品种、农产品地理标志等知识产权，鼓励和引导农业科研、教育单位加强农业科学技术的基础研究和应用研究，传播和普及农业科学技术知识，加速科技成果转化与产业化，促进农业科学技术进步。

Article 49 The State protects such intellectual property rights as new varieties of plants and geographical marks of agricultural products, encourages and guides agricultural scientific research and education units to improve the basic research and application studies in agricultural science and technology, disseminate and popularize knowledge about agricultural science and technology, speed up the transformation and industrialization of scientific and technological achievements, and promote progress of agricultural science and technology.

国务院有关部门应当组织农业重大关键技术的科技攻关。国家采取措施促进国际农业科技、教育合作与交流，鼓励引进国外先进技术。

The relevant departments under the State Council shall take charge of the tackling of key agricultural technologies. The State takes measures to promote international cooperation and exchange in agricultural science, technology and education, encourages the introduction of advanced foreign technologies.

第五十条   国家扶持农业技术推广事业，建立政府扶持和市场引导相结合，有偿与无偿服务相结合，国家农业技术推广机构和社会力量相结合的农业技术推广体系，促使先进的农业技术尽快应用于农业生产。

Article 50 The State supports the popularization of agricultural techniques, and establishes the network for popularizing agricultural techniques, under which government support is combined with guidance by market forces, compensatory services are combined with gratuitous services and national institutions for popularizing agricultural techniques are combined with different sectors of society in order that advanced agricultural techniques may be applied to agricultural production as soon as possible.

第五十一条   国家设立的农业技术推广机构应当以农业技术试验示范基地为依托，承担公共所需的关键性技术的推广和示范等公益性职责，为农民和农业生产经营组织提供无偿农业技术服务。

Article 51 Setups for popularizing agricultural techniques established by the State shall, relying on the pilot and demonstration bases for agricultural techniques, be in charge of popularizing and demonstrating key techniques and other public welfare duties, which are needed by the public, and provide gratuitous agricultural technology services to farmers and agricultural production and operation organizations.

县级以上人民政府应当根据农业生产发展需要，稳定和加强农业技术推广队伍，保障农业技术推广机构的工作经费。

People's governments at or above the county level shall, in light of the need for the development of agricultural production, stabilize and strengthen the contingent for popularization of agricultural techniques, and guarantee funds for the setups working for popularization of such techniques.

各级人民政府应当采取措施，按照国家规定保障和改善从事农业技术推广工作的专业科技人员的工作条件、工资待遇和生活条件，鼓励他们为农业服务。

People's governments at various levels shall, in accordance with relevant State regulations, take measures to ensure and improve the working conditions, salaries and other benefits, and the living conditions of the scientific and technological professionals engaged in popularization of agricultural techniques, in order to encourage them to contribute their services to agriculture.

第五十二条   农业科研单位、有关学校、农民专业合作社、涉农企业、群众性科技组织及有关科技人员，根据农民和农业生产经营组织的需要，可以提供无偿服务，也可以通过技术转让、技术服务、技术承包、技术咨询和技术入股等形式，提供有偿服务，取得合法收益。农业科研单位、有关学校、农民专业合作社、涉农企业、群众性科技组织及有关科技人员应当提高服务水平，保证服务质量。

Article 52 Units of agricultural scientific research, relevant schools, specialized farmers cooperatives, agriculture-related enterprises, mass organizations of science and technology and scientists and technicians may, on the basis of the need of farmers and agricultural production and operation organizations, provide gratuitous services, or provide compensatory services for legitimate earnings through transfer of technologies, technical services, technical contract, technical consultation, buying shares with technologies, etc. Institutions of agricultural scientific research, relevant schools, specialized farmers cooperatives, agriculture-related enterprises, mass organizations of science and technology and scientists and technicians concerned shall raise the level of their services and guarantee the quality of their services.

对农业科研单位、有关学校、农业技术推广机构举办的为农业服务的企业，国家在税收、信贷等方面给予优惠。

The State shall afford preferential treatments in respect of taxation, credit and loan to enterprises sponsored in the service of agriculture by units of agricultural scientific research, relevant schools or setups for popularization of agricultural techniques.

国家鼓励和支持农民、供销合作社、其他企业事业单位等参与农业技术推广工作。

The State encourages farmers, supply and marketing cooperatives and other enterprises and institutions to participate in popularization of agricultural techniques.

第五十三条   国家建立农业专业技术人员继续教育制度。县级以上人民政府农业行政主管部门会同教育、人事等有关部门制定农业专业技术人员继续教育计划，并组织实施。

Article 53 The State establishes the system of continuing education for agricultural professional technicians. The competent administrative department for agriculture under the people's governments at or above the county level shall, in conjunction with the relevant departments of education and personnel, work out plans for continuing education for agricultural professional technicians, and make arrangements to carry them out.

第五十四条   国家在农村依法实施义务教育，并保障义务教育经费。国家在农村举办的普通中小学校教职工工资由县级人民政府按照国家规定统一发放，校舍等教学设施的建设和维护经费由县级人民政府按照国家规定统一安排。

Article 54 The State sees that compulsory education is conducted in rural areas according to law, and guarantees the funds for such education. The salaries of the teaching and administrative staff of regular primary and secondary schools run by the State shall be distributed in a unified manner by people's governments at the county level according to the regulations of the State, and the funds for building and maintaining teaching facilities, including schoolhouses, shall be arranged in a unified manner by the said people's government according to the said regulations.

第五十五条   国家发展农业职业教育。国务院有关部门按照国家职业资格证书制度的统一规定，开展农业行业的职业分类、职业技能鉴定工作，管理农业行业的职业资格证书。

Article 55 The State develops vocational education in agriculture. The relevant departments under the State Council shall, in accordance with the unified regulations of the State on the professional qualification certificate system, classify the professions and verify professional competence in agriculture, and administer professional qualification certificates in agriculture.

第五十六条   国家采取措施鼓励农民采用先进的农业技术，支持农民举办各种科技组织，开展农业实用技术培训、农民绿色证书培训和其他就业培训，提高农民的文化技术素质。

Article 56 The State takes measures to encourage farmers to apply advanced agricultural techniques, support them to form various kinds of scientific and technological organizations, and conduct training in applied agricultural technology, training among farmers for green certificates and training for employment, in order to enhance the cultural and technical qualifications of farmers.

第八章 农业资源与农业环境保护

Chapter 8 Agricultural Resources and Agricultural Environmental Protection

第五十七条   发展农业和农村经济必须合理利用和保护土地、水、森林、草原、野生动植物等自然资源，合理开发和利用水能、沼气、太阳能、风能等可再生能源和清洁能源，发展生态农业，保护和改善生态环境。

Article 57 In the development of agriculture and the rural economy, attention shall be paid to the rational use and protection of the natural resources, such as the land, water, forests, grasslands and wild animals and plants, to the rational development and use of renewable and clean sources of energy such as hydro-energy, marsh gas, solar energy and wind energy, to the development of ecological agriculture, and to the protection and improvement of the ecological environment.

县级以上人民政府应当制定农业资源区划或者农业资源合理利用和保护的区划，建立农业资源监测制度。

People's governments at or above the county level shall work out regional division for agricultural resources or for regional rational use and protection of agricultural resources, and establish a monitoring system for agricultural resources.

第五十八条   农民和农业生产经营组织应当保养耕地，合理使用化肥、农药、农用薄膜，增加使用有机肥料，采用先进技术，保护和提高地力，防止农用地的污染、破坏和地力衰退。

Article 58 Farmers and agricultural production and operation organizations shall keep their arable land well-maintained, make rational use of chemical fertilizers, pesticides and agricultural plastic films, increase the application of organic fertilizers and apply advanced techniques, in order to protect and improve soil fertility and prevent the land for agriculture from pollution, destruction and soil fertility declination.

县级以上人民政府农业行政主管部门应当采取措施，支持农民和农业生产经营组织加强耕地质量建设，并对耕地质量进行定期监测。

The competent administrative departments for agriculture under the people's governments at or above the county level shall take measures to support farmers and agricultural production and operation organizations in their efforts to improve the quality of the arable land, and regularly monitor the quality of such land.

第五十九条   各级人民政府应当采取措施，加强小流域综合治理，预防和治理水土流失。从事可能引起水土流失的生产建设活动的单位和个人，必须采取预防措施，并负责治理因生产建设活动造成的水土流失。

Article 59 People's governments at various levels shall take measures to improve the comprehensive rehabilitation of small river basins, and to prevent and control soil erosion. Units and individuals engaged in production or construction which may cause soil erosion shall take preventive measures, and shall be responsible for the control of soil erosion caused by production or construction.

各级人民政府应当采取措施，预防土地沙化，治理沙化土地。国务院和沙化土地所在地区的县级以上地方人民政府应当按照法律规定制定防沙治沙规划，并组织实施。

People's governments at all levels shall take measures to prevent and control sand encroachment upon land. The State Council and the local people's governments at or above the county level located in desertified regions shall, in accordance with the provisions of laws, draw up plans for prevention and control of desertification and make arrangements to carry them out.

第六十条   国家实行全民义务植树制度。各级人民政府应当采取措施，组织群众植树造林，保护林地和林木，预防森林火灾，防治森林病虫害，制止滥伐、盗伐林木，提高森林覆盖率。

Article 60 The State applies the system of compulsory tree-planting in the whole nation. People's governments at all levels shall take measures and make arrangements for the masses to plant trees, to protect forestland and forests, to prevent forest fires, to prevent and control plant diseases and insect pests in forests, to put a stop to denudation and illegal felling of trees, and to increase forest coverage.

国家在天然林保护区域实行禁伐或者限伐制度，加强造林护林。

The State applies in the natural forests preservation zones the system under which felling of trees is prohibited or restricted, and improves afforestation and the protection of forests.

第六十一条   有关地方人民政府，应当加强草原的保护、建设和管理，指导、组织农（牧）民和农（牧）业生产经营组织建设人工草场、饲草饲料基地和改良天然草原，实行以草定畜，控制载畜量，推行划区轮牧、休牧和禁牧制度，保护草原植被，防止草原退化沙化和盐渍化。

Article 61 The local people's governments concerned shall strengthen protection, development and management of grasslands, guide and make arrangements for farmers (herdsmen) and agricultural (animal husbandry) production and operation organizations to build artificial pastures, bases of forage grass and fodder and improve natural grasslands, carry out the principle of basing the number of animal raised on the grass available, keep the number of animals fed under control, introduce the system of regional rotation grazing, closed grazing and prohibition against grazing, protect the vegetation of grasslands and prevent the grasslands from degeneration, encroachment by sand, and salinization.

第六十二条   禁止毁林毁草开垦、烧山开垦以及开垦国家禁止开垦的陡坡地，已经开垦的应当逐步退耕还林、还草。

Article 62 Destruction of forests and grass and burning of mountain vegetation for land reclamation and reclamation of slopes banned by the State are prohibited; and where such land has already been reclaimed, it shall gradually be restored to forests or grasslands.

禁止围湖造田以及围垦国家禁止围垦的湿地。已经围垦的，应当逐步退耕还湖、还湿地。

Reclaiming land from a lake and reclaiming land from wetland prohibited by the State shall be prohibited. Where such land is already reclaimed, it shall gradually be restored to the lakes and wetland.

对在国务院批准规划范围内实施退耕的农民，应当按照国家规定予以补助。

Farmers who restore reclaimed land within the scope of plans approved by the State Council shall be given subsidies in accordance with the regulations of the State.

第六十三条   各级人民政府应当采取措施，依法执行捕捞限额和禁渔、休渔制度，增殖渔业资源，保护渔业水域生态环境。

Article 63 People's governments at all levels shall take measures to implement, in accordance with law, the system of fishing norms, fishing prohibition and closed fishing, in order to propagate fishery resources and protect ecological environment of fishery waters.

国家引导、支持从事捕捞业的农（渔）民和农（渔）业生产经营组织从事水产养殖业或者其他职业，对根据当地人民政府统一规划转产转业的农（渔）民，应当按照国家规定予以补助。

The State provides guidance to and supports farmers (fishermen) and the agricultural (fishery) production and operation organizations engaged in fishing to take up aquaculture or other occupations; and the farmers (fishermen) who change the line of production or are transferred to other jobs on the basis of unified plans of the local people's governments shall be given subsidies in accordance with the regulations of the State.

第六十四条   国家建立与农业生产有关的生物物种资源保护制度，保护生物多样性，对稀有、濒危、珍贵生物资源及其原生地实行重点保护。从境外引进生物物种资源应当依法进行登记或者审批，并采取相应安全控制措施。

Article 64 The State establishes the system of protection for the resources of biological species related to agricultural production in order to protect the variety of organisms, laying emphasis on the resources of organisms which are rare, endangered, or precious, and on their origins. Resources of biological species introduced from abroad shall, according to law, be registered or be subject to examination and approval, and appropriate safety and control measures shall be taken.

农业转基因生物的研究、试验、生产、加工、经营及其他应用，必须依照国家规定严格实行各项安全控制措施。

With respect to research, experiment, production, processing, operation and other application of agricultural genetically modified organisms, all the safety and control measures shall be enforced strictly in accordance with the regulations of the State.

第六十五条   各级农业行政主管部门应当引导农民和农业生产经营组织采取生物措施或者使用高效低毒低残留农药、兽药，防治动植物病、虫、杂草、鼠害。

Article 65 The competent administrative departments for agriculture at all levels shall provide guidance to farmers and agricultural production and operation organizations in their adoption of biological measures or use of highly effective, low-toxic and low-residual pesticides and veterinary medicines to prevent and control animal and plant diseases, insect pests, weeds and damage by rats.

农产品采收后的秸秆及其他剩余物质应当综合利用，妥善处理，防止造成环境污染和生态破坏。

Straws and other residual materials after the reaping of agricultural products shall comprehensively be utilized and properly disposed of in order to prevent environmental pollution and ecological destruction.

从事畜禽等动物规模养殖的单位和个人应当对粪便、废水及其他废弃物进行无害化处理或者综合利用，从事水产养殖的单位和个人应当合理投饵、施肥、使用药物，防止造成环境污染和生态破坏。

Units and individuals engaged in raising livestock and poultry in scale shall conduct decontamination or make comprehensive utilization of their excrements and urines, waste water and other waste materials; and units and individuals engaged in aquaculture shall rationally use feedings, fertilizers and medicines in order to prevent environmental pollution and ecological destruction.

第六十六条   县级以上人民政府应当采取措施，督促有关单位进行治理，防治废水、废气和固体废弃物对农业生态环境的污染。排放废水、废气和固体废弃物造成农业生态环境污染事故的，由环境保护行政主管部门或者农业行政主管部门依法调查处理；给农民和农业生产经营组织造成损失的，有关责任者应当依法赔偿。

Article 66 People's governments at or above the county level shall take measures to urge the relevant units to prevent and control pollution of the agricultural ecological environment by waste water and gas and solid waste materials. Where a unit discharges waste water or gas or solid waste materials and thus causes pollution of the agricultural ecological environment, the competent department of environment protection administration or for agriculture shall, in accordance with laws, investigate the matter and handle it; and if losses are caused to farmers or agricultural production and operation organizations, the person responsible for such losses shall pay compensation according to law.

第九章 农民权益保护

Chapter 9 Protection of Farmers’ Interests

第六十七条   任何机关或者单位向农民或者农业生产经营组织收取行政、事业性费用必须依据法律、法规的规定。收费的项目、范围和标准应当公布。没有法律、法规依据的收费，农民和农业生产经营组织有权拒绝。

Article 67 Any government department or unit that collects administrative or operating charges from farmers or agricultural production and operation organizations shall do so in accordance with the provisions of laws and regulations. The items, scopes and rates of such charges shall be made public. Farmers or agricultural production and operation organizations shall have the right to refuse to pay any charges for which there are no laws or regulations to go by.

任何机关或者单位对农民或者农业生产经营组织进行罚款处罚必须依据法律、法规、规章的规定。没有法律、法规、规章依据的罚款，农民和农业生产经营组织有权拒绝。

Any government department or unit that is to impose fines on farmers or agricultural production and operation organizations shall do so in accordance with the provisions of laws, rules and regulations. Farmers or agricultural production and operation organizations shall have the right to refuse to pay any fines for which there are no laws, rules or regulations to go by.

任何机关或者单位不得以任何方式向农民或者农业生产经营组织进行摊派。除法律、法规另有规定外，任何机关或者单位以任何方式要求农民或者农业生产经营组织提供人力、财力、物力的，属于摊派。农民和农业生产经营组织有权拒绝任何方式的摊派。

No apportionment shall be made by any State organs or units to peasants or agricultural production and operation organizations in any form. Any demand made by any government department or unit, by any means, on farmers or agricultural production or operation organizations for manpower, financial or material resources shall be regarded as an apportionment, except where otherwise provided for in laws or regulations. Farmers or agricultural production and operation organizations shall have the right to refuse any apportionment in any form.

第六十八条   各级人民政府及其有关部门和所属单位不得以任何方式向农民或者农业生产经营组织集资。

Article 68 People's governments at various levels and the relevant departments or units under them shall not, by any means, raise funds from among farmers or agricultural production and operation organizations.

没有法律、法规依据或者未经国务院批准，任何机关或者单位不得在农村进行任何形式的达标、升级、验收活动。

No government departments or unit may conduct, without laws or regulations to go by or without approval by the State Council, conduct any form of activities in the countryside for reaching a certain standard, for upgrading or for accepting a project after inspection.

第六十九条   农民和农业生产经营组织依照法律、行政法规的规定承担纳税义务。税务机关及代扣、代收税款的单位应当依法征税，不得违法摊派税款及以其他违法方法征税。

Article 69 Farmers and agricultural production and operation organizations shall, in accordance with the provisions of laws and administrative regulations, have the obligation to pay taxes. Taxation departments and the units that withhold or collect taxes on behalf of the said governments shall levy taxes according to law and are not allowed to apportion taxes in violation of law or levy taxes by other illegal means.

第七十条   农村义务教育除按国务院规定收取的费用外，不得向农民和学生收取其他费用。禁止任何机关或者单位通过农村中小学校向农民收费。

Article 70 With respect to compulsory education in rural areas, except for fees collected in accordance with the regulations of the State Council, no other fees may be collected from farmers and students. Government departments and units are prohibited from collecting fees from farmers through rural primary and secondary schools.

第七十一条   国家依法征收农民集体所有的土地，应当保护农民和农村集体经济组织的合法权益，依法给予农民和农村集体经济组织征地补偿，任何单位和个人不得截留、挪用征地补偿费用。

Article 71 When, in accordance with law, requisitioning land collectively owned by farmers, the State protects the legitimate rights and interests of the farmers and rural collective economic organizations and, in accordance with law, give them compensation for the land requisitioned, which no unit or individual may withhold or misappropriate.

第七十二条   各级人民政府、农村集体经济组织或者村民委员会在农业和农村经济结构调整、农业产业化经营和土地承包经营权流转等过程中，不得侵犯农民的土地承包经营权，不得干涉农民自主安排的生产经营项目，不得强迫农民购买指定的生产资料或者按指定的渠道销售农产品。

Article 72 In the course of the agricultural and rural economic restructuring, the industrialization of agricultural operation and the transfer of the right to land contractual management, no people's government at any level, rural collective economic organization or villagers committee may infringe upon the farmers' right to land contractual management, interfere with the items of production and operation arranged by the farmers themselves, or compel the farmers to buy the means of production designated by it or to sell their agricultural products through the channels designated by it.

第七十三条   农村集体经济组织或者村民委员会为发展生产或者兴办公益事业，需要向其成员（村民）筹资筹劳的，应当经成员（村民）会议或者成员（村民）代表会议过半数通过后，方可进行。

Article 73 Where rural collective economic organizations or villagers committees need to raise funds or obtain manpower from their members (villagers) for the development of production or initiation of public welfare undertakings, the matter shall be subject to adoption by a simple majority of the members (villagers) assembly or the members (villagers) representative assembly.

农村集体经济组织或者村民委员会依照前款规定筹资筹劳的，不得超过省级以上人民政府规定的上限控制标准，禁止强行以资代劳。

Where rural collective economic organizations or villagers committees raise funds or obtain manpower in accordance with the provisions of the preceding paragraph, they are not allowed to exceed the ceiling of the control norm fixed by the people's governments at or above the provincial level, and compulsory substitution of funds for manpower is prohibited.

农村集体经济组织和村民委员会对涉及农民利益的重要事项，应当向农民公开，并定期公布财务账目，接受农民的监督。

Rural collective economic organizations and villagers committees shall make known to farmers important matters that have a bearing on the interests of the farmers and regularly publish their financial accounts to accept supervision by the farmers.

第七十四条   任何单位和个人向农民或者农业生产经营组织提供生产、技术、信息、文化、保险等有偿服务，必须坚持自愿原则，不得强迫农民和农业生产经营组织接受服务。

Article 74 Any unit or individual that provided compensatory services in respect of production, technology, information, culture, insurance, etc. to farmers or agricultural production and operation organizations shall adhere to the principle of voluntariness, and is not allowed to compel farmers or agricultural production and operation organizations to accept such services.

第七十五条   农产品收购单位在收购农产品时，不得压级压价，不得在支付的价款中扣缴任何费用。法律、行政法规规定代扣、代收税款的，依照法律、行政法规的规定办理。

Article 75 When purchasing agricultural products, no purchasing units may force down the grade or price or withhold any fees from the money paid. Any withholding of taxes to be made under laws or administrative rules and regulations shall be handled in accordance with the provisions of relevant laws or administrative rules and regulations.

农产品收购单位与农产品销售者因农产品的质量等级发生争议的，可以委托具有法定资质的农产品质量检验机构检验。

Where a dispute arises over the grade of quality of agricultural products between the unit purchasing the agricultural products and the seller of the products, they may entrust a statutory qualified authority for quality inspection of agricultural products with the inspection of the products.

第七十六条   农业生产资料使用者因生产资料质量问题遭受损失的，出售该生产资料的经营者应当予以赔偿，赔偿额包括购货价款、有关费用和可得利益损失。

Article 76 Where a user of the means of agricultural production suffers losses due to the dubious quality of the means of production, seller of such means of production shall pay the user compensation, and the amount of compensation shall include the purchasing price, the relevant expenses and the losses of the benefits available.

第七十七条   农民或者农业生产经营组织为维护自身的合法权益，有向各级人民政府及其有关部门反映情况和提出合法要求的权利，人民政府及其有关部门对农民或者农业生产经营组织提出的合理要求，应当按照国家规定及时给予答复。

Article 77 Farmers and agricultural production and operation organizations shall, for the purpose of safeguarding their own legitimate rights and interests, have the right to report what happens and put forth their lawful requests to people's governments at different levels and the relevant departments, and the people's governments and the relevant departments shall, in accordance with the regulations of the State and without delay, give replies to the reasonable requests put forth by the farmers or agricultural production and operation organizations.

第七十八条   违反法律规定，侵犯农民权益的，农民或者农业生产经营组织可以依法申请行政复议或者向人民法院提起诉讼，有关人民政府及其有关部门或者人民法院应当依法受理。

Article 78 Where the rights and interests of farmers are infringed upon in violation of the provisions of laws, the farmers or agricultural production and operation organizations may, according to law, apply for administrative reconsideration or bring a lawsuit in the People's Court; and the relevant people's governments and departments or the People's Court shall accept the case according to law.

人民法院和司法行政主管机关应当依照有关规定为农民提供法律援助。

People's courts and competent administrative organs of justice shall provide legal assistance to farmers in accordance with relevant regulations.

第十章 农村经济发展

Chapter 10 Development of Rural Economy

第七十九条   国家坚持城乡协调发展的方针，扶持农村第二、第三产业发展，调整和优化农村经济结构，增加农民收入，促进农村经济全面发展，逐步缩小城乡差别。

Article 79 The State upholds the principle of coordinated development of town and country, supports and helps the development of the secondary and tertiary industries in the rural areas, and readjusts and optimizes the rural economic structure, in order to help increase the income of farmers, promote the all-round development of the rural economy and gradually narrow the difference between town and country.

第八十条   各级人民政府应当采取措施，发展乡镇企业，支持农业的发展，转移富余的农业劳动力。

Article 80 People's governments at all levels shall take measures to develop enterprises in townships and towns, support agricultural development and transfer the surplus labor force in agriculture to other fields of endeavor.

国家完善乡镇企业发展的支持措施，引导乡镇企业优化结构，更新技术，提高素质。

The State improves the supporting measures for the development of town and township enterprises, and guides the enterprises to optimize their structure, update their technologies and enhance their qualification.

第八十一条   县级以上地方人民政府应当根据当地的经济发展水平、区位优势和资源条件，按照合理布局、科学规划、节约用地的原则，有重点地推进农村小城镇建设。

Article 81 Local people's governments at or above the county level shall, in light of the level of local economic development, the advantages of their location and the conditions of resources, promote the building of small rural cities and towns, giving priority to selected ones and acting on the principles of rational geographic distribution, scientific planning and economy in the use of land.

地方各级人民政府应当注重运用市场机制，完善相应政策，吸引农民和社会资金投资小城镇开发建设，发展第二、第三产业，引导乡镇企业相对集中发展。

Local people's governments at various levels shall attach importance to the application of the market mechanism, improve the relevant policies, attract investment by farmers and public funds in the development and building of small towns and the development of the secondary and tertiary industries, and provide guidance to town and township enterprises in order that they develop in a relatively concentrated manner.

第八十二条   国家采取措施引导农村富余劳动力在城乡、地区间合理有序流动。地方各级人民政府依法保护进入城镇就业的农村劳动力的合法权益，不得设置不合理限制，已经设置的应当取消。

Article 82 The State takes measures to guide the rational and orderly flow of the surplus rural labor force between cities and the countryside and among different regions. Local people's governments at all levels shall, according to law, protect the legitimate rights and interests of the rural workers who get employed in cities and towns, and they are not allowed to establish unreasonable restrictions, and they shall remove such restrictions, if established.

第八十三条   国家逐步完善农村社会救济制度，保障农村五保户、贫困残疾农民、贫困老年农民和其他丧失劳动能力的农民的基本生活。

Article 83 The State gradually improves the public relief system in the rural areas and guarantees the basic living standards of the households of infirm and childless old people enjoying the five guarantees (namely, food, clothing, medical care, housing and burial expenses), poor disabled farmers, poor aged farmers and other farmers who have lost the ability to work.

第八十四条   国家鼓励、支持农民巩固和发展农村合作医疗和其他医疗保障形式，提高农民健康水平。

Article 84 The State encourages and supports farmers to consolidate and expand rural cooperative medical service and other medical guarantee forms in order to foster farmers' health.

第八十五条   国家扶持贫困地区改善经济发展条件，帮助进行经济开发。省级人民政府根据国家关于扶持贫困地区的总体目标和要求，制定扶贫开发规划，并组织实施。

Article 85 The State supports and helps poverty-stricken areas to improve the conditions of their economic development and assists them to develop their economy. People's governments at the provincial level shall, on the basis of the State's overall objective of and requirements for supporting and helping the poverty-stricken areas, draw up plans for alleviating poverty through development, and make arrangements for their implementation.

各级人民政府应当坚持开发式扶贫方针，组织贫困地区的农民和农业生产经营组织合理使用扶贫资金，依靠自身力量改变贫穷落后面貌，引导贫困地区的农民调整经济结构、开发当地资源。扶贫开发应当坚持与资源保护、生态建设相结合，促进贫困地区经济、社会的协调发展和全面进步。

People's governments at all levels shall adhere to the developmental principle in helping alleviate poverty, making arrangements for farmers and agricultural production and operation organizations in poverty-stricken areas to rationally use the funds for fighting poverty and lift themselves from poverty and backwardness by relying on their own efforts, and guide farmers in poverty-stricken areas to readjust their economic structure and develop their local resources. In alleviating poverty through development, they shall uphold the principle of combining with the protection of resources and ecological development and promote the coordinated economic development and all-round social progress in the poverty-stricken areas.

第八十六条   中央和省级财政应当把扶贫开发投入列入年度财政预算，并逐年增加，加大对贫困地区的财政转移支付和建设资金投入。

Article 86 The Central and provincial governments shall include their input to the fight against poverty throw development in their fiscal financial budgets, and keep increasing such input year by year, and increase the transfer of payments and the input of construction funds for the poverty-stricken areas.

国家鼓励和扶持金融机构、其他企业事业单位和个人投入资金支持贫困地区开发建设。

The State encourages and supports financial institutions, other enterprises and institutions and individuals to invest funds in the development and construction of the poverty-stricken areas.

禁止任何单位和个人截留、挪用扶贫资金。审计机关应当加强扶贫资金的审计监督。

All units and individuals are prohibited from withholding and misappropriating the funds earmarked for the fight against poverty. Audit institutions shall tighten supervision over such funds through auditing.

第十一章 执法监督

Chapter 11 Supervision over Law Enforcement

第八十七条   县级以上人民政府应当采取措施逐步完善适应社会主义市场经济发展要求的农业行政管理体制。

Article 87 People's governments at or above the county level shall take measures to gradually improve the agricultural administration system to meet the requirements for the development of the socialist market economy.

县级以上人民政府农业行政主管部门和有关行政主管部门应当加强规划、指导、管理、协调、监督、服务职责，依法行政，公正执法。

The competent administrative departments for agriculture under the people's governments at or above the county level and the relevant competent administrative departments shall rigorously perform their duties of planning, guidance, administration, coordination, supervision and service, exercise their functions according to law and enforce laws impartially.

县级以上地方人民政府农业行政主管部门应当在其职责范围内健全行政执法队伍，实行综合执法，提高执法效率和水平。

The competent administrative departments for agriculture under the local people's governments at or above the county level shall, within the limits of their duties, build up the contingent of personnel for administrative enforcement of laws and carry out comprehensive law-enforcement, in order to enhance the efficiency and level of law-enforcement.

第八十八条   县级以上人民政府农业行政主管部门及其执法人员履行执法监督检查职责时，有权采取下列措施：

Article 88 The competent administrative departments for agriculture under the local people's governments at or above the county level and their law enforcement officials shall have the right to take the following measures when performing their duties of law enforcement, supervision and inspection:

（一）要求被检查单位或者个人说明情况，提供有关文件、证照、资料；

1. Requiring the entity or individual under inspection to make explanations and provide relevant documents, certificates, licenses, etc.;

（二）责令被检查单位或者个人停止违反本法的行为，履行法定义务。

(II) ordering the unit or individual under inspection to desist from violating this Law and to perform their statutory obligations.

农业行政执法人员在履行监督检查职责时，应当向被检查单位或者个人出示行政执法证件，遵守执法程序。有关单位或者个人应当配合农业行政执法人员依法执行职务，不得拒绝和阻碍。

When performing their duties of supervision and inspection, law enforcement officials in charge of agricultural administration shall show their papers of administrative law enforcement to the units or individuals under inspection and observe the procedure for law enforcement. The units or individuals concerned shall cooperate with the law enforcement officials in charge of agricultural administration who are performing their duties according to law, and they are not allowed to refuse to do so or obstruct such performance.

第八十九条   农业行政主管部门与农业生产、经营单位必须在机构、人员、财务上彻底分离。农业行政主管部门及其工作人员不得参与和从事农业生产经营活动。

Article 89 The competent departments of agriculture administration shall completely be separated from agricultural production or management units in terms of organization, personnel and finance. The competent administrative departments for agriculture and their staff members may not participate or be engaged in agricultural production or operation.

第十二章 法律责任

Chapter 12 Legal Liabilities

第九十条   违反本法规定，侵害农民和农业生产经营组织的土地承包经营权等财产权或者其他合法权益的，应当停止侵害，恢复原状；造成损失、损害的，依法承担赔偿责任。

Article 90 Anyone who, in violation of the provisions of this Law, infringes upon such property rights of farmers or agricultural production and operation organizations as the right to land contractual management or other legitimate rights and interests of theirs shall cease such infringement and restore the original state; and if losses or damages are caused, he shall bear the responsibility to pay compensation according to law.

国家工作人员利用职务便利或者以其他名义侵害农民和农业生产经营组织的合法权益的，应当赔偿损失，并由其所在单位或者上级主管机关给予行政处分。

Any State functionary who, taking advantage of his position or under other guise, infringes upon the legitimate rights and interests of farmers or agricultural production and operation organizations shall make compensation for losses, and shall be given administrative sanctions by the unit he belongs to or the competent authority at a higher level.

第九十一条   违反本法第十九条、第二十五条、第六十二条、第七十一条规定的，依照相关法律或者行政法规的规定予以处罚。

Article 91 Any unit or individual that violates the provisions in Articles 19, 25, 62 and 71 of this Law shall be punished in accordance with the provisions of relevant laws and administrative regulations.

第九十二条   有下列行为之一的，由上级主管机关责令限期归还被截留、挪用的资金，没收非法所得，并由上级主管机关或者所在单位给予直接负责的主管人员和其他直接责任人员行政处分；构成犯罪的，依法追究刑事责任：

Article 92 Any unit or individual that commits one of the following acts shall be ordered by the competent authority at a higher level to return the funds withheld or misappropriated within a time limit, its/his illegal gains shall be confiscated, and the persons directly in charge and the other persons directly responsible shall be given administrative sanctions by the competent authority at a higher level or by the unit they belong to; and if a crime is constituted, criminal responsibility shall be investigated according to law:

（一）违反本法第三十三条第三款规定，截留、挪用粮食收购资金的；

1. in violation of the provisions in the third paragraph of Article 33 of this Law, withholding or misappropriating funds for purchasing grain;

（二）违反本法第三十九条第二款规定，截留、挪用用于农业的财政资金和信贷资金的；

2. in violation of the provisions in the second paragraph of Article 39 of this Law, withholding or misappropriating financial or credit funds to be used for agriculture; or

（三）违反本法第八十六条第三款规定，截留、挪用扶贫资金的。

(III) in violation of the provisions in the third paragraph of Article 86 of this Law, withholding or misappropriating funds for the fight against poverty.

第九十三条   违反本法第六十七条规定，向农民或者农业生产经营组织违法收费、罚款、摊派的，上级主管机关应当予以制止，并予公告；已经收取钱款或者已经使用人力、物力的，由上级主管机关责令限期归还已经收取的钱款或者折价偿还已经使用的人力、物力，并由上级主管机关或者所在单位给予直接负责的主管人员和其他直接责任人员行政处分；情节严重，构成犯罪的，依法追究刑事责任。

Article 93 Any government department or unit that, in violation of the provisions in Article 67 of this Law, collects fees from, or imposes fines upon, or apportions costs among farmers or agricultural production and operation organizations shall be stopped by the competent authority at a higher level and be made known to the public; where money has already been collected, or human or material resources have already been used, the said authority shall order it to return, within a time limit, the money collected or pay compensation at market price for the human or material resources used, and the persons directly in charge and the other persons directly responsible shall be given administrative sanctions by the competent authority at a higher level or the unit they belong to; and if the circumstances are serious enough to constitute a crime, criminal responsibility shall be investigated according to law.

第九十四条   有下列行为之一的，由上级主管机关责令停止违法行为，并给予直接负责的主管人员和其他直接责任人员行政处分，责令退还违法收取的集资款、税款或者费用：

Article 94 Any government department or unit that commits one of the following acts shall be ordered by the competent authority at a higher level to cease the unlawful act, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions, and the department or unit shall be ordered to return the funds raised, the taxes paid or the fees collected illegally:

（一）违反本法第六十八条规定，非法在农村进行集资、达标、升级、验收活动的；

1. in violation of the provisions in Article 68 of this Law, raising funds, conducting activities for reaching a certain standard, for upgrading, or for accepting a project after inspection in the countryside;

（二）违反本法第六十九条规定，以违法方法向农民征税的；

(II) in violation of the provisions in Article 69 of this Law, levying taxes on farmers by illegitimate means; or

（三）违反本法第七十条规定，通过农村中小学校向农民超额、超项目收费的。

(III) in violation of the provisions in Article 70 of this Law, collecting fees from farmers in excess of the quotas and items through rural primary and secondary schools.

第九十五条   违反本法第七十三条第二款规定，强迫农民以资代劳的，由乡（镇）人民政府责令改正，并退还违法收取的资金。

Article 95 Any rural collective economic organization or villagers committee that, in violation of the provisions in the second paragraph of Article 73 of this Law, compels farmers to substitute funds for manpower shall be ordered by the people's government of the township (town) concerned to rectify, and return the funds illegitimately collected.

第九十六条   违反本法第七十四条规定，强迫农民和农业生产经营组织接受有偿服务的，由有关人民政府责令改正，并返还其违法收取的费用；情节严重的，给予直接负责的主管人员和其他直接责任人员行政处分；造成农民和农业生产经营组织损失的，依法承担赔偿责任。

Article 96 Any unit or individual that, in violation of the provisions in Article 74 of this Law, compels farmers or agricultural production and operation organizations to accept compensatory services shall be ordered by the people's government concerned to rectify and return the fees illegitimately collected; if the circumstances are serious, the persons directly in charge and the other persons directly responsible shall be given administrative sanctions; and if losses are caused to the farmers or agricultural production and operation organizations, it/he shall bear the responsibility to pay compensation according to law.

第九十七条   县级以上人民政府农业行政主管部门的工作人员违反本法规定参与和从事农业生产经营活动的，依法给予行政处分；构成犯罪的，依法追究刑事责任。

Article 97 Any staff member of the competent administrative department for agriculture under the people's government at or above the county level, in violation of the provisions of this Law, participates or engages in activities of agricultural production and operation shall be given administrative sanctions; and if a crime is constituted, he shall be investigated for criminal responsibility in accordance with law.

第十三章 附 则

Chapter 13 Supplementary Provisions

第九十八条   本法有关农民的规定，适用于国有农场、牧场、林场、渔场等企业事业单位实行承包经营的职工。

Article 98 The provisions of this Law concerning farmers shall be applicable to the staff members and workers who carry out contractual operations in such enterprises and institutions as State-owned farms, livestock farms, tree farms and fish farms.

第九十九条   本法自2003年3月1日起施行。

Article 99 This Law shall go into effect as of March 1, 2003.