Cultivated Land Protection and Quality Improvement Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is enacted in accordance with the Constitution for the purposes of strengthening the protection of cultivated land, improving the quality of cultivated land, safeguarding national food security and the effective supply of major agricultural products, advancing comprehensive rural revitalization, accelerating the building of a strong agricultural nation, and promoting high-quality economic and social development.

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Article 2 — This Law applies to activities such as the protection of cultivated land and the improvement of its quality, as well as the supervision and administration thereof.

Cultivated land shall be used mainly for the production of grain and agricultural products such as cotton, oil crops, sugar crops and vegetables, as well as forage grass and feed.

Article 3 — Cultivated land is China's most precious resource. Cherishing and rationally utilizing land and effectively protecting cultivated land are fundamental national policies of China.

The state adheres to the strictest system for the protection of cultivated land and the strictest system for economical and intensive land use, and strictly guards the red line for the protection of cultivated land.

Article 4 — The work of cultivated land protection and quality improvement shall uphold the leadership of the Communist Party of China, implement the lines, principles, policies, decisions and arrangements of the Party and the state, follow the principles of attaching equal importance to quantity and quality, strict law enforcement, systematic advancement and sustainable utilization, and carry out the integrated protection of the quantity, quality and ecology of cultivated land.

Article 5 — The state establishes a responsibility system for cultivated land protection and food security, and implements the joint responsibility of the Party and the government for cultivated land protection and food security.

Provinces, autonomous regions and municipalities directly under the Central Government shall bear overall responsibility for the protection of cultivated land and food security within their administrative regions; their principal leading officials are the primary persons responsible for cultivated land protection and food security within their respective administrative regions, and are responsible for the attainment of the goals of cultivated land protection and food security therein.

Article 6 — The competent natural resources department and the competent agricultural and rural affairs department of the State Council shall, in accordance with the division of duties, be responsible for the supervision and administration of cultivated land protection and quality improvement nationwide. The relevant departments of the State Council such as the ecology and environment department and the water administration department shall, in accordance with the division of duties, be responsible for the relevant supervision and administration of cultivated land protection and quality improvement nationwide.

The competent natural resources department and the competent agricultural and rural affairs department of a local people's government at or above the county level shall, in accordance with the division of duties, be responsible for cultivated land protection and quality improvement and the supervision and administration thereof within their respective administrative regions. The relevant departments of a local people's government at or above the county level such as the ecology and environment department and the water administration department shall, in accordance with the division of duties, be responsible for the relevant supervision and administration of cultivated land protection and quality improvement within their respective administrative regions.

Article 7 — The competent natural resources department of a people's government at or above the county level, together with the agricultural and rural affairs department and other relevant departments at the same level, may, based on territorial spatial planning and other considerations and in light of actual circumstances, formulate special plans related to cultivated land protection and quality improvement, which shall be submitted for approval and implemented in accordance with the prescribed procedures.

Article 8 — A people's government at or above the county level shall incorporate the work of cultivated land protection and quality improvement into the national economic and social development plan and annual plans, and include the required funds in the budget at the corresponding level.

Article 9 — People's governments at all levels and their relevant departments shall strengthen publicity and education on cultivated land protection and quality improvement, raise public awareness of cultivated land

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protection and quality improvement, and encourage villagers' committees, rural collective economic organizations, agricultural producers and operators, social organizations, volunteers and others to carry out publicity and education on the laws, regulations and relevant knowledge concerning cultivated land protection and quality improvement.

Education administrative departments and schools shall, in educational and teaching activities, attach importance to cultivating students' awareness of cultivated land protection and quality improvement.

News media shall carry out public-interest publicity on the laws, regulations and relevant knowledge concerning cultivated land protection and quality improvement, and exercise public-opinion supervision over illegal acts such as the destruction of cultivated land.

Article 10 — The state encourages and supports scientific research and the popularization and application of research achievements in land consolidation, soil improvement, soil fertility cultivation, water and soil conservation, ecological protection and other fields of cultivated land protection and quality improvement, as well as economical and intensive land use; and encourages institutions of higher learning, research institutes, agricultural technology extension institutions, enterprises and others to carry out industry-university-research cooperation and jointly conduct scientific and technological research and talent cultivation.

Article 11 — The state adopts measures to fully mobilize the initiative of agricultural producers and operators in cultivated land protection and quality improvement, and safeguards their lawful rights and interests.

Article 12 — The state supports international cooperation and exchanges in cultivated land protection and quality improvement.

Article 13 — Units and individuals that have made outstanding achievements in cultivated land protection and quality improvement, economical and intensive land use, and related scientific research shall be commended and rewarded in accordance with the relevant provisions of the state.

Chapter II — Cultivated Land Protection Goals and Layout

Article 14 — In formulating territorial spatial planning, the strategy of major functional zones shall be implemented, the layout of agricultural, ecological, urban and other functional spaces shall be coordinated, the red line for the protection of cultivated land and permanent basic farmland, the ecological protection red line and urban development boundaries shall be delineated and implemented, priority shall be given to the protection of cultivated land, the goals of cultivated land protection such as the amount of cultivated land to be retained and the area of permanent basic farmland to be protected shall be made clear, and the scale of newly added construction land shall be strictly controlled.

Territorial spatial planning at a lower level shall implement the cultivated land protection goals determined in the territorial spatial planning at the next higher level.

Local people's governments at all levels shall strictly implement the cultivated land protection goals specified in territorial spatial planning, strictly guard the red line for the protection of cultivated land and permanent basic farmland, ensure the effective utilization of cultivated land resources, strictly control the occupation of cultivated land, especially permanent basic farmland, by all kinds of new construction, and give priority to the protection of permanent basic farmland and high-quality cultivated land around cities.

Article 15 — The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall ensure that within their respective administrative regions, the total quantity of cultivated land determined in territorial spatial planning does not decrease, its quality improves, and its ecological functions remain stable. Where the total quantity of cultivated land decreases, the State Council shall order the supplementation, within a prescribed time limit, of cultivated land equivalent in quantity and quality to the reduced cultivated land; where the quality of cultivated land declines or its ecological functions

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are damaged, the State Council shall order rectification and remediation within a prescribed time limit. Newly supplemented and remediated cultivated land shall be inspected and accepted by the competent natural resources department of the State Council together with the competent agricultural and rural affairs department of the State Council.

Where an individual province, autonomous region or municipality directly under the Central Government, owing to a serious shortage of reserve cultivated land resources, is unable, after the addition of construction land for major national construction projects, to supplement within its administrative region cultivated land in a quantity sufficient to compensate for the occupied cultivated land, it may apply to the State Council for overall planning by the state and, upon approval by the State Council, supplement cultivated land equivalent in quantity and quality at another location in accordance with the provisions.

Based on the situation of reserve cultivated land resources, the state may implement the supplementation of cultivated land in a concentrated manner within areas determined in territorial spatial planning to be suitable for such supplementation.

Article 16 — Local people's governments at all levels shall, in accordance with territorial spatial planning, coordinate the protection of cultivated land and other agricultural land such as forest land, grassland and garden land. Regions with the necessary conditions shall promote the planting of fruit trees and trees on barren hills and slopes that are ecologically suitable, and, in accordance with state provisions, restore in an orderly manner to cultivated land other agricultural land that is relatively flat and suitable for restoration to high-quality cultivated land, thereby gradually optimizing the spatial layout of cultivated land and other agricultural land such as forest land, grassland and garden land.

Local people's governments at all levels shall, in accordance with territorial spatial planning, optimize the layout of rural production, living and ecological space, take townships and towns as the basic units, carry out land consolidation and farmland infrastructure construction in light of local conditions, promote the relatively concentrated layout of cultivated land and permanent basic farmland, increase the area of effective cultivated land, improve the quality of cultivated land, and improve agricultural production conditions and the ecological environment.

Article 17 — The competent natural resources department of a people's government at or above the county level shall incorporate the amount of cultivated land to be retained, the area and layout of permanent basic farmland to be protected, areas suitable for the supplementation of cultivated land, and other matters into the supervision system for the implementation of territorial spatial planning, update them in a timely manner, and conduct dynamic supervision, assessment and early warning of changes in cultivated land and permanent basic farmland.

Based on the results of monitoring and assessment of the implementation of territorial spatial planning, the layout of cultivated land and permanent basic farmland may be dynamically adjusted and improved in accordance with statutory procedures; where it is truly necessary to adjust the cultivated land protection goals determined in territorial spatial planning, the matter shall be reported to the original planning approval authority for approval in accordance with the prescribed procedures.

Article 18 — The state implements a system for the protection of permanent basic farmland. The following cultivated land shall, in accordance with territorial spatial planning, be demarcated as permanent basic farmland and placed under strict protection:

(1) cultivated land within production bases of major agricultural products such as grain, cotton, oil crops and sugar crops that are approved and determined by the competent agricultural and rural affairs department of the State Council or a local people's government at or above the county level;

(2) cultivated land with good water-resource and water-and-soil-conservation conditions, and high-standard farmland that has already been built;

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(3) cultivated land within vegetable production bases;

(4) cultivated land within experimental fields for agricultural scientific research and teaching;

(5) black-soil land with a deep black-soil layer and good soil properties;

(6) cultivated land within bases for the propagation of superior seeds; and

(7) other cultivated land that shall be demarcated as permanent basic farmland under laws, administrative regulations or provisions of the State Council.

Permanent basic farmland demarcated by each province, autonomous region or municipality directly under the Central Government shall generally account for no less than 80 percent of the cultivated land within its administrative region; the specific proportion shall be prescribed by the State Council in light of the actual conditions of cultivated land in each province, autonomous region or municipality directly under the Central Government.

Article 19 — The following cultivated land shall not be demarcated as permanent basic farmland; where such land has already been demarcated as permanent basic farmland, it shall be gradually optimized and adjusted in accordance with the results of monitoring and assessment of the implementation of territorial spatial planning:

(1) cultivated land that, in accordance with state provisions, needs to be converted from farming back to forest, grassland, lakes or grazing;

(2) cultivated land with a slope of more than 25 degrees on which no water-and-soil-conservation measures have been taken;

(3) cultivated land that has been seriously damaged by production and construction or natural disasters and cannot be restored for cultivation, cultivated land within river and lake management areas that is unsuitable for stable utilization, and cultivated land suffering from severe desertification, sandification or rocky desertification;

(4) cultivated land that, owing to serious pollution, is included in the category of agricultural land subject to strict control and cannot be restored or remediated; and

(5) other cultivated land that shall not be demarcated as permanent basic farmland under laws, administrative regulations or provisions of the State Council.

Article 20 — The demarcation of permanent basic farmland shall be carried out on a township or town basis and shall be organized and implemented by the competent natural resources department of the people's government at the county level together with the competent agricultural and rural affairs department at the same level.

After permanent basic farmland has been demarcated, the people's government of the province, autonomous region or municipality directly under the Central Government shall organize its competent natural resources department and agricultural and rural affairs department to inspect, accept and confirm it.

Permanent basic farmland shall have its specific location marked in territorial spatial planning at the county level and the township or town level, be implemented down to specific plots, and be incorporated into the national permanent basic farmland database for strict management. The people's government of a township or town shall announce to the public the location and scope of permanent basic farmland by such means as erecting protection signs.

Where it is truly necessary, owing to land consolidation, agricultural facility construction or other reasons, to optimize and adjust a small amount of scattered permanent basic farmland, the people's government at the county level shall implement the adjustment plan in accordance with the principles that the quantity is not reduced, the quality is not lowered and the layout remains stable.

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The specific measures for the demarcation and optimized adjustment of permanent basic farmland shall be formulated by the competent natural resources department of the State Council together with the competent agricultural and rural affairs department of the State Council.

Article 21 — The competent natural resources department, agricultural and rural affairs department and other departments of a people's government at or above the county level shall, in accordance with the division of duties, regularly organize the investigation, monitoring and evaluation of cultivated land resources and cultivated land quality in accordance with the law, and conduct soil surveys and surveys of reserve cultivated land resources at appropriate times. The relevant standards and procedures shall be formulated by the competent natural resources department, agricultural and rural affairs department and other departments of the State Council in accordance with the division of duties. The competent natural resources department, agricultural and rural affairs department and other departments shall strengthen information sharing.

Chapter III — Control over Occupation of Cultivated Land

Article 22 — The state implements control over the total quantity and intensity of construction land, adheres to the principle of determining occupation by supplementation, and strengthens the administration of the occupation of cultivated land for construction.

People's governments at all levels shall strengthen the planned management of land use, coordinate the arrangement of newly added and existing construction land, give priority to the use of inefficient existing construction land, and effectively reduce the occupation of cultivated land by new construction. Construction projects shall strictly implement construction land standards.

The competent natural resources department of the State Council shall establish a land-use system that links the scale of agricultural land newly occupied for construction with the utilization efficiency of existing construction land. The utilization of existing construction land shall serve as an important basis for arranging quotas for newly added construction land and funds for the ecological protection and restoration of cultivated land.

Article 23 — Non-agricultural construction shall use land economically; where wasteland can be used, cultivated land shall not be occupied; where inferior land can be used, superior land shall not be occupied. Where the occupation of land is truly necessary and involves the conversion of cultivated land into construction land, the approval formalities for the conversion of agricultural land shall be handled in accordance with the law.

Where cultivated land for which the approval formalities for the conversion of agricultural land have been completed is not used within one year but can still be cultivated and harvested, the collective or individual that originally cultivated that plot of land shall resume cultivation, or the people's government at the county level or the land-using unit may organize cultivation; such land shall not be left idle or allowed to lie waste. Where construction has not commenced within more than one year, the relevant provisions of the Land Administration Law of the People's Republic of China shall apply.

Article 24 — After permanent basic farmland has been demarcated in accordance with the law, no unit or individual may occupy it or change its use without authorization. Where the siting of key national construction projects such as energy, transportation, water conservancy and military facilities truly cannot avoid permanent basic farmland and involves the conversion of agricultural land or land expropriation, approval by the State Council shall be required.

Article 25 — It is prohibited to occupy cultivated land to dig lakes for landscaping, or, without authorization, to afforest and plant trees, plant turf, pile up solid waste or bury garbage on cultivated land, or to engage in other activities that laws and administrative regulations prohibit from occupying cultivated land.

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Article 26 — Where a construction project truly needs to occupy cultivated land, the necessity and rationality of the occupation and the scale of land use shall be analyzed and demonstrated, and a comprehensive demonstration report on the land use of the construction project shall be prepared in accordance with the relevant provisions. The comprehensive demonstration report shall be submitted for examination as part of the application materials for land-use preliminary review and, upon passing examination, shall be incorporated into the project feasibility study report or the project application report in accordance with the relevant provisions.

The relevant industry administrative departments shall urge and guide the relevant construction units to use land in accordance with laws and regulations and in an economical and intensive manner, and not to occupy or to occupy as little cultivated land as possible. Where the approval formalities have not been completed in accordance with the law, construction shall not commence.

Article 27 — The state strictly controls the conversion of cultivated land into other agricultural land such as forest land, grassland and garden land. Unless otherwise provided by laws or administrative regulations, it is prohibited to convert permanent basic farmland into other agricultural land; where it is truly necessary to convert cultivated land other than permanent basic farmland into other agricultural land, cultivated land of relatively low quality that is scattered, fragmented and difficult to utilize stably over the long term shall be selected as far as possible.

Article 28 — The state implements a compensation system for the occupation of cultivated land and uniformly incorporates all kinds of occupation of cultivated land into the administration of the balance between the occupation and supplementation of cultivated land. Where the occupation of cultivated land is truly necessary, cultivated land equivalent in quantity and quality to the occupied cultivated land shall be supplemented; it shall not be the case that more is occupied than supplemented, superior land is occupied but inferior land is supplemented, or consolidated land is occupied but scattered land is supplemented.

Where cultivated land is occupied for non-agricultural construction, the unit occupying the cultivated land shall be responsible for supplementing cultivated land. Where there are no conditions for supplementation or the supplemented cultivated land does not meet the requirements, a cultivated land reclamation fee shall be paid in accordance with the provisions of the province, autonomous region or municipality directly under the Central Government, and shall be used exclusively for the supplementation of new cultivated land; where permanent basic farmland is occupied, the fee shall be paid at twice the highest local standard for the cultivated land reclamation fee. The expenses required shall be included in the land-use cost of the construction project. In building housing, rural villagers shall, as far as possible, use their original homesteads and idle land within villages and shall not occupy permanent basic farmland; where it is truly necessary to occupy cultivated land other than permanent basic farmland, the people's government at the county level shall implement the supplementation of cultivated land, and no cultivated land reclamation fee shall be charged to rural villagers.

Where cultivated land is occupied other than for non-agricultural construction, the people's government at the county level shall, in accordance with the relevant state provisions, arrange in a coordinated manner for the supplementation of cultivated land.

Article 29 — In supplementing cultivated land, local people's governments at or above the county level shall adhere to the principle of focusing mainly on restoring high-quality cultivated land and supplementing with newly reclaimed cultivated land, comprehensively take into account ecological protection, water resources and other factors, and implement the supplementation of cultivated land by category in a prudent manner within areas determined in territorial spatial planning to be suitable for the supplementation of cultivated land.

In supplementing cultivated land, other agricultural land such as forest land, grassland and garden land that is suitable for restoration to high-quality cultivated land, as well as unused land such as saline-alkali land and idle and scattered land, shall be coordinated as sources.

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Local people's governments at or above the county level shall, in accordance with the law, organize the consolidation of idle, scattered and abandoned land, reclaim damaged cultivated land, and organize the reclamation of cultivated land in a planned manner. The implementation of land development, consolidation and reclamation shall conform to territorial spatial planning and the requirements of ecological environmental protection.

Article 30 — New reclamation of cultivated land is prohibited within nature reserves and areas inside the ecological protection red line.

The following land shall, in principle, not serve as a source for supplementing cultivated land:

(1) seriously sandified land, seriously rocky-desertified land, and slopes of more than 25 degrees;

(2) land within river and lake management areas;

(3) land within the management areas of forest land, grassland and wetland in key state-owned forest areas and state-owned forest farms; and

(4) other land that shall not serve as a source for supplementing cultivated land under laws or administrative regulations.

Article 31 — Newly added cultivated land created through land development, consolidation and reclamation that conforms to the provisions may be used as supplemented cultivated land in accordance with the law; land whose quality fails to meet the standards shall not be used to supplement cultivated land.

The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall organize their competent natural resources departments and agricultural and rural affairs departments to identify and inspect supplemented cultivated land and strengthen follow-up evaluation of the productivity and other conditions of supplemented cultivated land. The competent natural resources department of the State Council shall, together with the competent agricultural and rural affairs department of the State Council, formulate specific measures for the inspection of supplemented cultivated land and supervise and inspect the supplementation of cultivated land by provinces, autonomous regions and municipalities directly under the Central Government.

Local people's governments at or above the county level shall publicize the supplementation of occupied cultivated land to society and accept public supervision.

Article 32 — Where temporary use of land is required for construction project works or geological exploration, cultivated land shall not be occupied or shall be occupied as little as possible, permanent basic farmland shall be avoided, and no permanent buildings shall be constructed.

Where the temporary use of land truly requires the occupation of cultivated land, approval by the competent natural resources department of a people's government at or above the level of a city divided into districts shall be required, and land reclamation shall be completed within one year from the date of expiration of the temporary land use to restore planting conditions.

Article 33 — Where a construction project occupies cultivated land, the construction unit shall, in accordance with the provisions of the province, autonomous region or municipality directly under the Central Government, use the soil of the topsoil layer of the occupied cultivated land for the improvement of the soil of newly reclaimed cultivated land, inferior land or other cultivated land, the remediation of polluted cultivated land, the construction of high-standard farmland, land reclamation and other purposes.

Local people's governments at or above the county level and their relevant departments shall strengthen guidance on the stripping and reuse of topsoil and provide necessary support.

Chapter IV — Cultivated Land Quality Improvement

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Article 34 — The state establishes a strict system for the construction and protection of cultivated land quality, improves and perfects the mechanism for ensuring diversified investment in the improvement of cultivated land quality, strengthens the construction of high-standard farmland and the remediation of degraded cultivated land, promotes the improvement of cultivated land quality, and gradually builds all permanent basic farmland that meets the conditions into high-standard farmland.

Article 35 — The state improves the system for the investigation and evaluation of cultivated land quality, establishes unified methods, standards and indicators for the evaluation of cultivated land quality, and establishes and improves a monitoring network system for cultivated land quality.

The competent agricultural and rural affairs department of the State Council shall organize the construction of a national cultivated land quality monitoring network and information platform.

The competent agricultural and rural affairs department of a local people's government at or above the county level shall, together with the natural resources, ecology and environment and other departments, establish long-term fixed monitoring points for cultivated land quality covering its administrative region and regularly submit to the people's government at the same level reports on changes in cultivated land quality and corresponding suggestions on measures for protecting soil fertility.

Article 36 — Local people's governments at or above the county level shall adopt comprehensive measures to improve the quality of cultivated land within their administrative regions and protect the fertility of cultivated land.

The people's government at the county level shall organize the establishment of a quality-improvement mechanism for newly added cultivated land, carry out follow-up fertilization and management, continuously mature the soil, and ensure the stable utilization of cultivated land.

Agricultural producers and operators shall rationally apply organic fertilizer and other fertilizers to maintain and build up soil fertility.

The competent agricultural and rural affairs department of a local people's government at or above the county level shall strengthen technical guidance for agricultural producers and operators on protecting soil fertility.

Article 37 — People's governments at all levels shall organize the improvement of farmland infrastructure such as field roads, irrigation and drainage canal systems, agricultural power facilities, shelterbelt networks and farmland meteorological facilities, so as to improve the planting conditions of cultivated land.

The state improves the water conservancy infrastructure system, encourages and supports the construction of farmland water conservancy facilities in light of local conditions, and promotes and applies irrigation and drainage technologies and measures conducive to improving cultivated land quality. The water administration department and the agricultural and rural affairs department of a people's government at or above the county level shall, in accordance with the division of duties, strengthen supervision and guidance over farmland irrigation and drainage and provide good technical services.

Article 38 — The state improves the mechanisms for the project initiation, construction, acceptance and management of high-standard farmland and the relevant standards, strictly implements whole-cycle quality management, and improves the mechanisms for whole-cycle retrospective accountability and lifelong accountability for high-standard farmland construction projects.

The competent agricultural and rural affairs department of the State Council shall, in accordance with the national development plan, the national territorial spatial planning and relevant national-level special plans, prepare special construction plans and specify the tasks and layout for the construction of high-standard farmland. The competent agricultural and rural affairs department of a local people's government at or above the county level shall, in accordance with the national tasks and layout for the construction of high-standard farmland, organize the preparation of an implementation plan for the construction of high-standard farmland

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within its administrative region and decompose and implement the construction tasks level by level.

Article 39 — The construction of high-standard farmland shall adhere to the principles of government leadership, social participation, coordinated planning, adaptation to local conditions, step-by-step implementation, the combination of use and maintenance, attaching equal importance to quantity and quality, and the simultaneous emphasis on construction and management; shall give full consideration to the basic conditions of the quantity, quality, distribution and utilization of local cultivated land; shall give priority to the selection of permanent basic farmland and other cultivated land with good construction conditions; and shall heed the opinions of rural collective economic organizations, new types of agricultural business entities, rural households and others, so as to safeguard their lawful rights and interests.

Local people's governments at or above the county level shall adopt measures to encourage rural collective economic organizations, new types of agricultural business entities, rural households and others to directly participate in the construction and management of high-standard farmland.

Article 40 — The construction of high-standard farmland shall, in strict accordance with the relevant state provisions, carry out surveying and mapping, survey, design, construction and supervision, so as to ensure project quality. The specific measures shall be formulated by the competent agricultural and rural affairs department of the State Council.

Article 41 — High-standard farmland construction shall undergo completion inspection and acceptance in accordance with the relevant state provisions. Rural collective economic organizations, new types of agricultural business entities, rural households and others shall be invited to participate in the inspection and acceptance.

Article 42 — The competent agricultural and rural affairs department of a people's government at or above the county level shall, in accordance with the law, strengthen supervision and administration of the construction of high-standard farmland, establish and improve a quality supervision and inspection system for the construction of high-standard farmland, strengthen supervision and inspection of the quality of high-standard farmland projects, carry out, together with the relevant departments, credit evaluation of institutions engaged in the construction of high-standard farmland, and promptly publicize the relevant information and accept public supervision.

The relevant departments of a people's government at or above the county level shall, in accordance with the division of duties, strengthen supervision and administration of the use of funds for the construction of high-standard farmland. It is prohibited for any unit or individual to withhold, divert or misappropriate funds for the construction of high-standard farmland.

The state establishes a national high-standard farmland database. The competent agricultural and rural affairs department of a local people's government at or above the county level shall simultaneously incorporate the location and scope of high-standard farmland construction, as well as information on project initiation, implementation, acceptance and management, into the national high-standard farmland database.

Article 43 — Local people's governments at or above the county level shall strengthen the management and maintenance of high-standard farmland, establish management and maintenance mechanisms, specify the entities responsible for management and maintenance, implement management and maintenance responsibilities, reasonably guarantee management and maintenance funds, and improve management and maintenance measures.

Local people's governments at or above the county level shall organize inspection, repair and maintenance of high-standard farmland within their administrative regions to ensure the normal operation of high-standard farmland project facilities.

No organization or individual may occupy or damage high-standard farmland project facilities or endanger the safety of high-standard farmland project facilities.

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Where high-standard farmland is occupied in accordance with the law, it shall be rebuilt through supplementary construction; where high-standard farmland is damaged by natural disasters, project construction or other causes, it shall be promptly restored or rebuilt through supplementary construction, so as to ensure that the high-standard farmland already built is not reduced.

Article 44 — The state encourages and supports the comprehensive transformation and utilization of saline-alkali land in light of local conditions, and encourages scientific and technological innovation in the breeding and cultivation of salt-tolerant crops and other fields.

Local people's governments at or above the county level shall organize the relevant departments to strengthen the investigation and monitoring of saline-alkali land, adopt measures to tap the potential for the development and utilization of saline-alkali land, effectively curb the trend of salinization of cultivated land, implement projects for the remediation of saline-alkali cultivated land, and carry out remediation and improvement by area and by category.

Article 45 — The state encourages the exploration and development of non-traditional cultivated land resources such as deserts and gobi in areas with the necessary water-resource conditions for use in agricultural production.

Article 46 — The state strengthens the remediation of degraded cultivated land and promotes the sustainable utilization of cultivated land.

Local people's governments at or above the county level shall, by means such as improving farmland infrastructure, improving irrigation and drainage conditions, improving farming systems, building up the topsoil layer and applying soil conditioners, remediate degraded cultivated land affected by acidification, gleyization and other problems, and carry out comprehensive remediation of sandified and wind-eroded and water-eroded cultivated land to prevent and control water and soil loss.

The competent agricultural and rural affairs department of a local people's government at or above the county level shall support the research, development and popularization and application of scientific and efficient technologies for the remediation of degraded cultivated land.

Article 47 — Local people's governments at or above the county level shall support the adoption of measures such as the application of organic fertilizer, returning manure to fields, returning straw to fields, planting green manure, crop rotation between grain and legume crops and formula fertilization based on soil testing, so as to enhance the organic-matter content of cultivated-land soil and its capacity to supply nutrients such as nitrogen, phosphorus and potassium.

Article 48 — The state supports the application of modern farming technologies, promotes conservation-tillage models in suitable areas, and promotes the combination of use and maintenance of cultivated land.

Local people's governments at or above the county level shall, in light of local natural conditions such as soil and water resources, promote scientific farming systems, implement, in accordance with local conditions, planting systems that combine the use and maintenance of cultivated land, such as crop rotation, and promote appropriate fallowing in accordance with the relevant state provisions, so as to protect and improve the quality of cultivated land.

Article 49 — The state establishes a system for the protection of black-soil land, strengthens, in accordance with the law, the protection, utilization, remediation and restoration of black-soil land, steadily restores and improves the basic fertility of black-soil land, protects its excellent production capacity, and ensures that the total quantity of black-soil land does not decrease, its functions do not degrade, its quality improves and its production capacity is sustainable.

Chapter V — Ecological Protection of Cultivated Land

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Article 50 — The state establishes a system for the ecological protection and restoration of cultivated land, encourages the adoption of agronomic, biological, chemical, engineering and other restoration measures, restores and improves the ecological functions of cultivated land, maintains the overall stability of the ecosystem, and promotes green agricultural development.

Article 51 — People's governments at or above the county level shall adhere to the integrated protection of mountains, waters, forests, farmlands, lakes, grasslands and sandy lands, strengthen the ecological protection and restoration of cultivated land and the systematic governance of forest land, grassland, wetland and sandy land surrounding cultivated land, strengthen the construction of farmland shelterbelt systems, strengthen the protection and effective utilization of traditional terraced fields, enhance the ecological functions of natural ecosystems such as water conservation, water and soil retention, windbreak and sand fixation, and biodiversity maintenance, and maintain an ecological environment conducive to the protection of cultivated land.

Article 52 — The state encourages the development of ecological agriculture and promotes eco-friendly planting technologies such as soilless cultivation, precision fertilization and green prevention and control of plant diseases and pests.

The relevant departments of local people's governments at or above the county level shall, in accordance with the division of duties, guide agricultural producers and operators in scientific planting and the rational use of agricultural inputs such as pesticides, fertilizers and agricultural films; and shall, in accordance with the law, promote the recycling and disposal of packaging waste of agricultural inputs and waste agricultural films and strengthen supervision and administration.

Article 53 — Local people's governments at or above the county level and their agricultural and rural affairs departments shall strengthen the protection of biological species resources related to agricultural production, select and promote crops conducive to environmental protection and ecological stability, protect biodiversity, and maintain the ecological functions of cultivated land.

Article 54 — People's governments at or above the county level shall encourage the development of ecological circular agriculture, accelerate the building of an industrial system for ecological circular agriculture, promote and apply green and efficient agricultural machinery and tools, strengthen the comprehensive utilization of straw and other residues after the harvest of agricultural products, scientifically carry out the harmless treatment and resource utilization of livestock and poultry manure, and promote the development of green circular agriculture that combines crop cultivation and animal husbandry.

Article 55 — Local people's governments at or above the county level shall adopt measures to prevent and control the pollution of cultivated land by wastewater, waste gas and solid waste. It is prohibited to discharge into cultivated land sewage and sludge whose content of heavy metals or other toxic and hazardous substances exceeds the standards, as well as dredged sediment, tailings, slag and other materials that may cause soil pollution.

The competent agricultural and rural affairs department of a local people's government at or above the county level shall, in accordance with the law, together with the ecology and environment, natural resources and other competent departments, monitor and assess cultivated land within its administrative region that is at risk of soil pollution. In county-level administrative regions where polluted cultivated land is concentrated, the people's government at the county level shall organize the ecology and environment, agricultural and rural affairs and other departments to trace the sources of cultivated land pollution and carry out source-level prevention and control.

Water used for irrigating cultivated land shall conform to the corresponding water-quality standards so as to prevent soil pollution.

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Article 56 — Where cultivated land pollution is caused or likely to be caused by an emergency, the parties concerned shall immediately take measures to eliminate or mitigate the pollution hazard to cultivated land and report to the local people's government at or above the county level or to the ecology and environment, agricultural and rural affairs and other competent departments. The relevant people's government and its relevant departments shall handle the matter in accordance with the law.

Chapter VI — Safeguards and Supervision

Article 57 — In accordance with the principle of government leadership with multi-party participation, the state establishes and improves a mechanism for ensuring investment in cultivated land protection and quality improvement. People's governments at or above the county level shall, in accordance with the law, guarantee investment in cultivated land protection and quality improvement, and shall, in accordance with the principle that whoever invests benefits, encourage and guide social capital to participate in cultivated land protection and quality improvement and protect the lawful rights and interests of social investors.

The state encourages and guides financial institutions to develop financial products and services such as credit, bonds and insurance so as to provide support for cultivated land protection and quality improvement.

Article 58 — The state establishes a compensation system for cultivated land protection and quality improvement, granting compensation or rewards to regions with heavy tasks of protecting cultivated land such as permanent basic farmland, substantial efforts in building high-standard farmland, good fulfillment of cultivated land protection target responsibilities, and high grain output and grain commercialization rates, as well as to rural collective economic organizations, agricultural producers and operators and others that undertake cultivated land protection tasks. The specific measures shall be formulated by the competent natural resources, agricultural and rural affairs and finance departments of the State Council.

The state improves the interest-compensation mechanism for major grain-producing areas, perfects the fiscal transfer payment system for major grain-producing areas and major grain-producing counties, and improves the inter-provincial horizontal interest-compensation mechanism between grain-producing and grain-consuming areas.

Local people's governments at or above the county level may, in light of actual circumstances, establish compensation systems for cultivated land protection and quality improvement within their regions.

Article 59 — Land contract management rights and other rights lawfully established over cultivated land are protected by law, and no organization or individual may infringe upon them.

Villagers' committees, rural collective economic organizations, state-owned farms and others shall organize the maintenance of farmland infrastructure and improve farming conditions so as to ensure the sustainable utilization of cultivated land resources.

Land contract and land management right transfer contracts shall specify the obligations of agricultural producers and operators to rationally utilize and protect cultivated land. The party awarding the contract has the right to supervise the contracting party in rationally utilizing and protecting cultivated land in accordance with the purpose agreed in the contract; where the contracting party abandons cultivation and leaves land idle, it shall urge the contracting party to resume cultivation; where cultivation has been abandoned and land left idle for two or more consecutive years, cultivation may be resumed by various means such as organizing substitute cultivation after notifying the contracting party and making a public announcement, and the specific measures shall be prescribed by the province, autonomous region or municipality directly under the Central Government. Where the holder of a land management right abandons cultivation and leaves the land idle for two or more consecutive years and the contracting party fails to terminate the land management right transfer contract within a reasonable period, the party awarding the contract has the right to demand termination of the land management right transfer contract.

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Where villagers' committees, rural collective economic organizations, state-owned farms and others discover acts that damage cultivated land or other such acts, they have the right to stop them and shall report to the natural resources, agricultural and rural affairs, ecology and environment and other competent departments of the people's government at the county level.

Article 60 — Local people's governments at or above the county level shall, in accordance with the target responsibilities for cultivated land protection and food security and in light of the actual circumstances of their administrative regions, consolidate the responsibilities of the people's government at the next lower level for cultivated land protection and food security.

The state organizes the assessment of the responsibility system for cultivated land protection and food security.

The situation of cultivated land protection and quality improvement shall be included in the departure audits of leading officials in respect of natural resource assets.

Article 61 — The national natural resources supervision institutions shall, under the authorization of the State Council, carry out supervision over cultivated land protection. The locality subject to supervision shall fulfill its primary responsibility for rectification, earnestly organize rectification and report the rectification situation in a timely manner. The relevant competent departments of the State Council shall guide and supervise the rectification by the localities. Where a locality subject to supervision fails to implement the opinions of cultivated land protection supervision effectively and the national natural resources supervision institutions order rectification within a prescribed time limit, the acceptance and approval of agricultural land conversion and land expropriation in that region shall be suspended during the rectification period.

Article 62 — The natural resources, agricultural and rural affairs and other relevant departments of a people's government at or above the county level shall strengthen supervision and inspection of activities for cultivated land protection and quality improvement. In performing their supervision and inspection duties, the relevant departments may take the following measures in accordance with the law:

(1) requiring the organizations and individuals under inspection to provide relevant documents and materials, and examining or copying them;

(2) requiring the organizations and individuals under inspection to explain the relevant issues;

(3) entering the sites where the organizations and individuals under inspection are suspected of illegal acts to conduct survey and collect evidence through investigation;

(4) sealing documents and materials that may be transferred, destroyed, concealed or tampered with;

(5) sealing up or seizing places, facilities, equipment or property suspected of being involved in illegal activities;

(6) with respect to organizations and individuals suspected of illegal acts, suspending the handling of land approval, registration and other formalities related to the illegal case during the investigation; and

(7) other measures provided for by laws and administrative regulations.

Where the measures in items (4), (5) and (6) of the preceding paragraph are taken, the provisions of the Administrative Compulsion Law of the People's Republic of China and other laws and administrative regulations shall be observed, and a handling decision shall be made in a timely manner; where the relevant measures are no longer necessary, they shall be lifted in a timely manner.

Article 63 — The state applies modern information technologies and means such as satellite remote sensing, the Internet, big data, cloud computing and artificial intelligence to raise the level of the work of cultivated land protection and quality improvement and to strengthen supervision over such work in a scientific and precise manner.

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Article 64 — The natural resources, agricultural and rural affairs, ecology and environment, water administration and other relevant departments of a people's government at or above the county level shall establish and improve mechanisms for law-enforcement coordination and information sharing, strengthen the building of supervision and administration capacity, and share, in accordance with the law, information concerning cultivated land protection and quality improvement as well as administration and law enforcement. Where there are multiple inspection items targeting the same inspection object, they shall be merged or included in the scope of inter-departmental joint spot checks.

Article 65 — Where the natural resources, agricultural and rural affairs, ecology and environment, water administration and other competent departments of a people's government at or above the county level, in performing their supervision and inspection duties in accordance with the law, discover that an illegal act is suspected of constituting a crime, they shall promptly transfer the case to the relevant authorities. Where the relevant authorities, in investigating and handling a case in accordance with the law, need the natural resources, agricultural and rural affairs, ecology and environment, water administration and other competent departments to provide assistance such as inspection conclusions and determination opinions, the relevant departments shall provide such assistance.

The standards for determining the destruction of cultivated land planting conditions shall be formulated by the competent natural resources and agricultural and rural affairs departments of the State Council together with the public security department, the ecology and environment competent department and other departments of the State Council.

Chapter VII — Legal Liability

Article 66 — Where, in violation of the provisions of this Law, local people's governments at all levels and their relevant departments and units fall under any of the following circumstances, the leading officials and directly responsible persons shall be given sanctions of warning, recording of demerit or recording of a serious demerit; where the circumstances are relatively serious, they shall be given sanctions of demotion or removal from office; and where the circumstances are serious, they shall be given the sanction of dismissal:

(1) the amount of cultivated land retained or the area of permanent basic farmland protected within the administrative region falls below the cultivated land protection goals specified in territorial spatial planning;

(2) engaging in fraud in the balance between the occupation and supplementation of cultivated land, the construction of high-standard farmland, the monitoring and evaluation of cultivated land quality, or the ecological protection and restoration of cultivated land;

(3) the problem of illegal occupation of cultivated land within the year is serious;

(4) withholding, diverting or misappropriating funds for the construction of high-standard farmland; or

(5) committing other acts of abuse of power, dereliction of duty or engaging in malpractices for personal gain.

Article 67 — Where, in violation of the provisions of this Law, a person occupies cultivated land to dig lakes for landscaping or, without authorization, afforests and plants trees, plants turf, piles up solid waste or buries garbage on cultivated land, thereby destroying planting conditions, the natural resources, agricultural and rural affairs, ecology and environment and other competent departments of the people's government at or above the county level shall, in accordance with the division of duties, order the correction or remediation within a prescribed time limit, and may impose a fine of not less than five times but not more than ten times the local cultivated land reclamation fee calculated by the occupied area.

Where, in violation of the provisions of this Law, permanent basic farmland is converted into other agricultural land, the competent natural resources department of the people's government at or above the county level shall order correction within a prescribed time limit; where correction is not made within the time limit, a fine of not less than two times but not more than five times the local cultivated land reclamation fee

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may be imposed by the occupied area, and the competent natural resources department of the people's government at or above the county level shall restore the original planting conditions on behalf of the violator, with the expenses required borne by the violator; where planting conditions are destroyed, punishment shall be imposed in accordance with the provisions of the preceding paragraph.

Article 68 — Where, in violation of the provisions of this Law, a person occupies or damages high-standard farmland project facilities or endangers the safety of such facilities, the competent agricultural and rural affairs department of the people's government at or above the county level shall order the cessation of the illegal act and restoration of the original state within a prescribed time limit; where restoration is not made within the time limit, the competent agricultural and rural affairs department, water administration department and other departments of the people's government at or above the county level may, in accordance with the division of duties, carry out the restoration on behalf of the violator, with the expenses required borne by the violator, and a fine of not less than one time but not more than three times the restoration expenses shall be imposed concurrently.

Where, in violation of the provisions of this Law, surveying and mapping, survey, design, construction, supervision or acceptance for the construction of high-standard farmland is not carried out in accordance with the relevant state provisions, punishment shall be imposed in accordance with laws, regulations and the relevant provisions of the competent agricultural and rural affairs department of the State Council.

Article 69 — Where, in accordance with the provisions of this Law, an order is given to dismantle, within a prescribed time limit, buildings and other facilities newly constructed on illegally occupied cultivated land and to restore the original planting conditions of the cultivated land, the construction unit or individual must immediately cease construction, dismantle them on its own and restore the original planting conditions; where construction continues, the authority that made the decision may seal up the construction site and seize construction equipment, tools, building materials and other items directly related to the suspected illegal occupation of cultivated land; where the party refuses to dismantle them on its own, the authority that made the decision may, in accordance with the law, apply to the people's court for compulsory enforcement.

Article 70 — With respect to acts that violate the provisions of this Law, where this Law does not provide for administrative penalties, the provisions of the Ecological Environment Code of the People's Republic of China, the Land Administration Law of the People's Republic of China and other relevant laws and administrative regulations shall apply.

Article 71 — Where a violation of the provisions of this Law causes damage to others, civil liability shall be borne in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VIII — Supplementary Provisions

Article 72 — This Law shall come into force on January 1, 2027.

Disclaimer: This is an unofficial English translation of the Cultivated Land Protection and Quality Improvement Law of the People's Republic of China, provided for reference and informational purposes only. The authoritative text is the official Chinese version as promulgated. While every effort has been made to ensure accuracy, in the event of any discrepancy between this translation and the official Chinese text, the Chinese text shall prevail. This translation does not constitute legal advice.