

Family Farm Promotion 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 protecting the lawful rights and interests of family farms, standardizing the operation and management of family farms, promoting the development of family farms, and advancing agricultural and rural modernization.

Article 2 — For the purposes of this Law, "family farm" refers to a new type of agricultural business entity that takes the farmer household as the basic business unit, takes the family members as the main labor force, and uses contracted land or lawfully transferred land to engage in large-scale, intensive, and commercialized agricultural production and operation.

Article 3 — Family farms are an important component of the new type of agricultural business entities. The State shall guide and support the development of family farms and shall incorporate family farms into the national economic and social development plan.

Article 4 — Family farms shall abide by laws and regulations, adhere to the principles of voluntariness, fairness, and good faith, obey the rural collective economic organization's autonomy and management in accordance with the law, and shall not impair the lawful rights and interests of others.

Article 5 — The agricultural and rural authorities under the State Council shall be responsible for guiding the development and management of family farms nationwide. The agricultural and rural authorities of the local people's governments at and above the county level shall be responsible for guiding the development and management of family farms within their respective administrative regions.

Chapter II — Contracts

Article 6 — Family farms shall, in accordance with the law, enter into land transfer contracts, labor contracts, agricultural product purchase and sale contracts, and other contracts with relevant entities or individuals, specifying the rights and obligations of the parties.

Article 7 — The land transfer contracts entered into by family farms shall comply with the provisions of the Rural Land Contract Law of the People's Republic of China and other laws and regulations, and shall not change the agricultural use of the land.

Article 8 — Family farms shall, in accordance with the relevant provisions of the State, enter into labor contracts with the labor force they employ in accordance with the law and shall pay labor remuneration in full and on time.

Article 9 — The agricultural product purchase and sale contracts entered into by family farms shall take the form of written contracts and shall specify the variety, quantity, quality, price, delivery time, place, and method, liability for breach of contract, and other matters.

Chapter III — Operations and Management

Article 10 — Family farms shall establish and improve financial management systems, set up financial accounts in accordance with the law, and conduct standardized accounting.

Article 11 — Family farms shall establish production records for agricultural products and shall keep truthful records of the use of agricultural inputs, the occurrence of pests and diseases, and other matters.

Article 12 — Family farms shall use agricultural inputs such as seeds, pesticides, fertilizers, and veterinary drugs in accordance with the provisions of laws and administrative regulations on the quality and safety of agricultural products, and shall not use agricultural inputs that are prohibited by the State.

Article 13 — Family farms shall adopt advanced and applicable agricultural technologies to improve production efficiency and the quality and safety level of agricultural products, and shall develop eco-friendly agriculture and brand agriculture.

Chapter IV — Family Farm Support Measures

Article 14 — The State shall support family farms in improving production conditions, upgrading technical equipment, and building warehousing, preservation, drying, and primary processing facilities for agricultural products through various channels such as financial subsidies, financial services, and technical training.

Article 15 — Financial institutions shall increase credit support for family farms, innovate financial products and services, and simplify loan procedures.

Article 16 — The State shall encourage and support family farms in purchasing agricultural insurance to enhance their ability to prevent and manage natural risks and market risks.

Article 17 — The State shall support family farms in developing order-based agriculture, integrating production and marketing, and e-commerce for agricultural products, and shall expand sales channels for

agricultural products.

Article 18 — Local people's governments at various levels shall include the infrastructure for family farm production in rural infrastructure construction plans and shall improve conditions for farmland water conservancy, roads, electricity, and communications.

Chapter V — Legal Liability

Article 19 — Where the State organ staff member responsible for the management and service of family farms, in violation of the provisions of this Law, neglects their duties, abuses their powers, or engages in malpractices for personal gain, the competent authority shall impose sanctions in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Article 20 — Where an entity or individual, in violation of the provisions of this Law, infringes upon the lawful rights and interests of a family farm, it or he or she shall bear civil liability in accordance with the law; where the act constitutes a violation of public security administration, the public security organ shall impose a public security administrative penalty in accordance with the law; where a crime is constituted, criminal liability shall be pursued in accordance with the law.

Chapter VI — Supplementary Provisions

Article 21 — Matters not covered by this Law shall be subject to the provisions of relevant laws and administrative regulations.

Article 22 — This Law shall take effect as of December 1, 2022.

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