

Agricultural Technology Extension Law of the PRC

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Chapter I — General Provisions

Article 1 — This Law is formulated to strengthen the work of agricultural technology extension, promote the application of agricultural scientific research results and practical technologies to agricultural production as soon as possible, enhance the capability of scientific and technological support and guarantee, promote the sustainable development of the agricultural and rural economy, and realize agricultural modernization.

Article 2 — For the purposes of this Law, "agricultural technology" means the scientific research results and practical technologies applied to crop farming, forestry, animal husbandry and fishery, including: (1) technologies for the propagation of improved varieties, cultivation, fertilization and breeding; (2) technologies for the prevention and control of plant diseases and pests, animal epidemics and other harmful organisms; (3) technologies for the harvesting, processing, packaging, storage and transport of agricultural products; (4) technologies for the safe use of agricultural inputs and the quality and safety of agricultural products; (5) technologies for farmland water conservancy, rural water supply and drainage, soil improvement, and water

and soil conservation; (6) technologies for agricultural mechanization, agricultural aviation, agricultural meteorology and agricultural information; (7) technologies for agricultural disaster prevention and mitigation, agricultural resources and agricultural ecological security, and the development and utilization of rural energy; (8) other agricultural technologies. For the purposes of this Law, "agricultural technology extension" means the activities of popularizing and applying agricultural technology to the whole process of agricultural production, both before, during and after production, through experiments, demonstrations, training, guidance and consulting services.

Article 3 — The state supports the cause of agricultural technology extension, accelerates the popularization and application of agricultural technology, and develops agriculture that is high-yield, high-quality, efficient, ecological and safe.

Article 4 — Agricultural technology extension shall follow the following principles: (1) being conducive to the sustainable development of the agricultural and rural economy and to increasing farmers' income; (2) respecting the will of agricultural workers and agricultural production and operation organizations; (3) adapting measures to local conditions and being subject to experiments and demonstrations; (4) managing public-interest extension and commercial extension separately by category; (5) taking into account economic and social benefits while giving due attention to ecological benefits.

Article 5 — The state encourages and supports scientific and technical personnel in developing and promoting the application of advanced agricultural technology, and encourages and supports agricultural workers and agricultural production and operation organizations in applying advanced agricultural technology. The state encourages the use of modern information technology and other advanced means of dissemination to popularize agricultural scientific and technological knowledge, innovate the methods and approaches of agricultural technology extension, and improve the efficiency of extension.

Article 6 — The state encourages and supports the introduction of advanced foreign agricultural technology and promotes international cooperation and exchange in agricultural technology extension.

Article 7 — People's governments at all levels shall strengthen their leadership over agricultural technology extension work, and organize the relevant departments and units to take measures to improve the service level of agricultural technology extension and promote the development of the cause of agricultural technology extension.

Article 8 — Units and individuals that have made contributions to agricultural technology extension work shall be rewarded.

Article 9 — The agricultural and rural affairs, forestry and grassland, and water resources departments of the State Council (hereinafter collectively referred to as the "agricultural technology extension departments") shall, in accordance with their respective duties, be responsible for the relevant agricultural technology extension work nationwide. The agricultural technology extension departments of local people's governments at or above the county level shall, under the leadership of the people's governments at the same level and in accordance with their respective duties, be responsible for the relevant agricultural technology extension work within their respective administrative regions. Other relevant departments of the people's governments at the same level shall, in accordance with their respective duties, be responsible for the relevant work of agricultural technology extension.

Chapter II — Agricultural Technology Extension System

Article 10 — Agricultural technology extension shall implement an extension system combining state agricultural technology extension institutions with agricultural scientific research units, relevant schools, specialized farmers' cooperatives, agriculture-related enterprises, mass science and technology organizations and farmer technical personnel. The state encourages and supports supply and marketing cooperatives, other enterprises and public institutions, social organizations, and scientific and technical

personnel from all sectors of society to carry out agricultural technology extension services.

Article 11 — State agricultural technology extension institutions at all levels are public service institutions and shall perform the following public-interest duties: (1) the introduction, experimentation and demonstration of key agricultural technologies determined by people's governments at all levels; (2) the monitoring, forecasting and prevention of plant diseases and pests, animal epidemics and agricultural disasters; (3) inspection, testing and monitoring consulting technical services in the production process of agricultural products; (4) monitoring services for agricultural resources, forest resources, agricultural ecological security and the use of agricultural inputs; (5) technical services for water resources management, flood control and drought relief, and farmland water conservancy construction; (6) agricultural public information and agricultural technology publicity, education and training services; (7) other duties prescribed by laws and regulations.

Article 12 — In accordance with the principles of being scientific and reasonable and concentrating efforts, and in light of the agricultural characteristics of the county, forest resources, water systems and the distribution of water conservancy facilities, county, township or regional state agricultural technology extension institutions shall be set up in light of local conditions. Township state agricultural technology extension institutions may adopt a system managed mainly by the agricultural technology extension departments of the county-level people's government or mainly by the township people's government, with professional guidance from the agricultural technology extension department of the county-level people's government; the specific arrangement shall be determined by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Article 13 — The staffing of state agricultural technology extension institutions shall be reasonably determined in light of the scale of crop farming and breeding, the scope of services and the work tasks of the areas they serve, so as to ensure the performance of public-interest duties. The post establishment of state agricultural technology extension institutions shall be dominated by professional and technical posts. All posts of township state agricultural technology extension institutions shall be professional and technical posts; professional and technical posts of county-level state agricultural technology extension institutions shall account for no less than 80 percent of the total posts of the institution; and professional and technical posts of other state agricultural technology extension institutions shall account for no less than 70 percent of the total posts of the institution.

Article 14 — The professional and technical personnel of state agricultural technology extension institutions shall have the corresponding professional and technical level and meet the requirements of their post duties. New professional and technical personnel employed by state agricultural technology extension institutions shall have a college degree or above in the relevant specialty and pass the professional and technical level assessment organized by the relevant departments of the people's governments at or above the county level. In autonomous counties, ethnic townships and contiguous destitute areas designated by the state, upon approval by the relevant departments of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government, personnel with a secondary vocational school degree in the relevant specialty or other personnel with the corresponding professional and technical level may be employed. The state encourages and supports graduates of institutions of higher learning and scientific and technical personnel to engage in agricultural technology extension work at the grassroots level. People's governments at all levels shall take measures to attract talent and enrich and strengthen the grassroots agricultural technology extension workforce.

Article 15 — The state encourages and supports village agricultural technical service stations and farmer technical personnel to carry out agricultural technology extension. Subsidies shall be given in accordance with provisions to farmer technical personnel for assisting in public-interest agricultural technology extension activities. Farmer technical personnel who pass the assessment and meet the conditions may be granted the corresponding technical titles in accordance with the relevant provisions and issued certificates. State

agricultural technology extension institutions shall strengthen guidance for village agricultural technical service stations and farmer technical personnel. Villagers' committees and village collective economic organizations shall promote and assist village agricultural technical service stations and farmer technical personnel in their work.

Article 16 — Agricultural scientific research units and relevant schools shall, in line with the needs of rural economic development, carry out agricultural technology development and extension work and accelerate the popularization and application of advanced technologies in agricultural production. Agricultural scientific research units and relevant schools shall take the actual achievements of their scientific and technical personnel in agricultural technology extension work as an important part of work assessment and title evaluation.

Article 17 — The state encourages farms, forest farms, livestock farms, fishing grounds and water conservancy project management units to carry out agricultural technology extension services to society.

Article 18 — The state encourages and supports the development of mass science and technology organizations such as rural specialized technical associations and gives play to their role in agricultural technology extension.

Chapter III — Extension and Application of Agricultural Technology

Article 19 — The extension of major agricultural technologies shall be included in the relevant national and local development plans and programs, and shall be organized and implemented by the agricultural technology extension departments together with the relevant departments in accordance with their respective duties and through mutual cooperation.

Article 20 — Agricultural scientific research units and relevant schools shall list the technical problems that need to be solved in agricultural production as research topics, and their scientific research results may be extended through the relevant agricultural technology extension units or directly to agricultural workers and agricultural production and operation organizations. The state guides agricultural scientific research units and relevant schools to carry out public-interest agricultural technology extension services.

Article 21 — Agricultural technology extended to agricultural workers and agricultural production and operation organizations must be proven through experiments in the extension area to be advanced, applicable and safe.

Article 22 — The state encourages and supports agricultural workers and agricultural production and operation organizations to participate in agricultural technology extension. Where agricultural workers and agricultural production and operation organizations apply advanced agricultural technology in production, the relevant departments and units shall give support in technical training, funds, materials and sales. Agricultural workers and agricultural production and operation organizations shall apply agricultural technology on the principle of voluntariness, and no unit or individual may compel them to do so. In extending agricultural technology, qualified farming households, areas or engineering projects shall be selected for application demonstration.

Article 23 — County and township state agricultural technology extension institutions shall organize agricultural workers to learn agricultural scientific and technological knowledge and improve their ability to apply agricultural technology. The departments of education, human resources and social security, agricultural and rural affairs, forestry and grassland, water resources, and science and technology shall support agricultural scientific research units and relevant schools in carrying out vocational and technical education and technical training related to agricultural technology extension, and improve the technical quality of agricultural technology extension personnel and agricultural workers. The state encourages social forces to carry out agricultural technology training.

Article 24 — State agricultural technology extension institutions at all levels shall conscientiously perform the public-interest duties prescribed in Article 11 of this Law, extend agricultural technology to agricultural workers and agricultural production and operation organizations, and provide services free of charge. Units and scientific and technical personnel other than state agricultural technology extension institutions that provide agricultural technology in the form of technology transfer, technical services, technical contracting, technical consulting and technology as equity may provide paid services, and their lawful income and intellectual property rights such as new plant varieties and agricultural technology patents shall be protected by law. In carrying out agricultural technology transfer, technical services, technical contracting, technical consulting and technology as equity, the parties shall enter into contracts and agree on their respective rights and obligations.

Article 25 — The state encourages and supports specialized farmers' cooperatives and agriculture-related enterprises to provide relevant technical services for farmers' application of advanced agricultural technology in various forms.

Article 26 — The state encourages and supports the construction of agricultural demonstration zones focusing on the production of bulk agricultural products and advantageous and distinctive agricultural products, gives play to the leading role of demonstration zones in agricultural technology extension, and promotes the industrialized development of agriculture and the construction of modern agriculture.

Article 27 — People's governments at all levels may, by purchasing services and other means, guide social forces to participate in public-interest agricultural technology extension services.

Chapter IV — Safeguard Measures for Agricultural Technology Extension

Article 28 — The state shall gradually increase investment in agricultural technology extension. People's governments at all levels shall guarantee the funds for agricultural technology extension within their fiscal budgets and ensure that such funds grow year by year in accordance with provisions. People's governments at all levels shall raise special funds for agricultural technology extension through fiscal allocations and the allocation of a certain proportion of funds from the agricultural development fund, for the implementation of agricultural technology extension projects. The central government shall grant subsidies for the extension of major agricultural technologies. The working funds of county and township state agricultural technology extension institutions shall be determined in light of the local service scale and performance, and borne jointly by finance at all levels. No unit or individual may withhold or misappropriate funds used for agricultural technology extension.

Article 29 — People's governments at all levels shall take measures to guarantee and improve the working conditions, living conditions and remuneration of the professional and technical personnel of county and township state agricultural technology extension institutions, give subsidies in accordance with state provisions, and maintain the stability of the state agricultural technology extension workforce. For the title evaluation of professional and technical personnel engaged in agricultural technology extension work at the county, township and village levels, the assessment of their professional and technical level and actual achievements in extension work shall be given priority.

Article 30 — People's governments at all levels shall take measures to guarantee that state agricultural technology extension institutions obtain the necessary working conditions such as experimental and demonstration sites, office premises, and extension and training facilities and equipment. Local people's governments at all levels shall guarantee that the experimental and demonstration sites, production materials and other property of state agricultural technology extension institutions are not infringed upon.

Article 31 — The agricultural technology extension departments and state agricultural technology extension institutions at or above the county level shall conduct technical training for agricultural technology extension personnel in a planned manner, organize professional advanced studies, and enable them to constantly

update their knowledge and improve their professional level.

Article 32 — The agricultural technology extension departments at or above the county level and township people's governments shall supervise and evaluate the performance of public-interest duties by the state agricultural technology extension institutions under their management. Agricultural technology extension departments at all levels and state agricultural technology extension institutions shall establish work responsibility systems and evaluation systems for the professional and technical personnel of state agricultural technology extension institutions. For personnel of township state agricultural technology extension institutions managed mainly by the agricultural technology extension department of the county-level people's government, their professional assessment, post employment and promotion shall fully heed the opinions of the township people's government in the service area and the service recipients. For personnel of township state agricultural technology extension institutions managed mainly by the township people's government with professional guidance from the agricultural technology extension department of the county-level people's government, their professional assessment, post employment and promotion shall fully heed the opinions of the agricultural technology extension department of the county-level people's government at their locality and the service recipients.

Article 33 — Those engaged in agricultural technology extension services may enjoy the preferential treatment in taxation, credit and other respects prescribed by the state.

Chapter V — Legal Liability

Article 34 — Where the relevant departments of people's governments at all levels and their staff members fail to perform their duties in accordance with this Law, the directly responsible person in charge and other directly responsible personnel shall be given sanctions in accordance with law.

Article 35 — Where state agricultural technology extension institutions and their staff members fail to perform their duties in accordance with this Law, the competent authorities shall order them to make corrections within a time limit and circulate a notice of criticism; the directly responsible person in charge and other directly responsible personnel shall be given sanctions in accordance with law.

Article 36 — Where, in violation of this Law, agricultural technology that has not been proven through experiments to be advanced, applicable or safe is extended to agricultural workers and agricultural production and operation organizations, causing losses, compensation liability shall be borne.

Article 37 — Where, in violation of this Law, agricultural workers and agricultural production and operation organizations are compelled to apply agricultural technology, causing losses, compensation liability shall be borne in accordance with law.

Article 38 — Where, in violation of this Law, funds used for agricultural technology extension are withheld or misappropriated, the directly responsible person in charge and other directly responsible personnel shall be given sanctions in accordance with law; where a crime is constituted, criminal liability shall be pursued in accordance with law.

Chapter VI — Supplementary Provisions

Article 39 — This Law shall take effect on the date of promulgation.

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