

Law of the People's Republic of China on the Agricultural Technology Extension

Zhen Zhong

Assistant Professor

School of Agricultural Economics and Rural Development

Renmin University of China

(Adopted from the 2nd Session of the 8th National People's Congress on July 2, 1993; amended in accordance with the Decision on Amending the Law of the People's Republic of China on Agricultural Technology the Extension adopted from the 28th session of the Standing Committee of the 11th National People's Congress of the People's Republic of China on August 31, 2012)

Promulgation of the new law is a major event in the history of agricultural technology extension, but also an expectation of more than 700,000 farmers and agricultural extension officers. It will have a significant and far-reaching impact on agricultural economy and rural development. The main Content of this law includes System of Agricultural Technology Extension, Agricultural Technology Extension and Application, Safeguards for Agricultural Technology Extension and Legal Liability. Following is an excerpt from the Law.

Chapter I. General Provisions

Article 2. For the purposes of this law, “agricultural technology” means scientific research results and practical techniques applied to planting, forestry, animal husbandry and fishery, including:

- (1) techniques for cultivation of good strains of plants, planting, application of fertilizers, and animal breeding;
- (2) techniques for preventing and controlling plant diseases and pests, epidemic diseases of animals and other harmful organisms;
- (3) techniques for harvesting, processing, packaging, storing and transporting of agricultural products;
- (4) techniques for ensuring the safe use of agricultural inputs and the quality and safety of agricultural products;
- (5) techniques for farmland irrigation, water supply and drainage in rural areas, soil improvement, and water and soil conservation;
- (6) techniques for agricultural mechanization, agricultural aviation, agricultural meteorology and agricultural information;
- (7) techniques for the prevention and mitigation of agricultural disasters, the safety of agricultural resources and agricultural ecology, and the rural energy development and utilization; and
- (8) other agricultural techniques.

For the purpose of this law, “extension of agricultural technology” means

extension and application of agricultural technology to the entire process of agricultural production, including the processes before, during and after production of experiment, demonstration, training, guidance and consultation services.

Chapter II. System of Agricultural Technology Extension

Article 10. In agricultural technology extension, an extension system, which combines state agricultural technology extension institutions with agricultural scientific research institutes, relevant schools, farmers' specialized cooperatives, agriculture-related enterprises, mass organizations for science and technology, and farmer technicians, shall be adopted. The state shall encourage and support supply and marketing cooperatives, other enterprises and institutions, social organizations, and scientific and technical personnel in all walks of life to provide agricultural technology extension services.

Article 11. State agricultural technology extension institutions at all levels, as public service institutions, shall perform the following public functions:

- (1) Introducing and conducting experiments and demonstrations for key agricultural techniques determined by the people's governments at all levels;
- (2) Monitoring, forecasting and preventing plant diseases and pests, epidemic diseases of animals and agricultural disasters;
- (3) Providing consultation and technical services for inspection, testing and monitoring in the production of agricultural products;
- (4) Monitoring the safety of agricultural resources, forest resources and agricultural ecology and the use of agricultural inputs;
- (5) Providing technical services for water resources management, flood control and drought relief, and construction of farmland irrigation works;
- (6) Providing publicity, education and training services for agricultural public information and agricultural technology;
- (7) Other functions as set forth by laws and regulations.

Article 15. The state shall encourage and support agricultural technology extension conducted by village agricultural technical service stations and farmer technicians. According to the relevant provisions, subsidies shall be offered to farmer technicians who assist in public agricultural technology extension activities.

Corresponding technical titles and certificates may be conferred to farmer technicians who meet the relevant requirements after examination according to the relevant provisions.

State agricultural technology extension institutions shall strengthen guidance for village agricultural technical service stations and farmer technicians.

Villagers' committees and collective economic organizations of villages shall support and assist the work of village agricultural technical service stations and farmer technicians.

Article 16. Agricultural scientific research institutes and relevant schools shall adapt themselves to the needs of the development of rural economic construction, carry out the work of agricultural technology development and extension, and speed up the dissemination and application of advanced technology to agricultural production.

Agricultural scientific research institutes and relevant schools shall regard the actual performance of their science and technology personnel in agricultural technology extension as an important part of performance evaluation and determination of professional or technical titles.

Article 17. The state shall encourage farms, forest farms, pastures, fishing grounds and water project management entities to provide agricultural technology extension services to the public.

Article 18. The state shall encourage and support the development of mass organizations of science and technology, such as specialized technology associations in rural areas, to utilize their functions in agricultural technology extension.

Chapter III Extension and Application of Agricultural Technologies

Article 19. The extension of key agricultural technologies shall be included in the relevant national and local development programs and plans and be implemented by agricultural technology extension departments in cooperation with departments of science and technology and other relevant departments according to their respective functions.

Article 20. Agricultural scientific research institutes and relevant schools shall regard technical problems to be solved in agricultural production as their research subjects, and the scientific research results may be popularized through the relevant agricultural technology extension institutions or directly to agricultural laborers and organizations engaging in agricultural production and other operations.

The state shall direct agricultural scientific research institutes and relevant schools to provide public agricultural technology extension services.

Article 21. Agricultural technologies popularized to agricultural laborers and organizations engaging in agricultural production and other operations must be advanced, applicable and safe as proved by prior experiments in the extension areas.

Article 22. The state shall encourage agricultural laborers and organizations engaging in agricultural production and other operations to participate in agricultural technology extension.

For agricultural laborers and organizations engaging in agricultural production and other operations which apply advanced agricultural technology in their production, the relevant departments and entities shall provide support in such aspects as technical training, funds, materials and sales.

Agricultural laborers and organizations engaging in agricultural production and other operations shall apply any agricultural technology on a voluntary basis, and no entity or individual shall force them to apply any agricultural technology.

In the extension of agricultural technologies, qualified farmer households, regions or engineering projects shall be selected as application examples.

Article 24. State agricultural technology extension institutions at all levels shall diligently perform the public duties as prescribed in Article 11 of this Law to popularize agricultural technologies to agricultural laborers and organizations engaging in agricultural production and other operations without service charges.

Entities and science and technology personnel, other than state agricultural technology extension institutions, may provide agricultural technology with service charges in manners such as technology transfer, technical service, technical contracting, technical consulting and technical investment, and their lawful income and intellectual property rights such as patents on new varieties of plant and agricultural technologies shall be protected by law. In technical transfer, technical services, technical contracting, technical consulting and technical investments, the parties shall enter into contracts to agree on their respective rights and duties.

Article 25. The state shall encourage farmers' specialized cooperatives and agriculture-related enterprises to provide various forms of technical services for farmers to apply advanced agricultural technologies.

Chapter IV. Safeguards of Agricultural Technology Extension

Article 28. The state shall gradually increase its input for agricultural technology extension. The people's governments at all levels shall secure funds for agricultural technology extension in their financial budgets and increase such funds each year according to the relevant provisions.

The people's governments at all levels shall, by financial appropriation and drawing a certain percentage of funds from the agricultural development fund, raise special funds for agricultural technology extension to implement agricultural technology extension projects. The central finance shall offer subsidies to key agricultural technology extension projects.

The operating funds of state agricultural technology extension institutions of counties and townships shall be determined based on the local service scale and performance and be assumed jointly by public finance at all levels.

No entity or individual shall intercept or misappropriate funds for agricultural technology extension.

Article 29. The people's governments at all levels shall take measures to ensure and improve the working conditions, living conditions and remuneration of the specialized technical personnel of state agricultural technology extension institutions of counties and townships and offer subsidies to them according to the state provisions to maintain the stability of state agricultural technology extension teams.

The determination of professional or technical titles of specialized technical personnel engaging in agricultural technology extension in counties, townships and villages shall be based mainly on the evaluation of their specialized technical abilities and actual performances in agricultural technology extension.

Article 30. The people's governments at all levels shall take measures to ensure that state agricultural technology extension institutions possess experiment and demonstration sites, office places, extension and training devices, and other necessary working conditions.

The local people's governments at all levels shall protect the experiment and demonstration sites, means of production and other property of state agricultural technology extension institutions from any harm.

Article 31. Administrative departments of agricultural technology extension and agricultural technology extension institutions at or above the county level” therein is replaced with “agricultural technology extension departments and state agricultural technology extension institutions at or above the county level.

Article 32. The agricultural technology extension departments at or above the county level and the township people's governments shall oversee and evaluate the performance of public duties by state agricultural technology extension institutions under their administration.

The agricultural technology extension departments and state agricultural technology extension institutions at all levels shall establish a work responsibility system and evaluation system for the specialized technical personnel of state agricultural technology extension institutions.

For the performance evaluation, employment and promotion of personnel of township state agricultural technology extension institutions which are mainly administered by the agricultural technology extension departments of the people's governments at the county level, the opinions of the township people's governments and the service receivers within their service areas shall be fully solicited.

For the performance evaluation, employment and promotion of personnel of the township state agricultural technology extension institutions which are mainly administered by the township people's governments with service guidance from the agricultural technology extension departments of the people's governments at the county level, the opinions of the agricultural technology extension departments of the local people's governments at the county level and the service receivers within their service areas shall be fully solicited.

Article 33. Providers of agricultural technology extension services may enjoy taxation, credit and other preferences prescribed by the state.

Chapter V Legal Liability

Article 36. Whoever, in violation of this Law, popularizes any agricultural technology which has not been proved after experiment to be advanced, applicable or safe to agricultural laborers or organizations engaging in agricultural production and other operations and therefore causes any losses shall assume compensatory liability in accordance with law.

Article 38. Where the funds for agricultural technology extension are intercepted or misappropriated in violation of this Law, the direct liable person in charge and other direct liable persons shall be subject to disciplinary actions in accordance with law. If the violators are suspected of any crime, they shall be subject to criminal liability.

Date submitted: December 6, 2013

Reviewed, edited and uploaded: December 9, 2013