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## Decree of the State Council of the People's Republic of No. 743

The Regulations for the Implementation of the Land Administration Law of the People's Republic of China have been amended and adopted at the 2021st executive meeting of the State Council on April 4, 21, and are hereby promulgated and will come into force on September 13, 2021.

Premier Li Keqiang  
2021-7-2

## Regulations for the Implementation of the Land Administration Law of the People's Republic of China

(Promulgated by Order No. 1998 of the State Council of the People's Republic of China on December 12, 27; amended for the first time in accordance with the Decision of the State Council on the Repeal and Amendment of Some Administrative Regulations on January 25, 2011; revised for the second time in accordance with the Decision of the State Council on Amending Some Administrative Regulations on July 1, 8; and amended for the third time by Order No. 2014 of the State Council of the People's Republic of China on July 7, 29)

### Chapter I General Provisions

Article 1 These Regulations are formulated in accordance with the Land Administration Law of the People's Republic of China (hereinafter referred to as the Land Administration Law).

### Chapter II: Territorial Spatial Planning

Article 2: The State shall establish a territorial spatial planning system.

Land development, protection and construction activities shall adhere to planning first. Territorial spatial planning approved in accordance with the law is the basic basis for all kinds of development, protection and construction activities.

Where land and spatial planning has already been prepared, overall land use planning and urban and rural planning shall no longer be prepared. Prior to the preparation of the territorial spatial plan, the overall land use plan and urban and rural planning approved by law shall continue to be implemented.

Article 3: Territorial spatial planning shall refine and implement the requirements for the protection of territorial space development set forth in the national development plan, make overall plans for the layout of

agricultural, ecological, urban and other functional spaces, and delineate and implement permanent basic farmland, ecological protection red lines, and urban development boundaries.

Land and spatial planning shall include the pattern of land space development and protection and the requirements for the control of the layout, structure, and use of planned land, clarify requirements such as the amount of cultivated land, the scale of construction land, and the scope of prohibited reclamation, coordinate the layout of land for infrastructure and public facilities, comprehensively utilize above-ground and underground space, reasonably determine and strictly control the scale of new construction land, increase the level of economical and intensive use of land, and ensure the sustainable use of land.

Article 4 Land survey shall include the following content:

- (1) Land tenure and changes;
- (2) the current status and changes in land use;
- (3) Land conditions.

The results of the national land survey shall be announced to the public after being submitted to the State Council for approval. The results of local land surveys shall be reviewed by the people's government at the corresponding level and reported to the people's government at the level above for approval before being announced to the public. After the results of the national land survey are announced, the local people's governments at or above the county level may publish the results of the land survey in their respective administrative regions from top to bottom.

The results of land survey are an important basis for the preparation of territorial spatial planning and the management, protection and utilization of natural resources.

Technical regulations for land survey shall be formulated by the competent department of natural resources under the State Council in conjunction with relevant departments.

Article 5: The competent department for natural resources under the State Council shall, in conjunction with relevant departments, formulate land grading standards.

The competent departments for natural resources of people's governments at the county level or above shall, in conjunction with relevant departments, assess land grades on the basis of land rating assessment standards. The results of local land rating assessment shall be reviewed by the people's government at the corresponding level, and shall be reported to the competent department of natural resources of the people's government at the level above for approval and then announced to the public.

According to the state of national economic and social development, the land grade is reassessed every five years.

Article 6: The competent departments for natural resources of people's governments at the county level or above shall strengthen the establishment of informatization, establish a unified basic information platform for land and space, implement informationized management of the entire process of land management, conduct dynamic monitoring of land use conditions, establish mechanisms for sharing land management information by relevant departments such as for development and reform, housing, and urban-rural construction, and lawfully disclose land management information.

Article 7: The competent departments for natural resources of people's governments at the county level or above shall strengthen cadastral management and establish and complete cadastral databases.

### Chapter III: Protection of Arable Land

Article 8 The State implements a compensation system for the occupation of cultivated land. Where cultivated land is occupied within the scope of construction land in cities, villages and market towns as determined by the territorial spatial planning with lawful approval, and where cultivated land is occupied by energy, transportation, water conservancy, mines and military facilities outside the scope of the construction land in cities, villages and market towns determined by the territorial spatial planning with lawful approval, the people's governments at the county level, rural collective economic organizations and construction units shall be respectively responsible for reclaiming cultivated land comparable to the quantity and quality of the cultivated land occupied; Where cultivated land is not reclaimed or does not meet the requirements, cultivated land reclamation fees shall be paid in accordance with the regulations of the province, autonomous region, or municipality directly under the Central Government, and special funds shall be used for the reclamation of new cultivated land.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall organize the competent departments for natural resources and agriculture and rural areas to inspect

and accept the cultivated land reclaimed, and ensure that the cultivated land reclaimed is implemented in the plots. Where permanent basic farmland is assigned, it shall also be included in the national permanent basic farmland database for strict management. The situation of replenishing cultivated land shall be announced to the public in accordance with the relevant provisions of the State.

Where individual provinces and municipalities directly under the Central Government need to reclaim cultivated land from other lands, this shall be implemented in accordance with the provisions of Article 32 of the Land Administration Law.

Article 9 It is forbidden for any unit or individual to engage in land development activities within the scope of the prohibition on reclamation determined by the national land and spatial planning.

In accordance with the territorial spatial plan, where the development of state-owned barren hills, wasteland or deserted beaches for which the right to the use of the land has not been determined for planting, forestry, animal husbandry or fishery production, an application shall be submitted to the competent department for natural resources of the local people's government at or above the county level where the land is located, and approval shall be given by the local people's government at or above the county level in accordance with the authority prescribed by the province, autonomous region, or municipality directly under the Central Government.

Article 10: People's governments at the county level shall, in accordance with the requirements of land and spatial planning for the overall layout of agricultural, ecological, urban and other functional spaces, formulate land consolidation plans to promote the protection of cultivated land and the economical and intensive use of land.

The people's governments of counties and townships (towns) shall organize rural collective economic organizations, implement land consolidation programs, and carry out planned rectification and transformation of idle and abandoned land. Land consolidation and new cultivated land can be used as a supplement to the cultivated land occupied by construction.

Social entities are encouraged to participate in land consolidation in accordance with law.

Article 11: Local people's governments at the county level or above shall employ measures to prevent and control soil erosion and pollution of cultivated land, transform medium- and low-yield land in a planned manner, build high-standard farmland, improve the quality of cultivated land, protect black soil and other high-quality cultivated land, and make reasonable arrangements for the soil utilization of the cultivated layer of cultivated land occupied by construction in accordance with law.

Where non-agricultural construction occupies permanent basic farmland in accordance with law, 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 cultivated layer of the occupied cultivated land for soil improvement of newly reclaimed cultivated land, inferior land or other cultivated land.

Local people's governments at or above the county level shall strengthen guidance and management of agricultural restructuring to prevent the destruction of cultivated land cultivation layers; Where the agricultural land for facilities is no longer used, the restoration of planting conditions shall be promptly organized.

Article 12: The State implements special protection for cultivated land, strictly observes the red line for cultivated land protection, strictly controls the conversion of cultivated land into forest land, grassland, garden land and other agricultural land, and establishes a compensation system for cultivated land protection, and the specific measures and implementation steps for cultivated land protection compensation shall be formulated by the competent department of natural resources under the State Council in conjunction with relevant departments.

Non-agricultural construction must use land sparingly, and where wasteland can be used, cultivated land shall not be occupied; Those who can use inferior land shall not occupy good land. It is forbidden to occupy cultivated land to build kilns or graves, or to build houses, dig sand, quarry, mine, and extract soil on cultivated land without authorization. It is forbidden to occupy permanent basic farmland to develop forestry and fruit industry and dig ponds for fish farming.

Cultivated land shall be given priority to the production of grain and cotton, oil, sugar, vegetables and other agricultural products. Where it is necessary to convert cultivated land into forest land, grassland, garden land and other agricultural land in accordance with the relevant provisions of the State, priority shall be given to the use of cultivated land that is difficult to use stably for a long time.

Article 13 The people's governments of provinces, autonomous regions and municipalities directly under the Central Government shall bear overall responsibility for the protection of cultivated land in their respective

administrative regions, and their principal responsible persons shall be the first responsible persons for the protection of cultivated land in their respective administrative regions.

The people's governments of provinces, autonomous regions, and municipalities directly under the Central Government shall break down the tasks of cultivated land retention and permanent basic farmland protection determined by the State Council, and implement them in specific plots.

The State Council shall assess the implementation of the targets of cultivated land protection responsibilities of the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

## Chapter IV Land for Construction

### Section 1 General Provisions

Article 14 Where land is required for construction projects, it shall comply with the requirements of land spatial planning, annual land use planning and use control, as well as resource conservation and protection of the ecological environment, and strictly implement the standards for construction land, give priority to the use of existing construction land, and increase the efficiency of the use of construction land.

Engaging in land development and utilization activities shall employ effective measures to prevent and reduce soil pollution, and ensure that construction land meets soil environmental quality requirements.

Article 15 People's governments at all levels shall, on the basis of national economic and social development plans and annual plans, land and spatial planning, national industrial policies, and the actual conditions of urban and rural construction and land use, strengthen the management of land use plans, implement total construction land control, promote the development and utilization of urban and rural construction land, guide the redevelopment of urban and rural low-efficiency land, implement the standard control system for construction land, carry out evaluations of land conservation and intensive use, and popularize the application of land-saving technologies and land-saving models.

Article 16: The competent departments for natural resources of local people's governments at the county level or above shall publish the total annual supply of construction land as determined by the people's government at that level on the government website, such as the total supply, structure, timing, plots, and uses, to the public for public reference.

Article 17 The use of State-owned land by a construction unit shall be acquired by way of compensated use; However, laws and administrative regulations provide that it can be obtained by way of allocation.

The ways in which state-owned land is used for compensation include:

- (1) Assignment of the right to the use of state-owned land;
- (2) leasing of state-owned land;
- (3) Contributing capital or investing in shares for the right to the use of state-owned land.

Article 18: The assignment of the right to the use of State-owned land, the lease of State-owned land, and so forth shall be traded through open trading platforms in accordance with the relevant provisions of the State, and shall be included in the unified public resources trading platform system. Except where agreement may be adopted in accordance with law, land users shall be determined by competitive methods such as bidding, auction, and listing.

Article 19 The land fee for the paid use of newly added construction land as provided for in Article 55 of the Land Administration Law refers to the average net land income that the State shall obtain from the newly added construction land.

Article 20 Where temporary use of land is required for the construction of construction projects or geological surveys, cultivated land shall be occupied as little or as little as possible.

Temporary land use shall be approved by the competent department of natural resources of the people's government at or above the county level, and the period shall generally not exceed two years; Temporary land used for energy, transportation, water conservancy and other infrastructure construction with a long construction period shall not exceed four years; Except as otherwise provided by laws and administrative regulations.

The land user shall, within one year from the expiration date of the temporary land use, complete the land reclamation to bring it to a state of use, and the cultivated land occupied shall restore the planting conditions.

Article 21: Where there is an urgent need to use land for emergency rescue and disaster relief, epidemic prevention and control, the land may be used first. Among them, if it is a temporary land, it shall be restored to its

original state and handed over to the land user for use after use, and the land use approval procedures shall no longer be processed; If it is permanent construction land, the construction unit shall apply for supplementary approval procedures for construction land no later than six months after the end of emergency handling work.

Article 22: Unused land with important ecological functions shall be classified as ecological protection red lines in accordance with law, and strict protection shall be implemented.

Where a construction project occupies unused land determined by the national land space plan, it shall be handled in accordance with the provisions of the province, autonomous region, or municipality directly under the Central Government.

## Section 2: Conversion of Agricultural Land

Article 23 Where agricultural land is converted into construction land for the purpose of implementing the plan within the scope of construction land in cities, villages and market towns as determined by the national land spatial plan, the people's governments of cities and counties are to organize natural resources and other departments to draw up plans for the conversion of agricultural land, and submit them in batches to the people's governments with the right to approve them for approval.

The plan for the conversion of agricultural land shall focus on explaining the arrangements for construction projects, whether they comply with land spatial planning and annual land use plans, and the situation of supplementing cultivated land.

After the plan for the conversion of agricultural land is approved, it shall be organized and implemented by the people's governments of cities and counties.

Article 24 Where a construction project truly needs to occupy agricultural land outside the scope of construction land in cities, villages and market towns as determined by the national land spatial planning, and involves the occupation of permanent basic farmland, it shall be approved by the State Council; Where the occupation of permanent basic farmland is not involved, it shall be approved by the State Council or the people's government of a province, autonomous region or municipality directly under the Central Government authorized by the State Council. Specifically, it shall be handled in accordance with the following provisions:

(1) Before or after the approval or approval of a construction project, or before and after filing, the competent department for natural resources is to review the matters concerning the use of land for the construction project, and submit opinions on the pre-examination of the land used for the construction project. Where a construction project needs to apply for the issuance of a site selection opinion, it shall handle the pre-examination and site selection opinions of the construction project land together, and issue the pre-examination and site selection opinions of the construction project land.

(2) The construction unit shall submit an application for construction land to the people's government of the city or county on the basis of the approval, approval or filing documents for the construction project. The people's governments of cities and counties shall organize natural resources and other departments to draw up plans for the conversion of agricultural land, and submit them to the people's governments with the right to approve them for approval; Where it shall be approved by the State Council in accordance with law, it shall be reported after review by the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government. The plan for the conversion of agricultural land shall focus on explaining whether it complies with the national land spatial plan and the annual land use plan and the situation of supplementing cultivated land, and where the occupation of permanent basic farmland is involved, it shall also explain the necessity, reasonableness and feasibility of supplementary zoning of the occupation of permanent basic farmland.

(3) After approval of the plan for the conversion of agricultural land, the people's governments of cities and counties shall organize and implement it.

Article 25 Where a construction project requires the use of land, the construction unit shall, in principle, apply for it once and go through the approval procedures for the construction land, and for the project that really needs to be constructed in phases, it may apply for the construction land in installments according to the plan determined in the feasibility study report, and go through the approval procedures for the construction land in stages. Where it is truly necessary to adjust the scope of land use during the construction process, the approval procedures for construction land shall be handled in accordance with law.

Where the conversion of agricultural land involves land expropriation, the land expropriation formalities shall also be completed in accordance with law.

### Section 3: Land Expropriation

Article 26: Where land expropriation is required and the local people's government at or above the county level finds that it complies with the provisions of Article 45 of the Land Administration Law, it shall issue a pre-announcement of land expropriation and carry out an investigation of the current situation of the land to be expropriated and a social stability risk assessment.

The advance announcement of land expropriation shall include content such as the scope of expropriation, the purpose of expropriation, and arrangements for carrying out surveys of the current state of the land. The advance announcement of land expropriation shall be made in a manner conducive to the public's knowledge, and shall be issued within the scope of the township (town) and village or villagers' group where the land to be requisitioned is located, and the time for the advance announcement shall not be less than 10 working days. From the date of issuance of the pre-announcement on land expropriation, no unit or individual may rush to plant and build within the scope of the proposed expropriation; Those who rush to plant and build in violation of regulations shall not be compensated for the part of the rush to plant and build.

The investigation of the current situation of land shall ascertain the location, ownership, type and area of the land, as well as the ownership, type, quantity, etc. of rural villagers' houses, other above-ground attachments, and young seedlings.

The social stability risk assessment shall conduct a comprehensive study and judgment of the social stability risk status of the expropriated land, determine the risk points, and propose risk prevention measures and disposal plans. The social stability risk assessment shall involve the participation of the rural collective economic organization whose land has been expropriated and its members, villagers' committees, and other stakeholders, and the assessment results shall be an important basis for applying for land expropriation.

Article 27: Local people's governments at the county level or above shall, on the basis of the results of social stability risk assessments and in conjunction with the investigation of the current land situation, organize relevant departments such as for natural resources, finance, agriculture and rural areas, human resources, and social security to draft compensation and resettlement plans for land requisition.

The compensation and resettlement plan for land requisition shall include content such as the scope of expropriation, the current status of the land, the purpose of expropriation, the methods and standards of compensation, the targets of resettlement, the methods of resettlement, and social security.

Article 28: After a compensation and resettlement plan for land requisition is drafted, the local people's government at or above the county level shall make an announcement within the scope of the township (town) and village or villagers' group where the land to be requisitioned is located, and the time for the announcement shall not be less than 30 days.

The announcement of compensation and resettlement for land requisition shall also indicate the methods and time limits for handling compensation registration, channels for feedback on objections, and other such content.

Where the majority of members of rural collective economic organizations whose land has been expropriated find that the proposed compensation and resettlement plan for land requisition does not comply with laws and regulations, the local people's government at the county level or above shall organize a hearing.

Article 29: After local people's governments at the county level or above determine compensation and resettlement plans for land requisition on the basis of laws, regulations, hearings, and other circumstances, they shall organize relevant departments to sign a land requisition compensation and resettlement agreement with the owner or user of the land to be expropriated. The model text of the land requisition compensation and resettlement agreement shall be formulated by the people's governments of provinces, autonomous regions and municipalities directly under the Central Government.

Where it is truly difficult to reach an agreement on compensation and resettlement for land requisition, the local people's government at or above the county level shall truthfully explain it when applying for land expropriation.

Article 30 Only after the local people's governments at or above the county level have completed the preliminary work for land acquisition provided for in these Regulations may they submit an application for land expropriation,

which shall be submitted to the people's government with the power of approval for approval in accordance with the provisions of Article 46 of the Land Administration Law.

The people's government with the power to approve shall examine the necessity and reasonableness of land expropriation, whether it complies with the circumstances provided for in Article 45 of the Land Administration Law that land expropriation is truly necessary for the public interest, and whether it complies with legal procedures.

Article 31: After an application for land expropriation is approved in accordance with law, the local people's government at the county level or above shall, within 15 working days of receiving the approval documents, issue a land requisition announcement within the scope of the township (town) and village or villagers' group where the land to be requisitioned is located, announcing the scope of expropriation, the time of expropriation, and other specific work arrangements.

Article 32 Provinces, autonomous regions and municipalities directly under the Central Government shall formulate and publish the comprehensive land prices for each area, determine the standards for land compensation fees and resettlement subsidies for the collection of agricultural land, and formulate methods for the distribution of land compensation fees and resettlement subsidies.

Compensation expenses for above-ground debris and seedlings, etc. shall be the property of their owners.

Social security expenses are mainly used for social insurance payment subsidies such as endowment insurance for eligible farmers whose land has been expropriated, and are paid separately in accordance with the regulations of provinces, autonomous regions and municipalities directly under the Central Government.

Local people's governments at or above the county level applying for land expropriation shall promptly implement land compensation fees, resettlement subsidy fees, compensation fees for rural villagers' houses and other above-ground attachments and young seedlings, social security fees, etc., and ensure that the full amount is in place and the funds are earmarked for specific purposes. Where the relevant fees are not fully paid, the expropriation of land shall not be approved.

#### Section 4 Homestead Management

Article 33 The layout of rural settlements and the scale of land for construction shall be rationally planned in accordance with the principles of economy, intensification and adaptation to local conditions. Local people's governments at the county level or above shall, in accordance with national regulations, arrange construction land targets to reasonably guarantee the demand for rural villagers' homesteads in their respective administrative regions.

Township (town), county, and city land spatial planning and village planning shall give overall consideration to the production and living needs of rural villagers, highlight the orientation of saving and intensive land use, and scientifically delineate the scope of homesteads.

Article 34 Where rural villagers apply for a homestead, they shall submit an application to the rural collective economic organization on a household-by-household basis; Where no rural collective economic organization has been established, an application shall be submitted to the villagers' group or villagers' committee to which it belongs. After the homestead application is discussed and approved by the rural villagers' collective in accordance with the law and publicized within the scope of the collective, it shall be submitted to the township (town) people's government for examination and approval.

Where the occupation of agricultural land is involved, approval formalities for the conversion of agricultural land shall be completed in accordance with law.

Article 35 The State permits rural villagers who have moved into cities to settle down voluntarily and with compensation in accordance with law. Township (town) people's governments and rural collective economic organizations, villagers' committees, and so forth shall give priority to the homestead withdrawn from the homestead to ensure the homestead needs of the members of the rural collective economic organization.

Article 36 Homesteads acquired in accordance with law and rural villagers' houses on homesteads and their ancillary facilities are protected by law.

It is forbidden to forcibly transfer homesteads against the will of rural villagers, to illegally recover homesteads lawfully acquired by rural villagers, to make the withdrawal of homesteads a condition for rural villagers to settle in cities, and to forcibly relocate rural villagers to quit homesteads.

#### Section 5: Management of construction land for collective operation

Article 37 Land spatial planning shall make overall plans and rational arrangements for the layout and use of construction land for collective operation, control the scale of construction land for collective operation in accordance with law, and promote the economical and intensive use of construction land for collective operation.

Encourage key rural industries and projects to use construction land for collective operation.

Article 38 Where land spatial planning is designated for industrial, commercial or other business purposes, and land ownership registration has been completed in accordance with law, the land owner may hand over to the unit or individual for paid use within a certain period of time by means such as assignment or lease.

Article 39: Where a land owner intends to transfer or lease collectively operated construction land, the competent departments for natural resources of the people's governments of cities and counties shall, on the basis of the national land spatial plan, propose the planning conditions for the collective operation construction land to be transferred or leased, clarifying the land boundaries, area, use, and intensity of development and construction.

The competent departments for natural resources of municipal and county people's governments shall, in conjunction with relevant departments, put forward requirements for industrial access and ecological environmental protection.

Article 40 The owner of land shall, on the basis of planning conditions, industrial access and ecological environmental protection requirements, draw up plans for the assignment or lease of construction land for collective operation, and in accordance with the provisions of Article 63 of the Land Administration Law, the collective economic organization shall form a written opinion and report it to the people's government of the city or county not less than 10 working days before the transfer or lease. Where the people's governments of cities and counties find that the plan does not meet the planning requirements or the requirements for industrial access and ecological environmental protection, they shall submit a revised opinion within five working days after receiving the plan. Land owners shall make amendments in accordance with the opinions of the people's governments of cities and counties.

Plans such as for the transfer or lease of collectively operated construction land shall specify the land boundaries, area, use, planning conditions, requirements for industrial access and ecological environmental protection, period of use, transaction methods, market entry price, collective income distribution arrangements, and other contents of the parcel.

Article 41 The land owner shall, on the basis of plans for the assignment or lease of construction land for collective operation, determine the land user by means of bidding, auction, listing or agreement, and the two parties shall sign a written contract specifying the land boundary address, area, use, planning conditions, period of use, payment of transaction price, time of land delivery and completion of construction, requirements for industrial access and ecological environmental protection, and stipulating the conditions for early recovery, compensation methods, renewal of the right to the use of the land and above-ground buildings, The methods for dealing with structures and other attached objects, as well as the liability for breach of contract and the methods for resolving disputes, etc., shall be reported to the competent departments of natural resources of the people's governments of cities and counties for the record. If the planning conditions, industrial access and ecological environmental protection requirements are not included in the contract in accordance with the law, the contract is invalid; Where losses are caused, civil liability shall be borne in accordance with law. The model contract text shall be formulated by the competent department of natural resources under the State Council.

Article 42 Users of construction land for collective operation shall, in accordance with the agreement, promptly pay the price of construction land for collective operation, pay relevant taxes and fees in accordance with law, and apply for real estate registration in accordance with law for the right to use construction land for collective operation and for the ownership of buildings, structures and ancillary facilities constructed by using construction land for collective operation in accordance with law.

Article 43 Where the right to the use of construction land for collective operation acquired through assignment or other means is transferred, exchanged, contributed capital, gifted or mortgaged in accordance with law, the two parties shall sign a written contract and notify the land owner in writing.

The leasing of construction land for collective operation, the assignment of the right to the use of collective construction land and its maximum term, transfer, exchange, capital contribution, gift, mortgage, etc., shall be implemented with reference to state-owned construction land for similar purposes, except as otherwise provided by laws and administrative regulations.



Article 44: The State Natural Resources Supervision Institutions shall, on the basis of authorization, inspect the following land use and land management situations of the people's governments of provinces, autonomous regions, and municipalities directly under the Central Government, as well as urban people's governments as determined by the State Council:

- (1) Cultivated land protection;
- (2) the situation of economical and intensive use of land;
- (3) the preparation and implementation of territorial spatial planning;
- (4) Implementation of major state decisions on land management;
- (5) Implementation of land management laws and administrative regulations;
- (6) Other land use and land management situations.

Article 45: When conducting inspections, the State Natural Resources Supervision Institution has the right to learn from relevant units and individuals about the circumstances of the inspection matters, and the relevant units and individuals shall support and assist the supervision body's work, truthfully reflect the situation, and provide relevant materials.

Article 46: Where the local people's government under supervision violates land management laws and administrative regulations, or fails to implement major state decisions on land management, the national natural resources supervision institution may issue an inspection opinion to the local people's government under inspection, and the local people's government shall conscientiously organize rectification and promptly report the rectification situation; The State Natural Resources Supervision Institution may interview the relevant responsible person of the local people's government under inspection, and may lawfully submit proposals to the Supervision Organs, Appointment and Removal Organs, and other relevant organs to pursue the responsibility of the relevant responsible persons.

Article 47: Land administration supervision and inspection personnel shall undergo training, pass the assessment, and obtain administrative law enforcement certificates before they may engage in land administration supervision and inspection work.

Article 48: When conducting oversight and inspections in accordance with their duties and division of labor, the competent departments for natural resources and agriculture and rural areas may employ the following measures:

- (1) Inquiring about the units or individuals involved in the illegal case;
- (2) Entering the scene of the unit or individual being inspected suspected of land violations to take photos or videos;
- (3) Order the parties concerned to stop the ongoing land violations;
- (4) Suspend the handling of land approval, registration, and other formalities related to the illegal case during the investigation period for units or individuals suspected of land violations;
- (5) Seal documents and materials that may be transferred, destroyed, concealed, or tampered with, and order units or individuals suspected of land violations not to sell or transfer property related to the case during the investigation;
- (6) Other supervision and inspection measures provided for in Article 68 of the Land Administration Law.

Article 49: Where sanctions are given in accordance with article 73 of the "Land Administration Law," they shall be made by the competent department for natural resources of the people's government at the higher level or other organs or units for appointment and removal in accordance with the scope of authority for management.

Article 50: The competent departments for natural resources of people's governments at the county level or above shall, in conjunction with relevant departments, establish mechanisms such as for credit supervision and dynamic inspections, strengthen oversight of construction land supply transactions and post-development and utilization, lawfully carry out punishments for major untrustworthy conduct in the construction land market, and lawfully disclose relevant information.

## Chapter VI: Legal Liability

Article 2 Whoever violates the provisions of Article 5 of the Land Administration Law by illegally occupying permanent basic farmland to develop forestry and fruit industry or digging ponds for fish farming shall be ordered by the competent department for natural resources of the people's government at or above the county level to make corrections within a time limit; If corrections are not made within the time limit, a fine of not less than <> times

but not more than  $\times$  times the cultivated land reclamation fee shall be imposed according to the occupied area; Those who destroy the planting conditions shall be punished in accordance with the provisions of Article  $\times$  of the Land Administration Law.

Article 5 Where the provisions of Article 10 of the Land Administration Law are violated by constructing permanent buildings on land for temporary use, the competent department for natural resources of the people's government at or above the county level shall order the demolition within a time limit, and impose a fine of not less than  $\times$  times but not more than  $\times$  times the land reclamation fee according to the occupied area; Where it is not demolished within the time limit, the organ that made the administrative decision is to apply to the people's court for compulsory enforcement in accordance with law.

Article 53:Where the provisions of Article 65 of the Land Administration Law are violated by rebuilding or expanding buildings or structures, the competent department for natural resources of the people's government at or above the county level shall order the demolition within a time limit; Where it is not demolished within the time limit, the organ that made the administrative decision is to apply to the people's court for compulsory enforcement in accordance with law.

Article 10 Where a fine is imposed in accordance with the provisions of Article 50 of the Land Administration Law, the amount of the fine shall be between  $\times\%$  and  $\times\%$  of the unlawful gains.

Article 5 Where a fine is imposed in accordance with the provisions of Article 10 of the Land Administration Law, the amount of the fine shall be not less than five times but not more than  $\times$  times the cultivated land reclamation fee; Those who destroy black soil and other high-quality cultivated land shall be given a heavier punishment.

Article 2 Where a fine is imposed in accordance with the provisions of Article 5 of the Land Administration Law, the amount of the fine shall be not less than two times but not more than five times the land reclamation fee.

Where the provisions of these Regulations are violated by failing to complete reclamation or restore planting conditions within one year from the expiration date of temporary land use, the competent department for natural resources of the people's government at or above the county level shall order corrections within a time limit and be punished in accordance with the provisions of Article 76 of the Land Administration Law, and the competent department for natural resources of the people's government at or above the county level in conjunction with the competent department for agriculture and rural areas shall complete the reclamation or restore the planting conditions on their behalf.

Article 100 Where a fine is imposed in accordance with the provisions of Article 1000 of the Land Administration Law, the amount of the fine shall be between  $\times$  and  $\times$ ,  $\times$  yuan per square meter of illegally occupied land.

Where these Regulations are violated by engaging in land development activities within the scope of prohibited reclamation as determined by the national land and spatial planning, the competent department for natural resources of the people's government at or above the county level shall order corrections within a time limit and punish them in accordance with the provisions of Article 77 of the Land Administration Law.

Article 58:In accordance with the provisions of Articles 74 and 77 of the Land Administration Law, where the competent departments for natural resources of people's governments at or above the county level confiscate newly built buildings and other facilities on illegally transferred or illegally occupied land, they shall hand them over to the people's governments at the same level or their designated departments for management and disposal in accordance with law within 90 days.

Article 100 Where a fine is imposed in accordance with the provisions of Article 500 of the Land Administration Law, the amount of the fine shall be between  $\times$  and  $\times$  yuan per square meter of illegally occupied land.

Article 10 Where a fine is imposed in accordance with the provisions of Article 30 of the Land Administration Law, the amount of the fine shall be between  $\times\%$  and  $\times\%$  of the unlawful gains.

Article 61: Where obstructing the staff of the competent departments for natural resources or agriculture and rural affairs in lawfully performing their duties, constituting conduct in violation of public security administration, public security administration punishments are to be given in accordance with law.

Article 62 Where land administration laws and regulations are violated by obstructing the expropriation of land for national construction, the local people's government at or above the county level shall order the land to be handed over; Where the land is refused to be handed over, it shall apply to the people's court for compulsory enforcement in accordance with law.

Article 63 Where the provisions of these Regulations are violated by infringing upon the rights and interests of rural villagers in homesteads acquired in accordance with law, they shall be ordered to make corrections within a time

limit, and the relevant responsible units shall be notified of criticism and given warnings; If losses are caused, they shall be liable for compensation according to law; Directly responsible managers and other directly responsible personnel are to be given sanctions in accordance with law.

Article 64 Where embezzlement, embezzlement, embezzlement, private division, interception, or arrears of compensation and resettlement expenses for land requisition and other relevant expenses, it shall be ordered to make corrections, recover the relevant money, return the unlawful gains within a time limit, and report criticism and give warnings to the relevant responsible units; If losses are caused, they shall be liable for compensation according to law; Directly responsible managers and other directly responsible personnel are to be given sanctions in accordance with law.

Article 65:Where staff of all levels of people's government, competent departments for natural resources, and competent departments for agriculture and rural areas neglect their duties, abuse their powers, or engage in malpractice for personal gain, sanctions are to be given in accordance with law.

Article 66: Where violations of these Regulations constitute a crime, criminal responsibility shall be pursued in accordance with law.

## Chapter VII Supplementary Provisions

Article 2021 These Regulations shall take effect on September 9, 1.

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### unscramble

Li Keqiang signed a State Council decree promulgating the revised Regulations for the Implementation of the Land Administration Law of the People's Republic of China

The responsible person of the Ministry of Natural Resources of the Ministry of Justice answered a reporter's question on the revised "Regulations for the Implementation of the Land Management Law of the People's Republic of China."

The new Regulations for the Implementation of the Land Management Law have come - prohibiting the forced transfer of homesteads by local governments

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