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CHINA REPORT
POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS
PRC STATE COUNCIL BULLETIN
No 18, 10 JULY 1985

Beijing ZHONGHUA RENMIN GONGHEGUO GUOWUYUAN GONGBAO [PRC STATE COUNCIL BULLETIN] in Chinese No 18, 10 Jul 85

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PRC LAW ON PASTURELAND

Beijing STATE COUNCIL BULLETIN in Chinese No 18, 10 Jul 85 pp 579-582

[PRC Law on Pastureland (adopted at the 11th meeting of the Standing Committee of the 6th National People's Congress on 18 June 1985)]

[Text] Article 1 To strengthen the protection, management, construction, and rational utilization of pastureland, protect and improve the ecological environment, develop modern animal husbandry, promote economic prosperity of the nationality autonomous areas, and meet the requirements of socialist construction and people's livelihood, this law is formulated in accordance with the constitution of the People's Republic of China.

Article 2 This law is applicable to all pastureland within the territory of our country, including grass hills and meadows.

Article 3 The Department of Agriculture and Animal Husbandry of the State Council is in charge of managing the pastureland of the entire country, and the departments of agriculture and animal husbandry of the local governments above the county level are in charge of managing the pastureland in their respective administrative areas.

Article 4 Pastureland is owned by the state, that is, it is owned by the whole people, except for grassland which belong to collectives as stipulated by law.

Pastureland owned by the whole people may be assigned for long-term use by collectives. Pastureland owned by the whole people, by collectives, and by the whole people but assigned for long-term use by collectives may be operated by collectives or individuals under contract terms for animal husbandry production.

Pastureland used by units owned by the whole people shall be registered and put on file by the local people's governments above the county level which shall issue certificates after examination to confirm authority for utilization. Pastureland owned by collectives and pastureland owned by the whole people but assigned for long-term use by the collective shall be registered and put on file by the local people's governments at the county level which shall issue certificates after examination to confirm the right of ownership or authority for utilization.

The rights of ownership and authority for utilization of pastureland are protected by law, and shall not be infringed on by any units or individuals.

Article 5 In special situations such as natural disasters which necessitate temporary adjustment in the use of pastureland, the adjustment should be carried out through consultation by both parties concerned; if the adjustment involves areas of more than one county, it should be resolved through consultation organized by the county-level people's governments concerned.

Article 6 Disputes over the rights of ownership and the authority for utilization of pastureland should be settled by the parties concerned through negotiations and in the spirit of mutual understanding and mutual concession conducive to unity; in case of a failure to reach an agreement, the matter should be handled by the people's government.

Disputes concerning the right of ownership and the authority for utilization of pastureland between units owned by the whole people, between units owned by collectives and between units owned by the whole people and units owned by collectives should be handled by the people's governments above the county level.

Disputes over the authority for utilization of pastureland between individuals, and between individuals and units owned by the whole people or units owned by the collective shall be handled by the people's governments at the township level or at the county level.

Where the party concerned is not satisfied with the decision made by the relevant people's government, it may institute legal proceedings in the people's court within 1 month after the receipt of notice.

Before disputes on pastureland rights are resolved, no party involved shall be allowed to do anything disruptive to the pastureland or to the facilities on the pastureland.

Article 7 Requisition of pastureland owned by collectives for state construction shall be made in accordance with the "Regulation on the Requisition of Land for State Construction."

Use of pastureland for state construction owned by the whole people but set for long-term use by the collective shall be made with reference to the "Regulations on the Requisition of Land for State Construction," adequate compensation should be granted, and the production and livelihood of herdsmen should be properly arranged.

Requisition or utilization of pastureland for state construction in nationality autonomous areas should give due consideration to the interests of these areas, and arrangements should be made which should be favorable to the economic construction of nationality autonomous areas.

Temporary utilization of pastureland for state construction should be conducted in accordance with the "Regulations on the Requisition of Land for State Construction." When the period of utilization has expired, the units utilizing the land should carry out reclamation work.

Article 8 Various levels of local people's governments shall be responsible for organizing surveys of pastureland resources in their own administrative areas, formulating plans for the development of animal husbandry on pastureland, which should be incorporated in the development plan for the national economy, strengthening the protection, construction, and rational utilization of pastureland, and enhancing the grazing capacity of pastureland.

Article 9 The state shall encourage the scientific research of animal husbandry on pastureland to raise the scientific and technological level of this trade.

The state shall encourage growing grass in agricultural, forestry, and pastoral areas as well as in cities and towns, to promote the development of animal husbandry and improve the ecological environment.

The state shall protect the ecological environment of pastureland and prevent and treat pollution.

Article 10 Vegetation on pastureland shall be strictly protected, and reclamation and destruction shall be prohibited. Minor reclamation conducted by pastureland users must be approved by the local people's governments above the county level. For cultivated pastureland already turning into sand or seriously eroding, the local people's governments above the county level should close it off within a given time limit, order it revegetated, stop farming activities, and turn it back into pastureland.

Article 11 Cutting bush, digging for medicinal herbs and wild plants, scraping off alkaline soil, and removing fertile soil on pastureland must be done within a designated area and with the consent of the pastureland users after obtaining approval from the people's government at the township or county level. Digging and filling should be carried out in tandem, and a stock of parent plants maintained.

Cutting and digging bushes, medicinal herbs and other sand-fixing plants on barren or semi-barren pastureland and sandy areas is prohibited. Collecting precious and rare wild plants on pastureland without the approval of the people's government at the county level is prohibited.

Article 12 Pastureland should be rationally utilized, and excessive grazing should be prevented. For pastureland which has become sandy, degenerate, or eroded, the users concerned should adequately regulate grazing, grow more grass, and carry out revegetation. Artificial pastureland should be properly managed, rationally operated, and scientifically utilized, and measures should be taken to guard against degeneration.

Article 13 Local people's governments at various levels should take measures to prevent and treat the harmful effects of rats and pests on pastureland, and protect beneficial birds and animals which catch and eat rats and pests.

Article 14 Local people's governments at various levels should take measures to prevent and treat animal diseases as well as diseases common to both man and animal on pasture areas.

Hunting wild animals on pastureland should be in strict observance of relevant regulations on epidemic prevention promulgated by local people's governments.

Article 15 When driving motor vehicles on pastureland, it is necessary to pay attention to protecting the pastureland; if there is a fixed highway route, then driving off the route is not allowed.

Transporting and grazing of purchased animals should be along designated routes, and competing with herdsmen for the use of pastureland and water is not permitted.

Article 16 It is necessary to strengthen fire-fighting work on pastureland, implement the principle of "taking prevention as the key, and combining prevention with fire-fighting," set up the responsibility system for preventing fire, formulate fire-prevention systems and regulations, and set a period for fire prevention on pastureland. During this period, it is necessary to adopt safety measures and strengthen control. When fire breaks out, the masses should be rapidly organized to put it out and the cause of the fire as well as losses sustained should be evaluated to take timely and appropriate actions.

Article 17 Units or individuals with outstanding achievements in protecting, managing, and building pastureland, in developing animal husbandry on pastureland and in other sectors should be given tangible or intangible awards by the people's governments.

Article 18 If the right of ownership or the authority for utilization of pastureland is transgressed, the party whose right was violated may request the department of agriculture and animal husbandry of the local people's government above the county level to deal with the matter. The department of agriculture and animal husbandry in charge has the power to order the transgressor to stop the violation and to compensate for losses. The party whose right was violated may also institute legal proceedings in the people's court directly.

Article 19 With regard to those persons who reclaim pastureland contrary to the stipulations of this law, the department of agriculture and animal husbandry of the local people's government above the county level has the power to order them to stop reclamation and carry out revegetation; in serious cases, fines can be imposed.

Article 20 With regard to those persons who have violated this law by cutting and digging sand-fixing plants and other wild plants or removing soil on pastureland resulting in damages to the vegetation, the departments of agriculture and animal husbandry of people's governments at the township or the county level have the power to stop these acts and order the persons involved to carry out revegetation and compensate for losses; in serious cases, fines can be imposed.

Article 21 If the party concerned is dissatisfied with the decision on imposing fines or compensation for losses made by the department of agriculture and animal husbandry of local people's governments or by the people's governments at the township level, it may institute proceedings in the people's court within 1 month after receipt of the notice; if no proceedings are instituted and no

action is taken regarding the decision on fines, the relevant department of agriculture and animal husbandry of the local people's government or the people's government at the township level may apply for compulsory execution in the people's court.

Article 22 The department of agriculture and animal husbandry under the state department shall formulate the implementation of regulations in accordance with this law, which shall be implemented after the approval by the State Council. The standing committees of the people's congresses of autonomous regions and provinces may formulate implementing regulations according to the constitution and the principles stipulated in this law and in conformity with the local conditions, and report to the Standing Committee of the NPC for filing.

Article 23 This law shall enter into force on 1 October 1985.

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CSO: 4005/234

STATE COUNCIL MOTION ON SUBMITTING FOR EXAMINATION THE "INTERNATIONAL TELECOM-
MUNICATIONS TREATY"

Beijing STATE COUNCIL BULLETIN in Chinese No 18, 10 Jul 85 p 587

[Text] 14 May 1985

The Standing Committee of the NPC:

The "International Telecommunications Convention" (hereinafter called convention) is a basic regulation of the "International Telecommunications Union" (abbreviated as telecom-union [dian lian [7193 5114]])--one of the specialized organizations of the United Nations. The convention mainly stipulates the organization's aims, structure and its functions, personnel, finance, languages, technological cooperation, and the basic principles of international telecommunications.

The convention was formulated in 1932 at Madrid where the plenipotentiaries of the telecom-union held its congress, and several amendments were effected afterward. The present convention submitted for examination and approval was amended and adopted in 1982 at Nairobi where the congress of plenipotentiaries was held, and the head and sub-head of the Chinese delegation attending the congress signed the convention. The convention became effective on 1 January 1984.

According to the stipulations of the convention, the convention should be approved by the governments of all the signatories in accordance with the procedures stipulated by the existing constitution of each country. If the government of any signatory fails to submit its instrument of ratification within 2 years after the convention came into force, this government will lose its right to vote at any congress and council executive meeting of the telecom-union (our country is one of its council members), as well as at any meetings of various permanent organizations of the telecom-union.

To carry out our obligations as a member country of the telecom-union and maintain our rights in the telecom-union, it is essential for our country to ratify the convention. I do not propose to put forward any reservations about the convention, but it is necessary to reiterate the counter-statement made by our delegate in signing the convention, which is in response to Vietnam's statement that it exercises sovereignty over the Xisha and Nansha Islands.

Enclosed please find the "International Communications Convention" (Chinese version) for your examination and decision.

Zhao Ziyang
Premier of the State Council

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CSO: 4005/234

END