

Decree of the State Council of the People's Republic of China

No. 473

China

23.08.2006

Also available at: <http://www.stats.gov.cn/english/lawsandregulations/statisticalregulations/>

The Regulations on National Agricultural Census is hereby promulgated and shall become effective as the date of promulgation.

Premier: Wen Jiabao

Regulations on National Agricultural Census

Chapter I General Provisions

Article 1 This Regulation is formulated in accordance with the Statistics Law of the People's Republic of China for the purpose of organizing and conducting the national agricultural census in a scientific and effective way, and ensuring the accuracy and timeliness of the data collected through the agricultural census.

Article 2 The agricultural census is designed to collect basic information of agriculture, rural areas and farmers, to provide a foundation for making strategies, plans, policies with regard to the economic and social development in a scientific manner, and to make available information services for agricultural holders and the public.

Article 3 The agricultural Census shall be organized and conducted in accordance with the principles of the unified national leadership, coordinated division of work among various departments and shared responsibility with local authorities of different levels.

Article 4 All the State organs, social organizations and units and individuals concerned with the agricultural census shall, in accordance with the provisions of the Statistics Law of the People's Republic of China and this Regulations, actively participate in, and cooperate with, the work of the agricultural census.

Article 5 The offices of the leading group for the Agricultural Census at all levels (referred to as the census offices hereinafter) and their staff members, census supervisors and enumerators (referred to as the census personnel hereinafter) shall independently perform their legal functions of surveying, reporting and supervision without any interference made by any unit or individual.

No leading members of local authorities, departments or units may revise the data of the Agricultural Census provided by the census offices and the census personnel in accordance with the law, compel and prompt census offices, census personnel or census respondents to tamper with the data of the Agricultural Census or fabricate false data, or retaliate against any act which refuses or opposes to tamper with or fabricate the data of the Agricultural Census, or against any one who refuses or opposes to tamper with or fabricate the data of the Agricultural Census.

Article 6 Publicity departments at all levels shall, by making full use of newspapers, magazines, radio programmes, television, internet, outdoor billboards and other media, conscientiously publicize the Agricultural Census and mobilize the public with various forms.

Article 7 The funds needed for the Agricultural Census shall be shared by the Central Government and local governments at all levels and shall be included in the governmental budgets of the corresponding year so that the funds can be appropriated on schedule and ensured.

The funds for the Agricultural Census shall be managed in a unified way, used for the Agricultural Census purposes only and spent with tight controls.

Article 8 The Agricultural Census shall be conducted decennially in the year ending as 6. The reference time shall be the 24:00 hours of December 31. The register time of the Agricultural Census for special regions, when approval by the Office of the State Council Leading Group for the Agricultural Census, can be appropriately adjusted.

Charter II Respondents, Coverage and Contents

Article 9 The respondents of the Agricultural Census are the following individuals and units within the territory of the People's Republic of China:

- (1) Rural households, including the households engaged in agricultural activities and other activities in the rural areas;
- (2) Urban households engaged in agricultural activities;
- (3) Agricultural holdings;
- (4) Villagers committees;
- (5) People's governments at the town/township level.

Article 10 The respondents of the Agricultural Census shall answer the questions enquired by enumerators according to the facts, fill in the census forms in a truthful and timely manner, and shall not make false reports, conceal data, refuse to report data or delay their submission.

The respondents of the Agricultural Census shall cooperate with the survey teams dispatched by the statistical offices of the people's governments at and above county level and by the National Bureau of Statistics to conduct supervision and checking in accordance with the law, report the situation truthfully and provide relevant materials, and shall not refuse, evade or obstruct the inspections, and shall not transfer, conceal, distort or destroy original records, statistical work papers, census forms, accountant materials and other materials concerned.

Article 11 The scope of the Agricultural Census includes farm crops planting, forestry, animal husbandry, fishery and services rendered to these industries.

Article 12 The contents of the Agricultural Census include the conditions of agricultural production, activities in agricultural production and business operation, utilization of agricultural land, rural labour force and employment, rural infrastructural facilities, rural social services, livelihood of farmers, and environment situation in towns/townships, villagers committees and communities.

The contents of the Agricultural Census stated in this article may be adjusted by the Office of the State Council Leading Group for the Agricultural Census according to specific situations.

Article 13 The method of complete enumeration shall be applied in the Agricultural Census. The Office of the State Council Leading Group for the Agricultural Census may decide to apply the method of sampling for some specific contents.

Article 14 The national statistical classification standards shall be applied in the Agricultural Census.

Article 15 The scheme of the Agricultural Census shall be formulated in a unified way by the Office of the State Council Leading Group for the Agricultural Census.

The census offices at the provincial level may, if necessary, include supplementary forms to the Agricultural Census which shall be approved by the Office of State Council Leading Group for the Agricultural Census before their implementation.

Chapter III Organization and Conduct of the Agricultural Census

Article 16 The State Council shall establish the Leading Group for the Agricultural Census and the Office of the Leading Group. The State Council Leading Group for the Agricultural Census shall be responsible for the organization and leadership of the national Agricultural Census. The Office of the State Council Leading Group for the Agricultural Census shall have its work site within the National Bureau of Statistics and shall be responsible for the day-to-day organization and coordination of the work.

Article 17 Local people's governments at all levels shall establish their own leading groups for the Agricultural Census and offices thereof, which shall, in accordance with the provisions and requirements of the State Council Leading Group and its Office, organize and conduct the Agricultural Census in the corresponding administrative divisions. The Survey Office of the National Bureau of Statistics shall, as a member unit

of the leading group for the Agricultural Census and its office, participate in the organization and conduct of the Agricultural Census.

Villagers committees shall, guided by the people's governments at the town/township level, implement their work for the Agricultural Census in their own areas.

Article 18 The relevant departments under the State Council and those under the local people's governments at all levels shall actively participate in, and closely cooperate with the Census Office to perform, the work of the Agricultural Census.

The Army and the Armed Police shall be responsible for the organization and conduct of the work of the Agricultural Census respectively for their own agricultural production units.

The Leading Group for the Agricultural Census of the Xinjiang Production and Construction Corps and its office shall be responsible for the organization and conduct of the work of the Agricultural Census in the Xinjiang Production and Construction Corps.

Article 19 Field enumeration of the Census in the rural areas shall be performed in accordance with census districts, which are defined on the basis of administrative areas of villagers committees. Each census district can be further divided into a number of census areas.

Field enumeration of the Census in the urban areas shall be performed in accordance with the provisions of the census scheme.

Article 20 Each census area shall be equipped with an enumerator, who shall be responsible for field enumerations. Each census district shall be equipped at least with one census supervisor, who shall be responsible for the arrangement, supervision and inspection of the work of enumerators, and who can also make field enumerations directly.

The census supervisors and enumerators shall mainly be composed of rural cadres, villager group leaders and other residents in the localities who have received sufficient education.

The census supervisors and enumerators shall be those who are in good conditions of health and have a strong sense of responsibility.

Article 21 The census offices shall, in the light of the need of work, recruit persons or transfer persons from other relevant units to do the work of the Agricultural Census. All the units concerned shall actively recommend qualified persons for the work of the Agricultural Census.

The recruited persons shall be remunerated for their work by recruiting units, while the salaries of those transferred persons shall be paid by their own units where they are from and their welfare benefits shall remain unchanged.

Appropriate allowances shall be allocated from the budget of the Agricultural Census for the census supervisors and enumerators.

Article 22 Local census offices shall offer training courses to the census supervisors and enumerators, and issue national unified certificates of census supervisors or enumerators to those who pass the examinations.

Article 23 The census personnel shall have the right to make inquiries to the relevant units or individuals with questions related to the Agricultural Census, and have the right to ask respondents of the Agricultural Census to provide information and materials and to correct the errors in the materials.

Article 24 The census personnel shall adhere to the principle of seeking truth from facts, abide by professional ethics, refuse and reject the violations in the work of the Agricultural Census.

The census personnel shall strictly implement the census scheme, and shall not, without authorization, falsify or tamper with census data, and shall not compel or prompt census respondents to provide fabricate census data.

When performing the duties of the Agricultural Census, the census supervisors and enumerators shall show their certificates of their own accord.

Article 25 The census enumerators shall directly interview census respondents in accordance with the law, inquire and complete the information required in the questionnaires on the spot. After the completion, the census respondents shall confirm the information by their signatures or seals on the questionnaires, and shall be responsible for the authenticity of the data on the questionnaires signed or sealed.

The census personnel shall be responsible for the consistency of the census data that they have processed, compiled and entered with those that they have collected from the questionnaires signed or sealed by the census respondents.

The census offices shall be responsible for the correctness of the census data that they have processed and compiled.

Chapter IV Data processing and Quality Control

Article 26 The plan and implementation regulations of data processing for the Agricultural Census shall be formulated by the Office of the State Council Leading Group for the Agricultural Census.

Local census offices shall process the data in accordance with the provisions of the plan and implementation regulations, and shall submit the census data according to the established schedule.

Article 27 The data processing of the Agricultural Census shall be organized and conducted by the census offices of the cities with the administrative division of districts.

Article 28 The census offices shall make arrangements for the backup of the data and for the loading of the data into databases, establish a robust database system for the

Agricultural Census, and enhance the day-to-day management, maintenance and updating of the system.

Article 29 The State shall establish a quality control system over the data of the Agricultural Census.

The census offices shall undertake quality controls over, and carry out the acceptance actions of, every aspect in the conduct of the Agricultural Census.

Article 30 The census personnel shall work under a system of quality control responsibility.

The census personnel shall, in accordance with the requirements of the census scheme and exercise their activities of checking, rechecking and acceptance inspection.

Article 31 The Office of the State Council Leading Group for the Agricultural Census shall organize post-enumeration surveys against the quality of the Agricultural Census data in a unified way. The results of the survey shall serve as the principal basis for evaluating the quality of the Agricultural Census data of the whole country or of all provinces, autonomous regions and municipalities.

Chapter V Publication, Administration and Development of the Data

Article 32 The State shall establish a publication system for the Agricultural Census data.

The aggregated data of the Agricultural Census shall be published in time except for those that are regarded as confidential according to laws.

The national aggregates from the Agricultural Census and the main aggregates at the provincial level from the Agricultural Census shall be examined and approved by the Office of the State Council Leading Group for the Agricultural Census before their publication jointly with relevant departments of the State Council.

The release of the census communiqués by the local census offices shall be subject to the approval by the census offices at the next higher level.

Article 33 The census offices and census personnel shall be obliged to keep confidential the information of the individual respondents collected through the Agricultural Census and the individual information shall not be used for any other purposes than the Census.

Article 34 The census offices shall get ready for the storing and management of the data obtained from the Agricultural Census, for the providing of services for the public and for the development and use of the data from the Agricultural Census.

Article 35 Statistical offices of the people's governments at or above the county level and departments concerned may revise, on the basis of the results of the Agricultural Census, the relevant historical data collected through current statistics. The detailed

regulations with respect to such revisions shall be made by the National Bureau of Statistics.

Chapter VI Commendation and Penalty

Article 36 The units and persons who have conscientiously followed this Regulation, maintained their loyalty to their duties, adhered to the established principles and made outstanding contributions shall be offered commendation.

Article 37 Any leading member of local authorities, departments or units, who revises the data of the Agricultural Census without authorization, or compels or prompts census offices, census personnel or census respondents to tamper with the data of the Agricultural Census or fabricate false data, or retaliates against the census personnel who refuse to tamper with the data of the Agricultural Census or who refuse to fabricate false data or oppose doing so, shall be given administrative or disciplinary sanctions in accordance with the law and shall, in addition, be criticized in a circulated notice by the statistical offices of the people's governments at or above the county level or by the survey offices of the National Bureau of Statistics, and shall be investigated for criminal responsibility in accordance with the law if the case constitutes a crime.

Article 38 Anyone of the census personnel who refuses to perform census plans, or fabricates or tampers with census data, or compels or prompts census respondents to provide false census data shall be ordered to put it right and given administrative or disciplinary sanctions, and in addition, may be criticized in a circulated notice by statistical offices of the people's governments at or above the county level or by survey offices of the National Bureau of Statistics in accordance with the law.

Article 39 Any respondent of the Agricultural Census who commits any of the following violations shall be ordered to put it right and criticized in a circulated notice by statistical offices of the people's governments at or above the county level or by survey offices of the National Bureau of Statistics; if the violation is serious, the persons who are directly in charge and other persons who are directly responsible for it shall be given administrative or disciplinary sanctions in accordance with the law:

- (1) Refusing or obstructing the survey conducted by census offices or census personnel in accordance with the law;
- (2) Providing false or incomplete data for the Agricultural Census;
- (3) Failing to provide data related to the Agricultural Census in time and still failing to do so after being urged;
- (4) Refusing, evading or obstructing the inspections for the Agricultural Census in accordance with the law;
- (5) Transferring, concealing, tampering with or destroying the original records, statistical work papers, census forms, accountant materials and other materials concerned.

Any agricultural unit that commits any of the violations mentioned in the preceding paragraph shall be given a warning by the statistical offices of the people's governments at or above the county level or by the survey offices of the National Bureau of Statistics, and may, in addition, be imposed a fine of not more than 50,000 yuan. Any agricultural household that commits any of the violations mentioned in the preceding paragraph

shall be given a warning by the statistical offices of the people's governments at or above the county level or by the survey offices of the National Bureau of Statistics, and may, in addition, be imposed a fine of not more than 10,000 yuan.

Any respondent of the Agricultural Census that commits either of the violations of Item 1 or Item 2 of this Article shall be imposed administrative penalty for public security by the public security organs in accordance with the law.

Article 40 Anyone of the census personnel who has made serious consequence as breach of duty or dereliction of duty shall be imposed administrative or disciplinary sanctions in accordance with the law, and in addition, may be criticized in a circulated notice by statistical offices of the people's governments at or above the county level or by survey offices of the National Bureau of Statistics.

Article 41 The census offices shall open hotlines and letter-boxes for the public reporting from, or the public supervision by, all social circles, of any violations in the course of the Agricultural Census, and give awards to the persons who have rendered meritorious services in making exposed the violations.

Chapter VII Supplementary Provisions

Article 42 This Regulation shall become effective as of the date of promulgation.