

## Several Provisions on the Implementation of the Land Reform Law

(Approved by the GAC of the Central People's Government on October 19, 1950)

1. When implementing Articles 2 and 4 of the Land Reform Act and dealing with landlords' land and property, the following should be noted:

(1) Landowners' land to be confiscated includes their fields, hills, and ponds, weirs, dikes, dams, and various types of forests connected to them. Landlords' graves and trees on grave mounds must remain untouched in accordance with Article 20 of the Land Reform Act. Landowners whose families have members who regularly participate in the main agricultural labor force should generally retain some of their cultivated land. However, appropriate supplementary land may be reserved when necessary.

(2) The farm animals, farm tools, surplus grain and surplus houses owned by her in the countryside that should be confiscated.

A. Draft livestock refers to cattle, horses, donkeys, and other animals owned by landlords for agricultural purposes or rented out to farmers for the purpose of collecting rent. These draft animals shall be confiscated and distributed. Draft livestock jointly raised by landlords and farmers, including the portion belonging to the landlord, shall also be confiscated and distributed. However, cattle, horses, donkeys, and other animals used entirely or primarily for transportation, handicrafts, workshops, or for sale, or for the purpose of raising livestock for sale, shall not be confiscated and distributed. Other domestic animals, such as chickens, ducks, pigs, and sheep, are not considered draft livestock.

B. Agricultural Tools: These refer to tools owned by landlords and used in agricultural production, such as plows, harrows, hoes, hoes, stone rollers, hoes, spades, carts, shears, sickles, water wheels, windmills, wind cabinets, farm boats, baskets, millstones, rollers, hoes, rice barrels, harnesses, and other agricultural production tools. However, advanced agricultural production equipment such as water pumps, as well as sideline and handicraft production tools such as rice mills, cotton gins, and looms owned by landlords, shall be retained and shall not be confiscated or distributed.

C. Surplus grain: This refers to the excess grain from the landlord's possessions, after deducting the grain required for rent reduction, the grain tax due, and the food rations required for the landlord's family until the next harvest, based on the average living standard of local farmers. In addition, the rent collected and the various cash crops cultivated by hired labor (such as tobacco, cotton, peanuts, hemp, tung nuts, tea, camellia seeds, sugarcane, etc.) should all be converted into staple food and, except for what the landlord needs for himself, should also be confiscated and distributed along with the grain.

D. Surplus houses: These refer to all other houses in the countryside (including houses in the township suitable for farmers) other than the landlord's original house, which are sufficient for him and his family to live in. The barns, beds, tables, chairs and other furniture in these houses should be confiscated and distributed along with the houses. Bricks, tiles, wood and stones used by the landlord for building houses but not directly used for industry and commerce, as well as his own valleys, farmhouses, mountain huts, cattle pens, etc., should also be confiscated and distributed. When distributing houses, the method of retaining first and then dividing them is generally adopted. When distributing furniture, the peasant association will make appropriate adjustments. Landlords'

houses in cities and houses in rural areas and townships directly used for industry and commerce shall not be confiscated.

(3) "Landlords' concurrently operated industry and commerce" refers to all concurrently operated industry and commerce in cities, towns, and rural areas, including factories, warehouses, shops, workshops, and the like (such as spinning mills, weaving mills, dyeing houses, oiling houses, powder mills, grinding mills, pharmacies, paper mills, cast iron furnaces, brick and tile kilns, lime kilns, etc.). All such properties shall be protected and shall not be confiscated or redistributed. "Land and property directly used for the operation of industry and commerce" refers to the various buildings used for the operation of industry and commerce (such as shops, factories, workshops, warehouses, drying yards, warehouses, etc.), the foundations occupied by these buildings, as well as the capital, machinery and tools, raw materials, and various products and commodities. These properties shall be effectively protected and shall not be confiscated. However, this does not apply to the land used to grow industrial raw materials and the harvested products.

2. In implementing the provisions of Article 6 of the Land Reform Act, the following procedures shall apply:

(1) The land and other property owned by rich peasants, whether cultivated by themselves or hired by others, must be effectively protected and must not be infringed upon.

(2) When confiscating a large amount of rented land from semi-landlord-type rich peasants, if the land they cultivate themselves and hire to cultivate is less than the average land of the local population, they should be fined an amount of land equivalent to the local population average.

(3) Small amounts of rented land owned by rich peasants should generally be retained. However, if, after confiscating all landlord land and expropriating more than 200 percent of the public land, the rented land of semi-landlord-type rich peasants, and the land of small land lessors, the land needs of poor and hired peasants cannot be met (for example, poor peasants cannot obtain about 80 percent of the local average per capita land), and in special areas where the local peasant masses firmly demand it, the county may, upon request from the provincial people's government, approve the expropriation of part or all of this small amount of rented land owned by rich peasants. However, sufficient land equivalent to that of the local middle peasants must be left for the former rich peasants.

(4) When the leased land of rich peasants is expropriated, the ponds, weirs, dikes, dams directly related to the leased land and the houses on the leased land may also be expropriated along with the leased land.

3. The policy towards industrialists and businessmen during land reform should comply with Article 4 of the Land Reform Law: "Protect industry and commerce and do not infringe upon them." When expropriating the land owned by industrialists and businessmen in rural areas and the houses formerly occupied by farmers, the following provisions should be followed:

(1) The land rented out by industrialists and businessmen in rural areas should be expropriated and redistributed.

(2) The land cultivated by industrialists and businessmen in rural areas by hired workers, but no one in their family participates in the main agricultural labor, should also be expropriated and distributed.

(3) After the lands in the above two items (1) and (2) are expropriated, the local population who make their living from the land may be allocated land at the discretion of the county.

(4) The land used for farming in rural areas by industrialists or businessmen themselves or their enterprises and cultivated with machines or equipped with other advanced equipment shall be nationalized and not redistributed, but shall continue to be operated by the original operators or enterprises.

(5) Industrialists and businessmen who own land in rural areas and cultivate it entirely on their own, or who employ others to farm but have family members who are the main laborers in the collective industry, should have their family social status determined based on their family population and land situation in the rural areas and in accordance with the decision on class classification in rural areas, and should be treated appropriately according to their status.

(6) Houses rented along with land by industrialists and businessmen in rural areas to tenants for their residence, or houses originally occupied by farmers and not used for industrial or commercial purposes, shall be expropriated and distributed. However, their own residences, factories, warehouses, and other buildings shall be retained and shall not be expropriated.

4. In implementing Article 3 of the Land Reform Act, the expropriation and distribution of land and other public land in rural areas owned by ancestral halls, temples, monasteries, churches, schools, and organizations shall be carried out in accordance with the following provisions:

(1) When expropriating rural land (including fields, land, and mountains), ponds, weirs, dikes, dams, and trees directly related to the land shall also be expropriated and distributed; other property shall remain untouched. Property belonging to ancestral halls shall be handled through consultation between the local farmers' association and the working people of the same clan. Public cemetery land may not be distributed.

(2) School-owned fields, as well as small plots of land attached to schools, orphanages, nursing homes, hospitals, temples, and churches, shall not be expropriated. Agricultural experimental plots of colleges and higher schools, and land cultivated by machines or with other advanced equipment by churches, schools, and organizations shall be handled in accordance with Article 19 of the Land Reform Act.

(3) For schools, orphanages, nursing homes, hospitals, and other specialized institutions that rely on land revenue for their expenses, their funds should generally be allocated by the local people's government from local funds after the land is expropriated. If the funds are insufficient, they may be submitted to the local people's congress for appropriate solutions. Unnecessary institutions may be eliminated or merged.

#### V. Supplementary Provisions on Small Land Lessors:

(1) Revolutionary soldiers and families of martyrs who rent out small amounts of land that slightly exceed the local per capita landholding by 200% should be given preferential treatment and rewarded for their meritorious service. The definition of families of martyrs shall be determined in accordance with the decision on class classification in rural areas.

(2) For small amounts of land leased by workers, low-income employees, teachers, and self-employed individuals, even if the amount exceeds 200 percent of the local average per capita land, if the excess is very small and there is sufficient land confiscated or expropriated locally for distribution, the excess may be exempted from confiscation with the consent of the local farmers. If

there is insufficient land to be distributed locally or the excess is substantial, the excess shall be expropriated and distributed.

(3) Although the amount of land rented out by a small land lessor does not exceed 200% of the local average per capita land, his professional income is sufficient to support his life on a regular basis. With his consent, part or all of his land may be confiscated.

6. All land subject to confiscation and expropriation that has been sold, mortgaged, donated, or otherwise distributed after liberation shall be declared invalid in accordance with Article 8 of the Land Reform Act and included in the amount of land to be distributed. In addition, the following provisions shall apply:

(1) This land shall be distributed to the farmers who originally purchased or leased it as much as possible, but the amount shall not exceed the amount of land they are entitled to.

(2) If the land dispersed by the landlord is redistributed and the farmers who have purchased or leased the land suffer losses, the landlord shall be responsible for compensating the losses. If the landlord is truly in financial difficulty and cannot compensate in full, the county peasants' representative assembly may, after deliberation, grant him reduced compensation, installments, or no compensation. The peasants' association may also discuss other measures to appropriately compensate the farmers who have purchased or leased the land during land reform. If a dispute cannot be resolved, the people's court shall make a ruling.

(3) The land that has been dispersed by rich peasants shall generally be treated as valid. If the dispersed land is part of the land that should be expropriated, it shall be handled in accordance with the methods of (1) and (2) of this article.

7. For the construction of water conservancy projects, transportation projects, and industrial and mining projects, land shall be reserved along rivers, levees, dams, highways, railways, and designated areas in accordance with Articles 18 and 26 of the Land Reform Act and the regulations of provincial and higher-level governments. Land shall not be allocated. Regulations for the use of land reserved for railways shall be in accordance with the "Regulations on the Use of Land Reserved for Railways" promulgated by the Executive Yuan of the Central People's Government. Regulations for the use of land reserved for water conservancy projects, highway projects, and industrial and mining projects shall be separately formulated.

8. Supplementary provisions on certain special land issues:

(1) Regarding Shatin, the Provincial People's Government shall formulate specific measures in accordance with the following provisions:

A. All land owned by farmers shall remain unchanged. All land owned by landlords and other land subject to expropriation shall be transferred to the state. However, old sandy land suitable for decentralized operation may be distributed to farmers. The boundaries shall be determined by the provincial people's government.

B. In the sandy fields that have been nationalized, the original tenants who invested in and operated the land should be protected from all forms of additional exploitation and from the lawful profits of their investments.

C. Nationalized sandy land shall continue to be managed on the basis of its original cultivation and tenancy. Tenants shall continue to operate water conservancy facilities as usual, and tenants shall continue to cultivate the land as usual; it must not be abandoned. The future distribution of

land revenue shall be determined jointly by the local people's government and the farmers' association, in consultation with the tenants and tenants. Tenants' income shall not be less than the original rent after a 25% reduction.

D. The rights and interests in Hechongbu, Yubu, Xialuanbu, Yabu, and Shailang in Shatin District that originally belonged to farmers will remain as they were. Those that did not originally belong to farmers will be managed by the local people's government. Management regulations will be determined separately.

(3) Regarding lake fields, the provincial people's government shall formulate specific measures in accordance with the following provisions:

A. Lake fields originally belonging to farmers will not be changed.

B. All lakes and farmlands owned by landlords and other areas subject to expropriation shall be nationalized and distributed to farmers. However, lakes and farmlands that do not affect water conservancy projects may be distributed to farmers. The boundaries of these areas shall be surveyed by the provincial people's government in conjunction with water conservancy agencies and demarcated with the approval of the Central-South Military and Political Committee.

C. Water conservancy facilities in lakes and fields should be selected in accordance with the regulations of the water conservancy authorities.

(3) The management of forests shall be carried out in accordance with the Land Reform Law and the following provisions:

A. Existing forests and trees in various places should be effectively protected. Indiscriminate logging and blind reclamation are prohibited.

B. Protective forests surrounding villages shall be protected by the villagers. Public welfare forests for flood, wind, and drought prevention shall be managed by the local people's government and shall not be allocated or cut down indiscriminately.

(IV) Regarding the handling of pawned land:

A. All land subject to confiscation or expropriation, including land pledged by farmers, shall be distributed first to the original pledgers. If the original pledgers receive an excess of land, a portion may be allocated to other farmers; however, the portion allocated shall generally be limited to an amount equivalent to the original pledger's original land value.

B. For land subject to confiscation and expropriation that has been leased before liberation, a portion equivalent to the lease price will be reserved for the leaseholder in accordance with local custom, with the remaining land allocated for centralized distribution. If the leaseholder is a farmer eligible for distribution and the amount of land leased is small, all of the land may be returned to the leaseholder.

C. The pawning contract for the land that has been handled in accordance with Items A and B of this Article shall be invalidated.

D. Other pawned land shall remain unchanged. The contracts therefor shall remain in effect. For the convenience of calculation when dividing the land, a portion of this land may be allocated to the pawner and the pawnee in a certain proportion, in accordance with local custom.

(5) Vacant land, abandoned sites, land originally owned by landlords or public property within the village that can be used for building houses should be distributed to poor farmers who lack house foundations for the purpose of building houses.

(6) Scenic spots, historical sites and historical relics should be properly protected and regulated in accordance with the relevant regulations of the State Council of the Central People's Government on this matter.

IX. Supplementary Provisions on Certain Issues Concerning Land Allocation:

(1) The principles and methods for the distribution of land and other means of production shall be implemented in accordance with the Land Reform Law and the following provisions.

A. The distribution of land should be calculated by adding the land to be confiscated and expropriated in the entire county and the original land of the households that should be allocated land, so as to find the standard of land that each person should be allocated. Then, based on the original cultivated land of each household, the land should be distributed according to the principle of taking more and giving more to less, and taking more from the rich and giving more to the poor.

B. In large counties with a large population and dispersed residents, when it is inconvenient to allocate land uniformly, the village may be used as the allocation unit and the county may be used as the calculation and adjustment unit.

C. The distribution of other means of production should be conducted separately from the distribution of land. The method of distribution should be based on the amount of all confiscated and expropriated means of production and the extent of the peasants' shortage of these means of production, with appropriate adjustments being made to fill the gaps. Those who have no shortages will receive no supplements; those who have little shortages will receive less; those who have much shortages will receive more.

D. When distributing land, it should be given first to the poor peasants and farmhands who have little or no land. Some middle peasants whose land is insufficient to cover the newly acquired landowners may also receive additional land and may also receive some other means of production.

(2) When the land leased by the original farmers is allocated, if the total amount of their own land plus the land they have rented exceeds the local average per capita land, land equal to the local average per capita land shall be reserved for the original farmer, and the land leased in excess of this average shall be allocated for allocation. However, their own land shall not be allocated for allocation. If the amount of land allocated exceeds the amount of land allocated to the newly acquired households but is less than the local average per capita land, no small subsidy shall be paid; if the amount of land allocated is less than the amount of land allocated to the newly acquired households, the additional amount shall be made up.

(3) Poor self-employed workers and other poor people in cities who are able to engage in agricultural labor and are willing to return to their hometowns to farm may follow the method for distributing land to unemployed workers returning to their hometowns as stipulated in Article 13, Paragraph 6 of the Land Reform Act.

(4) When distributing land, poor and hired peasants from outside the area, as well as servants employed by landlords, who wish to settle down and produce locally, should be allocated the same amount of land and other means of production as local peasants. However, care should be taken to avoid splitting the land between them. Whenever possible, a certificate from the local government or

higher-level government should be obtained. Landlords who have fled to other areas should be ordered to return to their original place of origin to receive their land.

(5) Water dwellers (commonly known as egg dwellers) and fishermen who wish to settle in rural areas and engage in morning production can also be allocated land and other means of production according to population, provided that local land conditions permit.

(6) In implementing the provisions of Article 13, Item 8 of the Land Reform Law, the provincial people's government shall forward the approval of the Central People's Government to the State Council for the designation of traitors and war criminals. Regarding the designation of traitors and extremely heinous counter-revolutionaries, the provincial people's government shall submit the application for approval. Criminals who resolutely undermine land reform shall be judged by the county people's court. With the exception of the aforementioned criminals, who shall not be entitled to land distribution, all other individuals who have been punished for crimes against the law shall be entitled to land distribution.

(7) After land is distributed and land ownership is determined, the land ownership of all landowners shall be guaranteed. If a land recipient dies, his or her land and other means of production shall be inherited by his or her spouse, children, and other direct descendants in accordance with the law.

(8) After the land is distributed, women's ownership of land should be respected. When unmarried women, divorced women and widows get married, they should deal with the land they receive themselves and no one else should interfere.

(9) Vagrants and landlords who have the ability to work but do not engage in farming or other occupations are prohibited from mortgaging, selling, or renting out their land within a certain period of time after receiving it. No restrictions are imposed on other people.

10. In areas where land reform is being implemented, all cultivated land will be harvested by the person who cultivates it (for leased land, the rent will be paid to the new owner). New landowners who cultivate the land must compensate the original cultivator for labor, livestock, fertilizer, and seed costs. Land not already cultivated during the land distribution process should be cultivated by the original cultivator and handled according to the same principles after the land is distributed to prevent it from becoming barren.

11. After the land distribution is complete, land certificates will be issued. Land certificates should generally be issued on a household basis (those who wish to submit their names are free to do so), but the names of all family members, male and female, old and young, must be included. After the land certificates are issued, all existing land deeds will be invalidated and reclaimed by the government. Under the supervision of the farmers' association, they will be publicly destroyed on a county-by-county basis.

12. These Regulations shall be implemented upon approval by the Central People's Government. For matters not covered herein, the provincial people's governments may supplement them in their respective provincial land reform implementation regulations, which shall be promulgated and implemented upon approval by this Commission.