

The Measures of Dealing with Overseas Chinese' Land Property in the Land Reform

(Administrative Council of the Central People's Government, November 6, 1950)

Article 1 These Measures are formulated in accordance with Article 24 of the Land Reform Law of the People's Republic of China (hereinafter referred to as the Land Reform Law).

Article 2 The handling of overseas Chinese land property in the land reform, if there are provisions in these measures, shall be handled in accordance with the provisions of these measures; if there are no provisions in these measures, it shall follow the Land Reform Law and the land reform regulations of the people's governments of large administrative regions and provinces. It shall be dealt with according to laws and regulations.

Article 3 For Chinese people who have been living overseas and engaged in various occupations for more than one year, the land property of themselves and their family members (immediate relatives) in China is called the land property of overseas Chinese, and this method may be applied to the land reform. However, under any of the following circumstances, this law does not apply to the land property of the person and his family members:

A. Those who have returned to the country for more than three years before the implementation of the land reform.

B. Chinese residents of Hong Kong and Macau.

C. Students studying abroad.

D. Personnel who travel abroad, travel, or investigate.

E. Civil servants dispatched by the government abroad.

F. War criminals, tyrannical landlords and counter-revolutionaries who fled abroad.

Article 4 Overseas Chinese and their families who occupy and lease large amounts of land (including land entrusted by their relatives) in rural areas and constitute landlord elements shall be dealt with in accordance with the following measures:

(a) Before he or she leaves the country, the land and other property of the family who was originally a landlord in the countryside shall be disposed of in accordance with the provisions of Article 2 of the Land Reform Law. However, except for the houses originally occupied by farmers, the other houses are not moved.

B. He or she who was originally a laboring person who became a concurrent landlord after leaving the country. Except for the land in the countryside to be dealt with in accordance with the provisions of Article 2 of the Land Reform Law, and the house to be dealt with in accordance with Item A of this Article, all other properties shall remain unchanged.

Article 5 The land property of overseas Chinese industrial and commercial entrepreneurs in the countryside shall be handled in accordance with the provisions of Article 4 of the Land Reform Law.

Article 6 Overseas Chinese and their family members who lease a small amount of land in the countryside shall be dealt with in accordance with the provisions of Article 5 of the Land Reform Law. If I used to be a working person before going abroad, even if the rented land exceeds 200% of the average land per person in the local area, the excess part of the rented land will also be taken care of according to the circumstances and will not be expropriated.

Article 7 Overseas Chinese and their families who occupy a large amount of land in the rural areas, part of which is leased, partly self-cultivated and cultivated by employees, and constitute a semi-landlord rich peasant component, shall be expropriated their leased land in accordance with the provisions of Article 6 of the Agrarian Reform Law on semi-landlord rich peasants.

Article 8 The family members of overseas Chinese living in rural areas in the country who have no land or other means of production shall generally be given the same share of land and other means of production as farmers. Those who have regular remittance income and are unable or unwilling to engage in agricultural production due to lack of labor force may receive less or no share to specific circumstances.

Article 9 Those who have been proved to be overseas Chinese revolutionary martyrs and whose family members live in rural areas shall also enjoy the preferential treatment stipulated in the Land Reform Law for the families of martyrs.

Article 10 The class status of the overseas Chinese and their family members residing in the country's rural areas shall be uniformly divided according to the decision of the Administrative Council of the Central People's Government on the division of rural class status.

Article 11 These Measures are formulated by the Central People's Government Administration Council and promulgated by the people's governments (military and political committees) of the relevant large administrative regions for implementation. Provincial people's governments in areas with a large number of overseas Chinese may formulate supplementary implementation measures based on these measures, and implement them with the approval of the people's governments of large administrative regions.