Analysis on the Transfer of Land Contract Right of Liuqiao Township, Zhaohua town, Guangyuan City

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Abstract. The rural economic reform in 2018 will usher in a new era of development: the reform of rural land contract transfer and management has entered the stage of substantive operation, and it has entered the real "deep water channel". How to advance the transfer of rural land contracting and management in a secure and orderly way will have a far-reaching impact on China's future and long-term stability. The "destiny" of China's economic development lies in the development of rural economy. China's rural land economy is the "lifeblood" of China's economic development, and the full and rational utilization of rural land has enormous potential for development. It is of great significance to seize the "lifeblood" and protect the "destiny". Township in willow bridge as an example, through the questionnaire survey juxian township of rural land circulation is analyzed present situation and the existing problems, and its influence factors are researched, on this basis, combining with the problems existing in the willow bridge township land circulation, influence factors, economic and social development status and the will of the land circulation main body, etc. Put forward the relevant countermeasures and Suggestions.

1. Introduction

The rural land issue has always been the focus of our government[1]. The third plenary session of the 18th central committee proposed that farmers should be given more property rights and actively carry out the mortgage and guarantee of land contracting and management rights[2]. In 2014 a number of files about building in the middle of the new type of agricultural management system: in the rural areas to develop various forms of scale operation, establish and improve land management rights transfer market[3], perfect the county rural tertiary service system and information management network, for conditional farmers circulating contracted land management rights provide a good external environment. It is also emphasized that in promoting land transfer and moderate scale operation[4][5], farmers' will must be respected and cannot be forced. Land management can be used for mortgage financing without changing the collective ownership of land and the use of land for agriculture[6]. The practice of the right to live land can be used to promote the industrialization of agriculture and accelerate the process of entering the market economy in rural areas[7].
2. Research on the regional profile and management circulation of Liuqiao Township

2.1 The basic situation of liuqiao rural management transfer
In this survey, 58 percent of the farmers have land circulation, of which only 5 percent of the households will transfer all the land management rights, and the remaining survey of farmers' land management is part of the transfer. 37 percent of the households did not transfer any land management rights, which also reflected the deep plot of the farmers' love land, and the "unique guarantee" of the land was obvious.

![Figure 1. The situation of Land contract and management rights](image)

2.2 The management of farmers' management rights is not strong
On the whole, the sample, according to data flows from land or land, choose "no hope" of all the majority (proportion is 65.9% and 81.1% respectively), it shows that in the current environment, farmers' willingness to land circulation is not strong. The proportion of farmers who want to contract land is less than 20 per cent. It is clear that there are still large Numbers of farmers who do not want to land the land. Among the farmers who have the intention to transfer land, the proportion of peasants who want to leave the land is 34.1 percent, which is significantly higher than the 18.9 percent of farmers who want to land in the land. See table 1 and table 2 for details.

| Table 1. The will of land out of survey sample |
| --- | --- | --- |
| project | frequency | The percentage |
| hope | 92 | 34.1% |
| Don't want to | 178 | 65.9% |
| A total of | 270 | 100% |

| Table 2. The will of land in of survey sample |
| --- | --- | --- |
| project | frequency | The percentage |
| hope | 51 | 18.9% |
| Don't want to | 219 | 81.1% |
| A total of | 270 | 100% |

2.3 The management of farmers' management rights is not strong
Right to the contracted management of land circulation way is an important way to the realization of peasants land circulation, the author found in the survey, willow bridge township management rights in rural areas is not a single one, but, according to the principle of fair, paid and voluntary negotiation, according to the actual need to adopt a flexible way of flow, mainly including subcontract, lease, exchange, transfer and DaiGeng. As shown in figure 4, 49% of the farmers choose to rent the transfer mode, and 29% of the farmers choose to subcontract, which is consistent with the general land transfer mode in the whole country. It is worth noting that 15% of the farmers choose the land transfer form of the cultivated land. The author according to the interview survey, appear this kind of phenomenon is due to the farmers on the land, and migrant workers will be a pity of abandoned land, so farmers
farming the land to relatives and friends.

![Pie chart showing modes of land contract and management rights]

**Figure 2.** The modes of land contract and management rights

### 3. Analysis of the problems and causes of the transfer of management rights in Liuqiao township

#### 3.1 The transfer of management rights is not standardized

In the process of land transfer, there is no relevant laws and regulations to guarantee the circulation mechanism, which leads to the irregularity of land transfer process, which will severely restrict the healthy and sustainable development of land circulation. The author in the study found that in families with land circulation, land circulation mode of contract between farmers are oral agreement, did not sign a written contract, accounting for 67% of the total number of samples, as shown in figure 5. Some of the legal system and a strong sense of self rights of farmers in transfers of land and agriculture company signed a written contract, a total of 45 families, but the content is too simple, to transfer the rights and obligations of both sides, liability for breach of contract, the lack of clear rules, when the two sides of the interests of disputes is often difficult to solve.

![Line graph showing contract modes of land contract and management rights]

**Figure 3.** The contract modes of land contract and management rights

#### 3.2 There is a single channel for information acquisition

The author's investigation, according to the results of peasant household land circulation of information is from the villagers heard more, land circulation by the villagers, the other is from the schicosomiasis collective organization where messages, respectively 57%, 24% of the total sample, nobody through land circulation intermediary organizations is introduced, as shown in figure 4. It can be seen that the agricultural land transfer market in Juxian is in urgent need of improvement.
Figure 4. How to get the information of land contract and management rights

4. The countermeasures and Suggestions for the transfer of management rights in liuqiao township

4.1 Clear the land property right subject from the law
In "property law", "land administration law and other relevant laws in unified rules to determine the main body of the rights of rural land, from the micro is explicitly specified village township collective, the collective, or rural community, or other entity. Without the concept of fuzzy, further clarify the main body of the rural collective land ownership and management rights, avoid the unclear ownership and disposition, unclear property rights and usufruct of conflict.

Revise and improve the rural land contracting law " , "land administration law, the measures for the" right to the contracted management of rural land circulation management regulation, fundamentally established the transfer contract of creditor's rights and attribute of real right of management, further defined the connotation of right to the contracted management of rural land, including contracting, possession, management, earnings, transfer, investment, mortgage, inheritance, and other rights of legal meaning, and how to specific division between the collective and farmers. We should define the scope and subject of rural land transfer, and clarify the status, responsibilities and role of local governments, village collective organizations and farmers in rural land transfer.

4.2 We will develop and improve the market for the transfer of land rights
Willow bridge township can draw lessons from the practice of chengdu, the government in rural policy guide and encourage the building property right trading platform, determine the scope of the rural construction scheme of the property rights exchange, transaction and organization, etc. In the promotion of the various supporting measures for the transfer of management rights, we can gradually draw on the advanced experience of developed regions to introduce the transfer form of land investment, land trust and mortgage financing. Management rights through the trading platform, which can effectively avoid farmers due to its own limitations of land market and information the control no and economic losses, but also efficient and orderly management of circulation forward. Willow bridge township government should actively guide the development of intermediary organizations, provide intermediary organizations is helpful to promote the rapid development of the necessary land information, the formation of "land outflow, intermediary organizations, the land into" mechanism, change the original management rights from the "farmers, farmers" single mode, thus make the management rights norms, centralized operation.

4.3 Improve supervision and restraint mechanism
In practice, the land management departments of the people's governments at all levels (including the central, provincial, county and township levels) are the main body of the supervision function. So the government land management departments at all levels should be taken to do a good job of supervision on the management rights, not only to do a good job in guiding transfer contract
specifications and land circulation for the record in advance and make supervision, even with a special focus on whether the use of the land circulation after strictly follow the post-supervision circulation contract content. Such as after the transfer of land is a perennial waste or the transfer of land in the circulation is not changed after the agricultural use, after the transfer of basic farmland is used for cultivation of food crops, etc.

5. Conclusions
In the practice of the circulation of rural management rights, land management departments of people's governments at all levels (including the central, provincial, county and township levels) are the main bodies performing supervisory functions. So the government land management departments at all levels should be taken to do a good job of supervision on the management rights, not only to do a good job in guiding transfer contract specifications and land circulation for the record in advance and make supervision, even with a special focus on whether the use of the land circulation after strictly follow the post-supervision circulation contract content. Such as after the transfer of land is a perennial waste or the transfer of land in the circulation is not changed after the agricultural use, after the transfer of basic farmland is used for cultivation of food crops, etc.

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