LAW ON
THE CENSUS OF AGRICULTURE 2011

I. GENERAL PROVISIONS

Subject matter of the Law

Article 1

This law establishes the legal frame that encompasses: the content, preparation, organization and performance of the Census of Agriculture 2011 in the Republic of Serbia (hereinafter: the Census), as well as the obligations of government bodies and other bodies and organizations during the Census, the responsibilities and duties of census results providers and persons engaged in census operations, the publication of census results and census financing.

The Census shall be carried out from 1st to 15 November 2011.

Once the census completed, the quality of data collected via the sample-based Census shall be subject to control in order to evaluate the coverage and quality of gathered data.

The Census and quality control of data collected via the Census shall be conducted as of with reference date 31st October 2011 at midnight.

Relationship between the Census of Agriculture and the Census of Population

Article 2

The Census of Population, Households and Dwellings 2011, apart from main data on population, households and dwellings, shall also allow the collecting of data on agricultural activities being carried out in households.

The collected data referred to in paragraph 1 of the present article shall be used for the identification of family agricultural holdings based on which a list of households shall be drawn up, and which will be used in the Census of Agriculture.

The coordination of activities between the Census of Population and Census of Agriculture should save funds and add to the usefulness of data from both censuses. The use of joint statistical standards, definitions and classifications shall ensure the consistency and comparability of the data and facilitate their interpretation and analysis.

The Census of Agriculture shall take place after the Census of Population, thus for this purpose shall be engaged bodies responsible for the organization and carrying out of the Census of Population.

Schemas and descriptions of enumeration areas, drawn up by the Geodetic Office of the Republic of Serbia for the purposes of the Census of Population, Households and Dwellings 2011, shall be used in the Census of Agriculture 2011.

Definitions of certain terms

Article 3

The definition of certain terms used in this Law is as follows:

1) agricultural production covers crop and livestock produces production, fish farming, bee-keeping and other forms of agricultural production (mushroom, snail growing, production in greenhouses and under plastic protective covers, culinary and medicinal herbs farming, production of vegetable and flower seeds, the production of ornamental plants, coniferous seedlings, production of seedlings, fruit and vine growing, production of nurseries of vegetables and other) performed on agricultural and other land;

2) agricultural holding is a technical and economic independent production unit with a single management on which an enterprise, farm cooperative, institution or another legal person, entrepreneur or family agricultural holding undertakes agricultural production;

3) family agricultural holding is every family or other community of people living together and sharing subsistence expenses out of their respective income (including single households), which members (one or more) are engaged in agricultural production being either their primary or secondary activity, having a single management, using joint production means (land, machinery, buildings) and its members' work whether they produce solely for own consumption (non-commercial agricultural holding) or both for own consumption or sale (commercial agricultural holding).

Units covered by the Census

Article 4

The Census shall cover:

1) family agricultural holdings having at least 0,5 hectares of utilized agricultural area on which they perform agricultural production,

2) family agricultural holdings having less than 0,5 hectares of agricultural area, which they utilize for crop farming, livestock breeding, fruit growing, vineyards, vegetable production, flower growing (glass and plastic protective covers), and for other forms of practices of agricultural production, **intended for marketing**, as well as fish farming, mushroom growing, snail farming, bee-keeping, etc.;

3) enterprises, farm cooperatives and entrepreneurs and other forms of organization with the status of legal person that are registered as mainly dealing with agricultural production, and

4) enterprises, institutions and other legal persons, registered in another activity, having organized branches or other organizational units in which they agricultural production is carried out.

Data on agricultural holdings

Article 5

In the Census shall be collected data on the structure of agricultural holdings: location, total land area and category of utilized agricultural area, areas under crops, area of fruit trees and number of trees, area of vineyards and number of vines, irrigation, use of organic and mineral fertilizers and plant protection means, livestock – by types and categories, numbers of poultry, other animals, beehives, data on agricultural machinery and buildings, labor force, sale of agricultural products, organic agricultural production, other gainful activities as well as data on fishponds and wooded areas.

Census conducting methods

Article 6

Data on family agricultural holdings shall be collected by interview method, from the person being the holder of the family agricultural holding or from an adult member of the agricultural holding who is most acquainted with the information, and based on the respective documentation.

The data on enterprises, institutions and other legal entities shall be collected by reporting method – by mail.

II. RESPONSIBILITIES OF GOVERNMENT AND OTHER BODIES AND ORGANIZATIONS IN THE PREPARATION, ORGANIZATION AND CONDUCTING OF THE CENSUS

Role of the Statistical Office of the Republic of Serbia, municipality census commissions and units of local self-management in carrying out the Census

Article 7

The Statistical Office of the Republic of Serbia shall prepare, organize and conduct the Census.

The Statistical Office of the Republic of Serbia shall undertake selected operations for the preparation, organization and carrying out of the Census on the territory of communes, towns and the city of Belgrade via municipality census commissions, in line with this Law.

The Statistical Office of the Republic of Serbia shall appoint the municipality census commission referred to in paragraph 2.

Local self-management units are bound to provide support to the Statistical Office of the Republic of Serbia and municipality commissions in conducting the Census.

Tasks of the Statistical Office of the Republic of Serbia

Article 8

The Statistical Office of the Republic of Serbia shall: produce the methodology for the Census and the content of all census and auxiliary questionnaires and other census tools, design and print questionnaires, instructions and other; ensure timely and full application of this Law; establishes a uniform and internationally comparable census methodology with uniform definitions of units and characteristics, uniform classifications and content of processing and publication tables according to a uniform data processing program, carry out the statistical control of the quality of data from the field; co-operate with other bodies of the government administration and local self-management units and organizations and coordinate joint activities relative to the preparation, organization and carrying out of the Census, provide instructions, technical assistance, request reports, data and information; make the population and agricultural household fully, accurately and timely aware of the census significance and objectives, methods and period of its performance, distribute and transmit census questionnaires and instructions to municipality census commissions; appoint trainers for the Census; provide technical training to the members of the municipality commissions, trainers and supervisors; give instructions for the organization and carrying out of the Census, give census authorization census identification cards to the participants to the Census; draw up a cost estimate for the Census; allocate funds to municipality census commissions; collect data, control and prepare census materials for processing; process collected data and publishes the census results; take care of the storage and maintenance of census materials upon receipt from municipality census commissions and ensure the protection of collected data in line with the law and other regulations.

Tasks of municipality census commissions

Article 9

Municipality Census commissions shall manage the preparation, organization and carrying out of the Census on the territory of communes, towns and the city of Belgrade and shall be responsible for the implementation of measures necessary to

ensure all preparation work for the Census, shall take care of the quality and timely carrying out of the Census.

Municipality Census commissions shall undertake the following operations: organization and carrying out of the Census on the territory of communes, towns and the city of Belgrade; raising of awareness of the population and agricultural holdings as regard the significance of the Census, methods and period of its carrying out, the rights and duties of the participants in the Census and of the manner in which they shall carry out them, appointment of a necessary number of commune, town trainers, enumerators and supervisors and organization of census participants training; distribution of enumerators, trainers and supervisors; implementation of measures for ensuring full coverage of census units; receipt of census materials from the Statistical Office of the Republic of Serbia and their distribution to enumerators, issuing of prescribed identification cards to the participants to the Census; supervision of the work of enumerators, trainers and supervisors and provision of assistance to them; watching over that methodological and organizational instructions are adequately applied; receipt from commune trainers of census materials and control of their wholeness and quality; production of preliminary results of the Census for settlements and communes, and their transmission to the Statistical Office of the Republic of Serbia within 10 days following the end of the enumeration; transmission of the census materials within the required deadline to the Statistical Office of the Republic of Serbia; establishment of compensations for the participants to the Census and adequate allocation and rational use of financial funds for the Census; calculation of spent resources and other operations relative to the preparation and carrying out of the Census, in line with the instructions of Statistical Office of the Republic of Serbia.

Municipality Census commissions shall be composed of at least five members.

Tasks of ministries and selected organizations

Article 10

Apart from the Statistical Office of the Republic of Serbia, in carrying out certain operations relative to the Census within respective competences within the tasks established by this Law shall be involved:

1. the Ministry of Agriculture, Water Management and Forestry, and
2. other ministries and selected organizations.

Ministry of Agriculture, Water Management and Forestry

Article 11

The Ministry of Agriculture, Water Management and Forestry shall give its opinion about the methodology for the Census, questionnaires and offer assistance to the Statistical Office of the Republic of Serbia through its agencies during the carrying out of the Census in the field.

Other ministries and selected organizations

Article 12

The ministries and selected organizations, referred to in Article 10, paragraph 2) of this Law, are bound to provide support to the Statistical Office of the Republic of Serbia in carrying out the Census within their respective competences set up by the present Law, if required.

Operations of commune administrations, town administrations and the town administration of the city of Belgrade

Article 13

Commune administrations, town administrations and the town administration of the city of Belgrade shall perform operations set up by this Law and the organizational and methodological instructions of the Statistical Office of the Republic of Serbia. They shall also monitor the carrying out of the Census on the territory of the local self-management unit.

III. FINANCING OF THE CENSUS

Article 14

The funds for financing the operations of the Statistical Office of the Republic of Serbia shall amount to 1. 498.680.546 dinars and shall be made available from donations and the budget of the Republic of Serbia, being:

1. for 2010, 22.533.222 dinars
2. for 2011, 1.260.937.358 dinars
3. for 2012, 180.160.434 dinars
4. for 2013, 35.049.532 dinars

The funds referred to in paragraph 1 of this Article shall be planned in the budget within the amount for the Office of the Republic of Serbia.

A portion of the funds referred to in paragraph 1 of this Article shall be allocated by the Statistical Office of the Republic of Serbia to municipality census commissions for carrying out the Census, through commune administrations, town administrations and the town administration of the city of Belgrade.

Commune administrations, town administrations and the town administration of the city of Belgrade shall keep records on expenses referred to in paragraph 2 of this Article and submit reports to the Statistical Office of the Republic of Serbia at its request.

Valorization and use of financial funds

Article 15

Funds for financing census operations, referred to in Article 14 of this Law, are based on current prices in April 2009.

Funds envisaged for individual years shall be valorized in line with the funds planned in the budget for the current year.

Schedule for reporting spent resources and performed operations

Article 16

The Statistical Office of the Republic of Serbia shall inform the Government of the Republic of Serbia, not later than 31st March each year, about spent resources obtained from the budget of the Republic of Serbia in the previous year, and about performed census operations envisaged in the given year.

Compensations to persons participating in the Census

Article 17

A tax liability and payment of social insurance contributions shall be established in line with the laws that regulate income taxes of citizens and compulsory social insurance contributions for the compensations disbursed by the Statistical Office of the Republic of Serbia for the work of persons participating in the preparation, organization and carrying out of the Census.

IV. RESPONSIBILITIES AND DUTIES OF DATA PROVIDERS AND PERSONS PERFORMING CENSUS OPERATIONS

Duties of legal entities

Article 18

Enterprises, farm cooperatives, entrepreneurs and other forms of organization, which prevailing activity is the agricultural production, as well as branches and other organizational units in which agricultural production is dealt with and which are incorporated in the enterprise or other form of organization registered in another activity, are bound to fill in, not later than 15th November 2011, the questionnaires and forward them by post office services to the Statistical Office of the Republic of Serbia.

The questionnaire shall be filled in by an authorized person according to the methodological instructions of the Statistical Office of the Republic of Serbia.

The person providing the data on the census unit is bound to give answers to all the questions in the questionnaire based on available documentation.

Duties of the enumerators and other direct persons carrying out census operations

Article 19

Enumerators, trainers and other persons executing operations relative to the Census are bound to perform census operations in due time and in a requested manner.

Protection of data collected in the Census

Article 20

Persons referred to in Article 19 of this Law are bound to official secrecy as regard all data provided by the units covered by the Census, which are relative to personal, family, property and economic circumstances.

The data gathered in line with this Law may be used exclusively for statistical purposes, and shall be disseminated in the form of aggregates.

Notification about the visit of enumerators to households

Article 21

If an enumerator does not find during the census any household member in the dwelling, she/he shall leave a note reading that the holder of the household has

to report to the competent body in order to provide information relative to the Census, not later than 15th December 2011.

V. PENALTIES

Article 22

A fine amounting from 100.000 to 1.000.000 dinars shall be imposed for breach of duties to the legal person (enterprise, farm cooperative and other form of organization) engaged mainly in agricultural production if it does not transmit information within the requested deadline, or if it transmit false or incomplete information being collected in line with this (Article 18, paragraph 1).

A fine amounting from 30.000 to 50.000 dinars shall also be imposed for the breach of duties to the responsible person in the legal entity referred to in paragraph 1 of this Article.

A fine amounting to from 20.000 to 30.000 shall be imposed for breach of duties to the entrepreneur referred to in Article 18, paragraph 1 of this Law.

Article 23

A fine amounting from 20.000 to 50.000 dinars shall be imposed for breach of duties to the holder of the household if she/he refuses to provide to the enumerator information on the household or gives false or incomplete information collected in line with this Census (Article 6, paragraph 1).

Article 24

A fine amounting from 20.000 to 50.000 dinars shall be imposed to the enumerator, trainer or supervisor if they do not perform operations relative to the Census in due time and in a requested manner (Article 19).

VI. TRANSITORY AND FINAL PROVISIONS

Regulation and publication of methodological census tools

Article 25

The Director of the Statistical Office of the Republic of Serbia regulates the questionnaires and methodological instructions for the organization and carrying out of the Census.

Questionnaires referred to in paragraph 1 shall be published in the “Official Journal of the Republic of Serbia”.

Publication of preliminary and final census data

Article 26

The Statistical Office of the Republic of Serbia shall publish:

1. preliminary data within 30 days from the date the Census has been complete, and

2. final census results over the period 1st January 2012 to 31st December 2013.

Entry into force of this Law

Article 27

This Law shall enter into force on the eighth day following the date of its publication in the “Official Journal of the Republic of Serbia”.