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ON THE CENSUS OF POPULATION, HOUSEHOLDS AND DWELLINGS, 2011

I. GENERAL PROVISION

Subject-matter of the Law

Article 1

This Law regulates the legal frame, which encompasses: the content, preparation, organization and carrying out of the Census of Population, Households and Dwellings in 2011 in the Republic of Serbia (hereinafter: the Census), as well as the obligations and duties of the respondents and persons engaged in census activities, in publishing census results and census funding.

The Census shall be conducted from 1st to 15th April 2011.

Right after completing the Census, quality control of collected data shall be carried out in selected enumeration areas.

The Census and quality control of collected data shall be performed as of 31st March 2011 at midnight.

Units covered by the Census

Article 2

The Census shall cover:

1) the citizens of the Republic of Serbia, foreign citizens and stateless persons residing in the Republic of Serbia, whether being in the Republic of Serbia or abroad at the moment of the census;

2) households of persons referred to in paragraph 1 of this Article;

3) dwellings and other housing units.

The Census shall also cover citizens of the Republic of Serbia, foreign citizens and stateless persons residing abroad who, at the moment of the census, has been residing in the Republic of Serbia for at least one year.

Units not covered by the Census

Article 3

The Census shall not cover the personnel of diplomatic and consular representations, the members of their households and dwellings owned by foreign countries.

Information on persons

Article 4

The following data on persons covered by the Census shall be collected: name and forename, sex, date of birth and personal identification citizens' number, place of birth, place of residence of the mother at the time of person's birth, locality from which the persons has emigrated and year of immigration, state from which the person emigrated, year of immigration and main reason of immigration, marital

status, number of live births and their year of birth, citizenship, ethnicity, mother tongue, religion, literacy, educational attainment, school attendance, activity, occupation, status in employment, industry, main source of livelihood, supporter's status, place of work, i.e. of school attendance and frequency of returning to the place of usual residence, functional capacity of the person to perform everyday activities, relationship with the referent person and reason of absence, i.e presence in the enumeration place.

In addition to data referred to in paragraph 1 of this Article, about persons working abroad at foreign employer or being self-employed, and about the members of their households who live abroad together with them, shall be also collected information about the name of the foreign country and the duration of stay.

Information on households

Article 5

During the Census, the following data on households shall be collected: name and forename of the referent person, relationship and family composition of the household, name of the locality, residential address of the household, type of households and tenure status of the household.

In addition to information referred to in from paragraph 1 of this Article, during the Census shall be collected data on agricultural funds and agricultural production of the household in view of identifying agricultural holdings for Agriculture Census purposes.

Information on conventional dwellings and other housing units

Article 6

The following information about dwellings and other housing units shall be collected during the Census: type of dwelling, type of collective living quarters, occupancy status of the dwelling, total useful floor space and number of rooms in the dwelling, useful floor space of the kitchen, installations and sanitary facilities in the dwelling, type of energy used for heating the dwelling, type of ownership over the dwelling, floor on which the dwelling is, year of construction of the building, type of building and materials of which outer walls of the building containing dwelling are constructed.

Information on agricultural holdings, families and buildings

Article 7

Based on collected data on basic census units (persons, households and dwellings), the data on agricultural holdings, families and buildings shall also be processed.

II. RESPONSIBILITIES OF GOVERNMENT AND OTHER BODIES AND ORGANIZATIONS IN MANAGING THE CENSUS

Role of the Statistical Office of the Republic of Serbia, census commissions and local government authorities in managing the Census

Article 8

The Census shall be prepared, organized and carried out by the Statistical Office of the Republic of Serbia.

Certain activities in preparing, organizing and conducting the Census on the territory of municipalities, towns and the City of Belgrade shall be performed in line with this Law by the Statistical Office of the Republic of Serbia via census commissions.

Census commissions referred to in paragraph 2 of this Article shall be appointed by the Statistical Office of the Republic of Serbia.

Local government authorities shall be obliged to provide assistance to the Statistical Office of the Republic of Serbia and census commissions in carrying out the Census.

Activities of the Statistical Office of the Republic of Serbia

Article 9

The Statistical Office of the Republic of Serbia shall: design and print the questionnaires, instructions guidelines and other methodological census tools, take care about timely and full implementation of this Law; establish uniform and internationally comparable census methodology with uniform definitions of units and topics, uniform classifications and content of processed and published tables by unified data processing program and unified criteria and programs of logical control for detection and automatic correction of errors in census materials; perform statistical quality control of data collected on the field; co-operate with other administration authorities and organizations and coordinate common activities related to the preparation, organization and conducting Census, and provide on law basis instructions, technical assistance, request reports and information; co-operate with local government authority units and harmonize joint activities, provide compulsory instructions and control their accomplishment, request reports, data and information; provide full, accurate and timely information to the population about the significance and objectives of the Census, manner and time of its performance; distribute and submit questionnaires and instructions to census commissions; assign census training staff; carry out technical training for the census commissions members, trainers and controllers; establish instructions for the organization and Census-taking; issue prescribed authorizations to participants in the Census whom it designates; draft the preliminary census costs; allocate financial funds to census commissions; collect data, control and prepare census materials for their processing; process collected data and publishes census results; take care of the storage and preservation of census materials upon receipt from census commissions and ensure the protection of collected data in line with the law and other regulations.

Activities of census commissions

Article 10

Census commissions shall manage the preparation, organization and conduct of the Census on the territories of municipalities, towns and the City of Belgrade, and shall be responsible for timely implementation of necessary measures in view of ensuring all census preparations, its organization, quality and timely accomplishment.

Census commissions shall be involved in the following activities: organization and Census-taking on the territory of municipalities, towns and the City of Belgrade; raise of population awareness about the significance of the Census, manner and time of its performance, citizens' rights and responsibilities, and way of accomplishing their obligations; designation and nomination of necessary number of municipal, i.e. city trainers, enumerators and controllers, organization of the training of participants in the Census; allocation of enumerators, trainers and controllers; implementation of measures in view of a full coverage of enumeration units; taking over of census materials from the Statistical Office of the Republic of Serbia and distribution to the enumerators; issuing of prescribed authorizations to the participants in the Census; work control of the enumerators, trainers and controllers and provide them assistance; particular care about correct application of methodological and organizational guidelines; taking over census materials from municipal trainers and checking of their completeness and quality; production of preliminary census results for localities and municipalities and forward them to the Statistical Office of the Republic of Serbia not later than 10 days following the end of the enumeration; sending of census materials to the Statistical Office of the Republic of Serbia with a stipulated deadline; establishment of compensations for participants' work, see to correct allocation and rational use of financial funds earmarked for the Census; drafting the account of spent resources and carrying out of other Census preparation and performance-related activities in line with the instructions of the Statistical Office of the Republic of Serbia.

Census commissions shall be composed of at least five members.

Activities of ministries and selected organizations

Article 11

Within law-based respective competences, for the completion of selected activities shall be involved:

1) Ministry of Defense;
2) Ministry of Justice;
3) Ministry of Interior;
4) Ministry of Foreign Affairs;
5) Ministry for Kosovo and Metohia;
6) Republic Geodetic Authority;
7) Other ministries and special organizations.

Ministry of Defense

Article 12

The Ministry of Defense shall organize and carry out the enumeration of military and civilian personnel residing at the time of the Census in barracks, military

schools and similar military institutions, and shall undertake previous enumeration of persons serving military service, in line with the instructions of the Statistical Office of the Republic of Serbia.

The training of enumerators and census materials intended for the enumeration of persons referred to in paragraph 1 of this Article shall be provided by the Statistical Office of the Republic of Serbia.

Ministry of Justice

Article 13

The Ministry of Justice shall organize and carry out the enumeration of persons being incarcerated in respective facilities in view of serving sentence or being in preventive detention.

The Statistical Office of the Republic of Serbia shall ensure enumerators' training and census materials for the enumeration of persons referred to in paragraph 1 of this Article.

Ministry of Interior

Article 14

The Ministry of Interior, in co-operation with the Statistical Office of the Republic of Serbia, shall distribute at frontiers auxiliary census forms to our citizens temporarily working and residing abroad when they enter the country from 1st December to 20th January 2011.

The questionnaires referred to in paragraph of this Article shall be filled in and managed according to the organizational and methodological instructions of the Statistical Office of the Republic of Serbia.

Auxiliary census forms referred to in paragraph 1 of this Article shall be provided by the Statistical Office of the Republic of Serbia.

Ministry of Foreign Affairs

Article 15

The Ministry of Foreign Affairs, in co-operation with the Statistical Office of the Republic of Serbia, shall organize and carry out the enumeration of the citizens of the Republic of Serbia working in: diplomatic and consular representations of the Republic of Serbia, branches of enterprises abroad, bank branches and other entities in the financial sector abroad, representations of the Chamber of Commerce abroad, Organization of the United Nations, its bodies and specialized agencies and other international organizations. It shall also enumerate the members of households residing abroad with the above mentioned persons.

Census materials for the enumeration of persons referred to in paragraph 1 of this Article shall be provided by the Statistical Office of the Republic of Serbia.

Ministry for Kosovo and Metohia

Article 16

The Ministry for Kosovo and Metohia, in co-operation with the Statistical Office of the Republic of Serbia, shall organize and carry out the Census on the territory of the Autonomous Province of Kosovo and Metohia via census commissions created for Census needs.

The Minister competent for Kosovo and Metohia shall regulate in detail, through particular instructions, how to manage the Census on the territory of the Autonomous Province of Kosovo and Metohia.

The training of the members of census commissions and census materials intended for enumeration activities referred to in paragraph 1 of this Article shall be provided by the Statistical Office of the Republic of Serbia.

Republic Geodetic Authority

Article 17

The Republic Geodetic Authority shall co-operate with the Statistical Office of the Republic of Serbia in preparing the Census, and shall up-date the boundaries of enumeration areas in line with the law and organizational and methodological instructions of the Statistical Office of the Republic of Serbia.

In addition to activities referred to in paragraph 1 of this Article, the Republic Geodetic Authority, in co-operation with the Statistical Office of the Republic of Serbia, shall create maps and descriptions of the enumeration areas' borders according to the organizational and methodological instruction of the Statistical Office of the Republic of Serbia, and transmit them not later than 30th November 2010.

Other Ministries and special organizations

Article 18

Ministries and special organizations, in addition to those referred to in Articles 12 to 17, shall be bound to provide assistance to the Statistical Office of the Republic of Serbia in conducting the Census within their law-based respective fields, if need to be.

Activities of municipal administrations, town administrations and the administration of the City of Belgrade

Article 19

Municipal administrations, town administrations and the administration of the City of Belgrade shall perform the activities set by this Law and organizational and methodological instructions of the Statistical Office of the Republic of Serbia and monitor Census-taking on the territory of local government authority units.

III. CENSUS FINANCING

Financing of the activities of the Republic Geodetic Authority

Article 20

Funds for financing activities referred to in Article 17, paragraph 2 of this Law, amounting to 197.202.900 dinars, shall be earmarked from the budget of the Republic of Serbia, and deposited in the account of the Republic Geodetic Authority: in the budget for 2010, 197.202.900 dinars.

Financing of activities of the Statistical Office of the Republic of Serbia

Article 21

Funds for financing activities of the Statistical Office of the Republic of Serbia during the Census, except for funds referred to in Article 20 of this Law, shall amount to 2.699.125.000 dinars earmarked from the budget of the Republic of Serbia:

1) from the budget for 2010 - 277.895.080 dinars;

2) from the budget for 2011 - 2.339.479.230 dinars;

3) from the budget for 2012 - 39.305.022 dinars;

4) from the budget for 2013 - 42.445.668 dinars.

The funds referred to in paragraph 1 of this Article shall be transferred to the Statistical Office of the Republic of Serbia.

Part of the funds referred to in paragraph 1 of this Article shall be transferred by the Statistical Office of the Republic of Serbia to census commissions for census management through municipal administrations, town administrations and the administration of the City of Belgrade.

Municipal administrations, town administrations and the administration of the City of Belgrade shall keep records on spent funds referred to in paragraph 3 of this Article and transmit a report to the Statistical Office of the Republic of Serbia at its request.

Valorization and using financial funds

Article 22

Funds for financing census activities referred to in Articles 20 and 21 of this Law shall be fixed on the basis of current prices in October 2008.

Funds intended for selected years shall be valorized annually on the basis of the consumer price index during adoption of the Republic budget for the next year.

Periodicity of reporting about spent resources and performed activities

Article 23

The Statistical Office of the Republic of Serbia shall inform the Government about resources, earmarked from the budget of the Republic of Serbia, which were spent in the previous year and about performed activities, not later than 31st March each year.

The Republic Geodetic Authority shall inform the Government on spent resources from the budget of the Republic of Serbia and performed activities foreseen in the previous year, not later than 31st March each year.

Compensations to persons participating in the Census

Article 24

Compensations disbursed by the Statistical Office of the Republic of Serbia and the Republic Geodetic Authority to persons who participate in the preparations, organization and conduct of the Census shall be free of tax and contributions pursuant to Article 9, paragraph 16) of the Law on Income Tax of Citizens.

IV. RESPONSIBILITIES AND DUTIES OF THE RESPONDENTS AND PERSONS UNDERTAKING CENSUS ACTIVITIES

Responsibilities of enumerators and other persons directly involved in census activities

Article 25

Enumerators, coordinators, supervisors and other persons performing census-based activities shall be bound to perform census-based tasks timely and adequately.

Persons referred to in paragraph 1 of this Article shall strictly see that entered information and respondents' data processing are accurate.

Protection of data collected during the Census

Article 26

Data collected in the Census shall be used for statistical purposes only.

Persons referred to in Article 25 of this Law shall be bound to secrecy as to all data collected from the respondents.

Duties of persons being enumerated as to the provision of information

Article 27

The person included in the Census shall be bound to provide information requested and to give accurate and complete answers to all the questions in the census forms.

Information about absent household members shall be provided by a household member most acquainted with the data, and those about children under 15 of age by parents, adoptive parents or guardians.

The person covered by the Census shall not be bound to declare her/his ethnicity or religion, and the census form shall contain a precept about that issue.

An open-ended question in the census form shall be foreseen as to the ethnicity and mother tongue.

Notification for persons who are absent in time of enumerators' arrival

Article 28

If an enumerator, during the census, does not find any person in the dwelling, and cannot obtain data as laid down in Article 27 of this Law, she/he shall leave a written notice that the person is obligated to contact the competent authority in order to provide information related to the Census, not later than 15th April 2011.

V. PENALTIES

Article 29

A fine amounting from 20.000 to 50.000 dinars shall be imposed for breach of duties to the person bound to provide information about her/himself or about absent household members, i.e. to parent, adoptive parent or guardian for a child aged under 15 if refuses to give answers to questions from the census form there is on her/his part or inaccurate and incomplete answers are communicated by her/him (Article 27, paragraphs 1 and 2).

Article 30

A fine amounting from 20.000 to 50.000 dinars shall be imposed to the enumerators, coordinators or supervisors and other persons performing Census-related activities if they:

1) do not perform Census-based activities on time and as stipulated (Article 25, paragraph 1);

2) require from a person to declare her/his ethnicity or religion against her/his will (Article 27 paragraph 3).

Article 31

A fine amounting from 35.000 to 50.000 dinars shall be imposed to the enumerators, coordinators, supervisors and other direct participants in the Census if they:

1) act opposite to the obligation referred to in Article 25, paragraph 2, and

2) act opposite to the confidentiality obligation (Article 26, paragraph 2).

VI. TRANSITORY AND FINAL PROVISION

Regulation and publication of methodological census tools

Article 32

The Director of the Statistical Office of the Republic of Serbia shall regulate census forms (questionnaire for person and questionnaire for household and dwelling) and organizational and methodological instructions for conducting Census.

The questionnaires referred to in paragraph 1 of this Article shall be published in the “Official Journal of the Republic of Serbia”.

Publication of preliminary and final census results

Article 33

The Statistical Office of the Republic of Serbia shall publish:

1. preliminary census results, within 30 days following the end of the Census, and

2. final census results, produced through the unique processing program, over the period 1st January 2012 to 31st December 2013.

Entry into force of this Law

Article 34

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”.