



**Republika e Kosovës
Republika Kosovo - Republic of Kosovo
Kuvendi - Skupština - Assembly**

Law No. 04/L-127

ON AGRICULTURAL CENSUS

Assembly of Republic of Kosovo,

Based on Article 65 (1) of the Constitution of the Republic of Kosovo,

Approves

LAW ON AGRICULTURAL CENSUS

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Purpose**

1. This law specifies content, organization and implementation of the Agricultural Census for 2013, in the whole territory of the Republic of Kosovo such as:

- 1.1. creation, content, competences and responsibilities of the bodies which organise, assist and execute the census, period of data collection;
- 1.2. necessary documentation for carrying out the census, procedure for data collection, processing and protection of census data;
- 1.3. the way and form of publication and data dissemination; and
- 1.4. protection of confidentiality of individual data on census.

Article 2

Scope of census

1. The census will provide the information on agricultural holdings and households in Kosovo, despite from their legal status as follows:
2. Agricultural households related to Agricultural production as their primary or secondary activity.
3. Agricultural holdings, enterprises, Agricultural cooperatives, entrepreneurs and other forms of organization with the status of legal person which are registered and deal mainly with the Agricultural production as well as enterprises, institutions and other legal persons registered to another activity than Agricultural but having organized branch or other organization unit, where the Agricultural production is done.

Article 3

Definitions

1. Terms used in this law have the following meaning:
 - 1.1. **Agricultural holding:** an independent technical and economical production unit with a single management in which an Agricultural enterprise, Agricultural cooperative, institution or other legal person, entrepreneurs or Agricultural households relate to Agricultural activity as its primary or secondary activity;
 - 1.2. **The holder:** a group of persons or natural or legal person in whose name the holding is operating and who is legally and economically responsible for the holding;
 - 1.3. **Agricultural household:** a family or other community of people that live together and share subsistence expenditures from their incomes, including single households, members who are committed in Agricultural production as their primary or secondary activity that have a single management using the common means of production such as: land, machinery, buildings and its members work;
 - 1.4. **Utilized Agricultural Area:** the total area taken up by arable land, permanent grassland, permanent crops and kitchen gardens used by the holding, regardless of the type of tenure or of whether it is used as a part of common land;
 - 1.5. **Agricultural production** covers crops and livestock productions;
 - 1.6. **Crop production:** includes cereals, vegetables, fruits, forage plants, vineyards, decorative plants, aromatic and medical plants;

1.7. **Livestock:** number of production animals that are in the direct possession or management of the holding on the reference day of the survey;

1.8. **Government** – Government of the Republic of Kosovo;

1.9. **MAFRD:** Ministry of Agricultural, Forestry and Rural Development;

1.10. **KAS:** Kosovo Agency of Statistics.

CHAPTER II CENSUS ON AGRICULTURAL HOUSEHOLDS

Article 4 Census

1. Census on Agricultural households provides the following:

1.1. data on structure of Agricultural households within the territory of the Republic of Kosovo, harmonized with the EU norms and standards and international recommendations;

1.2. reliable statistical data, necessary for planning and implementation of Agricultural policies and other policies as well as scientific researches for the Parliament, Government of the Republic of Kosovo, local governments, Agricultural households, economic organizations, scientific institutions as well as for civil society;

1.3. setting up of database with Agricultural households, statistical census on farms, which shall enable the development of integrated Agricultural statistical system in Kosovo comparable with the EU one.

Article 5 Census Questionnaires and Documentation

1. Census documents prepared by the Kosovo Agency of Statistics are:

1.1. main questionnaire;

1.2. additional questionnaires, if necessary;

1.3. methodological guidelines.

2. Executive Chief of the Statistical Agency shall approve the questionnaires and methodological documents. Before approving he should ask for the opinion of the Commission on Agricultural Census.

Article 6

Data collected during the census

1. Data collected during the census shall be for:

1.1. agricultural households: the name of the holder, sex, personal identification number, age, e-mail, postal address, phone number;

1.2. agricultural enterprises: name, e-mail and postal address of the location, business registration number, phone number – fax.

2. For all kind of agricultural holdings, including agricultural households:

2.1. data on-location of the holding;

2.2. data on total area of the holding, utilized agricultural area, of which area of land owned, area of land rented in, and other forms of land tenure; unutilized area by the holding;

2.3. data on use of agricultural land by individual crops;

2.4. data on livestock – by species and categories;

2.5. data on agricultural machinery, equipment and buildings.

3. Data on agricultural holding labour force:

3.1. for holder and family members working on farm, year of birth, gender, time spent for Agricultural works, time spent for works related to Agricultural other gainful activity, education;

3.2. for other persons working on agricultural holding such as gender, age, education and time spent for Agricultural work;

3.3. for temporary persons seasonally working in Agriculture.

4. Data on sale of agricultural products, organic agricultural production, other gainful activities.

5. Data on Agricultural production methods.

6. Data on rural development measures.
7. Forestry area within the holding.

Article 7 **Time and reference period of the census**

1. Data collection on Agricultural census shall be realized from 1-20 November 2013.
2. Reference periods are for:
 - 2.1. utilized agricultural area: one (1) agricultural year, from 31 October 2012 until 1 November 2013;
 - 2.2. livestock, on 01 November 2013;
 - 2.3. labour force, one (1) agricultural year, from 31 October 2012 until 1 November 2013;
 - 2.4. measures of rural development, a period of three (3) years that shall be terminated by 31 December 2013.
3. Prior to the implementation of census data collection a pilot census shall be carried out in order to test the methodology and logistic of census. Pilot census covers up to one percent (1%) of the Agricultural households selected in systematic way from all municipalities. Pilot census shall be realized during the period 01-15 November 2012.
4. After the completion of census data collection, on 1-15 December shall be carried out a post enumeration survey, which is based on representative sample of the Agricultural households sized up to one percent (1%) of the total number of Agricultural households. The goal of this survey is to assess the coverage of the census and the reliability of data collected during the census.

Article 8 **Method of census**

1. Method of census data collection is a traditional method “**door to door**” using census questionnaires on Agricultural household in rural area.
2. Agricultural households in urban and rural areas shall be surveyed based on prepared lists from the population census carried out in Kosovo in 2011 and updated by the administrative and statistical sources available.

3. Agricultural enterprises, entrepreneurs, and other legal units that carry out the Agricultural activity shall be surveyed based on the list prepared from the register of businesses which shall be updated with statistical and administrative sources available.

4. The method of interview "**face to face**" shall be implemented to all types of Agricultural holdings/households.

Article 9 Obligations

1. All the agricultural holders or authorized person of the Agricultural households are obliged during the census to provide to the enumerators and to other authorized personnel of the census full and accurate required data.

2. In case of reasonable absence data may be provided by other members of the Agricultural households according to specified methodological census rules.

CHAPTER III COOPERATION, USE AND PROTECTION OF DATA

Article 10 Competent Authority

Census should be organized and carried out by Kosovo Agency of Statistics in cooperation with respective institutions defined or created according to the provisions of this Law.

Article 11 Use of administrative data

1. Necessary data on census realization can be obtained from all the existing official databases and other administrative sources of public and private sectors. The person with whom the data relate, during the interview must be informed by the enumerator on the source and on how data were obtained.

2. The owners of data base should give to the Kosovo Agency of Statistics all necessary data at the time and on the form in which it requires data.

3. Main database for preparation of the framework shall be a list of Agricultural households with Agricultural activity, taken from the Population Census realized in Kosovo for 2011 and from the businesses register.

Article 12
Protection of data and their confidentiality

1. The bodies, institutions and census personnel specified in Article 14, 16 and 17 of this Law, during and after the process of census guarantee:

1.1. full confidentiality of individual data on Agricultural holdings /households, in accordance with the provisions of this Law, Law No.04/L-036 on Official Statistics of the Republic of Kosovo and provisions of the Law No. 03/L-172 on Personal Data Protection;

1.2. prevention of unauthorized Access in the centre of data processing, to individual and aggregated data, where they are stored for all the duration of the census.

2. Individual and/or aggregated data collected, are to be made anonymous for the third party and only under such conditions may be communicated with the authorization of confidentiality for the purposes which are in accordance with the statistical purposes of the census. Recipient of data is obliged to protect the professional confidentiality of data. Recipient is obliged to take adequate measures of the security and to provide that any kind of publication of the statistical results shall be in accordance with the legal provisions into force.

3. Personnel engaged in the process of census should keep records by the interviews of the census as confidential information is protected by the Law.

Article 13
Results on Census

1. Kosovo Agency of Statistics should announce the results of:

1.1. temporary census until 28 February 2014;

1.2. detailed and final census in electronic and in hard copy, starting from 30 September 2014 and on.

CHAPTER IV COMMISSION ON AGRICULTURE CENSUS

Article 14 Commission

1. Commission on Agricultural Census is the highest body for the supervision of the Census.
2. Commission on Agricultural Census shall supervise the preparation and organization of the census.
3. Commission on Agricultural Census is composed of:
 - 3.1. Ministry of Agricultural, Forestry and Rural Development – Head;
 - 3.2. Kosovo Agency of Statistics – Deputy Head;
 - 3.3. Ministry of Environment and Spatial Planning;
 - 3.4. Ministry of Finances;
 - 3.5. Ministry of Local Government Administration;
 - 3.6. Ministry of Internal Affairs;
 - 3.7. Food and Veterinary Agency;
 - 3.8. One (1) representative from Serb community;
 - 3.9. One (1) representative from other communities;
 - 3.10. One (1) representative from the Faculty of Agricultural;
 - 3.11. One (1) representative from the Civil Society;
 - 3.12. One (1) representative from the Kosovo Chamber of Commerce; and
 - 3.13. One (1) representative from the Kosovo Agency of Statistics.
4. Mandate of Commission on Agricultural Census shall terminate on 28 February 2014.
5. After the date 28 February 2014, duties and responsibilities of the Commission on Agricultural Census should be transferred to the Kosovo Agency of Statistics.

Article 15
Competences of Commission for Agricultural Census

1. The Commission on Agricultural Census:

- 1.1. supervises and monitors the preparation and implementation of the census;
- 1.2. facilitates and guarantees the coordination of the work related to the census between ministries, institutions and other parties involved in the census;
- 1.3. formulates opinions, proposes recommendations and endorses in due time according to the work programme, the draft questionnaires for the census prepared by the Kosovo Agency of Statistics;
- 1.4. analyses reports prepared by the Kosovo Agency on Statistics and problems encountered during the process of census operations and actively participates in solving eventual shortages, delays and other problems;
- 1.5. informs, together with Kosovo Agency for Statistics, Government on the main problems linked with census operations;
- 1.6. analyses the provisional census results prepared and submitted for examination by the Kosovo Agency of Statistics;
- 1.7. gives its opinion on the general work plan of the census activities prepared by the Kosovo Agency for Statistics, subject to be further approved by the Kosovo Agency;
- 1.8. gives opinions on the publicity campaign;
- 1.9. reviews the pilot census plan of operations and results reported by the Kosovo Agency of Statistics as well as on the post enumeration survey;
- 1.10. reviews the tabulation plan, data processing and data dissemination programme;
- 1.11. the commission meets quarterly since the moment it's entering in function or at a shorter period if urgent needs. In special cases members of the committee could be consulted for expressing their views following written procedure;
- 1.12. technical secretarial activities of the commission are ensured by the Statistical Agency together with the Statistical Division of MAFRD.

2. The Commission on Agricultural Census ends its activity on the 28th of February 2014.

CHAPTER V RIGHTS AND OBLIGATIONS

Article 16 Kosovo Agency of Statistics

1. Duties and responsibilities of the agency are the following:
 - 1.1. management of financial and human resources of census project;
 - 1.2. cooperation with other authorities and institutions and coordination of activities related to organization and carrying out the census;
 - 1.3. engaging the staff to work for census project, within and out of Statistical Agency and compensating them according to the census project;
 - 1.4. drafting a work program, defining the census methodology internationally comparable with uniform definitions, selecting appropriate technical equipments and programs of software, designing questionnaires, issuing necessary administrative instructions and decisions and independently managing preparations for census on scientific basis;
 - 1.5. managing the process of census and reports to the Agricultural Census Commission related to the use of these resources;
 - 1.6. preparing the list of Agricultural households with statistical and administrative sources available to urban areas and providing the municipal census commission with the organized list to be updated according to census circles, prior to implementation of field work on Agricultural census.
 - 1.7. preparing the list of Agricultural enterprises and other legal units dealing with Agricultural activities, using the business register and other available statistical and administrative sources and providing the municipal census commission with the organized list to be updated according to census circles, prior to implementation of field work on Agricultural census.
 - 1.8. organizing the work for designing and printing of questionnaires, methodological guidelines, census cycle maps, foreseen equipments, identification signs and identification cards, other signs on hats, shirts or others, types of questionnaires according to official languages in Kosovo and languages which have the status of official languages based on the law on use of languages;
 - 1.9. receiving documentation fulfilled after the census;

- 1.10. setting criteria for selection of enumerators, controllers, supervisors, coordinators, selecting coordinators, supervisors and controllers and pre-selecting of enumerators;
- 1.11. organizing and supervising vocational and methodological trainings for members of municipal census commission, carrying out field duties in cooperation with municipal commissions, by registering Agricultural households;
- 1.12. providing professional and methodological support to municipal commissions on preparation and implementation of the census;
- 1.13. informing relevant government authorities about the steps taken in the census, develop public information campaigns and report to the Agricultural census commission about development of census process;
- 1.14. asking municipal census commissions to take the necessary measures to implement the census process on time, with accuracy, quality and credibility;
- 1.15. delivering census material to the municipal census commission;
- 1.16. designing and selecting the sample for pilot census;
- 1.17. designs and carries out survey after census;
- 1.18. presenting and distributing temporal and final results of census.

Article 17

Municipal Commission for Census

1. Municipal commission for census in each municipality represents the ethnic structure of the population.
2. Municipal commission for census shall be established at least six (6) months before the census day.
3. Municipal commission for census consists of five (5) members such as:
 - 1.1. the Mayor;
 - 1.2. two (2) representatives from the municipality;
 - 1.3. one (1) representative from the Ministry of Agricultural, Forestry and Rural Development, and
 - 1.4. one (1) representative from Kosovo Agency of Statistics.

Article 18
Tasks of the Municipal Commission Census

1. Tasks of municipal commission of census are to:

- 1.1. organize, realize and implement the project of Agricultural census in municipality;
- 1.2. supervise enumerators, controllers and other staff included in census and ensure normal functioning during census phase as well as mediate in case of obstacles during census process;
- 1.3. update the list of Agricultural households in urban areas and the list of legal units;
- 1.4. raise the awareness of population and Agricultural households about census importance, methods and period of its performance, rights and duties of participants in the census and the way they perform them;
- 1.5. receive census material from controllers and control them, along with supervisors;
- 1.6. participate in preparing the provisional census results for municipality along with a supervisor, in compliance with Article 12 of this Law and within ten (10) days after completion of the census of sending these results and other census materials to the Statistical Agency as required;
- 1.7. select the enumerators from the pre-selected list and other additional staff, in order to ensure a normal, accurate census functioning;
- 1.8. according to instructions and decisions of Kosovo Agency of Statistics, take the necessary steps for census, prepare and carry out census in the whole territory of the municipality, provide information and assist the census staff about locations;
- 1.9. supported by the Kosovo Agency of Statistics train and supervise the enumerators and controllers;
- 1.10. report regularly, as established to Kosovo Agency of Statistics, on the development of census process within the municipality, while during the field operations, report daily;
- 1.11. provide premises, receive and store census materials in municipality and sent them to Kosovo Agency of Statistics.

CHAPTER VI INFORMATION CAMPAIGN

Article 19 Information

1. Census must be published through official written communications, media and public comprehensive campaign which are carried out by Kosovo Agency of Statistics in close cooperation with Ministry of Agricultural, Forestry and Rural Development.
2. Public campaign should begin at least three (3) months before census, whereas intensive information campaign is to start four (4) weeks before data collection.

Article 20 Data Processing

1. Kosovo Agency of Statistics prepares the Centre for processing, including and protection of data in the entire duration of census and conducts, controlling, coding, processing and providing of personal data and table lists and tabulation of census data.
2. Workspace for census, must be provided at least six (6) months prior the census, with the support of corresponding institutions.

Article 21 Census Staff

1. Duties and responsibilities of census staff:
 - 1.1. enumerators- obtain official authorization;
 - 1.2. enumerators go “**door to door**” in rural area in order to interview Agricultural household, fulfilling accurately census questionnaires. In urban areas only Agricultural households shall be interviewed based on the list. Based on the list are also interviews of Agricultural households and Agricultural enterprises as well as other legal agriculture units;
 - 1.3. ensure reserve enumerators- obtain official census authorization and they will be in charge only in case of enumerators’ absence;
 - 1.4. controllers – obtain official authorization and assist and control the work of enumerators;
 - 1.5. supervisors - are obliged to assist and control the work of controllers;

1.6. coordinators – coordinate municipal commissions with Kosovo Agency of Statistics;

1.7. operators – enter the data from questionnaires to computer system;

1.8. managing staff – organizes and prepares information, increase the awareness and logistics and administers census in the field;

1.9. the staff of Kosovo Agency of Statistics, with experts prepare infrastructure and instruments of census, planning, trainings, supervision, processing, analyzing, tabulation of group data, producing and delivery of census results;

1.10. Kosovo Agency of Statistics, sets the criteria for selection, engagement and training of the census staff;

1.11. the enumerators shall be appointed by Municipal Census Commission based on pre-selection from Kosovo Agency of Statistics;

1.12. the controllers and supervisors shall be appointed by Kosovo Agency of Statistics;

1.13. Kosovo Agency of Statistics Shall appoints and selects controllers, management staff and professional and scientific experts.

Article 22 Census Funding

1. The Agricultural census shall be funded by two sources:

1.1. Kosovo budget, and

1.2. donors.

2. The account of draft budget shall be prepared by Kosovo Agency of Statistics.

3. The funds collected from donors, must be specified by a special memorandums.

Article 23
Prohibition of Similar Data Collection

1. Within a period of three (3) months before the census, during data collection and three (3) months after completion of the census, all individuals, local and international organization shall be prohibited to collect similar data within the territory of Kosovo. During this period, there should not be developed any other statistical activity at local or international level, which could affect the census.
2. Entities that during period based on paragraph 1 of this Article, aims at collecting data for individuals and Agricultural households, for their economic activities, must require an authorization from the Commission of Agricultural Census.

CHAPTER VII
PUNITIVE PROVISIONS

Article 24
Offences

1. The census staff shall be sentenced for offence with a fine of five-hundred (500) € up to one-thousand (1000) € for any violation of rules according to Article 21 of this law;
2. The head of Agricultural household shall be sentenced for offence with a fine of two-hundred-fifty (250€) up to five-hundred euro (500€) , if such person shall refuse to give the required data from the enumerator or from the other person authorized for census according to Article 6 and Article 9 of this law, or provides incomplete data.
3. The legal entity of Agricultural enterprise, cooperative of another form of organization in Agricultural production shall be sentenced for offence with a fine of two-thousand-five-hundred (2.500€) up to five-thousand (5.000€), if such person shall not provide information or provides inaccurate or incomplete information according to Article 6 and Article 9 of this law.
4. The business entity shall be sentenced for offence with a fine of one-thousand-five-hundred (1.500€) up to two-thousand (2.000€), if such person shall not implement the criteria stipulated in Article 11 of this law.
5. The responsible person of legal entity shall be sentenced for offence with a fine of two-hundred fifty (250€) up to five-hundred euro (500€) according to paragraph 3 of this Article.
6. The entrepreneur defined in Article 6 and Article 9 of this law shall be sentenced for offence with a fine of five-hundred euro (500€) up to one-thousand euro (1.000€).

**CHAPTER VIII
TRANSITIONAL AND FINAL PROVISIONS**

Article 25

Relevant ministries and institutions shall be obliged within three (3) months to issue sub legal acts for implementation of this law.

Article 26

All incomes that come from implementation of this law shall be deposited to the Budget of the Republic of Kosovo.

**Article 27
Entry into force**

This Law shall enter into force fifteen (15) days after publication in the Official Gazette of the Republic of Kosovo.

**Law No. 04/L-127
13 December 2012**

President of the Assembly of the Republic of Kosovo

Jakup KRASNIQI