

Unofficial translation

Pursuant to the Article IV.4.a) of the Constitution of Bosnia and Herzegovina, the Parliamentary Assembly of Bosnia and Herzegovina, during the 21st session of the House of Representatives held on 3rd February 2012, and at the 12th session of the House of Peoples, held on 3rd February 2012, has adopted

LAW ON CENSUS OF POPULATION, HOUSEHOLDS AND DWELLINGS IN BOSNIA AND HERZEGOVINA IN 2013

I GENERAL PROVISIONS

Article 1 (Subject of the Law)

This Law shall regulate content, preparation, organisation and conducting of the Census of Population, Households and Dwellings in Bosnia and Herzegovina in 2013 (hereinafter: Census), as well as obligations of the state and other bodies and organisations involved in the Census, obligations and duties of the providers of the Census data and persons who carry out Census-related activities, data dissemination and financing of the Census.

Article 2 (Definitions)

For the purpose of this Law, the following definitions shall apply:

- a) “place of usual residence” shall mean the place where a person lives and normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage;
- b) “usual residents” are those persons:
 - (1) who have lived in their place of usual residence for a continuous period of at least 12 months before the reference date; or
 - (2) who arrived in their place of usual residence during the 12 months before the reference date with the intention of staying there for at least one year;
- c) “a private household” is either:
 - (1) a one-person household, that is a person who lives alone in a separate housing unit or who occupies, as a lodger, a separate room (or rooms) of a housing unit but does not join with any of the other occupants of the housing unit to form part of a multi-person household from the line (2) hereof;

- (2) a multi-person household, that is, a group of two or more persons who combine to occupy the whole or part of a housing unit and to provide themselves with food and possibly other essentials for living. Members of the group may pool their incomes to a greater or lesser extent;
- d) “an institutional household” comprises persons whose need for shelter and subsistence are being provided by an institution. An institution is understood to be a legal body for the purpose of long-term inhabitation and provision of services to a group of persons;
- e) ‘housing’ shall mean living quarters and buildings as well as housing arrangements and the relationship between the population and living quarters at the reference date;
- f) ‘living quarters’ are those housing types, which are the usual residences of one or more persons. They are:
- 1) occupied conventional dwellings,
 - 2) other housing units: huts, cabins, shacks, caravans, houseboats, barns, mills, caves or other shelters used for human habitation at the time of the Census, irrespective if it was designed for human habitation, and
 - 3) collective living quarters, which are premises designed for habitation by large groups of individuals or several households and which are used as the usual residence of at least one person at the moment of the Census;
- g) ‘a housing unit’ is a separate and independent place of abode intended for habitation by a single household, or one not intended for habitation but Used as a usual residence by a household at the time of the Census;
- h) ‘conventional dwellings’ are structurally separate and independent premises at fixed locations which are designed for permanent human habitation and are, at the reference date,
- 1) used as a residence, or
 - 2) vacant, or
 - 3) reserved for seasonal or secondary use;
- i) ‘separate’ means surrounded by walls and covered by a roof or ceiling so that one or more persons can isolate themselves;
- j) ‘independent’ means having direct access from a street or a staircase, passage, gallery or grounds;
- k) ‘a conventional dwelling’ is defined as an occupied conventional dwelling if it is a usual residence of one or more persons.
- 2) For any definition not included in this Law, reference shall be made to the Regulation (EC) No 763/2008 of the European Parliament and of the Council on population and

housing censuses and its implementing measures, as well as to the Conference of European Statisticians Recommendations for the 2010 Censuses of Population and Housing, and other relevant international standards.

Article 3
(Date of the Census)

The Census shall be conducted in the period from 1 to 15 April 2013, according to the situation as on 31 March 2013 at 24:00 hours (midnight) defined as the reference date of the Census.

Article 4
Units encompassed by the Census

The Census shall encompass:

- a) Citizens of Bosnia and Herzegovina with place of usual residence in Bosnia and Herzegovina, regardless of whether, at the time of the Census, they are present in Bosnia and Herzegovina, or absent from Bosnia and Herzegovina,
- b) Foreign citizens who have residence permit for permanent or temporary residence in Bosnia and Herzegovina, regardless of whether, at the time of the Census, they are in Bosnia and Herzegovina or not,
- c) Persons without citizenship,
- d) Households of persons referred to in the points a, b and c hereof,
- e) Dwellings and other living quarters.

Article 5
Units not encompassed by the Census

- a) Diplomatic-consular staff of foreign diplomatic bodies and consulates in Bosnia and Herzegovina, as well as their family members,
- b) Foreign military staff and members of their families located in Bosnia and Herzegovina
- c) Dwellings in the ownership of foreign states

Article 6
(Post Enumeration Survey)

- 1) Immediately after the Census, a Post Enumeration Survey shall be conducted on a representative sample of enumeration areas in order to evaluate the coverage and quality of the Census data.
- 2) The Agency for Statistics of Bosnia and Herzegovina (hereinafter: the Agency) is in charge of all phases (including methodology, organisation, carrying out and analysis) of the Post Enumeration Survey.

Article 7
(Total number of population)

1. The total number of population for each territorial division shall be compiled by adding persons who are usually resident and present and persons who are usually resident but temporarily absent.
2. On the basis of the definition of the place of usual residence, persons usually resident in the place of enumeration but absent, or expected to be absent, at the date of the census for less than one year shall be considered as *temporarily absent persons* and thus included in the total population of the enumeration area. Persons who are enumerated but do not meet the criteria for usual residence in the place of enumeration, i.e. do not live or do not expect to live in the place of enumeration for a continuous period of at least 12 months, are considered *temporarily present persons* and shall therefore not be counted in the total population of the enumeration area.
3. The total population shall also include:
 - a) Civilian residents temporarily working in another country provided that they have not been living abroad for one year or more;
 - b) Civilian residents who cross a frontier daily to work or to go to school in another country;
 - c) Military, naval and diplomatic personnel of Bosnia-Herzegovina and their families, located outside the country;
 - d) Merchant seamen and fishermen resident in Bosnia and Herzegovina but at the sea at the time of the Census (including those who have no place of residence other than their quarters aboard ship);
 - e) Nomads and vagrants.
- 4) From the number of total population, the following categories of temporarily present persons, who belong to the foreign military, police, naval and diplomatic personnel and their families, temporarily located in Bosnia and Herzegovina, shall be excluded:
 - a) Foreign civilians who temporarily work in Bosnia and Herzegovina, and
 - b) Foreign civilians who cross a frontier daily to work or school in Bosnia and Herzegovina.

Article 8 **(Population topics)**

The following topics shall be covered in the Population Census: place of usual residence, name, name of father or mother, surname, gender, date of birth and personal identification number, place of birth, presence, duration and the intention of presence/absence in the place of the enumeration, place of mother's usual residence at the time of a person's birth, place of permanent residence during the Census 1991, whether a person was a refugee from Bosnia and Herzegovina, whether a person was internally displaced in Bosnia and Herzegovina, whether a person has legal status of displaced person and whether a person has an intention to return to the place from which

he/she was displaced, a settlement in Bosnia and Herzegovina from which a person moved and year of arrival in the current place, ever resided abroad for a year or longer and a month and a year as well as a country from which person moved and reasons for arrival in Bosnia and Herzegovina, legal marital status, consensual union, number of live births and months and years of birth, country of citizenship, ethnic/national affiliation, mother tongue, religion, literacy, highest level of educational attainment, obtained title/qualification, attending school, current activity status, status in employment, industry (branch of economic activity of the main job), occupation, main source of livelihood, location of place of work i.e., place of attending school and frequency of returning to the place of usual residence, functional capability of a person to perform everyday activities and a cause of disability, length and country of residence abroad for civilian persons on temporarily work and residence abroad and place of residence in Bosnia and Herzegovina for them and their family members.

Article 9
(Topics on households and agricultural holdings)

- 1) By the Census, the following data on households shall be collected: name and surname of the head of the household, kinship and relationships between the household members, name of the settlement, street and dwelling number in which household is located, base on which the household uses the dwelling (tenure status).
- 2) By the Census, the following data shall be collected on households that had land and/or livestock at their disposal or were engaged in agricultural production in the last 12 months until the Census day. These data shall be exceptionally used for establishing the Address list of agricultural households for the purpose of carrying out a separate Agricultural Census (hereinafter: the Address list) that shall be defined by a separate law.
- 3) The following data shall be used for establishing of the Address list referred to in the paragraph 2 of this Article:
 - a) Name and surname of the head of the household;
 - b) Address of the households;
 - c) Total area of the agricultural holding (agricultural, forest and fish ponds);
 - d) Agricultural production by types of cultivated agricultural products at arable land, and
 - e) Data on livestock, poultry and beehives.

Article 10
(Housing topics)

By the Census, the following data on dwellings and other living quarters shall be collected: Type of living quarters, type of collective living quarters, housing arrangements, location of living quarters, occupancy status of conventional dwellings, number of occupants, on which floor is the dwelling, type of ownership of the dwelling, useful floor space, number of rooms of housing units, surface area of the kitchen, bathroom and toilet facilities, power, gas and water supply system, central heating installations and sewerage system; type of heating, main type of energy used for heating,

the year of construction of the building, type of building and prevailing material of which bearing structure of the building is constructed, type of roof covering of the building and the actual state of the building.

Article 11
(The duties of a person who is enumerated)

- (1) Person covered by the Census is obliged to give accurate and full answers to all the questions in the Census forms.
- (2) Data on absent members of the household, who are older than 15, can be given only by an adult, present member of the household, who knows these data best, while the data on children of up to 15-year old are given by one of the parents, foster parent or a guardian.
- (3) If the enumerator, at the time of enumeration, does not find persons covered by the Census, and data cannot be collected in a way stipulated in the paragraph 2 of this Article, he/she shall leave a written notice to the person on the duty to submit the data to the competent Census Commission by 15 April 2013 at the latest.
- (4) The notice defined in the paragraph 3 of this Article shall include the working hours and the address of the competent enumeration centre

Article 12
(Optional declaration of ethnic/national and religion affiliation)

- (1) Persons referred to in the paragraph 1, Article 11 of this Law, are not obliged to give data on their ethnic/national and religious affiliation and the questionnaire shall have an informative note about it.

Article 13
(Language equality)

- (1) The Census forms and methodological instructions shall be printed in Bosnian, Croatian and Serb language, using Latin and Cyrillic script.
- (2) Answers in the Census forms shall be written in Bosnian or Croatian or Serb language, using Latin or Cyrillic script.

Article 14
(Protection of minority)

Before the interview, an enumerator is obliged to inform respondents belonging to national minorities of their right to consider specimens of the basic Census forms in the language and script of their national minority.

Article 15
(Protection of personal data)

- (1) Enumerators and all other persons who carry out Census-related activities are obligated to consider an official secret all the data collected from individuals regarding their personal, family and property conditions.
- (2) The protection of personal data shall be performed in accordance with the Law on Protection of Personal Data and the Law on Statistics of Bosnia and Herzegovina.

Article 16
(Use of personal data)

Data collected by the Census shall be used for statistics purposes only.

Article 17
(Duties and rights of the persons engaged in the Census)

- (1) Enumerators and all other persons who carry out and take part in the Census-related activities are obliged to perform them timely and in a proper manner.
- (2) Persons referred in paragraph 1 of this Article, while performing their work, are obliged to show their Letter of Authority for the Census to persons they enumerate.
- (3) Enumeration shall be conducted every day from 9.00 – 21.00 hrs in the presence of at least one adult person in a household.

Article 18
(Compensations)

- (1) Enumerators and all other persons who carry out and take part in Census -related activities shall receive compensation for their work.
- (2) Staff of administrative bodies and organisations that carry out activities concerning Census will receive compensation for performed work, in line with the regulations of Bosnia and Herzegovina, entities and the Brcko District of Bosnia and Herzegovina (hereinafter: Brcko District).

**CHAPTER II OBLIGATIONS OF STATE, ENTITIES AND OTHER BODIES
AND ORGANISATIONS IN THE PREPARATIONS, ORGANISATION AND
CARRYING OUT OF THE CENSUS**

Article 19
(Organisation of the Census)

- 1) The Census shall be organised and conducted by the statistical institutions in Bosnia and Herzegovina: the Agency, Institute for Statistics of FBiH and Institute for Statistics

of Republika Srpska (hereinafter: entity statistical institutes) in cooperation with administrative bodies and organisations of Bosnia and Herzegovina, competent entity administrative bodies and organisations, competent bodies of the Brcko District determined by this Law and units of local self-government.

2) It is determined that data entering, processing and control of the Census questionnaires shall be done in East Sarajevo.

3) Ethnic structure of the staff who work on data entering, processing and control shall reflect the ethnic structure of the population of Bosnia and Herzegovina according to the 1991 Population Census.

(4) The Control Census/Post Enumeration Survey, referred to in the Article 6 hereof, shall be carried out in accordance with the Methodology for control of the Census data quality and coverage.

5) The Census shall be carried out according to the Methodology for the preparation, organisation and conducting of the Census.

6) The Agency shall publish statistical data for all levels of government.

Article 20 (Tasks of the Agency)

The Agency shall perform the following activities:

- a) Coordinate work on the preparations, organisation and carrying out of the Census in Bosnia and Herzegovina;
- b) Cooperate with the entity statistical institutes and other competent institutions involved in the Census in preparing, organising and carrying out of the Census;
- c) Determine a unified and internationally comparable methodology for the Census, with common definitions of the enumeration units and characteristics, common classifications and content of the processing and publishing tables according to common data processing programme and common criteria and programmes of logic control for detecting and automatically correcting errors in the Census material;
- d) Determine methodology for checking the data collected in the field;
- e) Determine the content and layout of the Census forms;
- f) Determine, in cooperation with entity statistical institutes, a unified methodology for setting up and keeping a single register of spatial units;
- g) Make a decision on data entering and processing technology as well as the selection of the equipment and programme software for data entering and processing, in cooperation with the entity statistical institutes;
- h) Carry out Pilot Census in cooperation with the entity statistical institutes;
- i) Print Census forms, instructions and other material for preparation and carrying out the Census, distribute and deliver them to the entity statistical institutes and the Brcko District, following the distribution list prepared in cooperation with the entity statistical institutes;
- j) Nominate state instructors and controllers;

- k) Organise professional-methodological training of instructors and controllers (state and entity ones) together with the entity statistical institutes;
- l) Organise entering, processing and checking of the Census forms and together with the entity statistical institutes set up a common database which will contain all the data from the Census forms;
- m) Carry out Control Census /Post enumeration survey in the whole territory of Bosnia and Herzegovina, in cooperation with the entity statistical institutes;
- n) Publish the results of the Census in accordance with the positive practices and standards of the EU;
- o) Have financial resources available for carrying out the Census, allocate them and prepare a financial statement on the use of these funds;
- p) Coordinate international assistance and together with the EU representatives organise and coordinate International Monitoring of the Census;
- q) Timely inform general public about the aim, time and content of the Census, organise, coordinate and conduct a public media campaign;
- r) Take care of storing, safekeeping and destroying the Census material, and
- s) Carry out other tasks related to the Census.

(2) The Agency shall perform the following tasks in the territory of the Brcko District:

- a) Carry out preparations, organisation and carrying out of the Census in the territory of the Brcko District;
- b) In cooperation with the Department for Public Register of the Brcko District Government, update statistical areas in the territory of the Brcko District;
- c) Define the number of enumeration centres in the territory of the Brcko District;
- d) Issue Instructions for organising and carrying out the Census;
- e) Supervise the work of enumeration centres and Census Commission;
- f) Nominate instructors for the training of enumerators for the Brcko District;
- g) Organise the training of enumerators and Census Commission and issues authorisations for them to perform Census-related activities in the Brcko District;
- h) Ensure that deadlines set out by this Law are observed within the scope of its work and the work of the Census Commission in the territory of the Brcko District;
- i) Distribute and deliver to the Census Commission of the Brcko District the Census forms, instructions and other material for preparing and carrying out the Census, and
- j) Perform other tasks for the territory of the Brcko District.

Article 21

(Tasks of the entity statistical institutes)

Entity statistical institutes in the territory of Federation of Bosnia and Herzegovina and of Republika Srpska shall perform the following tasks:

- a) Preparations, organisation and carrying out of the Census in the territory of entities, in cooperation with the Agency;
- b) Take part in the development of the methodology with common definitions of enumeration units and topics, common classifications and content of the

- processing and publishing tables according to unified data processing programme and unified criteria and programmes of logic control for detecting and automatically correcting errors in the Census material;
- c) Take part in the development of the Methodology for control of the Census data quality and coverage;
 - d) Take part in the data entering, processing and control of the data;
 - e) Take part in the Control Census/Post enumeration survey;
 - f) Determine the number of Census commissions in accordance with the unified methodology;
 - g) Supervise the work of municipal Census commissions;
 - h) Supervise preparations and organisation of the Census in the territory of entities, in accordance with the instructions of the Agency and methodological recommendations;
 - i) Take care of observing the deadlines stipulated by this Law, within the scope of their work and the work of the Census commissions;
 - j) Prepare instructions on organisation and carrying out of the Census with the deadlines for completing the tasks, in line with methodology;
 - k) Take care of timely update of statistical and enumeration areas by relevant bodies;
 - l) Nominate members of the Entity Census Bureau;
 - m) Nominate entity instructors;
 - n) Issue authorisations for work to the persons they nominate to be engaged in the Census activities;
 - o) Conduct training for the members of the cantonal and municipal Census commissions and cantonal municipal instructors;
 - p) Coordinate the work of entity instructors;
 - q) Control the work of the cantonal and municipal Census commissions throughout the preparation and delivery of the preliminary results for enumeration areas;
 - r) Publish results of the Census, and
 - s) Carry out other tasks of preparing, organising and carrying out of the Census.

Article 22
(Common database)

- 1) Common database includes all collected and processed data and shall be a property of all three statistical institutions.
- 2) The statistical institutions shall have an access to the data from the common database on a daily basis.
- 3) The Agency shall ensure all mechanisms for protection from all forms of abuse and unauthorised use and change of data via jointly defined protocol.

Article 23
(Census bureaus and commissions)

- 1) A separate *ad hoc* bodies determined by the Articles 24, 25 and 26 of this Law shall be established for the needs of preparing and carrying out the Census and processing of the Census data:

- a) Census bureaus: Central Census Bureau, Census Bureau of the Agency, Census bureaus of the entity statistical institutions and Census Bureau of the Brcko District;
- b) Cantonal Census commissions;
- c) Municipal Census commissions.

Article 24
(Census bureaus)

- 1) Census bureaus are operational statistical bodies in charge of certain Census-related activities in accordance with this Law. The Central Bureau and the Census Bureau of the Agency shall be headed by the director of the Agency, and the Census bureaus of the entity statistical institutes shall be managed by the directors of the entity statistical institutes and the Census Bureau of the Brcko District shall be managed by the head of the Branch Office for Statistics of the Brcko District.
- 2) The Central Census Bureau shall perform the following tasks:
 - a) Coordinate the work of the Census Bureau of the Agency, the Census bureaus of the entity statistical institutes and the Census Bureau of the Brcko District;
 - b) Prepare a framework plan for the Census bureaus of the entity statistical institutes and the Census Bureau of the Brcko District;
 - c) Cooperate with authorities and bodies responsible for the Census-related activities in accordance with this Law;
 - d) Coordinate and monitor the preparations and carrying out of the Census;
 - e) Examine technologies to be used for the data entry, software and the method of data processing;
 - f) Examine a programme for processing the Census material and coding system;
 - g) Examine common criteria for detecting and automatically correcting errors in the Census material;
 - h) Examine a methodological base for defining the control of coverage, and
 - i) Harmonise activities on creating the programme of logic control and activities on the tabulation in line with the unified data processing programme.
- 3) The members of the Central Census Bureau by virtue of their positions are: the director of the Agency, deputy directors of the Agency, directors of the entity statistical institutes, deputy directors or managing civil servants of the entity statistical institutes, Minister of Foreign Affairs (i.e. his representative), Minister of Justice (i.e. his representative), Minister of Security (i.e. his representative), Minister of Defence (i.e., his representative) and Minister for Human Rights and Refugees (i.e. his representative), taking into account the equal representation of the constituent peoples and the others.
- 4) The authorised representatives of the ministers referred to in paragraph 3 of this Article could be managing civil servants or advisers to the ministers from the respective ministries.

- 5) The mandate of the members of the Central Census Bureau shall last until the Census-related activities are completed. The Chairperson of the Central Census Bureau by the virtue of his position is the director of the Agency, who shall chair and coordinate the work of the Central Census Bureau and convene meetings.
- 6) The Census Bureau of the Agency shall be composed of the employees of the Agency and representatives of the Brcko District, nominated by the director of the Agency. The tasks of the Census Bureau of the Agency shall be determined by the director of the Agency, in line with the Article 20 of this Law.
- 7) The Census bureaus of the entity statistical institutes shall perform the following activities:
 - a) Coordinate the work with the bodies responsible for the Census-related activities in the entities and units of local self-government;
 - b) Organise and coordinate the Census-related activities which fall under the competence of the entities;
 - c) Carry out other tasks in line with the law and entity regulations.
- 8) The members of the Census bureaus of the entity statistical institutes are employees of the entity statistical institutes, and they shall be nominated by the directors of the entity statistical institutes.
- 9) The Census Bureau of the Brcko District shall perform the following tasks:
 - a) Coordinate the work with the bodies responsible for the Census-related activities in the Brcko District and units of local self-government;
 - b) Organise and coordinate the Census-related activities which fall under competence of the Brcko District, and
 - c) Carry out other tasks in line with this Law and the Brcko District regulations.
- 10) Members of the Census Bureau of the Brcko District are the employees of Branch Office for statistics of the Brcko District and managing civil servants of the Brcko District institutions, and they shall be nominated by the head of the Branch Office for Statistics of the Brcko District.

Article 25
(Cantonal Census commissions)

- 1) Cantonal Census commissions shall be established for the territory of cantons in Federation of Bosnia and Herzegovina.
- 2) Cantonal Census commissions shall carry out the following tasks:
 - a) Supervise preparations, organisation and carrying out of the Census in the territory of cantons in Federation of Bosnia and Herzegovina;

- b) Initiate the establishment of Census commissions, engagement of the instructors, enumerators in the municipalities of Federation of Bosnia and Herzegovina;
- c) Inform general public about the Census, and
- d) Carry out other tasks in line with this Law.

Article 26

(Census commissions of the units of local self-government)

Census commissions of the units of local self-government shall be established for the territory of each municipality or town in the territory of Bosnia and Herzegovina. Each commission shall have a chairperson and three to five members who shall be nominated by respective municipality, town and the Brcko District. The Census Commission shall carry out the following tasks:

- a) Manage preparations, organisation and the conduct of the Census in the territory of the municipality, town and the Brcko District;
- b) Select and nominated instructors and enumerators of the units of local self-government;
- c) Inform general public about the significance of the Census, method and time of its conducting, the rights and duties of citizens and the way of fulfilling Census related duties;
- d) Take care of proper implementation of methodological and organisational instructions;
- e) Take over printed Census material and distribute it to instructors who distribute it further to enumerators;
- f) Provide premises and conditions for the training of the municipal instructors and enumerators;
- g) Supervise the work of instructors and other persons engaged in the Census;
- h) Provide the persons engaged in the Census with the proper authorisation for carrying out their work;
- i) Take measures which guarantee a complete coverage of the Census units;
- j) Take over the Census material from the instructors, organise and control the coverage and quality of the Census material;
- k) Provide storage for the Census material, fulfilling security measures and conditions laid down by the Law on the Protection of Personal Data;
- l) Organise transport and timely delivery of the Census material to the place where data entry is performed, and
- m) prepare a financial statement on the costs incurred in preparing and conducting the Census in accordance with instructions.

2) Ethnic structure of the commissions, instructors and enumerators of the units of local self-government shall reflect the ethnic structure of the population according to the 1991 Population Census, if possible.

3) Ethnic composition of the Census Commission of the units of local self-government shall include at least one representative of the constituent people and others.

4) Ethnic structure of the total number of instructors for the territory of municipality/town, as a rule, shall reflect the national structure of the population according to the last Population Census.

5) The representation of each constituent people and others shall be ensured in the ethnic structure of the total number of enumerators for the territory of a municipality/town, in the percentage, which is, at least, half of the percentage of participation of the constituent peoples, i.e. others in the total structure of population of that municipality/town in the last Population Census.

Article 27

(Ministries and other institutions responsible for the Census-related activities)

1) At the level of Bosnia and Herzegovina, the following institutions shall take part in conducting the Census within the scope of their competencies:

- a) Ministry of Foreign Affairs of Bosnia and Herzegovina,
- b) Ministry of Justice of Bosnia and Herzegovina,
- c) Ministry of Security of Bosnia and Herzegovina,
- d) Ministry of Defence of Bosnia and Herzegovina,
- e) Ministry for Human Rights and Refugees of Bosnia and Herzegovina.

2) At the level of Federation of Bosnia and Herzegovina, the following institutions shall take part in conducting the Census within the scope of their competencies:

- a. Ministry of Justice of Federation of BiH,
- b. Ministry of Internal Affairs of Federation of BiH,
- c. Administration for Geodetic and Real Property Affairs of Federation of BiH.

3) At the level of Republika Srpska, the following institutions shall take part in conducting the Census, within the scope of their competencies:

- a. Ministry of Justice of Republika Srpska,
- b. Ministry of Internal Affairs of Republika Srpska,
- c. Republic Administration for Geodetic and Real Property Affairs of Republika Srpska.

4) At the level of the Brcko District, the following institutions shall take part in conducting the Census, within the scope of their competencies:

- a. Judicial Commission of the Brcko District of Bosnia and Herzegovina,
- b. Police forces of the Brcko District of Bosnia and Herzegovina

c. Department for Public Register – Subdivision for cadastre.

5) In addition to aforementioned authorities and bodies, paragraphs 1 - 4 hereof, the administrative bodies and organisations of Bosnia and Herzegovina, entities and the Brcko District are obliged to render assistance to the responsible statistical institutions in carrying out the Census, within the scope of their competencies.

CHAPTER III METHODOLOGY

Article 28

(Defining and publishing methodological instruments of the Census)

- 1) The director of the Agency shall define the Census forms (an Individual Census form and a Questionnaire for households and dwellings), organisational and methodological instructions for conducting the Census.
- 2) The director of the Agency shall issue a book of rules on destroying the Census material.
- 3) The Census forms, organisational and methodological instructions for conducting the Census, and the book of rules on destroying the Census material shall be published in the Official Gazette of BiH and Official Gazettes of the entities and the Brcko District.

Article 29

(Printing of the Census material)

The printing of the Census material shall be organised by the Agency.

Article 30

(Cartography-related tasks)

- 1) The entity geodetic offices and the Department for Public Register of the Brcko District Government in cooperation with the other bodies of local administration should complete technical documentation required for carrying out the Census by 01.10.2012.
- 2) The data contained in the technical documentation shall facilitate the organisation of the Census, the data shall also contain separate cartographic overviews and descriptions which will enable each enumerator to be orientated in the field and have an overview of the buildings/units to visit.

Article 31

(Prohibition of changes)

In order to meet all requirements for carrying out the Census, the competent authorities shall not, in the period from 01.11.2012 until 30.10.2013, change the names, borders and territories of the municipalities, local communities, settlements, units of local self-government, statistical and enumeration areas, streets and house numbers.

Article 32
(Enumeration of diplomatic personnel and their families)

- 1) The Ministry of Foreign Affairs of BiH shall organise and carry out the enumeration of the personnel of diplomatic bodies and consulates of Bosnia and Herzegovina and diplomatic personnel in international organisations and institutions together with the members of their families who reside with them abroad.
- 2) The training of enumerators and the Census material for enumeration of the persons referred to in the paragraph 2 of this Article shall be ensured by the Agency.

Article 33
(Enumeration of persons in prisons)

- 1) The Ministry of Justice of BiH, in cooperation with the authority responsible for enforcing sanctions, custody or other measures, shall organise and conduct the enumeration of persons who serve a sentence in prison or institutional-correctional measures in the facilities under the direct supervision of the ministries.
- 2) The training of enumerators and the Census material for enumeration of the persons referred to in the paragraph 1 of this Article shall be ensured by the Agency.

Article 34
(Enumeration of military personnel)

- 1) The Ministry of Defence of BiH shall organise and carry out the enumeration of persons who reside in the military facilities of Bosnia and Herzegovina at the time of the Census.
- 2) The training of enumerators and the Census material for enumeration of the persons referred to in the paragraph 1 of this Article shall be ensured by the Agency.

Article 35
(Special instructions for enumeration)

- 1) The Agency, in cooperation with responsible ministries referred to in the Article 27 hereof, shall issue instructions how to enumerate persons referred to in the Articles 32 , 33 and 34 of this Law, as well as the way of delivering those documents to the Census commissions.
- 2) The Agency shall provide the Census material referred to in the Articles 32, 33 and 34 of this Law.
- 3) Collection of the Census material referred to in the Articles 32, 33 and 34 of this Law shall be conducted by 25.03.2013 at the latest, and the Census material shall be delivered to the Census commissions responsible for the place of usual residence of the persons to be enumerated, by 31.03.2013 at the latest.

Article 36
(The use of databases and records for the purpose of statistical control)

All the institutions of Bosnia and Herzegovina, the entities and the Brcko District are obliged to allow the Agency to use the databases and records under their competencies (the databases of births, deaths, displaced persons, registers of residence, administrative records of persons sentenced to prison and so on) to carry out control of statistical accuracy and quality of the data collected in the field.

Article 37
(Publishing results)

The Agency and entity statistical institutions shall define the enumeration tables and publish the Census results:

- a) Preliminary Census results within the period of 90 (ninety) days after completion of the Census, and
- b) Census results defined by unified data processing programme within the period from 01.01 2014 until 31.12.2015.

CHAPTER IV FINANCING OF THE CENSUS

Article 38
(Financing of the Census)

- 1) Resources intended for financing Census-related activities and tasks shall be provided from the budgets of Bosnia and Herzegovina, entities, the Brcko District, international donations and other sources. A financial plan will be regulated by the special agreement of the respective ministers of finance of BiH, entities and the director of the Brcko District Finance Directorate, or Fiscal Council of BiH within 60 days from the day of this Law coming into force.

- 2) Resources referred in the paragraph 1 hereof shall be used according to the financial plan for conducting Census, determined in advance and agreed between the Agency and entity statistical institutes.

Article 39
(Amount of the funds for the Census)

- 1) The minimum of required funds referred in the Article 38 of this Law amount to 42.625.603 KM, as following:

for the year 2012	10,494,461 KM
for the year 2013	31,364,836 KM
for the year 2014	473,804 KM
for the year 2015	292,502 KM

After the Pilot Census is conducted, a possible reallocation of budget funds can be done, according to budget items and years, and within the total sum of the planned funds.

- 2) Each year Annual funds shall be estimated for the coming year, on the base of information on the movement of consumer prices.
- 3) The Population Census is a multi-annual project and funds planned for the Population Census but not used in the current year shall be carried into the next year.
- 4) The budget shall be reduced at the annual level, in case those funds are provided by donors.

CHAPTER V **ENUMERATION OF PERSONS WHO**
TEMPORARILY WORK AND RESIDE ABROAD

Article 40
(Enumeration of persons residing abroad)

- 1) Infrastructure and logistics of the Census shall be also used for enumeration of persons, citizens of Bosnia and Herzegovina, who live abroad but have place of residence in BiH and have been absent from BiH for more than 12 months.
- 2) Enumeration of persons referred to in paragraph 1 of this Article shall be done on a separate form, prescribed by the director of the Agency; the form shall include the following mandatory questions: name and surname, personal identification number, municipality of residence, ethnic/national affiliation, religion, mother

tongue, country in which the person resides, the reason and length of their residence abroad.

- 3) The form shall be published and available on the web site of the Agency.
- 4) The persons referred to in paragraph 1 of this Article shall send completed forms by mail, with return receipt request, to the address of the Agency no later than 10.04.2013.
- 5) Entering, control, processing and publishing of collected data on these persons shall be conducted by the Agency along with entity statistical institutes, separately from the Census referred to in Article 7 of this Law.
- 6) The collected data shall be processed by all required elements in the questionnaire and presented in a separate database.

Article 41
(Organisation of enumeration of persons living abroad)

Organisation of the enumeration referred to in the Article 40 of this Law shall be defined more precisely by separate organizational-methodological instructions of the Agency.

Article 42
(Financing of the enumeration of persons living abroad)

- 1) Financing of the enumeration referred to in the Article 40 hereof shall be provided separately from financing of Census referred to in Article 7 hereof.
- 2) The required funds shall be defined subsequently and shall be provided from the budget of the institutions of Bosnia and Herzegovina.

CHAPTER VI PENALTY PROVISIONS

Article 43
(Penalties for the offences committed by the persons involved in the Census)

A fine from 100 KM to 10,000 KM shall be imposed for infringement to any individual covered by the Census or an individual obliged to give information on the absent members of the households, i.e. a parent, a foster parent or a guardian for a child younger than 15, if he/she refuses to give information requested from him by the Census forms or if he/she gives false or incomplete information.

Article 44
(Penalties for not following the instructions)

A fine from 100 KM to 10.000 KM shall be imposed to the following persons involved in the Census or persons who carry out the Census-related activities or tasks:

- a) If contrary to the will of a person covered by the Census, they exert influence on that person to, against his/her will, give information on his/her ethnic or national or religious affiliation;
- b) If they fail to carry out the activities and tasks connected with the Census in a timely and appropriate manner;
- c) If they fail to keep as strictly confidential, the data from the Census which refer to personal, family and property circumstances.

Article 45
(Making a decision on offences)

Acting and competencies of the authorised bodies in Bosnia and Herzegovina which decide on the offences set out in the Article 43 and 44 of this Law are laid down in the Law on Offences of BiH.

CHAPTER VI TRANSITIONAL AND FINAL PROVISIONS

Article 46
(Destroying the Census material)

Destroying the Census material generated from the Census-related activities of responsible bodies and organisations in Bosnia and Herzegovina shall be carried out by the Agency, in accordance with the Law on the Archive Files and Archive of Bosnia and Herzegovina and regulations issued on the base of this Law.

Article 47
(Passing the entity laws)

More detailed preparation, organisation and carrying out of the fieldwork may be additionally regulated by the entities and the Brcko District legislation which must be in accordance with this Law.

Article 48
(Entry into force)

This Law shall enter into force on the eighth day following the day of its publication in the "Official Gazette of BiH". It shall likewise be published in the Official Gazettes of the entities and the Brcko District.

Parliamentary Assembly, No.01,02-02-9-37/10

February 3rd 2012
Sarajevo

Speaker
of the House of Representatives
of the Parliamentary Assembly of BiH
BiH

Dr. Milorad Živković

Speaker
of the House of Peoples
of the Parliamentary Assembly of
of BiH

Ognjen Tadić