

EMERGENCY ORDINANCE no. 22 of February 4, 2020 on the general agricultural census in Romania round 2020

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Having regard to Regulation (EU) 2018/1.091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011, which provides in Article 5 that “Member States shall collect and provide the core structural data (‘core data’) related to the agricultural holdings referred to in Article 3(2) and (3), for the reference years 2020, 2023 and 2026, as listed in Annex III. The core data collection for the reference year 2020 shall be carried out as a census.”,

Whereas the objective of the general agricultural census is to provide statistical data for the foundation and implementation of national and European agricultural policies, in accordance with the European Statistical System, necessary for the process of Romania's participation, as a Member State of the European Union, in the Common Agricultural Policy, data collection shall take place between 1 February 2021 and 30 April 2021 in all administrative-territorial units in Romania , for the following reference periods: agricultural year 2020, for variables regarding land and persons who worked in agriculture, calendar year 2020 for the management of manure, i.e. 31 December 2020, for livestock and animal shelters.

In order to carry out the census under the quality conditions and within the deadlines set by the European regulations in the field, a number of actions shall be carried out as early as 2020, for which it is necessary to allocate sums of money from the state budget and to employ additional staff, for a limited period, both at the National Institute of Statistics and at the Ministry of Agriculture and Rural Development (including their territorial structures) , such as:

- the organisation of activity at territorial level;
- selection, recruitment and hiring of additional staff;
- elaboration of the statistical instruments;
- the sectorisation of the territory of the localities;
- actions to popularise the census;
- carrying out the sample (pilot) census for the testing of the statistical instruments;
- completion and distribution of statistical instruments for enumeration in the territory;
- recruitment, hiring and training of staff to enumerate agricultural holdings;
- elaboration of IT processing requirements;
- the acquisition and commissioning of components of the integrated IT system enabling, inter alia, the electronic collection of census data;
- developing the IT-based methods and applications necessary to ensure data protection and confidentiality;
- developing the infrastructure necessary for the validation, processing and aggregation of census data.

Taking into account:

- the fundamental purpose of the census, to provide essential and quality information for government policies in the field of agriculture, including for assessing Romania's participation in the Common Agricultural Policy and underpinning its future reforms; underpinning measures for the development of the National Rural Development Programme, monitoring key indicators of the Sustainable Development Goals, in particular the objectives related to food security on agricultural holdings, the role of women in agricultural activities and rural poverty, for research and for the business environment;
- the risk of the European Commission taking the infringement procedure established by EU legislation - infringement - if Romania does not submit to Eurostat the results of the agricultural census round 2020 within 15 months of the end of the reference year 2020, because of the impossibility of carrying out its preparatory activities and organisation, activities which extend over a period of about 2 years preceding the actual enumeration,

Having regard to:

- the extraordinary situation generated by the fact that, although the procedure for approving the draft law for the general agricultural census in Romania round 2020 was launched in 2018, its completion was not possible, the changes in the composition and structure of the Romanian Government leading to the repeated resumption of the endorsement procedure and the impossibility of completing the parliamentary legislative procedure in time for the preparation and organization of the census so that the collection of data begins in February 2021;
- the impossibility of defining certain national and Community public policies in the agricultural field as a result of the failure to carry out the general agricultural census because of the lack of statistical data and information that the census can provide. Therefore, the failure to carry

out the general agricultural census round 2020 results in the lack of up-to-date information relevant to the development and monitoring of national and local programmes and strategies, on the one hand, but also of international ones, on the other;

- the impossibility of accessing European non-reimbursable funds relating to agriculture due to the lack of up-to-date information on the structure of agricultural holdings, if the general agricultural census cannot be prepared and organised as soon as possible, which would lead to the impossibility of collecting data in a timely manner in order to comply with the European Regulation,

thus, the failure to promote this regulatory act as a matter of urgency makes it impossible to prepare and organise the general agricultural census, operations which are necessary for the collection of data from 1 February 2021, without which it cannot be carried out.

In view of the fact that the foregoing concerns the public interest and constitutes an extraordinary situation the regulation of which can no longer be postponed, within the meaning of Article 115 (4) of the Constitution of Romania, republished, and any possible adoption of legislation by any other means than legislative delegation would not be such as to immediately remove the negative consequences on society as a whole that would result from the impossibility of carrying out the general agricultural census on the grounds of its lack of preparation and organisation,

these abovementioned aspects concern the public interest and constitute, within the meaning of (4) of the Constitution of Romania, republished, an extraordinary situation the regulation of which can no longer be postponed and any possible adoption of legislation, by any other means than legislative delegation, would not be such as to immediately remove these negative consequences on society as a whole,

pursuant to Article 115 (4) of the Constitution of Romania, republished,

The Government of Romania adopts this emergency ordinance.

## CHAPTER I General provisions

### Article. 1. -

**(1)** The general agricultural census aims to provide statistical data for the foundation and implementation of national and European agricultural policies, in accordance with the European Statistical System, necessary for Romania's participation in the Common Agricultural Policy.

**(2)** This Emergency Ordinance regulates the legal framework necessary for the preparation, organisation and conduct of the general agricultural census in Romania round 2020, hereinafter referred to as the census, in accordance with Regulation (EU) 2018/1091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011.

**(3)** Between 1 February 2021 and 30 April 2021, the general agricultural census is carried out at national level in all administrative-territorial units in Romania.

**(3 ^ 1)** In justified situations: pandemics, natural disasters, state of alert, state of emergency, referendum, local elections, parliamentary elections, the period provided in para. (3) may be

amended by the decision of the Central Commission for the General Agricultural Census, hereinafter referred to as the Central Census Commission, which is responsible for preparing, coordinating and monitoring the work necessary to carry out the census.

(on 22-08-2020 Article 1 of Chapter I was supplemented by Item 1, SINGLE ARTICLE of LAW No. 177 of August 18, 2020, published in the OFFICIAL GAZETTE No. 755 of August 19, 2020)

**(4)** The preparation, organisation and conduct of the census shall cover the following steps:

**(a)** preparatory activities, including the sectorisation of the territory;

**(b)** data collection;

**(c)** the processing of the data collected;

**d)** validation and dissemination of results.

**(5)** A sample census shall be carried out during 2020 for practical verification and improvement of organisational and technical aspects.

**(6)** The limits of the administrative-territorial units established in accordance with the Law on Cadastre and Land Registration No 7/1996, republished, as subsequently amended and supplemented, shall be used in the census. Where the limits are challenged, until the final settlement of the dispute, those of the integrated cadastre and land book system used by the cadastre and land registration offices shall be used.

**(7)** A control survey shall be organised during 2021 to verify the volume and quality of the information recorded in the census.

**(8)** Messages of popularization of the census in the media, made available by the institutions responsible for preparing, organising and carrying out the census, are of a public interest nature and are disseminated free of charge.

#### **Article. 2. -**

**(1)** The census shall record holdings in which agricultural activities are carried out, irrespective of the legal status and the manner in which the land is held.

**(2)** The agricultural holding or farm, depending on its legal status, may be an agricultural holding without legal status or an agricultural holding with legal status, in which agricultural activities are carried out by using agricultural areas and/or holding animals and which obtain agricultural products and/or keep the areas in good agricultural and environmental conditions.

**(3)** Census reference period and time:

**(a)** the 2020 agricultural year, from 1 October 2019 to 30 September 2020, for the variables relating to land and persons who worked in agriculture and the calendar year 2020 for the management of manure;

**(b)** 31 December 2020 for livestock and animal shelters;

**(c)** the last 3 years for rural development measures.

#### **Article. 3. -**

**(1)** Statistical data and information on the main characteristics of agricultural holdings, such as: identification in the territory, agricultural areas used, livestock by species, animal shelters and manure management, persons who have carried out agricultural activities, rural development, are collected in the census.

**(2)** The collection and recording of census data shall be carried out by enumerators, who shall be assimilated to statistical operators, by face-to-face interview, with the head/leader of the agricultural holding or with another person within it, who may provide the requested information, by means of an electronic questionnaire installed on portable IT equipment.

**(3)** Individual data from administrative sources necessary for preparatory activities, as well as data processing and validation of census results, are also used in the census.

**(4)** For the purpose of recording the agricultural holdings investigated and the quality of the data, personal data are also collected in the census, by the declaration of the persons enumerated, subject to compliance with the provisions of Regulation (EU) 2016/679 and of Law No 2/2002. 190/2018 on measures implementing Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data and repealing Directive 95/46/EC (General Data Protection Regulation) by all entities involved in the preparation, organisation and conduct of the census.

## CHAPTER II Definitions

### **Article. 4. -**

For the purposes of this Emergency Ordinance, the following terms and expressions shall have the following meanings:

**(a)** *agricultural holding or farm* - a single unit, both technically and economically, with a single management and that undertakes, in the economic territory of Romania, economic activities in agriculture, in accordance with Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains, as amended, either as main or as secondary activity;

**(b)** *economic activities in agriculture* are: the cultivation of annual, biennial, permanent and perennial plants, the cultivation of plants for the production of seeds and propagating material, the rearing of animals, the cultivation of plants combined with livestock farming and the maintenance of agricultural areas in good agricultural and environmental conditions;

**(c)** *utilised agricultural area* - the area of land used for agriculture, including arable land, permanent grassland, permanent crops and other agricultural areas used;

**(d)** *jointly utilized land area* - the area of land on which common rights are exercised and which is used by two or more agricultural holdings for agricultural production, but not attributed to any of them;

**(e) individual data** - personal data relating to an identified or identifiable natural person or data relating to an economic operator, with or without legal personality, collected by official statistical services on the basis of statistical programmes intended exclusively for processing for statistical purposes;

**(f) encryption** - the process of encoding information, including personal data, which is protected by technological measures so that it can only be accessible to authorised persons;

**(g) anonymisation** - processing technique applied to personal information and data with a view to irreversibly eliminating the possibility of identifying data subjects;

**(h) pseudonymization** - the processing of personal data in such a way that they can no longer be attributed to a particular data subject without the use of additional information, provided that such additional information is stored separately and is subject to technical and organisational measures capable of ensuring that such personal data are not assigned to an identified or identifiable natural person;

**(i) unique statistical identifier, hereinafter referred to as the ISU** - unique numeric code, generated for purely statistical purposes for each CNP, following the application to each CNP of a specific encryption algorithm with irreversible effect used in a database or in any list of statistical units and used to verify whether the database or list of statistical units includes a single record for each statistical unit and/or to link the records;

**(j) sample census** - a pre-census survey for practical verification and improvement of organisational and technical aspects;

**(k) control survey** - a survey conducted after the census in order to assess the coverage and quality of the data collected;

**l) sectorisation** - the operation of dividing the country's surface area into well-defined areas, called census sectors and sections, defined exclusively for the purpose of organising the activity of collecting data in the field and measuring the enumerators' work load. Their area and shape vary from locality to locality, depending on its type and relief form;

**(m) administrative data source** - in accordance with the definition laid down in Article 4 (n) of the Law on the Organisation and Functioning of Official Statistics in Romania No 226/2009, as subsequently amended and supplemented;

**(n) confidentiality of statistical information** - the protection of confidential data relating to individual statistical units, which are obtained directly for statistical purposes or indirectly from administrative or other sources and involve the prohibition of their use for purposes other than statistical ones and their unlawful disclosure;

**o) processing** - any operation or set of operations carried out on personal data or on sets of personal data, with or without the use of automated means, such as collection, registration, organisation, structuring, storage, adaptation or modification, extraction, consultation, use, disclosure by transmission, dissemination or otherwise making available, alignment or combination, restriction, deletion or destruction;

**p) statistical data processing** - complex stage of the statistical process carried out through coding, classification, validation, error correction, estimation, imputation, aggregation, correlation, modelling, statistical analysis, storage, archiving, based on scientific methods and using infrastructure and IT applications;

**q)** *statistical purpose* - quantitative knowledge of the manifestation of economic, social and environmental phenomena at the level of the set of simple or complex statistical units of the same kind. Methods for the collection and processing of individual and aggregated statistical data shall be used to achieve this purpose;

**(r)** *statistical operator* - a person assimilated within this Emergency Ordinance as part of census staff, temporarily employed, on a contract basis concluded under the Civil Code, for the collection of data for statistical purposes from agricultural holdings without legal personality and with legal personality contained in statistical surveys of national interest such as censuses, under the authority of a producer of official statistics and whose income from this activity is subject to the provisions of Article 114 para. (2) point (a<sup>1</sup>) of Law No 227/2015 on the Tax Code.

### CHAPTER III Structures, duties and responsibilities in the preparation, organisation and conduct of the census

#### **Article. 5. -**

**(1)** The preparation, organization and conduct of the census is carried out by the National Institute of Statistics, the Ministry of Agriculture and Rural Development, the Ministry of Internal Affairs together with the structures under their control, under the coordination and control of the Central Census Commission, with the technical support of the Special Telecommunications Service.

**(2)** Within 15 days of the date of entry into force of this Emergency Ordinance, the Central Census Commission shall be set up as provided in Annex no. 1.

**(3)** The Central Census Commission shall be responsible for the preparation, coordination and monitoring of the work necessary for carrying out the census, for which the main duties are set out in Annex no. 2.

**(4)** Nomination of persons who are members of the Central Census Commission shall be made, by administrative act, by the head of each institution concerned.

**(5)** The Central Census Commission shall cease its activity within 5 working days from the date of dissemination of the final results of the census.

(on 22-08-2020 Paragraph (5) of Article 5, Chapter III was amended by Item 2, SINGLE ARTICLE of LAW No. 177 of August 18, 2020, published in the OFFICIAL GAZETTE No. 755 of August 19, 2020)

**(6)** The National Institute of Statistics together with its territorial structures mainly performs, but is not limited to, the following duties:

**(a)** to draw up the draft budget of the census in cooperation with the representatives of the other institutions referred to in Article 5 (1);

**(b)** to manage the necessary funds from the budget allocated to the census for the National Institute of Statistics;

**(c)** to ensure the effective and efficient conduct of the census by employing additional staff with an individual fixed-term employment contract;

**(d)** to develop the methodology, statistical instruments and data processing requirements for the census;

**(e)** to ensure the distribution of statistical instruments and other census materials together with representatives of the other institutions referred to in Article 5 (1);

**(f)** to ensure the selection, training and to coordinate the work of the additional staff employed under an individual contract of employment for a fixed period, in accordance with Article 21 of this Emergency Ordinance;

**(g)** to ensure the selection of census personnel in the territory, through the territorial statistical directorates, which cooperate with the county agricultural directorates, for the sample census, the census itself and the control survey;

**(h)** to provide training to census staff, in cooperation with the representatives of the other institutions referred to in Article 5(1);

**(i)** to purchase goods and services necessary for the collection and processing of census data;

**(j)** to purchase the licences necessary for the operation of the IT systems used in the census;

**(k)** to organise and follow the enumeration process;

**(l)** to approve documents reflecting the work of census staff in the territory through the territorial statistical directorates;

**(m)** to ensure the operation of the call centre in support of data collection;

**(n)** to process personal data in such a way as to ensure their proper security, including protection against unauthorised or unlawful processing and against accidental loss, destruction or damage through the technical, organisational and administrative measures implemented;

**(o)** to ensure the processing and dissemination of the provisional and final results of the census;

**(p)** to transmit to Eurostat the data, metadata and quality report, within the time limits and in the formats requested by Eurostat.

**(7)** The Ministry of Agriculture and Rural Development, together with its subordinate structures, mainly performs, but is not limited to, the following tasks:

**(a)** to draw up the draft budget of the census in cooperation with the representatives of the other institutions referred to in Article 5;

**(b)** to manage the necessary funds from the budget allocated to the census for the ministry;

**(c)** to ensure the selection, training and to coordinate the work of additional staff employed under an individual contract of employment for a fixed period, in accordance with Article 21 of this Emergency Ordinance;

**(d)** to ensure the promotion of the census by various means of advertising;

**(e)** to recruit, from among the staff selected in collaboration with the territorial statistical directorates, to employ and pay, on the basis of documents reflecting the activity approved

by the territorial statistical directorates, the census personnel from the territory, used to carry out the field registration, for the sample census, the census itself and the control survey;

**(f)** to support the National Institute of Statistics in the distribution of statistical instruments and other census materials, as well as in the training of census personnel;

**(g)** to monitor the enumeration process, together with the National Institute of Statistics;

**(h)** to analyse and validate, together with the National Institute of Statistics, the provisional and final results of the census.

**(8)** The Special Telecommunications Service, together with its territorial structures, shall provide technical support for the preparation, organisation and conduct of the general agricultural census, including for the sample census and the control survey, with the following main duties and responsibilities:

**(a)** to manage the necessary funds from the census budget;

**(b)** to acquire the IT systems for the main node and the backup node, in accordance with the operational requirements transmitted by the National Institute of Statistics;

**(c)** to host the hardware and software systems needed for the collection and processing of census data;

**(d)** to ensure the security mechanisms for data transfer and resource management;

**(e)** to acquire, implement and operationalize the call centre operated by the National Institute of Statistics;

**(f)** in addition to the number of available tablets, to purchase the tablets necessary for the census;

(on 22-08-2020 Letter f) of Paragraph (8), Article 5, Chapter III was amended by Item 3, SINGLE ARTICLE of LAW no. 177 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

**(g)** to purchase external batteries for portable computer devices.

(on 22-08-2020 Letter g) of Paragraph (8), Article 5, Chapter III was amended by Item 3, SINGLE ARTICLE of LAW no. 177 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

**(9)** The Ministry of Internal Affairs mainly performs, but is not limited to, the following duties:

**(a)** to draw up the draft budget of the census in cooperation with the representatives of the other institutions referred to in Article 5 (1)

**(b)** to manage the necessary funds from the budget allocated to the census for the ministry;

**(c)** to allocate commitment appropriations and budget appropriations to the prefect's institutions from the census budget for the ministry;

**(d)** to control, in the territory, the activity carried out by the prefect's institution in each county during the preparation, organisation and conduct of the census.

**Article. 6. -**

**(1)** Prefects, county councils, the general council of Bucharest municipality, as well as the mayors of communes, cities, municipalities and sectors of Bucharest municipality, provide the necessary conditions for the proper conduct of the activities of preparation, organization and conduct of the census, according to the actions that are determined by the Central Commission for the Census.

**(2)** The Prefect, through the specialized structures of the prefect's institution, has mainly the following duties:

**(a)** to constitute by order the county census commissions, respectively the Commission of the Bucharest Municipality, as well as their technical secretariats;

**(b)** to provide the premises, furniture and telecommunications means necessary for the work of the county commissions and of the commission of the Bucharest municipality, as well as, where appropriate, of the county technical secretariats, and the storage and keeping under appropriate conditions of census materials, with the exception of tablets, and other means necessary for the proper conduct of census work;

**(c)** to provide spaces suitably equipped for the training of census personnel;

**(d)** to verify and take measures to complete and update the agricultural register in accordance with the rules in force;

**(e)** to supervise and ensure that actions to verify, supplement and update the names of roads, streets, numbering administrative addresses and to establish the boundaries of administrative-territorial units and component localities are completed by 31 August 2020 with a view to delimiting census sectors;

**(f)** to support the county technical secretariats in distributing census materials in the territory;

**(g)** to support the county technical secretariats in collecting, verifying and returning to the territorial statistical directorates of the statistical instruments and census materials used, 15 days after the completion of the census activities;

**(h)** to ensure, in order to facilitate access to hard-to-reach locations, the means of transport necessary for the preparation, organisation and conduct of the census, within the time limits and for the periods set out in the graphs drawn up by the census committees;

**(i)** to follow up on the recruitment of census staff from the territory;

**(3)** The mayor of each administrative territorial unit shall have the following obligations:

**(a)** to constitute by an order the commissions of the communes, cities, municipalities and sectors of Bucharest Municipality, in accordance with the provisions of this Emergency Ordinance and the instructions of the Central Census Commission;

**(b)** to provide the premises, furniture and telecommunications means necessary for the work of the census commission, the proper storage and keeping of census materials and other means necessary for the proper conduct of census work;

**(c)** to ensure the verification, completion and updating of street nomenclature elements, *i.e.* names of roads, streets and administrative addresses, and the establishment of the boundaries of administrative-territorial units by 31 August 2020, with a view to delimiting census sectors and sections. After that date and until the data collection activity has been

completed, the local public administration authorities shall no longer make changes to street nomenclature elements or changes in the boundaries of administrative-territorial units;

**(d)** to ensure that the agricultural register is completed and updated, the accuracy of the data entered therein, in accordance with the rules in force, so as to be used for drawing up lists of enumeration units and correlation with the data declared in the census questionnaire;

**(e)** to ensure the preparation of the lists of agricultural holdings to be enumerated at the level of the administrative-territorial unit, whose summarizing tables shall be forwarded to the county commission or to the commission of Bucharest municipality, as appropriate;

**(f)** to ensure that localities are divided into census sectors and sections on the basis of lists of agricultural holdings to be enumerated and the rules laid down by the Central Census Commission;

**(g)** to support the county technical secretariats in distributing census materials in the territory;

**(h)** to support the county technical secretariat in the collection, verification and return to the territorial statistical directorates of the statistical instruments and census materials used, 15 days after the completion of the census activities;

**(i)** to support the Ministry of Agriculture and Rural Development and its subordinate structures in recruiting census staff from the territory, in collaboration with the committees referred to in Article 9 (2).

#### **Article. 7. -**

For the proper conduct of the census work, the supporting institutions for the preparation, organisation and conduct of the census, including the sample census and the control survey, shall be required to provide or, where appropriate, to ensure that the National Institute of Statistics has access to the information necessary for the census as set out in Annex No 11.

#### **Article. 8. -**

**(1)** In order to carry out the preparation, organisation, processing, validation and dissemination of the census results, the Central Census Commission shall organise the Central Technical Secretariat.

**(2)** The Central Technical Secretariat for the Census shall operate within the National Institute of Statistics, in the composition set out in Annex No. 3.

**(3)** The nomination of persons which are members of the central technical secretariat shall be made by each institution represented within it, by administrative act, within 5 days of the establishment of the Central Census Commission.

**(4)** The duties of the Central Technical Secretariat for the Census are set out in Annex No. 4.

**(5)** The Central Technical Secretariat shall cease its activity within 5 working days after the final results of the census have been disseminated.

#### **Article. 9. -**

**(1)** In order to carry out the preparation, organisation and census work in the territory, within 20 days of the date of entry into force of this emergency ordinance, county commissions and, respectively, the commission of the Bucharest Municipality shall be set up, under the

coordination of the prefect, in the composition set out in Annex No. 5. The duties of the county commissions and of the commission of Bucharest Municipality are set out in Annex No. 8.

**(2)** In order to carry out the preparation, organisation and census work in the territory, within 30 days of the date of entry into force of this emergency ordinance, commissions of the communes, cities, municipalities and sectors of the Bucharest municipality shall be set up, under the coordination of the mayor, in the composition set out in Annex No. 6. The duties of the commissions of the communes, cities, municipalities, of the sectors of the Bucharest municipality are set out in Annex No. 9.

**(3)** Within 5 days of their establishment, the county commissions and the commission of Bucharest Municipality shall organize the technical secretariats in the composition set out in Annex No. 7. The duties of the technical secretariats of the county commissions and the Bucharest Municipality Commission are set out in Annex No. 10.

**(4)** The nomination of the persons who are part of the county commissions, respectively of the commission of the Bucharest municipality, as well as of the technical secretariats of these committees shall be made by administrative act by the head of each institution involved.

**(5)** The operating rules of the commissions of the counties, of the Bucharest municipality, of the municipalities, the sectors of Bucharest municipality, the cities and the communes, as well as of the technical secretariats are approved by the Central Census Commission.

**(6)** The commissions referred to in paragraphs (1) and (2) shall be responsible for carrying out the census effectively and efficiently in the territory in which they operate.

**(7)** The commissions of the communes, cities, municipalities and of the sectors of Bucharest Municipality shall support the Ministry of Agriculture and Rural Development and the structures under its command in recruiting census personnel from the territory.

**(8)** The activity of the census staff recruited is carried out on a contract basis, concluded under the terms of the Civil Code, with the county agricultural directorates under the Ministry of Agriculture and Rural Development.

**(9)** The commissions of the counties, respectively of the Bucharest municipality and their technical secretariats, as well as the commission of the communes, cities, municipalities, of the sectors of Bucharest municipality, shall cease their activity within 5 working days after the dissemination of the final results of the census.

## CHAPTER IV Rights and obligations

### **Article. 10. -**

The enumeration of the agricultural holdings referred to in Article 2 (1) is mandatory.

### **Article. 11. -**

**(1)** The head/leader of the agricultural holding has the obligation to provide the enumerators with accurate and complete data and information.

**(2)** The head/leader of the agricultural holding has the obligation to respect and not obstruct the activity of census staff in the territory and to present a valid identity document for the correct registration of the identification data of the persons.

**(3)** Throughout the enumeration period, in the performance of their duties, the census staff in the territory shall be identified by presentation of the booklet attesting to their capacity. The model of the booklet shall be established by decision of the Government referred to in Article 23.

**(4)** In carrying out their duties during the census, census personnel in the territory shall enjoy the protection of the law and shall be regarded as performing a public function involving the exercise of State authority.

**(5)** In the case of travel for data collection in a locality other than that of domicile, statistical operators shall also benefit from the settlement of transport costs; transport costs made for training, as well as the costs for receipt and delivery of the statistic instruments shall be added to such.

**Article. 12. -**

Personnel responsible for carrying out the general agricultural census shall comply with the provisions of this Emergency Ordinance, the methodological rules and the instructions approved by the Central Census Commission.

**Article. 13. -**

Institutions involved in the preparation, organisation and conduct of the census shall be required to carry out the activities provided for in this Emergency Ordinance, in accordance with the duties referred to in Article 5 (6) - (9), as well as those referred to in Article 6, with their scope of activity and to support the responsible structures.

**Article. 14. -**

For the period during which actions are carried out to prepare, organise and carry out the general agricultural census, a Government's decision shall establish the consumption of fuel at the institutions referred to in Article 5 (1).

## CHAPTER V Processing of census data

**Article. 15. -**

**(1)** The National Institute of Statistics is authorised, on the basis of this Emergency Ordinance, to carry out the collection, storage and processing of data, analysis and dissemination of census results, with a view to ensuring the necessary information for internal users, as well as those arising from the provisions of Regulation (EC) 2018/1.091 of the European Parliament and of the Council, on integrated farm statistics and repealing Regulations (EC) No 1.166/2008 and (EU) No 1.337/2011.

**(2)** The processing of individual census data is necessary in order to fulfil the legal obligation of the National Institute of Statistics to provide the Commission (Eurostat) with final, validated data and metadata, in accordance with the requirements of Article 4(4) and Article 12 of Regulation (EC) No 2018/1.091 of the European Parliament and of the Council, on integrated farms statistics and repealing Regulations (EC) No 1.166/2008 and (EU) No 1.337/2011, as the body responsible for coordinating all activities at national level, with a view to the preparation, development and dissemination of European statistics, representing the contact point for the Commission (Eurostat), on statistics, in accordance with Article 14 (1<sup>1</sup>) of the Law on the

organisation and functioning of official statistics in Romania no. 226/2009, as subsequently amended and supplemented;

**(3)** In order to achieve the general and specific objectives, the following types of information and data shall be processed in the census:

- (a)** general information on the agricultural holding;
- (b)** the use of the land;
- (c)** livestock;
- (d)** animal shelters;
- (e)** management of manure;
- (f)** organic farming;
- (g)** persons who have worked in agriculture;
- (h)** other income-generating activities;
- (i)** rural development;
- j)** other information.

**(4)** For the production of final statistical indicators, individual encrypted data are subject to processing operations such as:

- (a)** validation on the basis of logical control conditions;
- (b)** correction of erroneous values;
- (c)** deletion of records which are not unique, if any;
- (d)** the estimation or imputation of missing values for certain variables.

**(5)** The preparation and processing of the information and data referred to in paragraph (3) intended to determine:

- (a)** the number of agricultural holdings at national level;
- (b)** the utilised agricultural area;
- (c)** livestock, by species;
- (d)** the volume of work on agricultural holdings;
- (e)** other statistical indicators, based on the variables collected in the census.

**(6)** The list of categories of variables to be collected in the census is set out in Annex No 12. The Central Census Commission may decide to collect a maximum of two other variables, with the exception of those of the personal data type, in response to justified requests from the national authorities after the approval of this Emergency Ordinance.

**Article. 16.** -

**(1)** The census processes the personal numeric code in order to ensure the completeness of the enumeration of agricultural holdings and to ensure the quality of data, according to the provisions of Chapter X - Confidentiality and protection of statistical data of the Law on the organization and functioning of official statistics in Romania no. 226/2009, as subsequently amended and supplemented, and in compliance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data and repealing Directive 95/46/EC.

**(2)** The processing of the other census variables is carried out under the conditions of ensuring the confidentiality of statistical data, by all entities involved in the activities of preparation, organization and conduct of the census, according to the provisions of Chapter X - Confidentiality and protection of statistical data of the Law on the organization and functioning of official statistics in Romania no. 226/2009, as subsequently amended and supplemented, and in compliance with the provisions of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data and repealing Directive 95/46/EC.

**(3)** The personal numeric code collected in the census is encrypted, using an algorithm used by the National Institute of Statistics, when an individual record is saved in the census database.

**(4)** The personal numeric code used from administrative sources shall be encrypted and used in the preparation of the census, as well as in the processing of data and the validation of census results.

**(5)** The online data transfer is carried out through a secure system, protected against unauthorised or illegal processing and accidental loss, destruction or damage.

#### **Article. 17. -**

**(1)** The National Institute of Statistics shall apply technical and organisational measures to ensure that the processing, for statistical purposes, of the data collected in the census is carried out with the application of the principle of minimisation of data and with due regard for the rights and freedoms of the persons enumerated, consisting of:

**a)** encryption, pseudonymization and anonymization of personal data;

**b)** ensuring the confidentiality of individual data entered in the census questionnaire, in accordance with the provisions of Chapter VI of this Emergency Ordinance and Chapter X - Confidentiality and protection of statistical data of the Law on the Organisation and Functioning of Official Statistics in Romania No 226/2009, as subsequently amended and supplemented.

**(2)** The provisions of Articles 15, 16, 18 and 21 of Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and the free movement of such data and repealing Directive 95/46/EC shall not apply to the processing of personal data for statistical purposes during the census, since the rights referred to in those articles are such as to make it impossible or seriously affect the achievement of the objectives of the census.

**(3)** The entities and staff involved in the census which process data are:

**(a)** the National Institute of Statistics and its territorial directorates, as controllers of personal data;

**(b)** the authorities, public institutions and data providers referred to in this Emergency Ordinance, as associated controllers of personal data;

**(c)** census personnel in the territory, acting as staff under the authority of the controller of personal data referred to in Article 5 (7) ;

**(d)** staff processing the data under the authority of the controllers of the personal data referred to in (a) and (a).

**(4)** In carrying out the tasks provided for in this Emergency Ordinance involving the processing of personal data, the National Institute of Statistics shall draw up, under Regulation (EU) 2016/679, confidentiality rules, approved by order of the President of the National Institute of Statistics, which is published in the Official Gazette of Romania, describing the mechanisms and means of processing, technical and organisational measures for the safe storage of data, the manner of access to data collected only for persons authorised for this purpose, aspects concerning the training of the personnel involved, the way in which the guarantees provided for in Article 89(1) of Regulation 2016/679 are applied, as well as how to comply with the guarantees.

**(5)** The National Institute of Statistics and its territorial directorates shall not in any way transmit to other natural or legal persons personal data collected for the purpose of ensuring the finality of this emergency order.

**(6)** The National Institute of Statistics and its territorial directorates shall not transfer personal data collected to third countries, irrespective of the means of processing used.

**(7)** The National Institute of Statistics shall record by automated or non-automated mechanisms which ensure traceability any processing of personal data from the time of data collection. The records shall be kept in a form enabling them to be audited for the purpose of verifying the legality of the processing and shall, upon request, be made available to the National Supervisory Authority for the Processing of Personal Data.

## CHAPTER VI Confidentiality of statistical data

### **Article. 18. -**

**(1)** Individual data entered in the census questionnaire shall be confidential and shall be used only for statistical purposes.

**(2)** The statistical data and information recorded in the census are intended for use by the National Institute of Statistics with the aim of fulfilling its obligation as the main producer of official statistics and coordinator of the National Statistical System, on the basis of the Law on the organisation and functioning of official statistics in Romania No 226/2009, as subsequently amended and supplemented, and EC Regulation No 223/2009 of the European Parliament and of the Council of 11 March 2009, on European statistics and repealing Regulation (EC, Euratom) No 1.101/2008 of the European Parliament and of the Council on the transmission

of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities, as amended.

**(3)** Statistical data and information collected or processed by the National Institute of Statistics and the territorial statistical directorates may not serve as evidence in court or in establishing rights or obligations for the data providers to which they relate.

**(4)** The collection and processing of personal data shall be carried out on the basis of Article 6 (1) (c) and (e) of Regulation (EU) 2016/679 of the European Parliament and of the Council on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and in accordance with Article 4 (4) of the Council Regulation (EC) No 1.091/2018 of the European Parliament and of the Council on integrated farm statistics and repealing Regulations (EC) No 1.166/2008 and (EU) No 1.337/2011.

**(5)** Census personnel in the territory and additional staff employed under an individual employment contract in accordance with Article 21 of this Emergency Ordinance shall be required to sign an undertaking to maintain the confidentiality of the statistical data recorded.

**(6)** Throughout the enumeration period and after the end of the activity, the census personnel in the territory and the additional staff employed under an individual employment contract in accordance with Article 21, as well as the members of the working structures referred to in Chapter III of this Emergency Ordinance, shall be obliged to maintain the confidentiality of the individual data entered in the census questionnaire or in the database, in accordance with the provisions of Chapter X - Confidentiality and protection of statistical data of the Law on the organisation and functioning of official statistics in Romania No 226/2009, as subsequently amended and supplemented.

**(7)** The results of the census may be disseminated only if it is not possible to identify, directly or indirectly, a particular natural or legal person.

## CHAPTER VII Legal liability and penalties

### Article. 19. -

Violation of the provisions of this Emergency Ordinance shall entail, where appropriate, the disciplinary, civil, contraventional or criminal liability of those guilty.

**(1)** The following facts committed by natural or legal persons shall constitute misdemeanours:

**(a)** the obstruction by the persons referred to in Article 11, in any way, of persons involved in the census action in the recording and control of the data covered by this statistical research;

**(b)** refusal by the persons referred to in Article 11 to provide the information referred to in the census questionnaire;

**(c)** the provision of erroneous or incomplete data and information by the persons referred to in Article 11;

**(d)** failure to complete or update the agricultural register by the persons referred to in Article 6 (3);

(e) failure by census staff to comply with legal provisions and instructions on how to record and process data and to preserve the confidentiality of statistical and personal data declared and recorded in the census questionnaire;

(f) the refusal of census staff to hand over census materials at the end of the enumeration period;

(g) the use by census staff of data collected for purposes other than statistical ones;

(2) The misdemeanours referred to in paragraph (2) (a), (b) and (c) shall be punishable by a fine from 1,000 lei to 3,000 lei, and the misdemeanours referred to in paragraph (2) (d) to (g) shall be punishable by a fine from 1,500 lei to 5,000 lei.

(3) The establishment of the misdemeanours and the application of the penalties referred to in paragraph (2) shall be made by the staff specifically empowered to do so by the prefect or by the mayor.

#### **Article. 20. -**

The provisions of Article 19 (2) - (3), relating to misdemeanours, shall be supplemented by the provisions of Government Ordinance No 2/2001 on the legal regime of misdemeanours, as subsequently amended and supplemented.

## CHAPTER VIII Final provisions

#### **Article. 21. -**

(1) For the proper conduct of the preparation, organisation and census activities, the National Institute of Statistics and the Ministry of Agriculture and Rural Development, together with their territorial structures, shall employ additional staff with an individual employment contract for a fixed period, inclusively from among the pensioners, complying with the maximum number of positions referred to in Annex No 13, other than the staff referred to in Article 22 (4).

#### **ARTICLE 21 ^ 1**

By derogation from art. 27 para. (3) of Law no. 55/2020 on some measures to prevent and fight against the effects of the COVID-19 pandemic, with subsequent amendments, the National Institute of Statistics and the Ministry of Agriculture and Rural Development, together with their territorial structures, may organize competitions to fill the positions provided in Annex no. 13 and for the census personnel from the territory provided in art. 22 para. (1).

(on 22-08-2020 Chapter VIII was supplemented by Item 4, SINGLE ARTICLE of LAW no. 177 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

(2) The duties of the additional staff referred to in paragraph 1 shall be determined by a Government decision referred to in Article 23.

#### **Article. 22. -**

(1) Census staff in the territory shall be selected from among the staff of the county councils, city halls, the Prefect's institution, decentralised institutions, teaching staff, agricultural

specialists, specialists in economics, computer science and other fields, including specialized civil servants, as well as from among the pensioners, students and other categories of persons with appropriate training, having graduated at least high school.

**(2)** For the revenues made by census staff in the territory, the tax regime provided for in Law No 227/2015 on the Tax Code, as amended and supplemented, in Article 114 (2) (a<sup>1</sup>) shall apply.

**(3)** By way of derogation from Article 94 (1) and (2) of Law No 1/2002 on certain measures to ensure transparency in the exercise of public offices, public functions and in the business environment, the prevention and sanctioning of corruption, as subsequently amended and supplemented, persons holding public offices may carry out the activity of enumerator, chief enumerator or census coordinator, enumerator for the sample census, enumerator for the control survey, without thereby being in the situation of incompatibility.

**(4)** The census staff in the territory shall consist of enumerators, chief enumerators and coordinators for the census itself, census enumerators for the sample census, enumerators for the control survey, which are categories of the statistical operator defined under letter (r).

**(5)** Persons who obtain income as census staff in the territory shall be deemed not to make income in accordance with the provisions of Article 5(IV)(c), Article 34(2) of Regulation lit. c(EC) No 1493/1999. Paragraphs 1 and 2 shall be replaced by the following: (3) (b) and Article 66 of Law No 76/2002 on unemployment insurance and employment stimulation, as amended and supplemented.

**(6)** The rights referred to in Article 2, Article 31 and Article 32 of Government Emergency Ordinance No. 111/2010 on the leave and monthly indemnity for raising children, as subsequently amended and supplemented belonging to the persons earning income as census staff shall not be affected, and the provisions of Article 16 (2) (i), Article 36 (1) (d) and Article 37 (2) of Government Emergency Ordinance No. 111/2010 on the leave and monthly indemnity for raising children, as subsequently amended and supplemented, shall not be applicable

**(7)** The income earned from census staff in the territory in this capacity shall not be taken into account:

**(a)** when determining the monthly net income of the family or, where appropriate, of the single person, in accordance with the provisions of Article 8 (1) of Law No 416/2001 on guaranteed minimum income, as subsequently amended and supplemented;

**(b)** when determining the average monthly net income per family member or single person according to which heat aid is granted, in accordance with the provisions of the Government Emergency Ordinance No 70/2011 on social protection measures during the cold season, as subsequently amended and supplemented;

**(c)** when determining the average monthly net income per family member, on the basis of which the amount of the family support allowance is determined, in accordance with the provisions of Law No 277/2010 on the family support allowance, republished, as subsequently amended and supplemented;

**(d)** when determining the average monthly net income per family member, on the basis of which the amount of the educational incentive is determined, in accordance with the provisions of Law No 248/2015 on stimulating the participation in pre-school education of children from disadvantaged families, as subsequently amended and supplemented;

e) when determining the average monthly net income per family member taken into account for the award of scholarships to pupils and students.

**Article. 23. -**

**(1)** The amounts allocated from the State budget and the categories of expenditure relating to each institution concerned referred to in Article 5 (1), as well as other provisions on the implementation of this Emergency Ordinance shall be established by decision of the Government, at the initiative of the National Institute of Statistics, the General Secretariat of the Government and the Chancellery of the Prime Minister, within 90 days of the date of entry into force of this Emergency Ordinance.

**(2)** The expenditure for additional staff, employed under individual fixed-term employment contracts, for the census staff in the territory, for the preparation, organisation, acquisition and provision of the necessary hardware and services, data collection and processing, validation and dissemination of census results shall be incurred from the budget of the census referred to in paragraph (1).

**(3)** By way of derogation from the provisions of Article 30 (2) of Law No. 500/2002 on public finance, as subsequently amended and supplemented, in 2020, for the preparation of the census, the necessary amounts shall be allocated from the Budgetary Reserve Fund at the disposal of the Government, by Government decision.

**Article. 24. -**

Annexes Nos. 1 to 13 form an integral part of this Emergency Ordinance.

**Article. 25. -**

The provisions of Article 19 (2) and (3) shall enter into force within 30 days of the date of publication of this Emergency Ordinance in the Official Gazette of Romania, Part I.

PRIME-MINISTER

**LUDOVIC ORBAN**

Countersigns:

Secretary General of the Government,

**Antonel Tănase**

Head of the Chancellery of the Prime Minister,

**Ionel Dancă**

President of the National Institute of Statistics,

**Tudorel Andrei**

Minister of Public Finance,

**Vasile-Florin Cîțu**

Minister of Transport, Infrastructure and Communications,

**Lucian Nicolae Bode**

Minister of Internal Affairs,

**Marcel Ion Vela**

p. Minister of Labour and Social Protection,

**Ion Alin Dan Ignat,**

Secretary of State

Minister of Agriculture and Rural Development,  
**Nechita-Adrian Oros**

**ANNEX No 1**

**MEMBERSHIP of the Central Commission for the General Agricultural Census**

President:	- Minister of Agriculture and Rural Development
Vice presidents:	- President of the National Institute of Statistics
	- The Secretary of State for the relationship with the prefect's institutions of the Ministry of Internal Affairs
	- Director of the Special Telecommunications Service
	- President of the Academy of Agricultural and Forestry Sciences "Gheorghe Ionescu-Șișești"
Secretaries:	- Secretary-General of the Ministry of Agriculture and Rural Development
	- Secretary-General of the National Institute of Statistics
Members:	- a Vice-President of the National Institute of Statistics
	- a representative of the Ministry of Internal Affairs
	- First Deputy Director of the Special Telecommunications Service
	- a Secretary of State of the Ministry of Public Works, Development and Administration
	- Secretary General of the Academy of Agricultural and Forestry Sciences "Gheorghe Ionescu-Șișești"
	- Director-General of the National Agency for Cadastre and Land Registration
	- President of the Romanian Association of Communes
	- President of the Romanian Association of Cities
	- President of the Association of Romanian Municipalities
	- President of the National Union of County Councils of Romania
- a representative from the National Supervisory Authority for Personal Data Processing	

**ANNEX No. 2**

**DUTIES of the Central Commission for the General Agricultural Census**

**(a)** to approve the General Programme for Organisation and Implementation, to endorse the budget and propose, where appropriate, revisions thereof;

**(a ^ 1)** to adopt decisions regarding some measures for fulfilling the provisions of the present normative act;

(on 22-08-2020 Annex no. 2 was supplemented by Item 5, SINGLE ARTICLE of LAW no. 177 of 18 August 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

**(b)** to monitor the establishment of territorial census commissions and technical secretariats;

**(c)** to approves the operating rules of the commissions of the counties and of the Bucharest Municipality, of the communes, cities, municipalities, of the sectors of Bucharest municipality, as well as the county technical secretariats;

**(d)** to approve the content of the census questionnaire and the methodology for recording and processing the data, as well as the programme for disseminating the results;

**(e)** to approve the classifications and nomenclatures necessary for the recording and processing of census data, with the exception of those approved by Government decisions;

**(f)** to approve the instructions, organisation modality and to guide the actions and operations for the division of the territory of administrative-territorial units into census sectors and sections;

**(g)** to coordinate the recruitment and training of enumerators, chief enumerators and coordinators;

**(h)** to approve the duties of census staff in the territory;

**(i)** to approve the programme for the popularisation of the general agricultural census;

**(j)** to approve the provisional results of the general agricultural census.

### **ANNEX No. 3**

#### **MEMBERSHIP of the Central Technical Secretariat for the General Agricultural Census**

##### **1. Coordinators:**

- the Director-General who coordinates the production of agricultural statistics from the National Institute of Statistics;

- the Director-General who coordinates agricultural policies within the Ministry of Agriculture and Rural Development;

- The technical deputy of the Director of the Special Telecommunications Service.

##### **2. Members:**

**(a)** 5 representatives from the National Institute of Statistics;

**(b)** 5 representatives from the Ministry of Agriculture and Rural Development;

**(c)** 2 representatives from the Ministry of Internal Affairs;

**(d)** 1 representative of the Special Telecommunications Service;

**(e)** 1 representative of the National Agency for Cadastre and Land Registration;

**(f)** 1 representative of the Agency for Payments and Intervention in Agriculture;

**(g)** 1 representative of the National Veterinary Health and Food Safety Authority;

**(h)** 1 representative of the Agency for Rural Investment Financing.

### **ANNEX No. 4**

#### **DUTIES of the Central Technical Secretariat for the General Agricultural Census**

**(a)** to draw up the draft General Programme for the organisation and conduct of the census;

**(b)** to draw up the operating rules of the commissions of the counties, of the Bucharest Municipality, of the communes, cities, municipalities, the sectors of the Bucharest Municipality, as well as the county technical secretariats;

**(c)** to establish the content of the data collection questionnaire and the methodology for recording and processing the data and publishing the results of the census;

- (d)** to propose the classifications and nomenclatures necessary for the registration and processing of census data, with the exception of those approved by Government decisions;
- (e)** to draw up instructions and rules for the organisation, guidance and monitoring of actions and operations for the division of the territory of administrative-territorial units into census sectors and sections;
- (f)** to monitor the sectorisation of the territory of the localities, which shall be carried out in accordance with the lists of statistical units of enumeration, drawn up on the basis of the agricultural register, approved by Government Decision No 218/2015 on the Agricultural Register for the period 2015-2019 and of the information on agricultural holdings receiving financial support provided by the Agency for Payments and Intervention in Agriculture, as well as of information provided by other institutions;
- (g)** to draw up rules for the selection, recruitment and training of all personnel involved in the carrying out of census work;
- (h)** to determine the duties of census staff in the territory;
- (i)** to draw up the programme for the popularisation of the census;
- (j)** to organise and monitor the process of recording the information from the statistical units of enumeration, including in the sample census and the control survey;
- (k)** to prepare and submit to the Central Census Commission reports on how the census work is to be carried out, including the conduct of the sample census and the control survey;
- (l)** to submit the provisional census results to the Central Census Commission;
- (m)** to coordinate the completion of the census results and their publication.

#### **ANNEX No. 5**

#### **MEMBERSHIP of the commissions of the counties and of Bucharest Municipality for the general agricultural census**

##### **1. President:**

- the prefect of the county, the prefect of Bucharest Municipality.

##### **2. Vice-Presidents:**

- the Executive Director of the Territorial Directorate of Statistics,
- The Executive Director of the County Agricultural Directorate, the Executive Director of the Agricultural Directorate of Bucharest Municipality;
- the chairman of the county council/one of the deputy mayors for the Bucharest municipality.

##### **3. Secretary:**

- the secretary general of the county, respectively the secretary general of the Bucharest municipality.

##### **4. Members:**

- (a)** the Deputy Executive Director/Head of Service of the Territorial Directorate of Statistics;

**(b)** Deputy Executive Director/Head of Service of the County Agricultural Directorate and, respectively, the Agricultural Directorate of Bucharest Municipality;

**(c)** the subprefect of the county and, respectively, of Bucharest municipality;

**(d)** a representative of the Special Telecommunications Service;

**(e)** a representative of the Romanian Association of Communes, of the Romanian Association of Cities and of the Romanian Association of Municipalities, from that county, appointed by the president of these associative structures;

**(f)** director of the county cadastre and land registration office, director of the Cadastre and Land Registration Office of Bucharest Municipality;

#### **ANNEX No 6**

### **MEMBERSHIP of the Commissions of the communes, cities, municipalities, of the sectors of the Bucharest municipality for the general agricultural census**

#### **1. President:**

- mayor of the commune, mayor of the city, mayor of the municipality, mayor of the sector of Bucharest Municipality.

#### **2. Secretary:**

- the secretary general of the commune, the secretary general of the city, the secretary general of the municipality, the secretary of the sector of Bucharest Municipality.

#### **3. Members:**

**(a)** 2 persons from the mayor's specialized staff, with duties in the field of the agricultural register and the cadastre;

**(b)** 1 agricultural specialist.

#### **ANNEX No. 7**

### **MEMBERSHIP of the technical secretariats of the counties and of Bucharest municipality for the general agricultural census**

#### **1. Secretary:**

- Deputy Executive Director/Head of Service of the Territorial Statistical Directorate.

#### **2. members:**

**(a)** 1 representative of the prefect's institution;

**(b)** 1 representative from the specialized staff of the county council and, respectively, of the general mayor of Bucharest Municipality;

**(c)** 1 representative of the Special Telecommunications Service;

**(d)** 1 representative of the Agency for Payments and Intervention in Agriculture;

**(e)** 2 representatives from the territorial statistical directorates;

**(f)** 2 representatives from the county agricultural directorates;

**(g)** 1 representative of the county cadastre and land registration office, a representative from the Cadastre and Land Registration Office of Bucharest.

## **ANNEX No. 8**

### **DUTIES of the county commissions and of the commission of Bucharest Municipality for the General Agricultural Census**

(1) The county commissions and the commission of Bucharest municipality shall prepare, organize and coordinate the actions and work of carrying out the census within the administrative-territorial units of the communes, cities, municipalities, sectors of Bucharest municipality and counties.

(2) To this end, the county commissions and the commission of Bucharest Municipality have the following duties:

**(a)** to organize the technical secretariats, attached to the territorial statistical directorates, executive working bodies, which carry out the actions and works necessary to the county commissions and to the commission of the Bucharest Municipality, in carrying out their duties for preparing, organizing and carrying out the census work, in the localities of the counties and in the sectors of the Bucharest municipality;

**(b)** to submit to the Central Technical Secretariat for the Census, within 10 days of the establishment of the county commissions and of the commission of the Bucharest municipality and of the technical secretariats for the census, a copy of the prefect's order, as well as the minutes with the nominal membership of each commission and of each technical secretariat of the counties and of the Bucharest municipality, the contact details of their members;

**(c)** to analyse and establish the necessary workspaces, furniture, means of communication for the conduct of the work of county commissions and county technical secretariats, for the storage and keeping, under appropriate conditions, of census materials, and other means necessary for carrying out the census;

**(d)** to ensure the implementation and monitoring of the activities of preparation, organization and conduct of the census, in all localities within the county and within the sectors of Bucharest municipality, on the basis of the program approved by the Central Census Commission;

**(e)** to analyse, in collaboration with the commissions of the counties, cities, municipalities and sectors of Bucharest Municipality, the work of completing and updating the agricultural registers, at the level of the city halls;

**(f)** the President assigns concrete tasks to the members of the county commission and of the county technical secretariat and allocates the localities under their responsibility for the actions to be carried out in the stages preceding the census and in the census;

**(g)** to provide technical assistance to city halls and to the commissions of the communes, cities, municipalities and of the sectors of Bucharest Municipality for census in the pre-census works:

- drawing up lists of agricultural holdings to be enumerated;
  - division of the administrative-territorial unit into census sectors and sections on the basis of digital cartographic materials (Map of Romania scale 1:50000 vector format, ortho-photo-plans made by ANCPI and cadastral sectors resulting from the systematic registration activity) taken from the territorial offices of cadastre and land registration;
  - guide the commissions of the communes, cities, municipalities and of the sectors of Bucharest Municipality in the elaboration of the works of dividing the territory of the localities into census sectors and sections, based on the methodological rules approved by the Central Census Commission;
  - coordinate the selection and recruitment of census personnel in the territory, respecting the number of persons established by the county commissions for each commune, city, municipality and by the Bucharest Municipality Commission, for each sector;
- (h)** to draw up and submit to the Central Technical Secretariat for the Census programmes for the organisation of the trainings, specifying the period, their location, the number of participants per series and the persons nominated to carry out the trainings;
- (i)** to organise the training of the members of the commissions of the communes, cities, municipalities and sectors of the Bucharest Municipality, of the guidance and control staff, as well as of the enumerators, the chief enumerators and the coordinators, and to inform the Central Census Commission of how the trainings were carried out, the degree of participation and the particular problems of an organizational and methodological nature raised during the conduct of the trainings, the solutions and the measures taken;
- (j)** to organize and track the reception, storage and distribution to the commissions of the communes, cities, municipalities and of the sectors of Bucharest Municipality, of the materials necessary for the preparation and conduct of the census. To this end, the county commissions and the commission of the Bucharest municipality, through their technical secretariats, establish the necessary materials for each locality;
- (k)** to approve the plan of actions to popularise the census, drawn up on the basis of the programme received from the Central Census Commission. They organise, locally, popularization actions through the press, radio, television, conferences, symposiums, are concerned and aim to broadcast and display the popularisation materials received from the Central Census Commission, consisting of brochures, posters, etc.;
- (l)** to organize on the field actions to control and guide the commissions of the communes, cities, municipalities and of the sectors of Bucharest municipality, on how to carry out the census work and to comply with the deadlines laid down in the programme approved by the Central Census Commission;
- (m)** to approve the graphs with the duration and time limits within which the prefect's institution shall provide the census commissions with the means of transport necessary to facilitate access to hard-to-reach locations for the purpose of carrying out census work;
- (n)** to periodically analyse, together with the chairmen of the commissions of the communes, cities, municipalities and of the sectors of Bucharest municipality, the status of the pre-census works/actions and order measures to carry them out;

**(o)** to check on the ground whether the chief enumerators and enumerators have checked and updated the list of agricultural holdings in the census sectors and sections assigned and how they carry out the preliminary visit;

**(p)** to organise and monitor the conduct of the enumeration of agricultural holdings and to inform the central technical secretariat for the census, within the time limits laid down, of the status of the records and of the special situations of an organisational and methodological nature found on the ground;

**(q)** to be responsible, together with the commissions of the communes, cities, municipalities and of the sectors of Bucharest Municipality, for maintaining the confidentiality of the data declared by the respondents and recorded in the census questionnaires, as well as for their use only for statistical purposes;

**(r)** to provide technical assistance and to coordinate field work for the sample census and census control survey;

**(s)** to pursue that during the enumeration period, in fulfilling their duties, the census staff shall identify themselves by presenting the booklet attesting their capacity;

(on 22-08-2020 Letter s) from Annex no. 8 was amended by Item 6, SINGLE ARTICLE of LAW no. 177 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020);

**(t)** to analyse and validate the provisional census results at the level of the county and of Bucharest Municipality;

**(u)** to pursue and take legal measures so that enumerators, chief enumerators and coordinators, as well as persons engaged in guidance, control and data processing activities, benefit from the protection of the law, being assimilated to those performing functions involving the exercise of State authority;

**(v)** to authorise the persons nominated by the prefect and the mayor to impose penalties for misdemeanours to those who commit acts which prevent the proper conduct of census actions;

**(w)** to also perform other tasks related to the preparation, organisation and conduct of the census, on the basis of the decisions of the Central Census Commission.

## **ANNEX No. 9**

### **DUTIES of the commissions of the communes, cities, municipalities, sectors of the Bucharest Municipality for the general agricultural census**

(1) The commissions of the communes, cities, municipalities, sectors of the Bucharest municipality for the census are responsible for carrying out the actions and works provided for in the General Programme for the Organization and Conduct of the Census, approved by the Central Census Commission, and shall have the following duties:

**(a)** to submit to the county commission and to the commission of the Bucharest municipality for the census, within 10 days of their establishment, a copy of the mayor's order for the establishment of the commission and the minutes of its nominal membership, the contact details of their members;

**(b)** to prepare, organize, coordinate, control and be responsible for carrying out census work in the area of the communes, cities, municipalities and sectors of Bucharest Municipality, within the time limits laid down and in accordance with the instructions of the Central Census Commission;

**(c)** to collaborate with local public administration authorities for the performance of the preparatory work of the census at:

- drawing up lists of agricultural holdings to be enumerated, whose summary tables shall be submitted to the county commissions and to the commission of the Bucharest Municipality;

- division of the administrative-territorial unit into census sectors and sections on the basis of digital cartographic materials (Map of Romania scale 1:50000 vector format, ortho-photo-plans made by ANCPI and cadastral sectors resulting from the systematic registration activity) taken from the territorial cadastre and land registration offices and submitting them to the county commission and to the commission of the Bucharest municipality for verification and approval;

- elaboration of the works of sectorization of the territory of the localities, in accordance with the rules approved by the Central Census Commission;

- the selection and recruitment of census staff, represented by enumerators, chief enumerators and coordinators, from among agricultural specialists, specialists in economics, computer science and other fields, including specialist civil servants, as well as from among pensioners, students and other categories of persons with appropriate training, having graduated at least high school;

**(d)** to collaborate with the local public administration authorities to ensure both the workspaces and means of communication necessary for the work of the commission, as well as the spaces for the preservation and management of census materials, until they are handed over to the county commission and to the commission of the Bucharest municipality;

**(e)** to cooperate with local public administration authorities and take measures to update the agricultural register in accordance with the regulations in force;

**(f)** to be responsible for the participation of enumerators, chief enumerators and coordinators in the trainings organized within the county and the municipality of Bucharest;

**(g)** the chairmen of the committees participate in the meetings to analyse the state of the pre-census work, which shall take place at the county commission and the commission of Bucharest Municipality;

**(h)** to organize actions to popularize the census, based on the program received from the county commission and the commission of the Bucharest municipality for the census, stressing the importance, purpose, period and manner of carrying out the census, as well as the legal provisions regarding the confidentiality of the data declared by the respondents and to order measures to ensure, disseminate and display the popularization materials transmitted by the county commission and the commission of Bucharest Municipality;

**(i)** to organise the allocation of chief enumerators and enumerators by census sectors and sections;

- (j)** to control the manner in which enumerators and chief -enumerators carry out the preliminary visit to the agricultural holdings to be enumerated;
- (k)** to verify whether all chief enumerators and enumerators are active in the census sectors or stations, and to take measures to replace those absent with the reserve staff who participated in the trainings;
- (l)** to analyse daily, with the coordinators, how the recording of the data is carried out, the difficulties encountered and to establish measures to remedy the deficiencies found, ensure the uniform interpretation of the instructions and the correct recording of the data in the census questionnaires;
- (m)** to inform the county commission and the commission of Bucharest municipality about the state of registration of data from the agricultural holdings enumerated, as well as of the special situations of an organizational and methodological nature encountered on the field;
- (n)** to ensure the safe keeping of all census materials;
- (o)** to ensure the protection and security of census personnel;
- (p)** to monitor compliance by census personnel in the territory with the confidentiality of the data during their registration;
- (q)** to hand over census materials to the county commissions and to the commission of Bucharest Municipality;
- (r)** to support and coordinate the work of the sample census and the census control survey;
- (s)** to perform other tasks received from the county commission and from the commission of Bucharest municipality.

**ANNEX No. 10**

**DUTIES of the county technical secretariats and of the technical secretariat of Bucharest Municipality for the general agricultural census**

- (a)** to draw up the schedule for the preparation, organisation, coordination and conduct of the census;
- (b)** to inform the county commissions and the commission of Bucharest Municipality about the state of implementation and the quality of the work carried out in the context of the census actions, based on information received from the commissions of the communes, cities, municipalities and sectors of the Bucharest municipality and the findings of field trips;
- (c)** to complete the division into census sectors and sections on the basis of the plan of the administrative-territorial units within their scope of activity;
- (d)** to finalize the tables with the staff proposed by the commissions of the communes, cities, municipalities and sectors of Bucharest municipality when carrying out the census work and to submit them for approval to the county commissions and the commission of Bucharest municipality;
- (e)** to draw up the programme for organising and carrying out trainings and to set the deadlines for carrying them out;

**(f)** to organize series training and to inform the county commissions and the commission of Bucharest municipality about the manner in which to carry out the trainings and present the particular problems raised for the resolution, as appropriate;

**(g)** to draw up the plan of actions for the popularization of the census through local media, local radio and television stations, conferences, exhibitions, talks, etc. and to submit it for approval to the county commissions and to the commission of Bucharest municipality and to inform these committees of the manner in which to carry out the popularisation actions;

**(h)** to receive census materials and allocate them to the commissions of the communes, cities, municipalities and sectors of Bucharest municipality;

**(i)** to draw up and propose for approval the graphs with the duration and time limits within which the prefect's institution shall provide the census commissions with the means of transport necessary to facilitate access to hard-to-reach locations for the purpose of carrying out census work;

**(j)** to inform the county commissions and the commission of Bucharest Municipality of the manner in which the prefect's institution and city halls shall provide the spaces necessary to carry out the activities of the commissions of the communes, cities, municipalities and sectors of Bucharest Municipality, as well as of the allocation of spaces for the storage, under appropriate conditions, of census materials;

**(k)** to draw up the programme for monitoring the progress of the preparatory work carried out on the census and to establish measures to remedy the shortcomings found at the level of communes, cities, municipalities and sectors of the Bucharest Municipality;

**(l)** to direct, verify and control the work of census staff during preliminary visits;

**(m)** to direct, verify and control, by field trips, the conduct of the preparation and recording of census data;

**(n)** to inform the county commissions and the commission of Bucharest Municipality of the state of data collection and any particular problems of a methodological and organisational nature concerning the conduct of the census;

**(o)** to provide technical assistance to chief enumerators and enumerators in the collection of data in the field;

**(p)** to resolve, clarify and provide expert assistance with the conduct of the sample census and control survey;

**(q)** to ensure the confidentiality of data and the use of census results only for statistical purposes;

**(r)** to organize the recovery of census materials from the commissions of the communes, cities, municipalities and of the sectors of Bucharest Municipality and from the census staff, with a view to their surrender, in accordance with the instructions of the Central Census Commission;

**(s)** to verify and propose to the directors of the territorial statistical directorates the endorsement of documents reflecting the work of census personnel in the territory;

(t) to ensure the performance of the secretarial works of the county commissions and of the commission of Bucharest Municipality;

(u) to also perform other tasks for preparing and carrying out the census.

#### ANNEX No. 11

### **SUPPORT INSTITUTIONS-for the preparation, organisation and conduct of the general agricultural census, including the sample census and control survey**

Item	Institution	Responsibilities
1.	National Agency for Cadastre and Land registration	Ensuring the access of NIS to the information necessary for the Romanian General Agricultural Census round 2020, to the following: - Electronic Register of Street Nomenclature (RENNS); - Register of Property Titles (DDAPT); - Electronic Register of Limits of Administrative-Territorial Units (RELUTE); - National Agricultural Register (RAN).
2.	Agency for Payments and Intervention in Agriculture	Ensuring the list of agricultural holdings benefitting from EU support for land or animals, which is included in the Integrated Management and Control System (IACS) established by Regulation (EU) 1.307/2013 of the European Parliament and of the Council establishing rules for direct payments to farmers under support schemes within the framework of the common agricultural policy and repealing Council Regulation (EC) No 637/2008 and Council Regulation (EC) No 73/2009. Providing the necessary information for the georeference of agricultural holdings.
3.	National Veterinary Sanitary and Food Safety Authority	Ensuring the information from the System for the Identification and Registration of Bovine Animals, established by Regulation (EC) No 1760/2000 of the European Parliament and of the Council establishing a system for the identification and registration of bovine animals and regarding the labelling of beef and beef products and repealing Council Regulation (EC) No 820/97. Ensuring the information from the System for the Identification and Registration of Sheep and Goats, established by Regulation (EC) No 21/2004 establishing a system for the identification and registration of ovine and caprine animals and amending Regulation (EC) No 1782/2003 and Directives 92/102/EEC and 64/432/EEC.

#### ANNEX No. 12

### **LIST of categories of variables for the general agricultural census**

#### I. General information on the agricultural holding

**Location of the agricultural holding:** questionnaire identification information, county, commune/city/municipality, component locality /village, SIRUTA code, address of the agricultural holding (street, number, block, entrance, floor, apartment, sector) and contact details (telephone, fax, e-mail address), geographical location of the agricultural holding

#### **Identification data**

For agricultural holdings without legal personality: identification data of the head of the agricultural holding (user): first and last name, CNP/CUI, address

For agricultural holdings with legal personality: name, CUI, address

#### **Legal status of the agricultural holding**

Without legal personality: individual agricultural holding, self-employed, individual undertaking

With legal personality: *régie autonome*, agricultural company/ association; company with majority private capital; company with majority state capital; research institute/station, school unit with an agricultural profile; city hall; other public institutions; cooperative unit; others

**Destination of agricultural production**

**Accounting of the activity carried out within the agricultural holding**

**The agricultural holding benefits from support for land/animals**

**Is the head of the agricultural holding a young farmer or a beginner who has received financial support in the past 3 years?**

**The utilised agricultural area of the agricultural holding, according to the holding modality:** in ownership, lease, in part or other means of holding, common land

**II. Land use:** arable land, by crop types and at rest; family gardens; permanent pastures and meadows, by land types; permanent crops, by types of plantations; utilised agricultural area in greenhouses and solariums, by crop types; other areas; total area of the agricultural holding; fungus; total area arranged for irrigation

**III. Livestock:** cattle, by age category; sheep: breeding females, other sheep; goats: breeding females, other goats; pigs, by weight categories; poultry: broilers, laying hens, other poultry, of which turkeys, ducks, geese, ostriches; rabbits; fur animals; families of bees; other animals

**IV. Animal shelters,** by animal species

**V. Management of manure:** use of nutrients and manure on the farm; techniques for the application of manure; storage of manure

**VI. Organic agriculture** in the plant sector, by crops; in the livestock sector, by species; participation in other environmental certification schemes

**VII. Rural development**

**VIII. Persons who have worked in agriculture:** number of days worked in agriculture, safety measures, including farm safety plan; family and non-family labour force; information on the head of the agricultural holding such as year of birth, sex, agricultural activities on the farm, year of appointment, level of training in the agricultural field, professional training in the last 12 months

**IX. Other gainful activities**

**X. Information on the completeness of the questionnaire**

**XI. Other variables collected exclusively for national purposes:** sales from own production, by types of agricultural products, etc.

**ANNEX No. 13**

**MAXIMUM NUMBER OF POSITIONS relating to staff employed under an individual employment contract, for a fixed period, for the purpose of carrying out the general agricultural census**

Institution	2020	2021	2022
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Ministry of Agriculture and Rural Development	20 <sup>1)</sup>	20	-
County Agricultural Directorates of the Ministry of Agriculture and Rural Development	168 <sup>2)</sup>	168 <sup>4)</sup>	-
National Institute of Statistics	20 <sup>1)</sup>	20	20 <sup>6)</sup>
Territorial Directorates of the National Institute of Statistics	220 <sup>3)</sup>	220 <sup>5)</sup>	42 <sup>6)</sup>

<sup>1)</sup> Of which: 10 persons in the period February 2020-31.12.2020 and 10 persons in the period 1.07-31.12.2020.

<sup>2)</sup> Of which: 84 persons in the period February 2020-31.12.2020 and 84 persons in the period 1.07-31.12.2020.

<sup>3)</sup> Of which: 110 persons in the period February 2020-31.12.2020 and 110 persons in the period 1.07-31.12.2020.

<sup>4)</sup> In the period 01.01-30.09.2021.

<sup>5)</sup> Repealed.

(on 22-08-2020 Footnote 5) from Annex no. 13 was repealed by Item 7, SINGLE ARTICLE of LAW no. 177 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)

<sup>6)</sup> In the period 01.01-31.05.2022.

(on 22-08-2020 Footnote 6) from Annex no. 13 was amended by Item 8, SINGLE ARTICLE of LAW no. 177 of August 18, 2020, published in the OFFICIAL GAZETTE no. 755 of 19 August 2020)