

**LAW No. 04/L-074
ON AGRICULTURE AND RURAL DEVELOPMENT ADVISORY SERVICES**

Assembly of Republic of Kosovo,

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

Approves

LAW ON AGRICULTURE AND RURAL DEVELOPMENT ADVISORY SERVICES

**CHAPTER I
GENERAL PROVISIONS**

**Article 1
Aim**

1. This Law regulates the organization and implementation of the activities of agriculture and rural development advisory services, the relations between the stakeholders with the aim of rural and agricultural development in the Republic of Kosovo.

2. The increasment of the general level of farmers' knowledge, training the farmers on management of the farm, increasment of the farm incomes, support in solving manufacturing related problems, economic and organization issues related to farm development, protection of natural sources, environment, and follow-up of scientific achievements and trends in the EU based on market demands.

**Article 2
Definitions**

1. Terms used in this Law shall have the following meaning:

1.1. **Advisory Services** - advices and consultations provided by legal and natural persons to farms and rural agriculture households that exercise their activity in agriculture and rural areas. Advisory Services are also advices and consultations provided to the non-agricultural enterprises, which exercise the activities in rural areas;

1.2. **Qualification Certificate of the Agriculture and Rural Development Advisor** - a document that certifies a sufficient level of professional skills for an agricultural and rural development advisor;

1.3. **Work Permit for the agricultural and rural development advisory service** - a document that certifies the right of the legal and natural person to provide advisory services by means of its registration in the Agricultural Advisory Services Register;

1.4. **Rural areas** - the territories located beyond the borders of urban areas which are mainly engaged in agricultural, manufacturing and rural activities;

1.5. **Agricultural and rural development advisory activity** - the scope of activities aiming at meeting the needs of households, individual farms, farmer groups and other agricultural and rural enterprises;

1.6. **Agricultural and rural development advisory service** - a law based organization, that performs agricultural and rural development advisory activities;

1.7. **Agricultural and rural development advisory specialized expert** - the natural person who has a professional valid certificate and provides advisory services;

1.8. **Agriculture and Rural Development Advisor** – the agricultural and rural development advisory specialized expert registered under this Law to carry out agricultural and rural development advisory services;

1.9. **Informative municipal consultative centers** - the offices set-up in the municipality where the farmers can receive all the information and advices for agricultural and rural development;

1.10. **Ministry** - the relevant Ministry of Agriculture, Forestry and Rural Development.

CHAPTER II ADVISORY SERVICE

Article 3 Agriculture and Rural Development Advisory Tasks

1. Tasks of agricultural and rural development advisory service are to:

1.1. provide advisory services to agriculture and rural development in order to further facilitate and assist the self-initiatives of farmers and rural communities;

1.2. increase the knowledge level of agriculture and rural development advisors in order that their services to be provided in due time;

1.3. increase the knowledge level and improve the practical skills in agriculture and rural development;

1.4. train the farmers in using new technologies for advancing the households, growing the profit from agriculture and non-agriculture activities;

1.5. provide agricultural and rural development advisory services to farmers that exercise their activity in agricultural and rural areas;

1.6. provide advisory services to non-agricultural enterprises in rural areas;

1.7. support the youth in rural areas, initiate and implement youth programs;

1.8. monitor different parameters in the area of agriculture and rural development;

1.9. encourage the farmers to adapt their manufacturing with the natural conditions of regions and markets demands;

2. The agriculture advisor is obliged to:

2.1. give advice to the farmers according to the priorities they have defined in the farms and associations;

2.2. present the best management practices of farm business management, sustainable agriculture practices and non-agricultural rural enterprises;

2.3. stimulate the farmers to start using manufacturing methods that enable the protection of natural sources and land fertility by applying organic agriculture and increase the level of quality and quantity of agriculture culture and rural productions;

2.4. encourage the farmers to adapt the manufacturing with the natural conditions and circumstances of regions and markets;

2.5. stimulate and support farmers to organize their cooperatives and associations as well as support them with advisory services for agriculture and rural development.

2.6. support the Ministry for the implementation of rural development program and measures for direct payments by providing advices about RDP and direct payments, information activities, supporting farmers to prepare their applications;

2.7. provide advices on using of new technologies;

2.8. support the distribution of information about agriculture and rural development to farmers and inhabitants

of rural areas;

2.9. support the cooperation process between farmers.

Article 4 **Organization of Public and Private Advisory Services**

1. For carrying out the advisory service activities there shall be responsible agricultural and rural development advisory service, which organizes and performs based on the Law, farmers and community's needs.

2. The advisory service is public and private.

Article 5 **Organization of Public Advisory Services**

1. Public advisory services shall be organized and deployed on:

1.1. Central level;

1.2. Municipality level.

Article 6 **Central level of agriculture and rural development advisory public service**

1. The central level advisory services for agriculture and rural development are under the Ministry and include advisory experts from relevant fields to do advisory services.

2. The advisory services under paragraph 1 of this Article are authorized to:

2.1. propose advisory service policies;

2.2. carry out advisory service activities and duties;

2.3. participate in drafting strategies;

2.4. draft the annual, mid-term and long term advisory services plan;

2.5. coordinate public and private advisory services;

2.6. coordinate and monitor the work of local and international organizations dealing with advisory services;

3. The organization, responsibilities, rights and obligations of the central level advisory services shall be specified with a sub-legal act issued by the Ministry.

Article 7 **Municipal level of agriculture and rural development advisory public services**

1. Municipal level advisory services for agriculture and rural development are organized in the municipality based on the criteria defined by sub-legal act issued by the Ministry.

2. Every municipality shall have a contact point to serve as an informative municipal consultative centre for agriculture and rural development for collecting and disseminating advices and informations to farmers and the community.

3. Each municipality should have its agricultural and rural development advisors who cover requirements under this Law.

4. The municipal advisory services shall abide by the rules and methods determined by this Law.

5. The municipal advisory services shall be responsible for all activities under Article 3 of this Law.

6. The responsibilities, rights and authorities of the municipal advisory service shall be specified by a sub-legal act

issued by the Ministry.

Article 8 Private Advisory Service

1. The agricultural and rural development advisory services may be performed also by private advisors such as legal persons and persons;
2. The private advisory service is funded by the generated incomes from services provided from their donations.
3. The private advisory services shall include all activities set forth under Article 3 of this Law.

Article 9 Natural Person

1. The natural person providing advisory services connected with use of public national and international funds should meet the following requirements:
 - 1.1. have the necessary equipment for exercising advisory activity;
 - 1.2. possess a certificate issued by the Ministry according to Article 17 of this Law;
 - 1.3. be registered in the Register of Agricultural and Rural Development Advisory Service.
2. The natural person providing agricultural and rural development advisory services which are not connected with use of public or international funds shall be registered in the Register of Agricultural and Rural Development Advisors

Article 10 Legal person

1. The legal person that provides agricultural and rural development advisory services funded by public or international funds, shall:
 - 1.1. possess the operation permit; and
 - 1.2. be registered in the Agricultural and Rural Development Advisory Services Enterprise Register in the Ministry.
2. The legal person under paragraph 1 of this Article shall meet the following criteria:
 - 2.1. employ at least two (2) agricultural and rural development advisers who possess valid certificates according to Article 17 of this Law;
 - 2.2. have the necessary space and equipment for developing advisory services;
 - 2.3. possess the license for exercising advisory services activities issued by the Ministry.
3. The legal person providing agricultural and rural development advisory services which are not connected with use of public national and international funds, shall be registered in the Agricultural and Rural Development Advisory Services Register.
4. The advisory services conditions and procedures for the legal person under paragraph 1 of this Article shall be determined by a sub-legal act issued by the Ministry.

Article 11 Methods of providing advisory services

1. The agricultural and rural development advisory services in carrying out their activities for the farmers and the community shall use the following methods:
 - 1.1. individual methods including individual work with farmers or legal persons that develop their activities in

agriculture and rural development;

1.2. work method of working group with farmers; and

1.3. massive advice method.

2. The public advisory services shall be prohibited to:

2.1. advert and promote seed companies, chemical fertilizers, preparations for plant protection, agriculture equipments and similar. They may only give information about such kind of products.

3. The prohibition under paragraph 2. of this Article is not valid in cases of field demonstrations with the participation of at least one other representative who exhibits the same products.

4. The implementation of work methods of the advisory service shall be regulated by a sub-legal act issued by the Ministry.

Article 12 Individual Methods

1. The individual advice methods are advisory methods of intensive work. These methods may be implemented in the form of visits to farm or practical methods of demonstration, as well as for farmers who visit the advisor's office.

2. The advisor may also provide advices to the user also via telephone, fax, or e-mail in situations when the problem is identified.

Article 13 Method in the form of groups

1. Method in the form of groups shall provide a relatively broad inclusion to the users of advisory services.

2. The kinds of advice in groups may be provided in different ways such as: professional lectures, discussions, field days, demonstrations, electronic and printed media, advice in groups at training centers for farmers; demonstration farms, experimental results, new working techniques; professional excursions and joint trips.

3. The group user of the advisory services may be organized in groups of manufacturing, processing, in the form of associations, corporation, or any other form of organization.

Article 14 Methods of massive advising

1. The massive advisory service can be done through printed and electronic media.

2. If needed, advisors may use printed and electronic media, specifically local radio and TV stations. The advices given through the media should be clear, concise and meaningful.

Article 15 Funding of advisory services

The advisory services may be funded from the Kosovo Budget, municipal budgets, as well as other sources such as: grants, international donations, international project program funds, humanitarian donations and from other funding sources that are not prohibited by Legislation into force.

Article 16 Reporting

1. All providers of advisory services for agriculture and rural development including private advisors, natural and legal persons have to report to the Ministry.

2. The reporting form and manner shall be determined by a sub-legal act issued by the Ministry.

Article 17

Certificate for providing agricultural and rural development advisory services connected with use of public and international funds

1. For providing agricultural and rural development advisory services connected with use of public and international funds, advisors shall possess a certificate.
2. The certificate shall prove that a natural person performing private or public advisory services has completed training provided for in Article 21 of this Law, and that he/she should have passed the professional exam for agricultural and rural development advisor granting the right to perform the advisory services.
3. The validity of Certificate is five (5) years, with the possibility of renewal, except if otherwise provided for by the Law.
4. The form, content and procedure of the professional exam and of the certificate issuance is determined by the law and sub-legal act issued by the Ministry.

Article 18

License for legal persons for providing agricultural and rural development advisory services connected with use of public and international funds

1. Legal persons that are using public and international funds should be licensed by the Ministry.
2. The following documents shall be attached to Licensing Application:
 - 2.1. Registration certificate;
 - 2.2. Advisors Certificates;
 - 2.3. to have at least two (2) agriculture and rural development advisors hired in the legal person;
 - 2.4. proof of space and equipment to provide advice and trainings;
3. The validity of the license is five (5) year with the possibility of renewal.
4. The form, content and procedure of granting the license for legal person shall be determined by sub-legal act issued by the Ministry.

Article 19

Register of legal persons for Agricultural and Rural Development Advisory Services

1. Ministry keeps the Register of legal persons for Agricultural and Rural Development Advisory Services.
2. Legal persons providing agricultural and rural development advisory services have to apply for registration in the register under paragraph 1 of this Article.
3. Ministry after ascertaining that the conditions are met shall take the decision to register legal persons in the Register.
4. Ministry shall take a decision to remove the legal person from the Agricultural and Rural Development Advisory Services Register in the following instances:
 - 4.1. if the legal person files a request for removal from the Register;
 - 4.2. if ascertained that legal person does not meet the conditions provided for in the Law to provide agriculture and rural development advisory services;
 - 4.3. if ascertained that the legal person has presented false data to be registered in the register of agriculture and rural development advisory services to provide these services.
5. The form, content and conditions prescribed for maintaining of the Agricultural and Rural Development Advisory Services Register of legal persons shall be provided for in a sub-legal act issued by the Ministry.

Article 20

Register of advisors of agricultural and rural development advisory services

1. The Ministry shall keep the Register of Advisors for Agricultural and Rural Development.
2. Natural persons providing agricultural and rural development advisory services have to apply for registration in the register of advisors for agriculture and rural development under paragraph 1 of this Article.
3. The form, content and conditions prescribed for maintaining of the Register of advisors for agricultural and rural development advisory services shall be provided for in a sub-legal act issued by the Ministry.
4. The Ministry after ascertaining that the conditions are met, shall take the decision to register natural persons in the Register.
5. The information for every natural person in the Register of Advisors for Agriculture and Rural Development must also contain data whether the person has certificate for providing agricultural and rural development advisory services connected with use of public and international funds according to Article 17 of this Law.
6. Ministry shall take a decision to remove from the Register of advisors for agricultural and rural development in the following instances:
 - 6.1. if the natural person files a request for the removal from the Register;
 - 6.2. if ascertained that registered natural person does not meet the conditions provided for in this Law to provide agriculture and rural development advisory services.
 - 6.3. if ascertained that the natural person has presented false data to be registered in the register of advisors for agriculture and rural development advisory services to provide these services.

Article 21

Advisors Training Program

1. Persons applying for the first time for the professional advisor's exam shall undergo theoretical and practical program and after its completion, they can be certified for an advisor in the certain field. For the first time of certification of expenditures of passing the exam covers the budget of Kosovo or any grant by the donors.
2. The advisors certification is performed with the aim of updating their knowledge on new technologies about agriculture and rural development.
3. The advisor shall undergo trainings every five (5) years with the purpose of passing the exam and his/her certification. The expenditures of training for the second time and other times transfer the applicant or any other fund provided for this purpose.
4. The Advisors Certification program shall be drafted by the Ministry.

Article 22

Advisors training plan

1. The Ministry drafts and implements the annual training program for agricultural and rural development advisors.
2. The plan from paragraph 1 of this Article is implemented with the purpose of application of new technologies.
3. The form and content of the training plan is determined with a sub-legal act issued by the Ministry.

CHAPTER III PUNITIVE PROVISIONS

Article 23 Offenses

1. The natural person shall be fined for an offence in the amount from five hundred (500) Euro to one thousand (1.000) Euro, if:

- 1.1. providing agricultural and rural development advisory services in contradiction with Article 9 of this Law;
- 1.2. does not allow inspection of performed activities presented in the work report according to paragraph 1 of Article 16 of this Law;
- 1.3. providing agricultural and rural development advisory services connected with the use of public and international funds without adhering conditions provided for in Article 22 of this Law;
- 1.4. is not registered in the Register of Agricultural and Rural Development Advisors according to Article 20 of this Law.

2. A legal person shall be fined for an offence in the amount from one thousand (1.000) Euro to five thousand (5.000) Euro, if:

- 2.1. providing agricultural and rural development advisory services in contradiction with Article 10 of this Law;
- 2.2. does not allow inspection of performed activities presented in the work report according to paragraph 1 of Article 16 of this Law;
- 2.3. has not obtained the license according to Article 18 of this Law;
- 2.4. is not registered in the Agricultural Advisory Services Register of Legal persons according to Article 19 of this Law.

3. A responsible person of the legal person shall be fined for an offence in the amount from five hundred (500) Euro to two thousand (2.000) Euro, if:

- 3.1. the legal person for whom he/she is responsible carries out activities in contradiction with this Law;
- 3.2. the legal person inflicts detrimental consequences for the advisory service.

4. All incomes from fines need to be transferred to the budget of Kosovo.

CHAPTER IV FINAL PROVISIONS

Article 24 Implementation

Within twelve (12) months from the entry into force of this Law, the Ministry of Agriculture, Forestry and Rural Development shall issue sub-legal acts for implementation of this Law.

Article 25 Budgetary possibilities

Institutions affected by this Law, according to budgetary possibilities allowed by the Law on Annual Budget shall meet their obligations.

Article 26

1. The Ministry of Agriculture, Forestry and Rural Development shall establish the committee for the oversight and

coordination of works of the agricultural and rural development advisory services.

2. Composition, operation and authorizations of the commission from paragraph 1 under this Article, shall be determined with a sub-legal act issued by the Ministry.

Article 27
Entry into Force

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

Law No. 04/L-074
15 February 2012

Promulgated by Decree No.DL-006-2012, dated 01.03.2012, President of the Republic of Kosovo Atifete Jahjaga.