

LAW ON PERFORMING AGRICULTURAL ACTIVITIES
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I. GENERAL PROVISIONS

Article 1

This Law shall regulate the conditions and manner of performing an agricultural activity.

Article 2

Agricultural activity may be performed by a natural person as a sole proprietor or by a legal entity: a trade company as a stock company or a limited liability company (hereinafter: trader) which have been entered into the Trade Registry.

Agricultural activity may also be performed by an agricultural cooperative, entered into the relevant Registry.

Persons, who perform agricultural activity, shall not be considered as performers of agricultural activity in the sense of this Law, if they produce agricultural products only for satisfying their own personal needs and the needs of the members of their families with whom they live.

The Ministry of Agriculture, Forestry and Water Supply shall make evidence of the persons pertaining to paragraph 4.

Employed persons or retired persons, who perform agricultural activity and are owners of land, or use the same as relatives of first degree, shall not be considered as performers of agricultural activity in the sense of this Law and shall pay taxes in compliance with regulations on taxation.

The Ministry of Agriculture, Forestry and Water Supply shall make evidence of the persons pertaining to paragraph 6 of this Article.

Article 8

As an agricultural activity of a lesser volume pursuant to this Law shall be considered the agricultural activity performed personally by an individual farmer and up to ten other employees, including

- To perform agricultural activity on agricultural land on which he has ownership rights or has legally acquired such ownership rights as owner (concession, lease, usufruct, etc.) or to have a capacity for the relevant agricultural activity.

Article 12

The residence of the performer of agricultural activity shall be the place where he lives, i.e. the place of his registered main office.

Article 13

The performer of agricultural activity must have a company.

Article 14

With respect to the performance of agricultural activity, the performer of agricultural activity shall be obligated:

1.

Chapter one
Individual Farmer as Performer of Agricultural Activity

**Conditions and Manner of Performing Agricultural
Activity by Individual Farmer**
Article 18

for administrative matters of second instance from the field of agriculture with the Government of the Republic of Macedonia.

Article 21

The decision for registration for performing an agricultural activity, in the Registry administered by the Regional Office of the Ministry shall contain the following:

- 1) name, father's name, surname and address of residence of the individual farmer;
- 2) personal identification number of the citizen;
- 3) main activity and code of the activity;
- 4) trade name and seat;
- 5) abbreviated trade name, if any;

The Regional Office of the Ministry of Agriculture, Forestry and Water Supply in the place of residence of the individual farmer shall submit one sample of the decision pertaining to paragraph 1 of this Article to the Ministry of Agriculture, Forestry and Water Supply, to the Administrative Body in charge of public revenue in the place where the agricultural activity has been registered, to the Pension Fund, Health Fund and the Bureau in charge of mediation for employment in the place of living of the individual farmer.

With the registration of the agricultural activity in the Registry, the farmer shall obtain the status of an individual farmer.

The Minister of Agriculture, Forestry and Water Supply shall bring more detailed regulation on the form and content of the Registry of Individual Farmers.

2. Trade Name of the Individual Farmer

Article 22

The individual farmer must have a trade name:

The company shall contain:

- name which refers to the main activity;
- name and surname of the individual farmer;
- main activity
- seat of the individual farmer.

Article 23

The trade name under which the individual farmer performs agricultural activity shall be written in Macedonian language, with Cyrillic alphabet, and beside this, it may also be translated in other languages and alphabets, provided that the content is the same.

If the trade name under which the individual farmer performs agricultural activity, is written in other languages and alphabets, beside the Macedonian, they shall be entered into the Registry of Individual Farmers in the other languages and alphabets, as well.

A same or similar activity performed by other person may not be entered in the Registry of Individual Farmers administered by Regional Units of the Ministry under the same trade name.

Article 24

The individual farmer shall be obligated, in his operations, to use a trade name under which he performs agricultural activity, as it has been entered into the Registry of Individual Farmers.

The individual farmer may use an abbreviation of the trade name under which he performs agricultural activity that distinguishes the farmer from other individual farmers.

The abbreviated trade name shall be entered into the Registry of Individual Farmers.

3. Seat

Article 25

The seat of the individual farmer shall be the place of his residence.

4. Evidence of Sold Products

Article 26

The individual farmer shall not keep business books, while his tax obligations shall be determined on a lump basis, with special regulation by the Public Revenue Office.

5. Liabilities

Article 27

The individual farmer shall be liable for his obligations towards third parties with his entire property.

6. Temporary Cancellation of Agricultural Activity

Article 28

The individual farmer may temporary cancel his operations in cases of:

1. Disease – while not capable to work;
2. Serving or finishing his military obligation;
3. Detention or imprisonment up to six months, i.e. in case when a safety measure has been pronounced which prohibits performing the activity for a period from six months to one year.

In cases pertaining to paragraph 1, items 1, 2 and 3 of this Article, the individual farmer, for the purpose of performing agricultural activity, may temporarily employ a

If the notice for deletion does not contain the date of termination of the activity of the individual farmer, the date of submission of the request shall be considered as the date when the activity of the individual farmer is terminated.

The decision pertaining to paragraph 1 of this Article shall be entered into the Registry of Individual Farmers and be submitted to the responsible authorities pertaining to Article 21 paragraph 2 of this Law.

The individual farmer shall be obligated to announce the termination in public media, at least 30 days prior the termination of the activity.

Article 33

The Regional Unit of the Ministry shall delete the decision for entry into the Registry of Individual Farmers and shall pronounce the termination of the agricultural activity should it conclude that the farmer has received the decision for entry on the basis of false evidence.

7. Termination of performing agricultural activity

Article 34

The individual farmer shall stop performing agricultural activity by force of law in cases of:

1. Losing capabilities to work, or in case of death, except in cases when a member of the family may continue the commencing activities, but for a period not exceeding one year;
2. Conviction to imprisonment for a period exceeding 6 months;
3. Prohibition to perform agricultural activity by an effective decision or a court measure;
4. Employment, i.e. acquiring the right to pension, or in case of starting other business activity and
5. Exceeding the performance of agricultural activity of lesser volume.

Chapter II

Trader as a Performer of Agricultural Activity

Article 35

A trader (a sole proprietor and a trade company) may perform agricultural activity

The professional qualification of the trader pursuant to Article 35 of this Law shall be examined by a Committee established by the Minister of Agriculture, Forestry and Water Economy.

If the trader does not fulfill one of the requirements prescribed by Article 35, he may perform the agricultural activity provided that he employs a person meeting these requirements.

Application of the Provisions of the Law on Trade Companies

Article 37

III. Supervision

Article 42

7. He is entered into the Registry under more than one type of performers of agricultural activity, prescribed in Article 7 of this Law (Article 15, paragraph 3 and Article 18, paragraph 1, item 6);
8. He performs agricultural activity or activities not indicated in the decision for entry into the Registry (Article 16);
9. He does not use the company under which he performs the agricultural activity as entered into the Registry of Individual Farmers (Article 24);
10. He does not notify within seven days the temporary termination of the activity to the Regional Unit of the Ministry of Agriculture, Forestry and Water Economy (Article 28, paragraph 4);
- 11.