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THE EUROPEAN UNION**

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**NOTE**

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from : Presidency

to : Working Party on Statistics

dated : 11 July 2008

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No. Cion prop. : 6366/08 STATIS 18 CODEC 184

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Subject : Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States

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**1. Introduction**

1. In view of the comments made by delegations and the Commission at the meeting of the Council Working Party on Statistics on 2 June 2008, the Slovenian Presidency proposed a compromise text on 19 June 2008.

The main changes contained in that compromise text are as follows:

- Addition of Article 1(4a). This concerns statistical confidentiality, and its wording is identical to that agreed on for the current proposal for a Regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95.

- Article 1(5)(c) now specifies the characteristics of enterprises for which annual statistics must be provided. The wording of those characteristics is identical to that agreed on for the current proposal for a Regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95.
- Addition of Article 1(6). This is the standard quality article in conjunction with the new committee procedure.
- Taking account of the comments made by various delegations, the references in the compromise text to quality criteria relate explicitly to results. Hence the words "*results of the*" have been added to recital 10 and Article 1(5)(b).
- In three instances, the reference "*Council Regulation (EEC) No 2186/93 of 22 July 1993 on Community coordination in drawing up business registers for statistical purposes*" has been replaced by "*Council Regulation (EEC) No 177/2008 of 20 February 2008 establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93<sup>1</sup>*".

2. On 10 June 2008, the European Parliament published a draft report by its Economic and Monetary Affairs Committee. The draft report proposes five amendments to the Commission's initial text.

- (a) Proposed amendments nos 2, 3 and 5 consist of replacing, where appropriate, the reference "*Council Regulation (EEC) No 2186/93 of 22 July 1993 on Community coordination in drawing up business registers for statistical purposes*" with "*Council Regulation (EEC) No 177/2008 of 20 February 2008 establishing a framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93<sup>2</sup>*".

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<sup>1</sup> OJ L 61, 5.3.2008, p. 6.

<sup>2</sup> OJ L 61, 5.3.2008, p. 6.

These three proposed amendments appear to be compatible with those contained in the Slovenian compromise text.

(b) Proposed amendment No 1 adds recital 3a:

*"For the long-term efficiency and accuracy of data, the future introduction of a single-flow system is desirable. To this end, the value and viability of the introduction of single-flow reporting should be investigated by the Commission, if appropriate, inter alia, by launching a pilot project."*

This wording appears to go beyond what was agreed between the Commission and the national experts in the autumn of 2007. First, the focus is more on the positive impact of a single-flow system than on deadlines and data quality (to which the clarification relates). Secondly, the reference here to a pilot project takes the introduction of a single-flow system too much for granted.

(c) Proposed amendment No 4 amends Article 1(4)(a):

*"The thresholds below which parties are exempted from providing any Intrastat information shall be 95 % for arrivals and 97 % for dispatches. The Commission may adapt the thresholds to technical and economic developments. Those measures, designed to amend non-essential elements of this Regulation, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(3)."*

For the record, the Commission's initial proposal was as follows:

*"The definition of the thresholds below which parties are exempted from providing any Intrastat information shall be specified by the Commission. Those measures designed to amend non-essential elements of this Regulation, inter alia, by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(3)."*

Here it is worth noting Article 13(1)(a) of the draft Commission Regulation amending Commission Regulation No 1982/2004<sup>3</sup>:

*"For defining the thresholds below which parties are exempted from providing any Intrastat information, Member States shall ensure that information referred to in Article 9(1), first subparagraph, points (a) to (f) of Regulation (EC) No 638/2004, made available by the parties responsible for providing information, is such that at least 97% of the relevant Member State's annual total dispatches and at least 95% of annual total arrivals expressed in value are covered."*

## **2. Discussion by the Working Party on Statistics on 11 July 2008**

The discussion will be based on the Slovenian compromise text of 19 June 2008 and the draft report by the European Parliament's Economic and Monetary Affairs Committee of 10 June 2008 (rapporteur: Mr Eoin Ryan).

- (a) The Presidency proposes first discussing the Slovenian compromise text. Please note that Article 1(4)(a)<sup>4</sup> (definition of thresholds) will be discussed only in conjunction with the discussion of the amendments proposed by the European Parliament (amendment No 4).
- (b) The discussion will then turn to the amendments proposed by the European Parliament, as published in the draft report by its Economic and Monetary Affairs Committee.

Delegations are invited to comment on the amendments in the following order:

- amendments Nos 2, 3 and 5,
- amendment No 1,
- and amendment No 4.

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<sup>3</sup> N.B. this draft Regulation of 7 May 2008 does not constitute Eurostat's final proposal.

<sup>4</sup> And, if necessary, Article 1(4)(b) and (c).