



**COUNCIL OF
THE EUROPEAN UNION**

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12938/08

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**STATIS 118
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NOTE

from:	Presidency
to:	Working Party on Statistics
No. Cion prop.:	6366/08 STATIS 18 CODEC 184
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

The Econ committee of the EP has adopted its report on Intrastat the 9th of September. **The only outstanding issue to conclude a first reading agreement is the adoption of EP's amendment n°8** (text of this amendment is attached).

The adoption of amendment n°8 meets two aims of the Econ committee:

- to have a legal text explicitly mentioning that it may be considered to reduce compulsory coverage rates;
- and to make it easier (no codecision needed) to reduce further these coverage rates.

Informal contacts, just before the vote, with the author of amendment n°8 and with the shadow-rapporteur who explicitly supported this amendment during Econ discussions, demonstrated that **there is a concrete possibility to draft a compromise text acceptable for both parties:**

- the EP (having a text indicating that the opportunity to reduce further the coverage rates will be considered;
- and the Council (having a text stressing on the strong concern of statisticians about the quality of these statistics).

The idea of the agreement would be the following:

- the Council would draft article 1 point 4.a "in the spirit" of what is currently proposed (our proposal is attached)
- and would add a sentence in Recital 3a mentioning the possibility (not the obligation) to reduce further the coverage rates, saying that, whatever the solution to further reduce the burden on enterprises, impact on quality must be carefully considered before any decision.

Since the Presidency will have to propose a concrete compromise text to the EP rapporteurs, **it would therefore like to ask for the agreement of Council's delegations in order to discuss**, as described above, a possible agreement with the EP. As an informal trilogue is planned for the week of 22 September, **delegations are kindly invited to answer by 16 September 2008 at the latest**. Replies should be sent to the Presidency (europe-international@insee.fr) and the Council Secretariat (dgc.statis.intmarkt@consilium.europa.eu).

In case of successful conclusion of this discussion, delegations will receive the new compromise text that could be presented to the EP plenary next month after which the Working Party could agree on all EP amendments and a first reading agreement on INTRASTAT would be reached.

Amendment EP n°8

'3. For defining thresholds below which parties are exempted from providing any Intrastat information, Member States shall ensure that the information referred to in Article 9(1), first subparagraph, points (a) to (f), made available by the parties responsible for providing it, covers at least 90% and at most 95% of arrivals and dispatches of the relevant Member State's total trade expressed in value.

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).'

Presidency's proposal, taking into account the discussion at the WPS of 3 September

'3. The thresholds below which parties are exempted from providing any Intrastat information shall be set at a level which ensures that the value of at least 97% of the total dispatches and at least 95% of the total arrivals of the relevant Member State's taxable persons is covered.

The Commission may adapt these coverage rates 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).'