



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 20.2.2006  
COM(2006) 66 final

2006/0020 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**concerning structural business statistics**

(presented by the Commission)

## EXPLANATORY MEMORANDUM

### 1) CONTEXT OF THE PROPOSAL

- **Grounds for and objectives of the proposal**

In order to respond to increased need for statistical data to underpin policy making and monitoring, the proposed regulation improves the current regulation by increasing coverage of service activities, by adding annexes on Business Demography and Business Services and by introducing a new tool to respond to emerging user needs. Council Regulation (EC, Euratom) No. 58/97 of 20 December 1996 concerning structural business statistics, which is the common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community, has been amended four times. Since further amendments are to be made, it should be recast in the interests of clarity. The recast regulation aims to continue with the existing statistical support for decisions in current policy areas and to satisfy the additional requirements arising from new Community policy initiatives, and from the ongoing review of statistical priorities and the necessity of the statistics produced – all this with a view to making best use of available resources and minimising response burden.

Wherever possible, the recast regulation proposes simplifications and alleviation of burden to balance the new requirements. In the frame of the discussion of the Annual Work Programme 2005 in their 53rd and 54th meetings, the Statistical Programme Committee welcomed the effort made by Eurostat to define negative priorities and stressed that this process should be improved. In line with the statistical programme for the Commission 2005 the recast combines new with negative priorities.

- **General context**

Statistical data regarding services is missing for many services activities at the detailed activity level, especially within business services as this sector is very heterogeneous. For example, in Council Regulation No 58/97, manufacturing industry is covered by 241 distinct activities compared to 32 for market services. The proposal put forward concerned inter alia the adaptation of existing Regulations to put services on equal footing with manufacturing and the necessity to consider new approaches to data collection.

In order to be able to give substantial policy recommendations for the support of entrepreneurship, harmonised data on business demography, i.e. data on enterprise births, survivals and deaths and their respective impact on employment are required. A flexible tool is needed enabling timely response to newly emerging statistical needs due to changing economic or technical conditions. Currently there is no legal text setting up a common framework for the systematic production of statistics on business services, business demography and ad hoc data collection.

- **Existing provisions in the area of the proposal**

Council Regulation (EC, Euratom) No 58/97 of 20 December 1996 concerning structural business statistics (OJ L 14, 17.1.1997, p. 1). This regulation has been amended substantively by Council Regulation (EC, Euratom) No 410/98 of 16

February 1998 (OJ L 52, 21.2.1998, p. 1), Commission Regulation (EC) No 1614/2002 of 6 September 2002 (OJ L 244, 12.9.2002, p. 7), Regulation (EC) No 2056/2002 of the European Parliament and of the Council of 5 November 2002, (OJ L 317, 21.11.2002, p. 1), Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003, (OJ L 284, 31.10.2003, p. 1). This proposal for a regulation replaces Council Regulation No 58/97 and its amendments and proposes new amendments. A comprehensive revision of the NACE nomenclature is in preparation. It was discussed whether the SBS Regulation recast could foresee any mention of the future NACE version as regards the numerous references to its earlier version. For practical reasons, this was ruled out and the NACE revision will in any case have to ensure that all prior references to its earlier versions are transposed.

- **Consistency with other policies and objectives of the Union**

Up-to-date statistics can substantially support key policy priorities such as the process set in place by the Lisbon European Council meeting in March 2000. The Council meeting in March 2001 in Stockholm subsequently stated that "the creation of an effectively functioning internal market in services is one of Europe's highest priorities". Statistical data is essential to better understand the real forces behind competitiveness and for giving guidance to decision making by business operators, policymakers and other stakeholders and for monitoring of progress in the implementation of policy areas as described in the Commission Communication to the Council on the competitiveness of business-related services and their contribution to the performance of European enterprises.

By its Decision 2000/819/EC of 20 December 2000 the Council adopted the Multi-Annual Programme enterprise and entrepreneurship, and in particular for small and medium-sized enterprises, with a view to making progress towards the objective set out by the European Charter for Small Enterprises. This programme calls for indicators measuring successful entrepreneurship. In addition, the Commission has, on 6 April 2005, adopted a proposal for a new Competitiveness and Innovation Framework Programme 2007-2013 (COM (2005) 0121 final). Data on business demography are an element of the Structural Indicators monitoring the goals set by the Lisbon Strategy. Furthermore, the Green Paper on Entrepreneurship in Europe, followed by the Entrepreneurship Action Plan, of the Commission calls for a benchmarking of national policies as regards the fostering of entrepreneurship as a source of employment.

## 2) CONSULTATION OF INTERESTED PARTIES AND IMPACT ASSESSMENT

- **Consultation of interested parties**

### Consultation methods, main sectors targeted and general profile of respondents

The Statistical Program Committee approved the strategy for the services statistics by September 2002. The need for a clearly prioritised approach within the area of services statistics was underlined as well as the need to identify negative priorities in other fields in order to be able to comply with the requests for new statistics in the area of services and to balance this by a reduction of the response burden in other sectors. The corresponding working groups, under the supervision of the Business Statistics Directors Group, which approved the action plan, were mandated to continue with the

development of the proposal.

The proposed recast version was drafted based on the outcome of pilot studies, written consultations of both data providers and user Directorates-Generals and consultation of the responsible working groups (business services and business demography), of the Structural Business Statistics Steering Group (meeting in November 2003, April and November 2004) and the Business Statistics Directors Group (meeting in October 2004) and of concerned Commission Directorates-Generals.

#### Summary of responses and how they have been taken into account

The need for a revision of the Regulation on structural business statistics was acknowledged by all consulted groups. One component is the extension for services. All data is requested to be delivered on 4-digit level of the NACE REV. 1.1 in order to allow for a finer analysis of the services sector, especially computer and business services (Annex I, section 9). A new Annex on business services (Annex VIII) is added to the regulation to provide data on turnover broken down by product type and by residence of clients in order to gain further knowledge on business services and the functioning of the internal market in this area. Annex VIII is in general supported by Member States.

A new Annex on business demography (Annex IX) has been introduced to the regulation to provide data on business demography, i.e. on enterprise births and deaths as well as the survival of newly born enterprises and the related employment effects. Annex IX found overall agreement by the Member States. An ad hoc module for the flexible conduct of surveys in response to newly emerging statistical needs has been introduced. Some Member States raised concerns about the module and asked for the possibility for co-financing from the Commission for the carrying out of ad hoc data collections.

Variables especially related to gross operating surplus and labour input are moved from the sector specific annexes of the regulation (Annexes II-IV) to the common module (Annex I) to increase the availability of data in the services sector. The extension of the common module to NACE division 90 (Sewage and refuse disposal, sanitation and similar activities) and groups 92.1 (Motion picture and video activities) and 92.2 (Radio and television activities) and the planned pilot studies for sections M (Education), N (Health and social work) and O (Other community, social and personal service activities) found support in general, however, data for non-market activities were seen as difficult to collect. In order to fulfil the requirement to, wherever possible, simplify and reduce the burden, the following variables have been deleted in agreement with data providers and users:

- Research and development,
- Purchases of energy products from Annexes II and IV,
- Trading by enterprises from Annex III,
- Value of tangible goods acquired through financial leasing from Annexes II to IV
- All optional variables.

- All variables that are either surveyed in the framework of another regulation or where data availability or quality was poor and user needs were limited.

As the quality of the data was seen as possibly too low by some Member States, paragraph 4 has been added to article 6 of the main body of the regulation in order to allow for delivery of data flagged for low accuracy in specific cases. The breakdown of turnover by type of activity has been made multi-annual (Annexes II-IV), whilst turnover from the principal is kept annual. The variables were seen by Member States as too detailed to be collected annually with high quality.

- **Collection and use of expertise**

There was no need for external expertise.

- **Impact assessment**

The information required by this Regulation can be needed for drawing up, monitoring and evaluating Community policies, in particular concerning the internal market as well as enterprise, economic, financial, employment and information society. The additional information can contribute to improved policies making and monitoring including those measures aimed at sustainable development. It will also enable monitoring of business demography and its employment and social effects.

The information that will become available via this Regulation will help businesses in investment decisions and will assist enterprises to benchmark their operation against the industry average. The regulation may therefore help to promote the competitiveness of businesses. Together with the improvement of policies, the economic impact will be positive.

### 3) LEGAL ELEMENTS OF THE PROPOSAL

- **Summary of the proposed action**

The codified and recast regulation will be the extended framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community. New economic, competition, social, environmental and enterprise policies and guidelines call for initiatives and decisions based on valid statistics. The information provided for under existing Regulation on structural business statistics or under any other Community legislation or available in Member States is insufficient, inadequate or insufficiently comparable to serve as a reliable basis for the work of the Commission.

- **Legal basis**

Treaty establishing the European Community, and in particular Article 285(1) thereof.

- **Subsidiarity principle**

The subsidiarity principle applies insofar as the proposal does not fall under the exclusive competence of the Community.

The objectives of the proposal cannot be sufficiently achieved by the Member States for the following reason(s).

Community legislation of structural business statistics is needed to set common statistical standards for data, with a high degree of comparability between data collected in different Member States. Such comparability is requested by all users, not only at Community level, but also within Member States. The regulation defines a set of relevant statistical data, together with the most important definitions needed to ensure the comparability of the statistics. This is essential, for the calculation of EU aggregates, which are in great demand by users. The likely impact of a continuation of the existing situation can be the lack of information needed by the users. In order to carry out the tasks entrusted to it under the Treaties, especially with regard to the internal market, the Commission must have an adequate, meaningful, up-to-date, reliable and comparable structural business statistics.

Without the Regulation Member States would suffer from the lack of harmonised structural business statistics across the EU and would damage significantly their own interests. This regulation provides the basis for data needed for Policy formulation. Businesses and their professional associations need such information in order to understand their markets and to compare their activity and performance with those of their competitors, at regional, national and international level.

Community action will better achieve the objectives of the proposal for the following reason(s).

The best method of ascertaining the structure, activity, competitiveness and performance of enterprises in the community consists in compiling statistics in accordance with common methodological principals and common definitions of characteristics. It is only from coordinated compilation that harmonised statistics can be drawn up with reliability and the level of detail required meeting the needs of the Commission and of enterprises.

EU aggregates can be calculated only at Community level on the basis of harmonised statistics.

The national statistics need to be co-ordinated and harmonised to provide European statistics. Only the European Union is in a position to do this.

The proposal therefore complies with the subsidiarity principle.

- **Proportionality principle**

The proposal complies with the proportionality principle for the following reason(s).

The proposed regulation and all implementing regulations will be output measures, defining the statistical characteristics and the breakdown by activities to be provided, but leaving Member States full flexibility in how to obtain to data. It does not go beyond what is needed and it takes into account burden falling on the parties concerned to be minimised and proportionate. The proposed regulation does not prevent Member States from collecting other or more detailed statistics if they wish.

The recast regulation takes into account the continuation of existing statistical support for decision in current policy areas and the additional requirements from new Community policy initiatives, the need for ongoing review of statistical priorities and the necessity of the statistics to be produced. It aims at making best use of available resources and minimising response burden. Wherever possible, the recast regulation proposes simplifications and alleviation of burden in order to balance the new requirements.

- **Choice of instruments**

Proposed instrument: Regulation.

Other means would not be adequate for the following reason(s).

The requirements of the statistics in this regulation need direct and immediate execution in the Member States. They concern specifically identified statistical units in the Member States, the objective being clear and immediately applicable and the elements to be surveyed being specified in the act together with methodology, timing and periodicity. As such, therefore, they are not in general dependant on national measures for harmonisation, and national authorities, being concerned by the measures, simply have to apply them.

#### **4) BUDGETARY IMPLICATION**

The costs of the mandatory data collection in Member States are borne by countries. For pilot studies co-financing would be necessary to test the feasibility of the collection of the data requested by our main users but difficult to collect. The Commission contribution will, following a call for proposals, take the form of grants awarded on the basis of grant applications submitted by Member States in advance, which will include estimated cost statement. According to Article 2 of Council Regulation (CE) No 322/97 on Community Statistics national authorities shall mean national statistical institutes and other bodies responsible in each Member States for producing Community statistics. Commitments of 4.950 € million have been foreseen for the year 2007-2009 to co-finance pilot studies.

No technical and administrative assistance and support expenditure is foreseen. Existing human resources will be reallocated for the management and the needs of the programme, no other sources are necessary. Work by Eurostat to develop and document the Community methodology and to process, analyse and disseminate data will be covered in full. Additional costs are expected to be marginal.

#### **5) ADDITIONAL INFORMATION**

- **Simulation, pilot phase and transitory period**

There was or there will be a simulation or a pilot phase for the proposal.

There was or there will be a transitory period for the proposal.

- **Simplification**

The proposal provides for simplification of legislation.

25 variables have been dropped from the regulation. The regulation has been reorganised to cover the necessary data needs and the structure of the different annexes has been made similar. Legal streamlining, especially as regards the use of implementing powers has been performed. The extent and use of Comitology has been comprehensively and exhaustively listed and cross-referenced throughout the text, whenever necessary to ensure clarity.

- **Repeal of existing legislation**

The adoption of the proposal will lead to the repeal of existing legislation.

- **Recasting**

The proposal involves recasting

- **European Economic Area**

The proposed act concerns an EEA matter and should therefore extend to the European Economic Area.

---

↓ 58/97 recast (adapted)

2006/0020 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**concerning structural business statistics**

**(Text with EEA relevance)**

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article ~~213~~  285(1)  thereof,

Having regard to the proposal from the Commission<sup>1</sup>,

~~Having regard to the opinion of the European Parliament,~~

Having regard to the opinion of the  European  Economic and Social Committee<sup>2</sup>,

Acting in accordance with the procedure laid down in Article 251 of the Treaty,

Whereas:

---

↓ (new)

- (1) Council Regulation (EC, EURATOM) No 58/97 of 20 December 1996 concerning structural business statistics<sup>3</sup> has been substantially amended several times<sup>4</sup>. Since further amendments are to be made, it should be recast in the interests of clarity.
- (2) Regulation (EC, EURATOM) No 58/97 established a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community.

---

<sup>1</sup> OJ

<sup>2</sup> OJ

<sup>3</sup> OJ L 14, 17.1.1997, p. 1. Regulation as last amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p.1.)

<sup>4</sup> See Annex X.

---

↓ 58/97 recital 1

~~(1) Whereas in its resolution of 14 November 1989 on internal trade in the context of the internal market<sup>5</sup> the Council requested the Commission in particular to improve trade statistics by making them compatible with Community definitions and increasing, as far as necessary, the supply of such statistics to the Statistical Office of the European Communities;~~

---

↓ 58/97 recital 2

~~(2) Whereas in Decision 92/326/EEC<sup>6</sup> the Council adopted a two-year programme (1992 to 1993) for the development of European statistics on services; whereas this programme includes the compilation of harmonized statistics at national and regional levels, particularly for the distributive trades;~~

---

↓ 58/97 recital 3

~~(3) Whereas in its Directive 78/660/EEC of 25 July 1978 based on Article 54 (3) (g) of the Treaty on the annual accounts of certain types of companies<sup>7</sup> the Council adopted measures to improve the coordination of national provisions concerning the presentation and content of annual accounts and annual reports, the valuation methods used therein and their publication in respect of certain types of company;~~

---

↓ 58/97 recital 4

~~(4) Whereas the Community has, in the mean time, made substantial progress towards integration. New economic, competition, social, environmental and enterprise policies and guidelines call for initiatives and decisions based on valid statistics. The information provided for under existing Community legislation or available in Member States is insufficient, inadequate or insufficiently comparable to serve as a reliable basis for the work of the Commission;~~

---

↓ (new)

(3) Decision No 2367/2002/EC of the European Parliament and the Council of 16 December 2002 on the Community statistical programme 2003 to 2007<sup>5</sup> adopted the programme to be guided by the principal Community policy priorities of economic and monetary union, European Union enlargement and competitiveness, regional

---

<sup>5</sup> OJ No C 297, 25. 11. 1989, p. 2.

<sup>6</sup> OJ No L 179, 1. 7. 1992, p. 131.

<sup>7</sup> OJ No L 222, 14. 8. 1978, p. 11. Directive as last amended by Directive 94/8/EC (OJ No L 82, 25.3.1994, p. 33).

<sup>5</sup> OJ L 358, 31.1.2002, p. 1. Decision as amended by Decision No 787/2004/EC (OJ L 138, 30.4.2004, p.12.)

policy, sustainable development and the social agenda. Statistics on the economic activity of enterprises form an essential part of this programme.

- (4) The regulation should provide for the continuation of existing statistical support for decisions in current policy areas and to satisfy the additional requirements arising from new Community policy initiatives, and from the ongoing review of statistical priorities and of the relevance of the statistics produced, with a view to making best use of available resources and minimising response burden.

---

↓ 58/97 recital 5

- ~~(5) Whereas by its Decision 93/379/EEC<sup>8</sup> the Council adopted a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of policy for enterprise, in particular small and medium-sized enterprises, in the Community; whereas statistics are needed to assess the impact of the measures undertaken to achieve the objectives laid down in the Decision, in particular to have statistics which are comparable for businesses of all sectors, statistics on the national and international subcontracting relations between businesses and improved statistics on small and medium-sized enterprises; whereas these needs must not lead to the imposition of unreasonably onerous reporting requirements on small and medium-sized enterprises;~~

---

↓ 58/97 recital 6

- ~~(6) Whereas in its Decision 93/464/EEC<sup>9</sup> the Council adopted a framework programme for priority actions in the field of statistical information for 1993 to 1997;~~

---

↓ 58/97 recital 7

- ~~(7) Whereas there is a need for statistics on business conduct, in particular concerning research, development and innovation, environmental protection, investment, eco-industries, tourism and high technology industries. The development of the Community and the operation of the internal market increase the need for comparable data on the structure of earnings of employees, the cost of labour and on training.~~

---

↓ 58/97 recital 8

- ~~(8) Whereas there is a need for complete and reliable statistical sources in order to enable a correct application of Council Directive 89/130/EEC, Euratom of 13 February 1989 on the harmonization of the compilation of the gross national product at market prices<sup>10</sup>;~~

---

<sup>8</sup> OJ No L 161, 2. 7. 1993, p. 68.

<sup>9</sup> OJ No L 219, 28. 8. 1993, p. 1.

<sup>10</sup> OJ No L 49, 21. 2. 1989, p. 26.

---

↓ 58/97 recital 9

~~(9) Whereas the compilation of national and regional accounts according to the European system of integrated economic accounts (ESA<sup>11</sup>) requires the development of comparable, complete and reliable statistical sources.~~

---

↓ 58/97 recital 10

~~(10) Whereas there is a need for regional indicators and accounts.~~

---

↓ 58/97 recital 11

~~(11) Whereas, in order to carry out the tasks entrusted to it under the Treaties, especially with regard to the internal market, the Commission must have exhaustive, up to date, reliable and comparable information on the structure, activity, competitiveness and performance of enterprises in the Community.~~

---

↓ 58/97 recital 12

~~(12) Whereas standardization is required to meet Community needs for information concerning economic convergence.~~

---

↓ 58/97 recital 13

~~(13) Whereas businesses and their professional associations need such information in order to understand their markets and to compare their activity and performance with those of their competitors, at regional, national and international level.~~

---

↓ 58/97 recital 14

~~(14) Whereas the creation of common statistical standards that permit the production of harmonized data is an action which can only be undertaken efficiently at Community level. Such standards will be implemented in each Member State under the authority of the bodies and institutions in charge of compiling official statistics.~~

---

↓ 58/97 recital 15

~~(15) Whereas the best method of ascertaining the structure, activity, competitiveness and performance of enterprises in the Community consists in compiling statistics in accordance with common methodological principles and common definitions of~~

---

<sup>11</sup> Council Regulation (EC) No 2223/96 of 25 June 1996 on the European system of national and regional accounts in the Community, OJ L 310 , 30.11.1996, p. 1.

~~characteristics. It is only from coordinated compilation that harmonized statistics can be drawn up with reliability, speed, flexibility and the level of detail required to meet the needs of the Commission and of enterprises.~~

---

↓ 58/97 recital 16

~~(16) Whereas the definition of kind of activity units (KAU)<sup>12</sup> corresponds to one or more operational subdivisions of the enterprise. For a KAU to be observable, the enterprise's information system must be capable of indicating or calculating for each KAU at least the value of production, intermediate consumption, manpower costs, the operating surplus and employment and gross fixed capital formation. KAUs falling within a particular heading in the statistical classification of economic activities in the European Community<sup>13</sup> (NACE REV. 1) can produce products outside the homogeneous group, on account of secondary activities connected with them which cannot be separately identified from available accounting documents. It can be concluded that the enterprise and the KAU are identical when it proves impossible for an enterprise to indicate or calculate information on all of the variables listed in this recital for one or more operational subdivisions;~~

---

↓ 58/97 recital 17

~~(17) Whereas the statistical data compiled within a Community system must be of a satisfactory quality and this quality, as well as the burden it entails, must be comparable from one Member State to another. It is therefore necessary to establish jointly the criteria enabling these requirements to be met.~~

---

↓ 58/97 recital 18

~~(18) Whereas it is necessary to simplify the administrative procedures for enterprises, particularly small and medium-sized enterprises, including the promotion of new technologies for data collection and compilation of statistics. It may still be necessary to collect directly from enterprises the data necessary to compile structural business statistics, using methods and techniques which will ensure that they are exhaustive, reliable and up to date, without giving rise for the parties concerned, in particular for small and medium-sized enterprises, to a burden which is disproportionate in relation to the results which users of the statistics can reasonably expect.~~

---

<sup>12</sup> ~~Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community, OJ No L 76, 30.03.1993 p. 1.~~

<sup>13</sup> ~~Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community, OJ No L 293, 24.10.1990, as last amended by Commission Regulation (EC) No 29/2002 of 19 December 2001, OJ No L 6, 10.1.2002, p. 3.~~

---

↓ 58/97 recital 19

~~(19) Whereas the signing of the General Agreement on Trade in Services (GATS) has led to a substantial need for information on the size of the signatories' markets and their shares of those markets for the purpose of managing and developing that Agreement;~~

---

↓ 58/97 recital 20

~~(20) It is necessary to have a legal framework common to all business activities and domains of business statistics covering also the activities and domains for which statistics are not yet developed.~~

---

↓ 58/97 recital 21

~~(21) Whereas Directive No 64/475/EEC<sup>14</sup> and Directive No 72/221/EEC<sup>15</sup>, which aimed to provide a body of coherent statistics, have not been able to take account of economic and technical changes that have occurred since their adoption and should therefore be repealed;~~

---

↓ 58/97 recital 22

~~(22) Whereas, in order to enable the rules for the collection and statistical processing of data and for processing and transmission of the results to be clarified further, it is necessary to confer on the Commission, assisted by the Statistical Programme Committee set up by Decision 89/382/EEC, Euratom<sup>16</sup>, the power to adopt measures for the application of this Regulation.~~

---

↓ (new)

(5) There is an increasing need for data on services, in particular business services. Statistics are needed for the economic analysis and policy formulation on what is the most dynamic sector of modern economies, especially, in terms of its potential for growth and employment creation. The Lisbon European Council meeting in March 2000 highlighted the importance of services. The measurement of turnover broken down to detailed service products is a necessary prerequisite for a true understanding of the services' role in the economy. The Stockholm European Council meeting in March 2001 concluded that the creation of effectively functioning internal markets for services is one of Europe's highest priorities. Statistics by detailed service products on cross-border trade are essential to the monitoring of the functioning of internal markets

---

<sup>14</sup> ~~Council Directive 64/475/EEC of 30 July 1964 concerning coordinated annual surveys of investment in industry (OJ No L 131, 13. 8. 1964, p. 2193). Directive as last amended by the 1985 Act of Accession.~~

<sup>15</sup> ~~Council Directive 72/211/EEC of 6 June 1972 concerning coordinated annual surveys of industrial activity (OJ No L 133, 10. 6. 1972, p. 57). Directive as last amended by the 1985 Act of Accession.~~

<sup>16</sup> ~~OJ No L 181, 28. 6. 1989, p. 47.~~

for services, the evaluation of the competitiveness of services and the assessment of the impact of barriers on trade in service.

- (6) There is a need for data on business demography, in particular as they are an element of the Structural Indicators, established for monitoring the achievements concerning the goals set by the Lisbon Strategy. In addition, harmonised data on business demography and their respective impact on employment are necessary to substantiate policy recommendations for the support of entrepreneurship.
- (7) There is a need for a flexible tool within the statistical framework which can respond in a quick and timely manner to emerging user needs resulting from the increasingly dynamic, innovative and complex characteristics of the knowledge-based economy. Linking such ad hoc data collections with the ongoing collection of Structural Business Statistics data brings value added to the information gathered in both surveys and can reduce the total burden on respondents by avoiding duplication of data collection.
- (8) It is necessary to provide for a procedure for the adoption of measures for the implementation of this Regulation in order to enable the rules for the collection and statistical processing of data and for processing and transmission of the results to be clarified further.
- (9) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission<sup>6</sup>.
- (10) If the Commission, on the basis of the evaluation of pilot studies concerning non-market activities in Sections M to O of NACE Rev. 1.1, according to Annex I, Section 10, paragraph 1, and Annex IX, Section 12, deems it necessary to expand the current scope of this Regulation it should make a proposal in accordance with the procedure laid down in Article 251 of the Treaty.
- (11) Since the objectives of the action to be taken, namely to provide harmonised data on the structure, activity, competitiveness and performance of businesses in the Community, cannot be sufficiently achieved by the Member States and can therefore, by reason of the scale and effects of the action, be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve those objectives.

---

<sup>6</sup> OJ L 184, 17.7.1999, p. 23

---

↓ 58/97 (adapted)

HAVE ADOPTED THIS REGULATION:

*Article 1*

*Subject matter*

~~The objective of~~ ~~†This Regulation shall be to establish~~  establishes  a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community.

~~Article 2~~

---

↓ 58/97

The compilation of statistics shall have as its purpose, in particular, to analyse:

- ~~(i)~~(a) the structure and evolution of the activities of businesses;
- ~~(ii)~~(b) the factors of production used and other elements allowing business activity, performance and competitiveness to be measured;
- ~~(iii)~~(c) the regional, national, Community and international development of businesses and markets;
- ~~(iv)~~(d) business conduct;
- ~~(v)~~(e) small and medium-sized enterprises;

---

↓ 58/97 (adapted)

- ~~(vi)~~(f) specific characteristics of enterprises related to particular ~~groupings~~  breakdown  of activities.

*Article*  2

*Scope*

1. This Regulation shall cover all market activities in Sections C to K and M to O of the statistical classification of economic activities in the European Community (NACE REV. 1  .1  ).

2. Statistical units of the types listed in Section I of the Annex to Council Regulation (EEC) No 696/93<sup>7</sup> ~~on the statistical units for the observation and analysis of the production system in the European Community and~~ which are classified under one of the activities referred to in paragraph 1 shall be included in the scope of this Regulation. The use of particular units for the compilation of statistics ~~is~~ shall be specified in the Annexes to this Regulation.

Article 3 4

Modules

1. The statistics to be compiled for the areas referred to in Article 1 2 shall be grouped as modules. The modules shall be as defined in the Annexes ~~to this Regulation.~~

---

↓ 58/97

2. The modules in this Regulation shall be:

---

↓ 58/97 (adapted)

- (a) a common module for annual structural statistics , as defined in Annex I 1;
- (b) a detailed module for structural statistics in industry , as defined in Annex II 2;
- (c) a detailed module for structural statistics in trade , as defined in Annex III 3;
- (d) a detailed module for structural statistics in construction , as defined in Annex IV 4;

---

↓ 410/98 (adapted)

- (e) a detailed module for structural statistics in insurance , as defined in Annex V 5;

---

↓ 2056/2002 Art. 1 pt.1 (adapted)

- (f) a detailed module for structural statistics on credit institutions , as defined in Annex VI 6;

---

<sup>7</sup> OJ No L 76, 30. 3. 1993, p. 1. Regulation as amended by the 1994 Act of Accession.

(g) a detailed module for structural statistics on pension funds ~~☒~~, as ~~☒~~ defined in Annex ~~☒~~ VII ~~☒~~ ~~7<sub>ix</sub>~~;

---

↓ (new)

(h) a detailed module for structural statistics on business services, as defined in Annex VIII;

(i) a detailed module for structural statistics on business demography, as defined in Annex IX;

(j) a flexible module for the conduct of a small ad hoc data collection of enterprise characteristics.

---

↓ 58/97

2.3. The following information shall be laid down in each module:

---

↓ 58/97 (adapted)

~~(i)~~(a) the activities for which the statistics are to be compiled, drawn from the coverage indicated in Article ~~☒~~ 2 ~~☒~~ ~~3~~ (1);

~~(ii)~~(b) the types of statistical unit to be used for the compilation of the statistics, drawn from the list of statistical units referred to in Article ~~☒~~ 2 ~~☒~~ ~~3~~ (2);

~~(iii)~~(c) lists of characteristics for which statistics are to be compiled for the ~~☒~~ areas referred to ~~☒~~ ~~domains listed~~ in Article ~~☒~~ 1 ~~☒~~ ~~2~~ and the reference periods for those characteristics;

~~(iv)~~ — a list of statistics to be compiled on business demography;

---

↓ 58/97

~~(v)~~(d) the frequency for the compilation of the statistics, which shall be yearly or multi-yearly. If the compilation is multi-yearly, it shall be done at least once every 10 years;

~~(vi)~~(e) the timetable showing the first reference years for the statistics to be compiled;

~~(vii)~~(f) the standards relating to representativeness and quality evaluation;

~~(viii)~~(g) the period of time from the end of the reference period within which the statistics are to be transmitted;

~~(ix)~~(h) the maximum length of the transitional period which may be conceded.

---

↓ (new)

4. The frequency, topics, list of characteristics, reference period, activities to be covered and quality standards of the flexible module referred to in point (j) of the second paragraph shall be determined in accordance with the procedure referred to in Article 12 (2) at least 12 month before the beginning of the reference period.

The scope of the flexible module shall be restricted in order to limit the burden on businesses and the costs for data collection by Member States.

The costs of such data collection may be co-financed by the Commission using established procedures.

---

↓ (new)

#### *Article 4*

##### *Pilot studies*

1. A series of pilot studies shall be instituted by the Commission and carried out by Member States as specified in the Annexes. The Commission shall award grants to national authorities within the meaning of Article 2 of Council Regulation (EC) No 322/97<sup>8</sup>, following a Call for Proposals.

2. The pilot studies shall be carried out in order to assess the relevance and feasibility of obtaining data. The results of the pilot studies shall be evaluated by the Commission, taking into account the benefits of the availability of the data in relation to the cost of collection and the burden on businesses.

3. The Commission shall inform the European Parliament and the Council of the results of pilot studies.

4. On the basis of the evaluation of the pilot studies, the Commission shall adopt the necessary implementation measures in accordance with the procedure referred to in Article 12 (2).

---

<sup>8</sup> OJ L 52, 22.2.1997, p. 1.

---

↓ 58/97 (adapted)

Article 5

*Acquisition of data*

1. Member States shall acquire the necessary data for the observation of the characteristics in the lists referred to in the modules in Article 3.
2. Member States may acquire the necessary data using a combination of the different sources specified below, applying the principle of administrative simplification:

---

↓ 58/97

- (a) compulsory surveys: the legal units, to which the statistical units called on by the Member States belong or of which they are composed, shall be obliged to give accurate and complete information within the prescribed deadlines,
- (b) other sources which are at least equivalent as regards accuracy and quality,
- (c) statistical estimation procedures where some of the characteristics have not been observed for all of the units.

---

↓ 58/97 (adapted)

3. In order to reduce response burdens, the national authorities and the Community authority shall, under the limits and the conditions fixed by each Member State and by the Commission in their respective spheres of competence, have access to administrative data sources covering the fields of activity of their own public administrations to the extent that these data are necessary to meet the accuracy requirements referred to in Article 6.

---

↓ 58/97

4. Member States and the Commission, within their respective fields of competence, shall promote the conditions for increased use of electronic data transmission and automatic data-processing.

---

↓ 58/97 (adapted)

Article 6

Accuracy

---

↓ 58/97

1. Member States shall take the necessary measures to ensure that the data transmitted reflect the structure of the population of the statistical units laid down in the Annexes.
2. Quality evaluation shall be carried out comparing the benefits of the availability of the data with the costs of collection and the burden on business, especially on small enterprises.
3. Member States shall transmit to the Commission, at its request, all the information necessary for the evaluation referred to in paragraph 2.

---

↓ (new)

4. In specific cases where a low accuracy at national level has been indicated by a Member State for a specific NACE Rev. 1.1 class, the Commission (Eurostat) may consider using the data transmitted only for compiling aggregates at Community level.

---

↓ 58/97 (adapted)  
⇒ new

Article 7

Comparability

1. From the collected and estimated data Member States shall produce comparable results, following the breakdown stipulated for each module in Article 3 and the respective Annexes.
2. In order that Community aggregates may be compiled, Member States will shall produce component national results according to the levels of NACE REV. 1.1, laid down in the modules in the Annexes, or determined in accordance with the procedure laid down referred to in Article 12 (2).

Article ~~8~~ ~~9~~

~~Transmission of results~~

1. Member States shall transmit the results provided for in Article ~~7~~ ~~8~~ of this Regulation, including confidential data, to the Statistical Office of the European Communities in accordance with the existing Community provisions on transmission of data subject to statistical confidentiality ~~,~~, in particular Council Regulation (EURATOM, EEC) No 1588/90<sup>9</sup> ~~.~~. These Community provisions shall apply to the treatment of the results, in so far as they include confidential data.

2. The results shall be transmitted in an appropriate technical format, ~~and~~ within a period of time from the end of the reference period which shall be laid down ~~in~~ in accordance with the procedure referred to in Article 12 (2) ~~for~~ for each module referred to in Article ~~3~~ ~~5~~ and shall be no longer than 18 months. In addition, a small number of estimated preliminary results shall be transmitted within a period of time from the end of the reference period which shall be laid down ~~in~~ in accordance with that procedure ~~for~~ for each module referred to in Article ~~3~~ ~~5~~ and shall be no longer than 10 months.

Article ~~9~~ ~~10~~

~~Information on implementation~~

Member States shall transmit to the Commission, at its request, any relevant information with regard to the implementation of the Regulation in the Member States.

Article ~~10~~ ~~11~~

~~Transitional periods~~

1. During the transitional periods, derogations from the provisions of the Annexes may be ~~accepted~~ ~~in~~ granted in accordance with the procedure referred to in Article 12 (2) ~~in~~ in so far as the national statistical systems require major adaptations.

2. ~~A supplementary transitional period~~ ~~⇒~~ Supplementary transitional periods ~~⇐~~ may be ~~in~~ granted ~~in~~ ~~accorded~~ to a Member State for the compilation of statistics where it is impossible to ~~in~~ comply with ~~in~~ ~~meet~~ the provisions of this Regulation because of derogations granted pursuant to Council Regulation (EEC) No 2186/93<sup>10</sup> ~~of 22 July 1993 on Community coordination in drawing up business registers for statistical purposes.~~

~~3. The obligations under this Regulation shall be fully applied by Member States by the end of the transitional periods.~~

---

<sup>9</sup> OJ L 151, 15.6.1990, p.1.

<sup>10</sup> OJ ~~No~~ L 196, 5. 8. 1993, p. 1.

~~Implementing measures~~

~~The Commission shall determine, under the procedure laid down in Article 13, the~~ procedures for implementing this Regulation including the measures for adjustment to economic and technical developments concerning the collection and statistical processing of data, the processing and the transmission of the results, ~~shall~~ shall be determined in accordance with the procedure referred to in Article 12 (2) ~~),~~ taking into consideration the principle that the benefits of the measure must outweigh its cost and provided that major additional resources are not involved either for the Member States or for enterprises as compared with the original provisions of this Regulation. ~~Implementing measures concern~~ in particular:

- ~~(a)(i)~~ the updating of the lists of characteristics, ~~statistics on business demography~~ and preliminary results in so far as such updating, after a quantitative assessment, does not imply an increase in the number of units surveyed nor a burden on the units which is disproportionate to the anticipated results (Articles ~~3~~ ~~4~~ and ~~8~~ ~~9~~ ~~),~~ and Annex I, Section 6, Annex III, Section 6, Annex IV, Section 6, and Annex IX, Section 10 ~~);~~);
- ~~(b)(ii)~~ the frequency of the compilation of the statistics (Article ~~3~~ and Annex III, Section 3, paragraph 3, and Annex IV, Section 3, paragraph 3 ~~);~~);
- ~~(c)(iii)~~ the definitions of the characteristics and their relevance for certain activities (Article ~~3~~ and Annex I, Section 4, paragraph 1 ~~);~~);
- ~~(d)(iv)~~ the definition of the reference period (Article ~~3~~ ~~);~~);
- ~~(e)(v)~~ the first reference year for the compilation of the preliminary results (Article ~~8~~ and Annex I, Section 5 ~~);~~);
- ~~(f)(vi)~~ criteria for the evaluation of quality (Article ~~7~~ ~~);~~);
- ~~(g)(vii)~~ the breakdown of results, in particular the classifications to be used and the combinations of the size classes (Article ~~7~~ and Annex VIII, Section 4, paragraphs 2 and 3, and Annex IX, Section 8, paragraphs 2 and 3 ~~);~~);
- ~~(h)(viii)~~ the appropriate technical format for the transmission of results (Article ~~8~~ and Annex I, Section 9, paragraph 2, and Annex VI, Section 8 ~~);~~);
- ~~(i)(ix)~~ the updating of the periods of time for the transmission of data (Article ~~8~~ and Annex I, Section 9, paragraph 1, and Annex VI, Section 7 ~~);~~);
- ~~(j)(x)~~ the transitional period and derogations from the provisions of this Regulation granted during that period (Article ~~10~~ ~~);~~ and Annex II, Section 10, Annex VII, Section 10, and Annex VIII, Section 8 ~~);~~);

---

↓ (new)

- (k) the adaptation of the breakdown of activities to amendments or revisions of the NACE.
- (l) the frequency, topics, list of characteristics, reference period, activities to be covered and quality standards of the flexible module referred to in Article 3 (2) j;
- (m) the procedures to be followed in relation to the ad hoc data collections referred to in Annex II, Sections 3 and 4, Annex III, Section 3, paragraph 3, and Annex IV, Section 3, paragraph 3.

---

↓ 1882/2003 Art. 3 and Annex III  
pt. 69 (adapted)

Article ~~12~~

~~Committee~~

---

↓ 1882/2003 Art. 3 and Annex III  
pt. 69

1. The Commission shall be assisted by the Statistical Programme Committee set up by Decision 89/382/EEC, EURATOM, hereinafter referred to as «the Committee».

---

↓ 1882/2003 Art. 3 and Annex III  
pt. 69 (adapted)

2. Where reference is made to this ~~paragraph~~ ~~Article~~, Articles 5 and 7 of Decision 1999/468/EC<sup>11</sup> shall apply, having regard to the provisions of Article 8 thereof.

---

↓ 1882/2003 Art. 3 and Annex III  
pt. 69

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

3. The Committee shall adopt its rules of procedure.

---

<sup>11</sup> OJ L 184, 17.7.1999, p. 23.

---

↓ 58/97 (adapted)

Article ~~13~~

~~Report~~

1. The Commission shall, within three years of the date of entry into force of this Regulation and again every three years thereafter, submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and in particular on their quality and the burden on business.

2. In the reports referred to in paragraph 1, the Commission shall propose any amendments it considers necessary.

---

↓ 58/97 (adapted)

~~Article 15~~

~~Directives 64/475/EEC and 72/221/EEC shall cease to apply after the transmission of all the data for the 1994 reference year.~~

---

↓ (new)

Article 14

*Repeal*

Regulation (EC, EURATOM) No 58/97 is repealed.

References to the repealed Regulation shall be construed as references to this regulation and shall be read in accordance with the correlation table in Annex XI.

---

↓ 58/97 (adapted)

Article ~~15~~

~~Entry into force~~

This Regulation shall enter into force on the ~~20th~~ twentieth day following that of its publication in the *Official Journal of the European Communities* Union.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, [...]

*For the European Parliament*  
*The President*  
[...]

*For the Council*  
*The President*  
[...]

**ANNEX I**

**A COMMON MODULE FOR ANNUAL STRUCTURAL STATISTICS**

**SECTION 1**

**Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of business in the Member States.

**SECTION 2**

**Scope**

The statistics to be compiled relate to the domains referred to in Article 1 2 (a), (b), and (c) and (e) of this Regulation, in particular to the analysis of value-added and of its main components.

**SECTION 3**

**Coverage**

1. The statistics are to be compiled for the activities listed in Section 9.
2. Pilot studies are to be conducted for the activities mentioned listed in Section 10.

**SECTION 4**

**Characteristics**

1. The lists of characteristics set out below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled.

2. ~~The Commission will, in accordance with the procedure laid down in Article 13 of this Regulation, lay down~~ The corresponding titles of the characteristics for which the statistics are to be compiled on activities in Section J of NACE REV. 1 .1 which correspond most closely to those listed in paragraphs 3 to 5 shall be laid down in accordance with the procedure referred to in Article 12 (2) of this Regulation .

↓ 58/97

3. Yearly demographic statistics:

↓ 58/97 (adapted)

Code	Title	Comment
⊗ Structural data ⊗		
11 11 0	Number of enterprises	
11 21 0	Number of local units	

↓ 58/97

4. Enterprise characteristics for which yearly statistics are to be compiled ~~compiled~~:

↓ 1614/2002 Art. 1 and Annex I  
pt.1 (adapted)  
⇒ new

Code	Title	Comment
⊗ Accounting data ⊗		
12 11 0	Turnover	
12 12 0	Production value	
12 15 0	Value-added at factor cost	
⇒ 12 17 0 ⇐	⇒ Gross operating surplus ⇐	
13 11 0	Total purchases of goods and services	
13 12 0	Purchases of goods and services purchased for resale in the same condition as received	
⇒ 13 13 1 ⇐	⇒ Payments for agency workers ⇐	
13 31 0	Personnel costs	
13 32 0	Wages and salaries	
13 33 0	Social security costs	

☒ Data related to the capital account ☒	
15 11 0	Gross investment in tangible goods
☒ Data on employment ☒	
16 11 0	Number of persons employed
16 13 0	Number of employees
⇒ 16 13 1 ⇐	⇒ Number of part-time employees ⇐
⇒ 16 14 0 ⇐	⇒ Number of employees in full-time equivalent units ⇐

↓ 58/97

5. Characteristics for which yearly regional statistics are to be compiled:

↓ 58/97 (adapted)

Code	Title	Comment
☒ Accounting data ☒		
13 32 0	Wages and salaries	
<del>15 11 0</del>	<del>Gross investment in tangible goods</del>	<del>Optional</del>
☒ Data on employment ☒		
16 11 0	Number of persons employed	

↓ 58/97

6. Pilot studies are to be conducted for the characteristics listed in Section 10.

## SECTION 5

### First reference year

---

↓ 58/97 (adapted)  
→<sub>1</sub> 2056/2002 Art. 2 pt.1  
⇒ new

The first reference year for which statistics are to be compiled is the calendar year ⇒ 2006 for characteristics 12 17 0, 13 13 1, 16 13 1 and 16 14 0 and ⇐ 1995 ⇒ for all other characteristics. Data shall be compiled according to the breakdown of Section 9. ⇐ →<sub>1</sub> However the first reference year for which statistics on the activity classes covered by the NACE REV. 1 ☒ .1 ☒ group 65.2 and division 67 are to be compiled, shall be decided in accordance with the procedure ☒ referred to ☒ laid down in Article ☒ 12 ☒ ~~13~~ ☒ (2) ☒ of this Regulation. ←

---

↓ 58/97 (adapted)  
⇒ new

## SECTION 6

### Report on the quality of statistics

For each of the ⇒ key ⇐ characteristics ~~listed in Section 4, point 4,~~ Member States ☒ shall ☒ ~~will~~ indicate the degree of precision by reference to a confidence level of 95%, which the Commission ☒ shall ☒ ~~will~~ include in the report provided for in Article ☒ 13 ☒ ~~14~~ of this Regulation, taking account of the application in each Member States of that Article. ⇒ The key characteristics shall be laid down in accordance with the procedure referred to in Article 12 (2) of this Regulation. ⇐

---

↓ 58/97 (adapted)  
⇒ new

## SECTION 7

### Production of results

1. The results are to be broken down to the ☒ class ⇐ level ~~of the groupings~~ of activities listed in Section 9.
2. Some results are also to be broken down into size classes for each group of Sections C to G ⇒ K ⇐ and of ⇒ division 90, sewage and refuse disposal, sanitation and similar activities, and for group 92.1, motion picture and video activities, and group 92.2, radio and television activities ⇐ ~~to the level of the groupings listed in Section 9 for the other sections,~~ of NACE REV. 1. ☒ 1 ⇐.

3. The results of the regional statistics are to be broken down to NACE REV. 1 ~~1~~ .1 ~~2~~-digit level (divisions) and level II of the nomenclature of territorial units (NUTS ~~12~~ ~~1~~ ).

↓ 2056/2002 Art. 2 pt. 2  
(adapted)

## SECTION 8

### Transmission of results

1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period, except for the NACE REV. 1 ~~1~~ .1 ~~1~~ activity class 65.11 and the activities of NACE REV. 1 ~~1~~ .1 ~~1~~ covered by Annexes ~~1~~ V, VI and VII ~~1~~ ~~5, 6 and 7~~. For the NACE REV. 1 ~~1~~ .1 ~~1~~ activity class 65.11 the transmission delay is 10 months. For the activities covered by Annexes ~~1~~ V, VI and VII ~~1~~ ~~5, 6 and 7~~ the transmission delay is laid down in these Annexes. However the transmission delay of the results on the activity classes covered by the NACE REV. 1 ~~1~~ .1 ~~1~~ group 65.2 and division 67 shall be decided in accordance with the procedure ~~1~~ referred to ~~1~~ ~~laid down~~ in Article ~~1~~ 12 ~~1~~ ~~1~~ ~~2~~ ~~1~~ of this Regulation.

2. Except for the divisions 65 and 66 of NACE REV. 1 ~~1~~ .1 ~~1~~ , preliminary national results or estimates are transmitted within 10 months of the end of the calendar year of the reference period for the enterprise statistics compiled for the characteristics listed below:

<del>1</del> Code <del>1</del>	<del>1</del> Title <del>1</del>
<del>1</del> Accounting data <del>1</del>	
12 11 0	Turnover
<del>1</del> Data on employment <del>1</del>	
16 11 0	Number of persons employed

↓ 2056/2002 Art. 2 pt. 2  
(adapted)  
⇒ new

These preliminary results or estimates are to be broken down to NACE REV. 1 ~~1~~ .1 ~~1~~ three-digit level (group) ⇒ from reference year 2006 onwards. Until reference year 2005 included the breakdown for Section H, I and K of NACE REV. 1.1 shall be according to the

<sup>12</sup> Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS), OJ L 154 , 21.06.2003, p. 1.

breakdown listed in section 9, ~~except for Sections H, I and K of NACE REV. 1, for which they are to be broken down according to the groupings laid down in section 9.~~ For the division 67 of NACE REV. 1 ~~(1)~~, the transmission of preliminary results or estimates shall be decided in accordance with the procedure referred to ~~laid down~~ in Article ~~(12)~~ ~~(2)~~ of this Regulation.

↓ 58/97 (adapted)

## SECTION 9

### ~~(1)~~ Breakdown ~~(1)~~ Groupings of activities

~~The following groupings of activities refer to the NACE REV. 1 classification.~~

↓ (new)

1. From reference year 2006 onwards, data are to be compiled according to the following breakdown of activities of NACE REV. 1.1 classification. However the first reference year for which statistics on the activity classes covered by the NACE REV. 1.1 group 65.2 and division 67 are to be compiled, shall be decided in accordance with the procedure referred to in Article 12 (2) of this Regulation.

To enable Community statistics to be compiled, Member States shall transmit component national results broken down to the classes of NACE REV. 1.1 for Sections C to K and to the following classes of NACE REV. 1.1 for Section O:

Class	Title
90.01	Collection and treatment of sewage
90.02	Collection and treatment of other waste
90.03	Sanitation, remediation and similar activities
92.11	Motion picture and video production
92.12	Motion picture and video distribution
92.13	Motion picture projection
92.20	Radio and television activities

2. Until reference year 2005 included, data are to be compiled according to the following breakdown of activities of the NACE REV. 1.1 classification:

## SECTIONS C, D, E AND F

*Mining and quarrying; manufacturing; electricity, gas and water supply; construction.*

To enable Community statistics to be compiled, Member States  shall  ~~will~~ transmit component national results broken down to the classes of NACE REV. 1  .1  .

## SECTION G

Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods.

To enable Community statistics to be compiled, Member States  shall  ~~will~~ transmit component national results broken down to the classes of NACE REV. 1  .1  .

## SECTION H

*Hotels and restaurants*

55.1 + 55.2	«Hotels» and «Campsites and other provision of short-stay accommodation»
55.3 + 55.4 + 5 5.5	«Restaurants» and «Bars» and «Canteens and catering»

## SECTION I

*Transport, storage and communication*

60.1	Transport via railways
60.21 + 60.22 + 6 0.23	«Other land transport» without «freight transport by road»
60.24	Freight transport by road
60.3	Transport via pipelines
61.1	Sea and coastal water transport
61.2	Inland water transport
62	Air transport
63.1 + 63.2 + 63.4	«Supporting and auxiliary transport activities» without «activities of travel agencies and tour operators; tourist assistance activities nec»
63.3	«Activities of travel agencies and tour operators; tourist assistance

	activities nec»
64.11	National post activities
64.12	Courier activities other than national post activities
64.2	Telecommunications

↓ 2056/2002 Art. 2.3 (adapted)

## SECTION J

### *Financial intermediation*

To enable Community statistics to be compiled, Member States  shall  ~~will~~ transmit component national results broken down to the classes of NACE REV. 1  .1  .

↓ 58/97

## SECTION K

↓ 2056/2002 Art. 2.3

### *Real estate, renting and business activities*

70	Real estate activities
71.1 + 71.2	«Renting of automobiles» and «renting of other transport equipment»
71.3	Renting of other machinery and equipment
71.4	Renting of personal and <u>household</u> <del>household</del> goods nec
72	Computer-related activities
73	Research and development
74.11 + 74.12 + 74.14 + 74.15	«Legal activities» and «accounting bookkeeping and auditing activities, tax consultancy» and «business and management consultancy activities» and «management activities of holding companies»
74.13	Market research and public opinion polling
74.2 + 74.3	«Architectural and engineering activities and related technical

	consultancy» and «Technical testing and analysis»
74.4	Advertising
74.5	Labour recruitment and provision of personnel
74.6	Investigation and security activities
74.7	Industrial cleaning
74.8	Other business activities nec

## SECTION 10

### Reports and pilot studies

↓ 58/97 (adapted)  
→<sub>1</sub> 2056/2002 Art. 2 pt. 4  
⇒ new

⇒ 1. A series of pilot studies for activities under Sections M to O of NACE REV. 1.1 shall be instituted by the Commission to test the feasibility of covering market and non-market activities in these Sections. If the Commission, on the basis of the evaluation of pilot studies concerning non-market activities in Sections M to O of NACE Rev. 1.1, deems it necessary to expand the current scope of this Regulation, it shall make a proposal in accordance with the procedure laid down in Article 251 of the Treaty. ↵  
→<sub>1</sub> Member States will provide the Commission with a report relating to the definition, structure and availability of information on statistical units which are classified under Sections M to O of NACE REV. 1. ← The Commission will, in accordance with the procedure laid down in Article 13 of this Regulation, institute a series of pilot studies for these activities to be completed by Member States for the 1998 reference year at the latest. These pilot studies will be carried out in order to assess the feasibility of collecting the data necessary for the compilation of results for these activities, taking into account the benefits of the availability of the data in relation to the cost of collection and the burden on business.

↓ 58/97

~~2.~~ For the activities listed in Section 9, Member States will provide the Commission with a report relating to the availability of the necessary data for the compilation of results for the following characteristics:

Code	Title	Comment
<del>12.18.0</del>	<del>Financial surplus</del>	<del>Legal persons only</del>
<del>14.11.0</del>	<del>Turnover from intra-Community deliveries of goods and services</del>	

<del>14 12 0</del>	<del>Turnover from extra-Community exports of goods and services</del>	
<del>14 21 0</del>	<del>Intra-Community acquisitions of goods and services</del>	
<del>14 22 0</del>	<del>Extra-Community imports of goods and services</del>	
<del>15 11 0</del>	<del>Gross investment in tangible goods</del>	<del>For regional data only</del>

↓ 58/97 (adapted)  
⇒ new

2. The Commission ~~shall~~  will, in accordance with the procedure laid down in Article 13 of this Regulation, institute a series of pilot studies for ⇒ characteristics relating to financial accounts, intangible investments and forms for organising the production system. ⇐ these characteristics to be completed by Member States for the 1998 reference year at the latest. These pilot studies ⇒ shall be adapted to the specificities of the sectors ⇐ will be carried out in order to assess the feasibility of collecting the data necessary for the compilation of results for this breakdown, taking into account the benefits of the data in relation to the costs of collection and the burden on business.

↓ 58/97 (new)

- ~~3. For sections G to K of NACE REV. 1, Member States will provide the Commission with a report relating to the availability of the necessary data for the breakdown of results according to the existence or otherwise of a majority control by non-resident enterprises as defined in the GATS. The Commission will, in accordance with the procedure laid down in Article 13 of this Regulation, institute a series of pilot studies for this breakdown to be completed for the 1998 reference year at the latest. These pilot studies will be carried out in order to assess the feasibility of collecting the data necessary for the compilation of results for this breakdown, taking into account the benefits of the data in relation to the costs of collection and the burden on business.~~

↓ 58/97 (new)

- ~~4. The Commission will inform the Council of the possibilities of compiling statistics for the activities, characteristics and breakdowns listed in paragraphs 1, 2 and 3 and will include a recommendation on the addition of some or all of these activities, characteristics and breakdowns to the lists in Sections 4, 7 and 9.~~

## SECTION 11

### **Transitional period**

For the purposes of the common module defined in this Annex, the transitional period  shall  ~~will~~ not extend more than four years beyond the first reference years for the compilation of the statistics indicated in Section 5.

ANNEX ~~II~~<sub>2</sub>

**A DETAILED MODULE FOR STRUCTURAL STATISTICS IN INDUSTRY**

**SECTION 1**

**Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of the industry sector.

**SECTION 2**

**Scope**

The statistics to be compiled relate to the domains referred to in Article ~~1~~ 1 ~~2~~ 2 (a)~~(i)~~, (b)~~(ii)~~, (c)~~(iii)~~, (d)~~(iv)~~ and (e)~~(v)~~ of this Regulation, in particular to:

- a central list of statistics for a detailed analysis of the structure, activity, performance and competitiveness of industrial activities,
- a further list of statistics for the study of special subjects.

**SECTION 3**

**Coverage**

The statistics are to be compiled for all activities classified within the coverage of Sections C, D and E of NACE REV. 1 ~~1~~ .1 ~~1~~ . These sections cover the activities of mining and quarrying (C), manufacturing (D) and electricity, gas and water supply (E). Enterprise statistics ~~shall~~ ~~will~~ relate to the population of all enterprises classified according to their main activity in Sections C, D and E.

**SECTION 4**

**Characteristics**

1. The lists of characteristics and statistics set out below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency. The statistics and characteristics in italics are also included in the lists in the common module.

2. Yearly demographic statistics:

↓ 58/97 (adapted)

⇒ new

Code	Title	Comment
⊗ Structural data ⊗		
11 11 0	<i>Number of enterprises</i>	
<del>11 12 0</del>	<del>Number of births of enterprises</del>	
<del>11 13 0</del>	<del>Number of deaths of enterprises</del>	
11 21 0	<i>Number of local units</i>	
11 31 0	Number of kind of activity units	

↓ 58/97

3. Enterprise characteristics for which yearly statistics are to be compiled:

↓ 58/97 (adapted)

→<sub>1</sub> 1614/2002 Art. 1 and Annex I pt. 2(a)

→<sub>2</sub> 2056/2002 Art. 3 pt. 1

⇒ new

Code	Title	Comment
⊗ Accounting data ⊗		
12 11 0	<i>Turnover</i>	
12 12 0	<i>Production value</i>	
12 13 0	Gross margin on goods for resale	
12 15 0	<i>Value-added at factor cost</i>	
<u>12 17 0</u>	<u>Gross operating surplus</u>	
13 11 0	<i>Total purchases of goods and services</i>	
13 12 0	<i>Purchases of goods and services purchased for resale in the same condition as received</i>	

<u>13 13 1</u>	<u>Payments for agency workers</u>	
13 21 3	Change in stocks of finished products and work in progress manufactured by the unit	
<u>13 32 0</u>	<u>Wages and salaries</u>	
<u>13 33 0</u>	<u>Social security costs</u>	
13 41 1	Payments for long-term rental and operational leasing of goods	
⊗ Data relating to capital account ⊗		
⊗ 15 11 0 ⊗	⊗ Gross investment in tangible goods ⊗	
15 12 0	Gross investment in land	
15 13 0	Gross investment in existing buildings and structures	
15 14 0	Gross investment in construction and alteration of buildings	
15 15 0	Gross investment in machinery and equipment	
15 21 0	Sales of tangible investment goods	
<del>15 31 0</del>	<del>Value of tangible goods acquired through financial leasing</del>	
⊗ Data on employment ⊗		
16 11 0	Number of persons employed	
16 13 0	Number of employees	
<u>16 13 1</u>	<u>Number of part-time employees</u>	
→ <sub>1</sub> --- ←	→ <sub>1</sub> --- ←	
<u>16 14 0</u>	<u>Number of employees in full-time equivalent units</u>	
16 15 0	Number of hours worked by employees	
⊗ Breakdown of turnover by type of activity ⊗		
→ <sub>1</sub> 18 11 0 ←	→ <sub>1</sub> Turnover from the principal activity at the NACE REV.1 ⊗ .1 ⊗ three digit-level ←	
<del>18 12 0</del>	<del>Turnover from industrial activities</del>	
<del>18 15 0</del>	<del>Turnover from service activities</del>	
<del>18 16 0</del>	<del>Turnover from trading activities of purchase and resale and from intermediary activities</del>	

⊗ Purchases of energy products ⊗		
20 11 0	Purchases of energy products (in value)	Section E excluded
⊗ Environmental data ⊗		
21 11 0	Investment in equipment and plant for pollution control, and special anti-pollution accessories (mainly end-of-pipe equipment).*	
→ <sub>2</sub> 21 12 0 ←	→ <sub>2</sub> Investment in equipment and plant linked to cleaner technology (integrated technology)* ←	
<del>22 11 0</del>	<del>Total intramural R&amp;D expenditure<sup>17</sup></del>	
<del>22 12 0</del>	<del>Total number of R&amp;D personnel<sup>18</sup></del>	

\* If the total amount of the turnover or the number of persons employed in a division of NACE REV. 1 ⊗ .1 ⊗ Sections C to E represent, in a Member State, less than 1 % of the Community total, the information necessary for the compilation of statistics relating to characteristics 21 11 0 ⊗ and ⊗ 21 12 0 ~~22 11 0 and 22 12 0~~ need not be collected for the purposes of this Regulation. If necessary for Community policy requirements, the Commission may, in accordance with the procedure ⊗ referred to ⊗ ~~laid down~~ in Article ~~13~~ ⊗ 12 (2) ⊗ of this Regulation, request ad hoc collection of these data.

↓ 1614/2002 Art. 1 and Annex I pt. 2(b) (adapted)  
→<sub>1</sub> 2056/2002 Art. 3 pt. 3  
⇒ new

#### 4. Enterprise characteristics for which multi-yearly statistics are to be compiled:

Code	Title	Comment
⊗ Data relating to capital account ⊗		
15 42 0	Gross investment in concessions, patents, licences, trade marks and similar rights	

<sup>17</sup> ~~If the total amount of the turnover or the number of persons employed in a division of NACE REV. 1 Sections C to E represent, in a Member State, less than 1 % of the Community total, the information necessary for the compilation of statistics relating to characteristics 21 11 0, 21 12 0, 22 11 0 and 22 12 0 need not be collected for the purposes of this Regulation. If necessary for Community policy requirements, the Commission may, in accordance with the procedure laid down in Article 13 of this Regulation, request ad hoc collection of these data.~~

<sup>18</sup> ~~If the total amount of the turnover or the number of persons employed in a division of NACE REV. 1 Sections C to E represent, in a Member State, less than 1 % of the Community total, the information necessary for the compilation of statistics relating to characteristics 21 11 0, 21 12 0, 22 11 0 and 22 12 0 need not be collected for the purposes of this Regulation. If necessary for Community policy requirements, the Commission may, in accordance with the procedure laid down in Article 13 of this Regulation, request ad hoc collection of these data.~~

15 44 1	Investment in purchased software	
<del>15 44 2</del>	<del>Investment in software produced by the unit</del>	<del>Optional</del>
<del>16 13 5</del>	<del>Number of homeworkers</del>	<del>Divisions 17/18/19/21/22/25/28/31/32/36</del>
<input checked="" type="checkbox"/> Breakdown of turnover by type of activity <input checked="" type="checkbox"/>		
⇒ 18 12 0 ⇐	⇒ Turnover from industrial activities ⇐	
⇒ 18 15 0 ⇐	⇒ Turnover from service activities ⇐	
⇒ 18 16 0 ⇐	⇒ Turnover from trading activities of purchase and resale and from intermediary activities ⇐	
<u>Purchases of energy products</u>		
<del>20 11 1</del>	<del>Purchases of solid fuels (in value)</del>	<del>Section E excluded</del>
<del>20 11 2</del>	<del>Purchases of petroleum products (in value)</del>	<del>Section E excluded</del>
<del>20 11 3</del>	<del>Purchases of natural and derived gas (in value)</del>	<del>Section E excluded</del>
<del>20 11 4</del>	<del>Purchases of renewable energy sources (in value)</del>	<del>Section E excluded</del>
<del>20 11 5</del>	<del>Purchases of heat (in value)</del>	<del>Section E excluded</del>
<del>20 11 6</del>	<del>Purchases of electricity (in value)</del>	<del>Section E excluded</del>
<input checked="" type="checkbox"/> Environmental data <input checked="" type="checkbox"/>		
→ <sub>1</sub> 21 14 0 ←	→ <sub>1</sub> Total current expenditure on environmental protection* ←	
<input checked="" type="checkbox"/> Subcontracting <input checked="" type="checkbox"/>		
23 11 0	Payments to subcontractors	

\* If the total amount of the turnover or the number of persons employed in a division of NACE REV. 1  .1  Sections C to E represent, in a Member State, less than 1 % of the Community total, the information necessary for the compilation of statistics relating to characteristic 21 14 0 need not be collected for the purposes of this Regulation. If necessary for Community policy requirements, the Commission may, in accordance with the procedure  referred to  laid down in Article ~~13~~  12 (2)  of this Regulation, request ad hoc collection of these data.

5. Characteristics for which yearly regional statistics are to be compiled:

Code	Title	<del>Comment</del>
⊗ Accounting data ⊗		
<i>13 32 0</i>	<i>Wages and salaries</i>	
⊗ Data relating to the capital account ⊗		
<i>15 11 0</i>	<i>Gross investment in tangible goods</i>	
⊗ Data on employment ⊗		
<i>16 11 0</i>	<i>Number of persons employed</i>	

6. Kind-of-activity unit characteristics for which yearly statistics are to be compiled:

Code	Title	<del>Comment</del>
⊗ Accounting data ⊗		
<u><i>12 11 0</i></u>	<u><i>Turnover</i></u>	
<u><i>12 12 0</i></u>	<u><i>Production value</i></u>	
<u><i>13 32 0</i></u>	<u><i>Wages and salaries</i></u>	
⊗ Data relating to the capital account ⊗		
<u><i>15 11 0</i></u>	<u><i>Gross investment in tangible goods</i></u>	
⊗ Data on employment ⊗		
<u><i>16 11 0</i></u>	<u><i>Number of persons employed</i></u>	

7. Pilot studies are to be conducted for the characteristics listed in Section 9.

## SECTION 5

### First reference year

1. The first reference year for which yearly statistics are to be compiled is the calendar year 1995. The first reference years for the statistics to be compiled with a multi-yearly frequency are specified below for the codes under which the characteristics are listed:

<input checked="" type="checkbox"/> Calendar year <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Code <input checked="" type="checkbox"/>
1997	<del>20 21 0 to 20 31 0</del> 15 42 0 <input checked="" type="checkbox"/> and <input checked="" type="checkbox"/> 15 44 1 <del>and 15 44 2</del>
1999	23 11 0
<del>2000</del>	<del>16 13 5</del>
<input checked="" type="checkbox"/> 2004 <input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> 18 12 0, 18 15 0 and 18 16 0 <input checked="" type="checkbox"/>

↓ 58/97 (adapted)  
⇒ new

2. Multi-yearly statistics are to be compiled at least every five years.

↓ 58/97

3. The first reference year for which statistics on characteristics 21 12 0 and 21 14 0 are to be compiled is the calendar year 2001.
4. The statistics on characteristic 21 12 0 are to be compiled yearly. The statistics on characteristic 21 14 0 are to be compiled every three years.

↓ 2056/2002 Art. 3 pt. 5

## SECTION 6

### Report on the quality of statistics

For each key characteristic Member States  shall  ~~will~~ indicate the degree of precision by reference to a confidence level of 95% which the Commission  shall  ~~will~~ include in the report provided for in Article  13  ~~14~~ of this Regulation, taking account of the application in each Member State of that Article. The key characteristics are to be laid down

by the Commission in accordance with the procedure ~~☒~~ referred to ~~☒~~ laid down in Article ~~13~~ ~~☒~~ 12 (2) ~~☒~~ of this Regulation.

## SECTION 7

### Production of results

---

↓ 1614/2002 Art. 1 and Annex I  
pt. 2(c) (adapted)  
⇒ new

1. The results for the statistics, except for characteristics 18 11 0, ⇒ 18 12 0, 18 15 0 and 18 16 0 ⇐ ~~20 11 1, 20 11 2, 20 11 3, 20 11 4, 20 11 5, 20 11 6, 22 11 0 and 22 12 0~~ are to be broken down to the NACE REV.1 ~~☒~~ .1 ~~☒~~ 4-digit level (class).

The characteristics 18 11 0, ⇒ 18 12 0, 18 15 0 and 18 16 0 ⇐ ~~20 11 1, 20 11 2, 20 11 3, 20 11 4, 20 11 5, 20 11 6, 22 11 0 and 22 12 0~~ are to be broken down to the NACE REV.1 ~~☒~~ .1 ~~☒~~ 3-digit level (group).

---

↓ 58/97 (adapted)

2. Some results are also to be broken down into size classes and to NACE REV. 1 ~~☒~~ .1 ~~☒~~ 3-digit level (group).
- 

↓ 1614/2002 Art. 1 and Annex I  
pt. 2(c)

---

---

↓ 58/97 (adapted)

- ~~34.~~ The results for the statistics compiled from kind-of-activity units are to be broken down to the NACE REV. 1 ~~☒~~ .1 ~~☒~~ 4-digit level (class).

- ~~45.~~ The results for the regional statistics are simultaneously to be broken down to the NACE REV. 1 ~~☒~~ .1 ~~☒~~ 2-digit level (division) and level II of the nomenclature of territorial units (NUTS).
- 

↓ 2056/2002 Art. 3 pt. 6  
(adapted)

- ~~56.~~ The results for characteristics 21 11 0, 21 12 0 and 21 14 0, are to be broken down to the NACE REV. 1 ~~☒~~ .1 ~~☒~~ two-digit level (division).

↓ 2056/2002 Art. 3 pt. 7  
(adapted)

67. The results for characteristics 21 11 0, 21 12 0 and 21 14 0, are to be broken down to the following environmental domains: protection of ambient air and climate, wastewater management, waste management and other environmental protection activities. The results for the environmental domains shall be broken down to NACE REV. 1 ☒ .1 ☒ two-digit level (division).

↓ 58/97

## SECTION 8

### Transmission of results

The results are to be transmitted within 18 months of the end of the calendar year of the reference period.

Preliminary national results or estimates are transmitted within 10 months of the end of the calendar year of the reference period for the enterprise statistics referred to in Section 4 (3) compiled for the characteristics listed below:

↓ 58/97 (adapted)

☒ Code ☒	☒ Title ☒
☒ Structural data ☒	
<u>11 11 0</u>	<del>Number of enterprises</del>
☒ Data relating to the capital account ☒	
<u>12 11 0</u>	<del>Turnover</del>
<u>12 12 0</u>	<del>Production value</del>
<u>13 11 0</u>	<del>Total purchases of goods and services</del>
<u>13 32 0</u>	<del>Wages and salaries</del>
<u>15 11 0</u>	<del>Gross investment in tangible goods</del>
☒ Data on employment ☒	
<u>16 11 0</u>	<del>Number of persons employed</del>

These preliminary results are to be broken down to the NACE REV. 1 ☒ .1 ☒ 3-digit level (group).

↓ 58/97 (adapted)

SECTION 9

Reports and pilot studies

Member States  shall  ~~will~~ provide the Commission with a report relating to the availability of the necessary data for the compilation of results for the following characteristics:

↓ 58/97 (adapted)  
 →<sub>1</sub> 2056/2002 Art. 3 pt. 8  
 new

Code	Title	Comment
<del>12 16 0</del>	<del>Income from ordinary activities</del>	<del>Legal persons only</del>
<del>12 18 0</del>	<del>Financial surplus</del>	<del>Legal persons only</del>
<del>12 19 0</del>	<del>Gross ordinary surplus</del>	<del>Legal persons only</del>
<del>12 20 0</del>	<del>Profit or loss for the year</del>	<del>Legal persons only</del>
<del>14 11 0</del>	<del>Turnover from intra-Community deliveries of goods and services</del>	
<del>14 12 0</del>	<del>Turnover from extra-Community exports of goods and services</del>	
<del>14 21 0</del>	<del>Intra-Community acquisitions of goods and services</del>	
<del>14 22 0</del>	<del>Extra-Community imports of goods and services</del>	
<del>15 43 0</del>	<del>Marketing expenditure</del>	
<del>15 61 0</del>	<del>Purchases of shares and participating interests</del>	<del>Legal persons only</del>
<del>15 62 0</del>	<del>Sales of shares and participating interests</del>	<del>Legal persons only</del>
<input checked="" type="checkbox"/> Environmental data <input checked="" type="checkbox"/>		
→ <sub>1</sub> 21 11 0 ←	→ <sub>1</sub> Investment in equipment and plant for pollution control, and special anti-pollution accessories (mainly end-of-	→ <sub>1</sub> Only specific breakdown on the environmental domains biodiversity and landscape, soil

	pipe equipment) ←	and groundwater ←
21 12 0	Investment in equipment and plant linked to cleaner technology («integrated technology»)	→ <sub>1</sub> Only specific breakdown on the environmental domains biodiversity and landscape, soil and groundwater ←
21 14 0	Total current expenditure on environmental protection	→ <sub>1</sub> Only specific breakdown on the environmental domains biodiversity and landscape, soil and groundwater ←
⊗ Subcontracting ⊗		
23 12 0	Income from subcontracting	

↓ 58/97 (new)

⊗ A series of pilot studies for these characteristics shall be instituted by the Commission. ⊗  
~~The Commission will, in accordance with the procedure laid down in Article 13 of this Regulation, institute a series of pilot studies for these characteristics to be completed by the Member States for the 1998 reference year at the latest. These pilot studies will be carried out in order to assess the feasibility of collecting the data necessary for the compilation of results for these characteristics, taking into account the benefits of the availability of the data in relation to the cost of collection and the burden on business. The Commission will inform the Council of the possibilities of compiling statistics for the characteristics and will submit a recommendation on the addition of some or all of these characteristics to the lists in Section 4.~~

↓ 58/97 (adapted)  
→<sub>1</sub> 2056/2002 Art. 3 pt. 9

## SECTION 10

### Transitional period

For the purposes of the detailed module defined in this Annex, the transitional period will not extend more than four years beyond the first reference years for the compilation of the statistics indicated in Section 5. →<sub>1</sub> For the compilation of statistics on characteristics 21 12 0 and 21 14 0 this transitional period may be extended by a further period of up to four years in accordance with the procedure ⊗ referred to ⊗ ~~laid down~~ in Article ⊗ 12 ⊗ ~~13~~ ⊗ (2) ⊗ of this Regulation. ←

**ANNEX III**

**A DETAILED MODULE FOR STRUCTURAL STATISTICS ON DISTRIBUTIVE TRADES**

**SECTION 1**

**Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of the distributive trade sector.

**SECTION 2**

**Scope**

The statistics to be compiled relate to the domains referred to in Article 1 ~~2~~ 2 (a) ~~(i)~~, ~~(b)(ii)~~, ~~(c)(iii)~~, and ~~(d)(vi)~~ and (e) of this Regulation, in particular to:

- the structure of the distributive trade network and its evolution,
- distributive activity and forms of selling, as well as patterns of supply and sale.

**SECTION 3**

**Coverage**

1. The statistics are to be compiled for all activities within the coverage of Section G of NACE REV. 1 ~~1~~ 1. This sector covers the activities of wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods. Enterprise statistics refer to the population of all enterprises whose main activity is classified in Section G.
2. If the total amount of the turnover and the number of persons employed in a division of NACE REV. 1 ~~1~~ 1 Section G normally represent, in a Member State, less than 1 % of the Community total, the information laid down in this Annex which is not in Annex I ~~1~~ 1 need not be collected for the purposes of the Regulation.

↓ 58/97 (adapted)

3. If necessary for Community policy requirements,  ad hoc collection of the data referred to in paragraph 2 may be requested  ~~the Commission may~~ in accordance with the procedure  referred to  ~~laid down~~ in Article  12 (2)  ~~13~~ of this Regulation. ~~request ad hoc collection of the data referred to in paragraph 2.~~

## SECTION 4

### Characteristics

1. The lists of characteristics and statistics set out below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency. The statistics and characteristics in italics are also included in the common module lists.
2. Yearly demographic statistics:

↓ 58/97 (adapted)

Code	Title	Comment
<del>Demographic</del> <input checked="" type="checkbox"/> Structural <input checked="" type="checkbox"/> data		
<i>11 11 0</i>	<i>Number of enterprises</i>	
<i>11 21 0</i>	<i>Number of local units</i>	

↓ 58/97

3. Enterprise characteristics for which yearly statistics are to be compiled:

↓ 1614/2002 Art. 1 and Annex I pt. 3 (adapted)  
⇒ new

Code	Title	Comment
Accounting data		
<i>12 11 0</i>	<i>Turnover</i>	
<i>12 12 0</i>	<i>Production value</i>	

<u>12 13 0</u>	<u>Gross margin on goods for resale</u>
12 15 0	<i>Value-added at factor costs</i>
<u>12 17 0</u>	<u>Gross operating surplus</u>
13 11 0	<i>Total purchases of goods and services</i>
13 12 0	<i>Purchases of goods and services purchased for resale in the same condition as received</i>
13 21 0	Change in stocks of goods and services
13 21 1	Change in stocks of goods and services purchased for resale in the same condition as received
13 31 0	<i>Personnel costs</i>
13 32 0	<i>Wages and salaries</i>
13 33 0	<i>Social security costs</i>
Data relating to the capital account	
15 11 0	<i>Gross investment in tangible goods</i>
15 12 0	Gross investment in land
15 13 0	Gross investment in existing buildings and structures
15 14 0	Gross investment in construction and alteration of buildings
15 15 0	Gross investment in machinery and equipment
15 21 0	Sales of tangible investment goods
<del>15 31 0</del>	<del>Value of tangible goods acquired through financial leasing</del>
Data on employment	
16 11 0	<i>Number of persons employed</i>
16 13 0	<i>Number of employees</i>
<u>16 13 1</u>	<u><i>Number of part-time employees</i></u>
⇒ 16 14 0 ⇐	⇒ <i>Number of employees in full-time equivalent units</i> ⇐
⇒ 16 15	⇒ <i>Number of hours worked by employees</i> ⇐

0 ↵	
	<del>Breakdown of turnover by type of activity</del>
<del>18 10 0</del>	<del>Turnover from agriculture, forestry, fishing and industrial activities</del>
<del>18 15 0</del>	<del>Turnover from service activities</del>
<del>18 16 0</del>	<del>Turnover from trading activities of purchase and resale and intermediary activities</del>

↓ 58/97 (adapted)

⇒ new

4. Enterprise characteristics for which multi-yearly statistics are to be compiled:

Code	Title	Comment
	<del>Information on operating costs other than personnel costs</del>	
<del>13 41 0</del>	<del>Operating costs linked to buildings and equipment</del>	<del>Optional</del>
<del>13 42 0</del>	<del>Cost of selling</del>	<del>Optional</del>
<del>13 43 0</del>	<del>Other operating costs</del>	<del>Optional</del>
	<u>Information on forms of trading by enterprises</u>	Division 52 only
17 32 0	Number of retail stores	
<del>17 33 0</del>	<del>Category of sales space for retail stores engaged in retail trade</del>	
<del>17 34 0</del>	<del>Number of fixed market stands and/or stalls</del>	
	<del>Breakdown of turnover by type of activity</del>	
<del>18 10 0</del>	<del>Turnover from agriculture, forestry, fishing and industrial activities</del>	
<del>18 15 0</del>	<del>Turnover from service activities</del>	
<del>18 16 0</del>	<del>Turnover from trading activities of purchase and resale and intermediary activities</del>	
	<del>Breakdown of turnover by product type</del>	

18 21 0	Breakdown of turnover by product (according to Section G of CPA)	
	<del>Information on types of supplier and types of customer</del>	
	<del>Percentage share of turnover by customer type, specifically:</del>	<del>Division 51 only</del>
<del>25 11 1</del>	<del>Resale traders: retail traders</del>	<del>Optional</del>
<del>25 11 2</del>	<del>Professional users (wholesalers, others)</del>	<del>Optional</del>
<del>25 11 3</del>	<del>Final consumers (retail trade activity)</del>	<del>Optional</del>
	<del>Percentage share of purchases by type of supplier, specifically:</del>	<del>Division 52 uniquement</del>
<del>25 21 1</del>	<del>Wholesalers, purchasing groups</del>	<del>Optional</del>
<del>25 21 2</del>	<del>Producers</del>	<del>Optional</del>

5. Characteristics for which yearly regional statistics are to be compiled:

Code	Title	Comment
<input checked="" type="checkbox"/> Accounting data <input checked="" type="checkbox"/>		
13 32 0	<i>Wages and salaries</i>	
<del>15 11 0</del>	<del><i>Gross investment in tangible goods</i></del>	<del>Optional</del>
<input checked="" type="checkbox"/> Data on employment <input checked="" type="checkbox"/>		
16 11 0	<i>Number of persons employed</i>	

↓ 58/97

6. Characteristics for which multi-yearly regional statistics are to be compiled:

Code	Title	Comment
Accounting data		
<u>12 11</u> <u>0</u>	<u>Turnover</u>	Divisions 50 and 52 only

Information on forms of trading by enterprises		
17 33 1	Sales space	Division 52 only

↓ 58/97 (new)

~~7. Pilot studies are to be conducted for the characteristics listed in Section 9.~~

↓ 58/97 (adapted)  
⇒ new

## SECTION 5

### First reference year

- The first reference year for which statistics are to be compiled is the calendar year ⇒ 2006 for characteristics 16 14 0 and 16 15 0 and ⇐ 1995 ⇒ for all other characteristics ⇐. The first reference years for the statistics to be compiled with a multi-yearly frequency are specified below for each of the divisions of NACE REV. 1 ☒ .1 ☒ for which the data are to be collected and for the multi-yearly regional statistics:

☒ Calendar year ☒	☒ Breakdown ☒
1997	Division 52
1998	Division 51 <sub>≡</sub>
1999	Regional statistics <sub>≡</sub>
2000	Division 50 <sub>≡</sub>

↓ 58/97 (adapted)

- The multi-yearly frequency is five years.

## SECTION 6

### Report on the quality of statistics

For each key characteristic Member States ☒ shall ☒ ~~will~~ indicate the degree of precision by reference to a confidence level of 95% which the Commission ☒ shall ☒ ~~will~~ include in the report provided for in Article ☒ 13 ☒ ~~14~~ of this Regulation, taking account of the application in each Member State of that Article. The key characteristics are to be determined by the Commission in accordance with the procedure ☒ referred to ☒ ~~laid down~~ in Article ☒ 12 (2) ☒ ~~13~~ of this Regulation.

## SECTION 7

### Production of results

---

↓ 58/97 (adapted)

1. In order that Community aggregates may be compiled, Member States are to produce component national results broken down to the classes of NACE REV. 1 ☒ .1 ☒ .
  2. Some results are also to be broken down into size classes for each NACE REV. 1 ☒ .1 ☒ group.
  3. The regional statistics are simultaneously to be broken down to NACE REV. 1 ☒ .1 ☒ 3-digit level (group) and level II of the nomenclature of territorial units (NUTS).
  4. The coverage of regional statistics to be compiled on a multi-yearly basis corresponds to the population of all local units whose main activity is classified in Section G. However, it may be limited to the local units dependent on enterprises classified in Section G of NACE REV. 1 ☒ .1 ☒ if such a population covers more than 95 % of the total coverage. This ratio is to be calculated using the employment characteristic available in the business register.
- 

↓ 58/97

## SECTION 8

### Transmission of results

1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period.
  2. Preliminary national results or estimates are to be transmitted within 10 months of the end of the calendar year of the reference period for the enterprise statistics compiled for the characteristics listed below:
- 

↓ 58/97 (adapted)

☒ Code ☒	☒ Title ☒
☒ Accounting data ☒	
<u>12 11 0</u>	<del>€Turnover</del>
☒ Data on employment ☒	
<u>16 11 0</u>	<del>€Number of persons</del>

employed

These preliminary results are to be broken down to NACE REV. 1 ☒ .1 ☒ 3-digit level (group).

↓ 58/97 (new)

## ~~SECTION 9~~

### ~~Reports and pilot studies~~

~~Member States will provide the Commission with a report relating to the availability of the necessary data for the compilation of results for the following characteristics:~~

<del>Code</del>	<del>Title</del>	<del>Comment</del>
<del>12 18 0</del>	<del>Financial surplus</del>	<del>Legal persons only</del>
<del>13 41 0</del>	<del>Operating costs linked to buildings and equipment</del>	
<del>13 42 0</del>	<del>Cost of selling</del>	
<del>13 43 0</del>	<del>Other operating costs</del>	
<del>14 11 0</del>	<del>Turnover from intra-Community deliveries of goods and services</del>	
<del>14 12 0</del>	<del>Turnover from extra-Community exports of goods and services</del>	
<del>14 21 0</del>	<del>Intra-Community acquisitions of goods and services</del>	
<del>14 22 0</del>	<del>Extra-Community imports of goods and services</del>	
<del>15 11 0</del>	<del>Gross investment in tangible goods</del>	<del>For regional statistics only</del>
<del>15 41 0</del>	<del>Acquisitions of intangible fixed assets</del>	
<del>17 11 0</del>	<del>Number of enterprises having an association or cooperation agreement with other enterprises</del>	
<del>17 31 0</del>	<del>Information on forms of trading by enterprises</del>	<del>Division 52 only</del>
<del>25 11 1</del>	<del>Resale traders: retail traders</del>	
<del>25 11 2</del>	<del>Professional users (wholesalers, others)</del>	
<del>25 11 3</del>	<del>Final consumers (retail trade activity)</del>	

<del>25-21-1</del>	<del>Wholesalers, purchasing groups</del>	
<del>25-21-2</del>	<del>Producers</del>	

~~The Commission will, in accordance with the procedure laid down in Article 13 of this Regulation, institute a series of pilot studies for these characteristics to be completed by the Member States for the 1998 reference year at the latest. These pilot studies will be carried out in order to assess the feasibility of collecting the data necessary for the compilation of results for these characteristics, taking into account the benefits of the availability of the data in relation to the cost of collection and the burden on business. The Commission will inform the Council of the possibilities of compiling statistics for these characteristics and will submit a recommendation on the addition of some or all of these characteristics to the lists in Section 4.~~

↓ 58/97 (adapted)

## **SECTION ~~210~~**

### **Transitional period**

For the purposes of the detailed module defined in this Annex, the transitional period ~~⊗~~ shall ~~⊗ will~~ not extend more than four years beyond the first reference years for the compilation of the statistics indicated in Section 5.

**ANNEX IV 4**

**A DETAILED MODULE FOR STRUCTURAL STATISTICS IN CONSTRUCTION**

**SECTION 1**

**Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of the construction sector.

**SECTION 2**

**Scope**

The statistics to be compiled relate to the domains referred to in Article 1 2 (a)(i), (b)(ii), (c)(iii), (d)(iv) and (e)(v) of this Regulation, in particular to:

- a central list of statistics for a detailed analysis of the structure, activity, performance and competitiveness of construction activities,
- a further list of statistics for the study of special subjects.

**SECTION 3**

**Coverage**

1. The statistics are to be compiled for all activities classified within the coverage of Section F of NACE REV. 1 2 .1 2 . Enterprise statistics 2 shall 2 ~~will~~ relate to the population of all enterprises classified according to their main activity in Section F.
2. If the total amount of the turnover and the number of persons employed in a division of NACE REV. 1 2 .1 2 Section F normally represent, in a Member State, less than 1 % of the European Community total, the information laid down in this Annex which is not in Annex 2 I 2 2 need not be collected for the purposes of this Regulation.

↓ 58/97 (adapted)

3. If necessary for Community policy requirements,  ad hoc collection of the data referred to in paragraph 2 may be requested,  ~~the Commission may~~ in accordance with the procedure  referred to  ~~laid down~~ in Article ~~13~~  12 (2)  of this Regulation  .  ~~request ad hoc collection of the data referred to in paragraph 2.~~

## SECTION 4

### Characteristics

1. The lists of characteristics and statistics set out below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency. The statistics and characteristics in italics are also included in the lists in the common module.
2. Yearly demographic statistics:

↓ 58/97 (adapted)

⇒ new

Code	Title	Comment
<input checked="" type="checkbox"/> Structural data <input checked="" type="checkbox"/>		
<i>11 11 0</i>	<i>Number of enterprises</i>	
<del>11 12 0</del>	<del>Number of births of enterprises</del>	
<del>11 13 0</del>	<del>Number of deaths of enterprises</del>	
<i>11 21 0</i>	<i>Number of local units</i>	

↓ 58/97 (adapted)

→<sub>1</sub> 1614/2002 Art. 1 and Annex I pt. 4(a)

⇒ new

3. Enterprise characteristics for which yearly statistics are to be compiled:

Code	Title	Comment
<input checked="" type="checkbox"/> Accounting data <input checked="" type="checkbox"/>		
<i>12 11 0</i>	<i>Turnover</i>	
<i>12 12 0</i>	<i>Production value</i>	

12 13 0	Gross margin on goods for resale	Groups 45.1 and 45.2 - optional
→ <sub>1</sub> --- ←	→ <sub>1</sub> --- ←	→ <sub>1</sub> --- ←
12 15 0	<i>Value-added at factor cost</i>	
<u>12 17 0</u>	<u>Gross operating surplus</u>	
13 11 0	<i>Total purchases of goods and services</i>	
13 12 0	<i>Purchases of goods and services for resale in the same condition as received</i>	Groups 45.1 and 45.2 - optional
13 13 1	Payments for agency workers	
13 21 3	Change in stocks of finished products and work in progress manufactured by the unit	
<u>13 32 0</u>	<u>Wages and salaries</u>	
<u>13 33 0</u>	<u>Social security costs</u>	
13 41 1	Payments for long-term rental and operational leasing of goods	
⊠ Data relating to the capital account ⊠		
⇒ 15 11 0 ⇐	⇒ Gross investment in tangible goods ⇐	
15 12 0	Gross investment in land	
15 13 0	Gross investment in existing buildings and structures	
15 14 0	Gross investment in construction and alteration of buildings	
15 15 0	Gross investment in machinery and equipment	
<u>15 21 0</u>	<u>Sales of tangible investment goods</u>	
<del>15 31 0</del>	<del>Value of tangible goods acquired through financial leasing</del>	
⊠ Data on employment ⊠		
16 11 0	<i>Number of persons employed</i>	
16 13 0	<i>Number of employees</i>	
⇒ 16 13 1 ⇐	⇒ Number of part-time employees ⇐	

<u>16 14 0</u>	<u>Number of employees in full-time equivalent units</u>	
16 15 0	Number of hours worked by employees	
☒ Breakdown of turnover by type of activity ☒		
→ <sub>1</sub> 18 11 0 ←	→ <sub>1</sub> Turnover from the principal activity at the NACE REV.1 ☒ .1 ☒ three digit-level ←	
<del>18 12 1</del>	<del>Turnover from industrial activities excluding construction</del>	
<del>18 12 2</del>	<del>Turnover from construction activities</del>	
<del>18 15 0</del>	<del>Turnover from service activities</del>	
<del>18 16 0</del>	<del>Turnover from trading and intermediary activities</del>	
<del>18 31 0</del>	<del>Turnover from building</del>	<del>Only groups 451 and 452</del>
<del>18 32 0</del>	<del>Turnover from civil engineering</del>	<del>Only groups 451 and 452</del>
☒ Purchases of energy products ☒		
20 11 0	Purchases of energy products (in value)	
<del>22 11 0</del>	<del>Total intramural R&amp;D expenditure</del>	
<del>22 12 0</del>	<del>Total number of R&amp;D personnel</del>	

↓ 1614/2002 Art. 1 and Annex I  
pt. 4(b) (adapted)  
⇒ new

4. Enterprise characteristics for which multi-yearly statistics are to be compiled:

Code	Title	Comment
<del>15 42 0</del>	<del>Gross investment in concessions, patents, licences, trade marks and similar rights</del>	<del>Optional</del>
☒ Data related to the capital account ☒		
15 44 1	Investment in purchased software	

<del>15 44 2</del>	<del>Investment in software produced by the unit</del>	<del>Optional</del>
<del>16 13 1</del>	<del>Number of part-time employees</del>	
<del>20 11 1</del>	<del>Purchases of solid fuels (in value)</del>	<del>Optional</del>
<del>20 11 2</del>	<del>Purchases of petroleum products (in value)</del>	<del>Optional</del>
<del>20 11 3</del>	<del>Purchases of natural and derived gas (in value)</del>	<del>Optional</del>
<del>20 11 4</del>	<del>Purchases of renewable energy sources (in value)</del>	<del>Optional</del>
<del>20 11 5</del>	<del>Purchases of heat (in value)</del>	<del>Optional</del>
<del>20 11 6</del>	<del>Purchases of electricity (in value)</del>	<del>Optional</del>
⇒ Turnover broken down by type of activity ⇐		
⇒ 18 12 1 ⇐	⇒ Turnover from industrial activities excluding construction ⇐	
⇒ 18 12 2 ⇐	⇒ Turnover from construction activities ⇐	
⇒ 18 15 0 ⇐	⇒ Turnover from service activities ⇐	
⇒ 18 16 0 ⇐	⇒ Turnover from trading and intermediary activities ⇐	
⇒ 18 31 0 ⇐	⇒ Turnover from building ⇐	⇒ Only groups 45.1 and 45.2 ⇐
⇒ 18 32 0 ⇐	⇒ Turnover from civil engineering ⇐	⇒ Only groups 45.1 and 45.2 ⇐
⊠ Subcontracting ⊠		
23 11 0	Payments to subcontractors	
23 12 0	Income from subcontracting	

↓ 58/97 (adapted)  
 ⇒ new

5. Characteristics for which yearly regional statistics are to be compiled:

Code	Title	Comment
------	-------	---------

☒ Accounting data ☒	
<i>13 32 0</i>	<i>Wages and salaries</i>
<del><i>15 11 0</i></del>	<del><i>Gross investment in tangible goods</i></del>
☒ Data on employment ☒	
<i>16 11 0</i>	<i>Number of persons employed</i>

6. Kind-of-activity unit characteristics for which yearly statistics are to be compiled:

Code	Title	Comment
☒ Accounting data ☒		
<u><i>12 11 0</i></u>	<u><i>Turnover</i></u>	
<u><i>12 12 0</i></u>	<u><i>Production value</i></u>	
<u><i>13 32 0</i></u>	<u><i>Wages and salaries</i></u>	
<u><i>15 11 0</i></u>	<u><i>Gross investment in tangible goods</i></u>	
☒ Data on employment ☒		
<u><i>16 11 0</i></u>	<u><i>Number of persons employed</i></u>	

~~7. Pilot studies are to be conducted for the characteristics listed in Section 9.~~

## SECTION 5

### First reference year

1. The first reference year for which yearly statistics are to be compiled is the calendar year ⇒ 2006 for characteristic 16 13 1 and ⇐ 1995 ⇒ for all other characteristics. ⇐ The first reference years for the statistics to be compiled with a multi-yearly frequency are specified below for the codes under which the characteristics are listed.

⇒ Calendar year ⇐	⇒ Code ⇐
1997	<del>20 21 0 to 20 31 0 15 42 0, 15 44 1 and 15 44 2</del>
1998	16 13 1 and 16 13 2
1999	23 11 0 and 23 12 0

⇒ 2004 ⇐	⇒ 18 21 1, 18 12 2, 18 15 0, 18 16 0, 18 31 0 and 18 32 0 ⇐
----------	---

↓ 58/97 (adapted)

2. Multi-yearly statistics are to be compiled at least every five years.

## SECTION 6

### Report on the quality of statistics

For each key characteristic Member States ☒ shall ☒ ~~will~~ indicate the degree of precision by reference to a confidence level of 95% which the Commission ☒ shall ☒ ~~will~~ include in the report provided for in Article ☒ 13 ☒ ~~14~~ of this Regulation, taking account of the application in each Member State of that Article. The key characteristics are to be established by the Commission in accordance with the procedure ☒ referred to ☒ ~~laid down~~ in Article ~~13~~ ☒ 12 (2) ☒ of this Regulation.

## SECTION 7

### Production of results

↓ 1614/2002 Art. 1 and Annex I pt.4(c) (adapted)  
⇒ new

1. The results for the statistics, except for characteristics 18 11 0, ~~20 11 1, 20 11 2, 20 11 3, 20 11 4, 20 11 5, 20 11 6, 22 11 0, 22 12 0, 15 42 0,~~ ⇒ and ⇐ 15 44 1 ~~and 15 44 2,~~ are to be broken down to NACE REV. 1 ☒ .1 ☒ 4-digit level (class).

The results for the characteristics 18 11 0, ~~20 11 1, 20 11 2, 20 11 3, 20 11 4, 20 11 5, 20 11 6, 15 42 0,~~ 15 44 1 ⇒, 18 12 1, 18 12 2, 18 15 0, 18 16 0, 18 31 0 and 18 32 0 ⇐ ~~and 15 44 2~~ are to be broken down to NACE REV. 1 ☒ .1 ☒ 3-digit level (group).

~~The results for characteristics 22 11 0 and 22 12 0 are to be broken down to NACE REV.1 2-digit level (division).~~

↓ 58/97 (adapted)

2. Some results are also to be broken down into size classes and to NACE REV. 1 ☒ .1 ☒ 3-digit level (group).

---

↓ 1614/2002 Art. 1 and Annex I  
pt.4(c)

---

---

↓ 58/97 (adapted)

34. The results for the statistics compiled from kind-of-activity units are to be broken down to NACE REV. 1 ☒ .1 ☒ 4-digit level (class).

45. The results for the regional statistics are to be broken down to NACE REV. 1 ☒ .1 ☒ 2-digit level (divisions) and level II of the nomenclature of territorial units (NUTS).

---

↓ 58/97

## SECTION 8

### Transmission of results

The results are to be transmitted within 18 months of the end of the calendar year of the reference period.

Preliminary national results or estimates are transmitted within 10 months of the end of the calendar year of the reference period for the enterprise statistics compiled for the characteristics listed below:

---

↓ 58/97 (adapted)

☒ Code ☒	☒ Title ☒	Comment
☒ Structural data ☒		
<u>11 11 0</u>	<del>€Number of enterprises</del>	
☒ Accounting data ☒		
<u>12 11 0</u>	<del>€Turnover</del>	
<u>12 12 0</u>	<del>€Production value</del>	
<u>13 11 0</u>	<del>€Total purchases of goods and services</del>	
<u>13 32 0</u>	<del>€Wages and salaries</del>	
☒ Data related to the capital accounts ☒		

<u>15 11 0</u>	<del>€Gross investment in tangible goods</del>
☒ Data on employment ☒	
<u>16 11 0</u>	<del>€Number of persons employed</del>

These preliminary results are to be broken down to NACE~~NAVE~~ REV. 1 ☒ .1 ☒ 3-digit level (group).

↓ 58/97 (new)

## **SECTION 9**

### **Reports and pilot studies**

Member States will provide the Commission with a report relating to the availability of the necessary data for the compilation of results for the following characteristics:

Code	Title	Comment
<del>12 16 0</del>	<del>Income from ordinary activities</del>	<del>Legal persons only</del>
<del>12 18 0</del>	<del>Financial surplus</del>	<del>Legal persons only</del>
<del>12 19 0</del>	<del>Gross ordinary surplus</del>	<del>Legal persons only</del>
<del>12 20 0</del>	<del>Profit or loss for the year</del>	<del>Legal persons only</del>
<del>14 11 0</del>	<del>Turnover from intra-Community deliveries of goods and services</del>	
<del>14 12 0</del>	<del>Turnover from extra-Community exports of goods and services</del>	
<del>14 21 0</del>	<del>Intra-Community acquisitions of goods and services</del>	
<del>14 22 0</del>	<del>Extra-Community imports of goods and services</del>	
<del>15 42 0</del>	<del>Gross investment in concessions, patents, licences, trade marks and similar rights</del>	
<del>15 43 0</del>	<del>Marketing expenditure</del>	
<del>15 44 2</del>	<del>Investment in software produced by the unit</del>	

<del>15 61 0</del>	<del>Purchases of shares and participating interests</del>	<del>Legal persons only</del>
<del>15 62 0</del>	<del>Sales of shares and participating interests</del>	<del>Legal persons only</del>

~~The Commission will, in accordance with the procedure laid down in Article 13 of this Regulation, adopt a series of pilot studies for these characteristics to be completed by the Member States for the 1998 reference year at the latest. These pilot studies will be carried out in order to assess the feasibility of collecting the data necessary for the compilation of results for these characteristics, taking into account the advantages of the availability of the data compared to the cost of collection and the burden on the enterprises. The Commission will inform the Council of the possibilities of compiling statistics for these characteristics and will submit a recommendation on the addition of some or all of these characteristics to the lists in Section 4.~~

↓ 58/97 (adapted)

## SECTION ~~910~~

### Transitional period

For the purposes of the detailed module defined in this Annex, the transitional period ~~⊗~~ shall ~~⊗~~ ~~will~~ not extend more than four years beyond the first reference years for the compilation of the statistics indicated in Section 5.

---

↓ 410/98 (adapted)

**ANNEX V**

**A DETAILED MODULE FOR STRUCTURAL STATISTICS IN INSURANCE**

**SECTION 1**

**Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of insurance services. This module includes a detailed list of characteristics on which statistics shall be compiled in order to improve knowledge of the national, Community and international development of the insurance sector.

**SECTION 2**

**Scope**

The statistics to be compiled shall relate to the domains referred to in ~~points (i), (ii) and (iii)~~ of Article 1 (a), (b) and (c) of this Regulation, and in particular to:

1. the detailed analysis of the structure, activity, competitiveness and performance of insurance enterprises;
2. the development and distribution of total business and business per product, customer patterns, international activities, employment, investments, capital and reserves and technical provisions.

**SECTION 3**

**Coverage**

---

↓ 410/98 (adapted)

1. Such statistics shall be compiled for all activities within the scope of NACE Rev. 1 ~~.1~~ division 66 except for class 66.02.

---

↓ 410/98

2. The compilation of statistics shall cover the following enterprises:

- non-life insurance enterprises: all those referred to in Article 2(1)(a) of Directive 91/674/EEC<sup>13</sup>,
- life assurance enterprises: all those referred to in Article 2(1)(b) of Directive 91/674/EEC,
- specialist reinsurance enterprises: all those referred to in Article 2(1)(c) of Directive 91/674/EEC,
- Lloyd's underwriters: all those referred to in Article 4 of Directive 91/674/EEC,
- composite insurance enterprises: all those carrying out life and non-life insurance business.

---

↓ 410/98 (adapted)

3. In addition, branches of insurance enterprises referred to under Title III of Directives 73/239/EEC<sup>14</sup> and 79/267/EEC<sup>15</sup>, and whose activity falls within one of the NACE Rev. 1 ☒ .1 ☒ classes referred to in paragraph 1 shall be assimilated to the corresponding enterprises as defined in paragraph 2.

---

↓ 410/98 (adapted)

⇒ new

4. For the purposes of the harmonised Community statistics, Member States shall be free to exclude the enterprises mentioned in Article 3 of Directive 73/239/EEC and in Article 2(2) and (3) and Articles 3 and 4 of Directive 79/267/EEC.

## SECTION 4

### Characteristics

1. ⇒ The characteristics in italics are also included in the common module lists of Annex I. ⇐ The characteristics and statistics presented in list A referred to in paragraph 3 and list B referred to in paragraph 4 shall be compiled in accordance with Section 5. When characteristics are derived directly from the annual accounts, accounting years ending within a reference year shall be assimilated to the said reference year.
2. In the lists A and B, characteristics relating to life insurance enterprises are identified by the number 1, those relating to non-life insurance enterprises by the number 2, those relating to composite insurance enterprises by the number 3, those relating to specialist reinsurance enterprises by the number 4, those relating to the life insurance

---

<sup>13</sup> OJ L 374, 31. 12. 1991, p. 7.

<sup>14</sup> OJ L 228, 16. 8. 1973, p. 3.

<sup>15</sup> OJ L 63, 13. 3. 1979, p. 1.

business of composite insurance enterprises by the number 5 and those relating to the non-life insurance business (including acceptances in reinsurance) of composite insurance enterprises by the number 6.

3. List A includes the following information:

~~(a)(i)~~ characteristics listed in Article 6 of Directive 91/674/EEC concerning life, non-life, composite and specialist reinsurance enterprises: asset side of the balance sheet: items C I (showing land and buildings occupied by an insurance enterprise for its own activities separately), C II, C II 1 + C II 3 as an aggregate, C II 2 + C II 4 as an aggregate, C III, C III 1, C III 2, C III 3, C III 4, C III 5, C III 6 + C III 7 as an aggregate, C IV, D; liability side of the balance sheet: items A, A I, A II + A III + A IV as an aggregate, B, C 1 a (separately for the life and non-life business of composite enterprises), C 2 a (separately for the life and non-life business of composite enterprises), C 3 a (separately for the life and non-life business of composite enterprises), C 4 a, C 5, C 6 a, D a, G III (without separation of convertible loans), G IV;

~~(b)(ii)~~ characteristics listed in Article 34, Part I, of Directive 91/674/EEC concerning non-life and specialist reinsurance enterprises and the non-life business of composite insurance enterprises: items 1 a, 1 b, 1 c, 1 d, 2, 4 a aa, 4 a bb, 4 b aa, 4 b bb, 7 (gross amount), 7 d, 9, 10 (separately for the gross and net amount);

~~(c)(iii)~~ characteristics listed in Article 34, Part II, of Directive 91/674/EEC concerning life insurance enterprises and the life business of composite insurance enterprises: items 1 a, 1 b, 1 c (the gross amount and the reinsurers' share separately), 2, 3, 5 a aa, 5 a bb, 5 b aa, 5 b bb, 6 a aa, 6 a bb, 8 (gross amount), 8 d, 9, 10, 12, 13 (the gross and net amount separately);

~~(d)(iv)~~ characteristics listed in Article 34, Part III, of Directive 91/674/EEC concerning life, non-life, composite and specialist reinsurance enterprises: items 3, 4 (only for life and composite enterprises), 5, 6 (only for non-life, composite and specialist reinsurance enterprises), 7, 8, 9 + 14 + 15 as an aggregate, 10 (before tax), 13, 16;

~~(e)(v)~~ characteristics referred to in Article 63 of Directive 91/674/EEC:

- concerning life and non-life insurance enterprises and life and non-life business of composite insurance enterprises: gross premiums written in direct business by (sub)categories of the CPA (5-digit level and subcategories 66.03.21, 66.03.22),
- concerning non-life insurance enterprises and non-life business of composite insurance enterprises: gross claims incurred, direct business, gross operating expenses, direct business and reinsurance balance, direct business, all  characteristics  variables by (sub)categories of the CPA (5-digit level and subcategories ~~66.06~~66.03.21, 66.03.22),

- concerning life insurance enterprises and life business of composite insurance enterprises: gross direct premiums written with the breakdown as shown in number II, item 1;

~~(f)(vi)~~ characteristics referred to in Article 64 of Directive 91/674/EEC concerning life, non-life, composite and specialist reinsurance enterprises: commissions for direct insurance business (excluding specialist reinsurance enterprises) and total insurance business;

~~(g)(vii)~~ additional characteristics listed below:

Code	Title	Enterprises/business concerned
Structural data		
<u>11 11 0</u>	<u>Number of enterprises</u>	(1, 2, 3, 4)
11 11 1	Number of enterprises broken down by legal status	(1, 2, 3, 4)
11 11 2	Number of enterprises broken down by size class of gross premiums written	(1, 2, 3)
11 11 3	Number of enterprises broken down by size class of gross technical provisions	(1)
11 11 5	Number of enterprises broken down by country of residence of the parent enterprise	(1, 2, 3, 4)
11 41 0	Total number and location of branches in other countries	(1, 2, 3)
Accounting data/technical part of the profit and loss account		
32 11 4	Gross premiums written broken down by legal status	(1, 2, 4, 5, 6)
32 11 5	Gross direct premiums written broken down according to the country of residence of the parent enterprise	(1, 2, 5, 6)
32 11 6	Gross reinsurance premiums accepted, written premiums broken down according to the country of residence of the parent enterprise	(1, 2, 4, 6)
32 18 2	Reinsurers' share of gross premiums written broken down according to the country of residence of the parent enterprise	(1, 2, 4, 5, 6)
32 16 0	Other items in the technical account, gross amount	(1, 2, 4, 5, 6)
32 18 0	Reinsurance balance	(1, 2, 4, 5, 6)
32 18 8	Reinsurers' share of the gross amount of other items in	(1, 2, 4, 5, 6)

	the technical account	
Accounting data/non-technical part of the profit and loss account		
32 19 0	Sub-total II (net balance of the technical account)	(3)
Additional data relating to the profit and loss account		
32 61 4	External expenses on goods and services	(1, 2, 3, 4)
<u>13 31 0</u>	<u>Personnel costs</u>	(1, 2, 3, 4)
32 61 5	External and internal claims management expenses	(1, 2, 4, 5, 6)
32 61 6	Acquisition costs	(1, 2, 4, 5, 6)
32 61 7	Administrative expenses	(1, 2, 4, 5, 6)
32 61 8	Gross other technical charges	(1, 2, 4, 5, 6)
32 61 9	Investment management charges	(1, 2, 4, 5, 6)
32 71 1	Income from participating interests	(1, 2, 4, 5, 6)
32 71 3	Income from land and buildings	(1, 2, 4, 5, 6)
32 71 4	Income from other investments	(1, 2, 4, 5, 6)
32 71 5	Value re-adjustments on investments	(1, 2, 4, 5, 6)
32 71 6	Gains on the realisations of investments	(1, 2, 4, 5, 6)
32 72 1	Investment management charges, including interest	(1, 2, 4, 5, 6)
32 72 2	Value adjustments on investments	(1, 2, 4, 5, 6)
32 72 3	Losses on the realisations of investments	(1, 2, 4, 5, 6)
Data by product by (sub)categories of the CPA		
33 12 1	Reinsurers' share of gross direct premiums written (5-digit-level, subcategories 66.03.21, 66.03.22)	(1, 2, 5, 6)
Data on internationalisation (geographical breakdown of the business written under the right of establishment)		
34 31 1	Gross direct premiums written by CPA category (5-digit-level) and by Member State	(1, 2, 5, 6)
Data on internationalisation (geographical breakdown of the business written under the right of freedom to provide services)		

34 32 1	Gross direct premiums written by CPA category (5-digit-level) and by Member State	(1, 2, 5, 6)
Data on employment		
<u>16 11 0</u>	<u>Number of persons employed</u>	(1, 2, 3, 4)
Data on the balance sheet (assets/liabilities)		
36 30 0	Balance sheet total	(1, 2, 3, 4)
37 33 1	Gross provisions for outstanding claims, related to direct business	(2, 6)
37 30 1	Total net technical provisions	(1, 2, 3, 4)

4. List B includes the following information:

(a)(i) characteristics listed in Article 34, Part I, of Directive 91/674/EEC concerning non-life and specialist reinsurance enterprises and the non-life business of composite insurance enterprises: items 3, 5, 6, 8;

(b)(ii) characteristics listed in Article 34, Part II, of Directive 91/674/EEC concerning life insurance enterprises and the life business of composite insurance enterprises: items 4, 6 b, 7, 11;

(c)(iii) characteristics referred to in Article 63 of Directive 91/674/EEC concerning life and non-life insurance enterprises and life and non-life business of composite insurance enterprises: geographical breakdown of gross direct premiums written in the Member State of the enterprise's head office, other Member States, other EEA countries, Switzerland the USA, Japan or third countries;

(d)(iv) additional characteristics listed below:

Code	Title	Enterprises/business concerned	Comments
Accounting data/technical part of the profit and loss account			
32 13 2	Gross payments in respect of claims incurred in the current accounting year	(2, 4, 6)	
International activities (in general)			
34 12 0	Geographical breakdown of gross reinsurance premiums accepted, premiums written	(1, 2, 4, 5, 6)	

34 13 0	Geographical breakdown of reinsurers' share of gross premiums written	(1, 2, 4, 5, 6)	
Data on the balance sheet (assets/liabilities)			
36 11 2	Land and buildings (current value)	(1, 2, 3, 4)	
36 12 3	Investments in affiliated enterprises and participating interests (current value)	(1, 2, 3, 4)	
36 13 8	Other financial investments (current value)	(1, 2, 3, 4)	
36 21 0	Investments for the benefit of life-assurance policyholders who bear the investment risk - land and buildings	(1, 3)	
36 22 0	Investments for the benefit of life-assurance policyholders who bear the investment risk - other financial investments	(1, 3)	
37 10 1	Total capital and reserves, broken down by legal status	(1, 2, 3, 4)	
37 33 3	Gross provision for outstanding claims related to direct business, by (sub)category of the CPA (5-digit level) and subcategories 66.03.21, 66.03.22	(2, 6)	
Residual data			
39 10 0	Number of contracts outstanding at the end of the accounting year, relating to direct business for all individual life insurance contracts and for the following (sub)categories of the CPA: 66.01.1, 66.03.1, 66.03.4 and 66.03.5	(1, 2, 5, 6)	
39 20 0	Number of insured persons at the end of the accounting year, relating to direct business for all group life insurance contracts and for the following subcategories of the CPA: 66.03.1	(1, 2, 5, 6)	
39 30 0	Number of insured vehicles at the end of the accounting year, relating to direct business, for the following subcategories of the CPA: 66.03.2	(2, 6)	Optional
39 40 0	Gross insured sum at the end of the accounting year, relating to direct business,	(1, 5)	Optional

	for the following subcategories of the CPA: 66.01.1 and 66.01.4		
39 50 0	Number of claims incurred during the accounting year, relating to direct business, for the following subcategory of the CPA: 66.03.2	(2, 6)	Optional

## SECTION 5

### First reference year

The first reference year for which annual statistics shall be compiled is the 1996 calendar year for the characteristics and statistics of list A and the 2000 calendar year for the characteristics and statistics of list B.

## SECTION 6

### Production of results

---

↓ 410/98 (adapted)

The results are to be broken down to the NACE Rev. 1 ☒ .1 ☒, 4-digit level (classes).

---

↓ 410/98 (adapted)

## SECTION 7

### Transmission of results

The results shall be transmitted within 12 months from the end of the reference year for the enterprises referred to in Section 3, except specialist reinsurance enterprises, for which the results shall be transmitted within 18 months from the end of the reference period.

## SECTION 8

### Insurance Committee

The Commission shall inform the Insurance Committee set up under Directive 91/675/EEC<sup>16</sup> about the implementation of this module and about all such measures for adjustment to economic and technical developments concerning the collection and statistical processing of

---

<sup>16</sup> OJ L 374, 31. 12. 1991, p. 32.

data and the processing and the transmission of results, which it adopts in accordance with Article ~~13~~ 12 (2) of this Regulation.

## **SECTION 9**

### **Transitional period**

For the purposes of this detailed module, the transition period shall not exceed three years from the beginning of the first reference years for the compilation of the statistics indicated in Section 5.

---

↓ 2056/2002 Art. 2 pt. 2 and Annex (adapted)
--

## **ANNEX VI**

### **A DETAILED MODULE FOR STRUCTURAL STATISTICS ON CREDIT INSTITUTIONS**

#### **SECTION 1**

##### **Aim**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of the credit institutions sector. This module includes a detailed list of characteristics on which statistics are to be compiled in order to improve knowledge on the national, Community and international development of the sector of credit institutions.

#### **SECTION 2**

##### **Scope**

The statistics to be compiled shall relate to the domains referred to in ~~points (i), (ii) and (iii)~~ of Article 1 (a), (b) and (c) of this Regulation, and in particular to:

1. the detailed analysis of the structure, activity, competitiveness and performance of credit institutions;
2. the development and distribution of total business and business per product, international activities, employment, capital and reserves, and other assets and liabilities.

#### **SECTION 3**

##### **Coverage**

---

↓ 2056/2002 Art. 1 pt.2 and Annex (adapted)
---

1. The statistics are to be compiled for the activities of credit institutions within the scope of NACE REV. 1 .1 classes 65.12 and 65.22.

---

↓ 2056/2002 Art. 1 pt. 2 and Annex

2. The statistics are to be compiled for the activities of all credit institutions referred to in Article 2(1)(a) and Article 2(2) of Council Directive 86/635/EEC of 8 December 1986 on the annual accounts and consolidated accounts of banks and other financial institutions<sup>17</sup>, with the exemption of central banks.

---

↓ 2056/2002 Art. 1 pt.2 and Annex (adapted)

3. Branches of credit institutions referred to in Article 24 of Directive 2000/12/EC of the European Parliament and of the Council of 20 March 2000 relating to the taking up and pursuit of the business of credit institutions<sup>18</sup> whose activity falls within the scope of NACE REV. 1 ☒ .1 ☒ classes 65.12 and 65.22, are to be assimilated to the credit institutions referred to in paragraph 2.

#### SECTION 4

---

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

#### Characteristics

The characteristics are listed below. The characteristics in italics are also included in the common module lists of Annex ☒ I ☒ ¶. When characteristics are derived directly from the annual accounts, accounting years ending within a reference year shall be assimilated to the said reference year.

The list includes:

~~(a)(i)~~ characteristics listed in Article 4 of Directive 86/635/EEC: asset side of the balance sheet: item 4; liability side of the balance sheet: items 2(a) + 2(b) as an aggregate, items 7 + 8 + 9 + 10 + 11 + 12 + 13 + 14 as an aggregate;

~~(b)(ii)~~ characteristics listed in Article 27 of Directive 86/635/EEC: item 2, items 3(a) + 3(b) + 3(c) as an aggregate, item 3(a), item 4, item 5, item 6, item 7, items 8(a) + 8(b) as an aggregate, item 8(b), item 10, items 11 + 12 as an aggregate, items 9 + 13 + 14 as an aggregate, items 15 + 16 as an aggregate, item 19, items 15 + 20 + 22 as an aggregate, item 23;

~~(c)(iii)~~ the following additional characteristics:

---

<sup>17</sup> OJ L 372, 31.12.1986, p. 1. Directive as last amended by Directive 2001/65/EC of the European Parliament and of the Council (OJ L 283, 27.10.2001, p. 28).

<sup>18</sup> OJ L 126, 26.5.2000, p. 1. Directive as last amended by Directive 2000/28/EC (OJ L 275, 27.10.2000, p. 37).

Code	Title	Comment
Structural data		
<i>11 11 0</i>	<i>Number of enterprises</i>	
11 11 1	Number of enterprises broken down by legal status	
11 11 4	Number of enterprises broken down by residence of the parent enterprise	
11 11 6	Number of enterprises broken down by size classes of the balance sheet total	
11 11 7	Number of enterprises broken down by category of credit institutions	
<i>11 21 0</i>	<i>Number of local units</i>	
11 41 1	Total number of branches broken down by location in non-EEA countries	
11 51 0	Total number of financial subsidiaries broken down by location in other countries	
Accounting data: profit and loss account		
42 11 0	Interest receivable and similar income	
42 11 1	Interest receivable and similar income arising from fixed-income securities	
42 12 1	Interest payable and similar charges linked to debt securities in issue	
<i>12 12 0</i>	<i>Production value</i>	
<i>13 11 0</i>	<i>Total purchases of goods and services</i>	
<i>13 31 0</i>	<i>Personnel costs</i>	
<u>12 14 0</u>	<u>Value added at basic prices</u>	Optional
<i>12 15 0</i>	<i>Value-added at factor cost</i>	
<i>15 11 0</i>	<i>Gross investment in tangible goods</i>	
Accounting data: balance sheet		
43 30 0	Balance sheet total (CI)	
43 31 0	Balance sheet total broken down according to the residence of the parent enterprise	

43 32 0	Balance sheet total broken down by legal status	
Data by product		
44 11 0	Interest receivable and similar income broken down by (sub)categories of the CPA	Optional
44 12 0	Interest payable and similar charges broken down by (sub)categories of the CPA	Optional
44 13 0	Commissions receivable broken down by (sub)categories of the CPA	Optional
44 14 0	Commissions payable broken down by (sub)categories of the CPA	Optional
Data on the internal market and internationalisation		
45 11 0	Geographical breakdown of the total number of EEA branches	
45 21 0	Geographical breakdown of interest receivable and similar income	
45 22 0	Geographical breakdown of balance sheet total	
45 31 0	Geographical breakdown of interest receivable and similar income via the freedom to provide services business (in other EEA countries)	Optional
45 41 0	Geographical breakdown of interest receivable and similar income via branch business (in non-EEA countries)	Optional
45 42 0	Geographical breakdown of interest receivable and similar income via the freedom to provide services business (in non-EEA countries)	Optional
Data on employment		
<i>16 11 0</i>	<i>Number of persons employed</i>	
16 11 1	Number of persons employed broken down by category of credit institutions	
<u>16 11 2</u>	<u>Number of women employed</u>	
<i>16 13 0</i>	<i>Number of employees</i>	
<u>16 13 6</u>	<u>Number of female employees</u>	
<u>16 14 0</u>	<u>Number of employees in full-time equivalent units</u>	
Residual data		
47 11 0	Number of accounts broken down by (sub)categories of the CPA	Optional

47 12 0	Number of loans and advances to customers broken down by (sub)categories of the CPA	Optional
47 13 0	Number of automatic teller machines (ATM) owned by credit institutions	

↓ 2056/2002 Art. 1 pt.2 and Annex (adapted)

~~(d)(iv)~~ characteristics for which yearly regional statistics are to be compiled:

Code	Title	Comment
⊗ Structural data ⊗		
<u>11 21 0</u>	<u>Number of local units</u>	
⊗ Accounting data ⊗		
<u>13 32 0</u>	<u>Wages and salaries</u>	Optional
⊗ Data on employment ⊗		
<u>16 11 0</u>	<u>Number of persons employed</u>	

↓ 2056/2002 Art. 1 pt. 2 and Annex

## SECTION 5

### First reference year

The first reference year for which annual statistics are to be compiled for the characteristics listed in Section 4 is the calendar year 2001.

## SECTION 6

### Production of results

---

↓ 2056/2002 Art. 1 pt.2 and Annex (adapted)

1. The results are to be broken down to the following NACE REV. 1 ☒ .1 ☒ classes: 65.12 and 65.22, separately.

2. The results of the regional statistics are to be broken down to NACE REV. 1 ☒ .1 ☒ four-digit level (classes) and level 1 of the nomenclature of territorial units (NUTS).

---

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

## SECTION 7

### Transmission of results

The transmission delay of the results shall be decided in accordance with the procedure ☒ referred to ☒ ~~laid down~~ in Article ~~13~~ ☒ 12 (2) ☒ of this Regulation. It shall not be longer than 10 months from the end of the reference year.

## SECTION 8

### Committee for Monetary, Financial and Balance of Payments Statistics

The Commission shall inform the Committee for Monetary, Financial and Balance of Payments Statistics about the implementation of this module and about all measures for adjustment to economic and technical developments concerning the collection and statistical processing of data, the processing and transmission of results.

---

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

## SECTION 9

### Pilot studies

1. For the activities covered by this Annex, the Commission ☒ shall ☒ ~~will~~ institute the following pilot studies to be carried out by Member States:

- (a) information on derivatives and off-balance sheet items;
- (b) information on the distribution networks;

(c) information needed to break down the transactions of credit institutions according to prices and volumes.

2. The pilot studies are to be carried out in order to assess the relevance and feasibility of obtaining data, taking into account the benefits of the availability of the data in relation to the cost of collection and the burden on business.

---

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)
---

## SECTION 10

### Transitional period

For the purposes of this detailed module, the transitional period  shall  ~~will~~ not exceed three years from the beginning of the first reference year for the compilation of the statistics indicated in Section 5.

---

↓ 2056/2002 Art. 1 pt. 2 and  
Annex (adapted)

## ANNEX VII

### A DETAILED MODULE FOR STRUCTURAL STATISTICS ON PENSION FUNDS

#### SECTION 1

##### Aim

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of the pension funds sector. This module includes a detailed list of characteristics on which statistics are to be compiled in order to improve knowledge of the national, Community and international development of the pension funds sector.

#### SECTION 2

##### Scope

The statistics to be compiled shall relate to the domains referred to in ~~points (i), (ii) and (iii)~~ of Article 1 (a), (b) and (c) ~~2~~ of this Regulation, and in particular to:

1. the detailed analysis of the structure, activity, competitiveness and performance of pension funds;
2. the development and distribution of total business, patterns of pension funds members, international activities, employment, investments and liabilities.

#### SECTION 3

##### Coverage

---

↓ 2056/2002 Art. 1 pt. 2 and  
Annex (adapted)

1. The statistics are to be compiled for all activities within the scope of NACE REV. 1 ~~1~~ class 66.02. This class covers the activities of autonomous pension funds.

---

↓ 2056/2002 Art. 1 pt. 2 and  
Annex (adapted)

2. Some statistics are to be compiled for enterprises with non-autonomous pension funds which are carried out as ancillary activities.

## SECTION 4

### Characteristics

1. The list of characteristics set out below indicates, where relevant, the type of statistical unit for which the statistics are to be compiled. The characteristics in italics are also included in the common module lists of Annex I ~~⊗~~ ~~⊗~~ ~~⊗~~. When characteristics are derived directly from the annual accounts, accounting years ending within a reference year are to be assimilated to the said reference year.

2. Demographic and enterprise characteristics for which yearly statistics are to be compiled (for enterprises with autonomous pension funds only):

Code	Title	Comment
Structural data		
<i>11 11 0</i>	<i>Number of enterprises</i>	
11 11 8	Number of enterprises broken down by size of investments	
11 11 9	Number of enterprises broken down by size classes of members	
11 61 0	Number of pension schemes	Optional
Accounting data: profit and loss (income and expenditure) account		
<i>12 11 0</i>	<i>Turnover</i>	
48 00 1	Pension contributions receivable from members	
48 00 2	Pension contributions receivable from employers	
48 00 3	Incoming transfers	
48 00 4	Other pension contributions	
48 00 5	Pension contributions to defined benefits schemes	
48 00 6	Pension contributions to defined contributions schemes	
48 00 7	Pension contributions to hybrid schemes	
48 01 0	Investment income (PF)	
48 01 1	Capital gains and losses	
48 02 1	Insurance claims receivable	
48 02 2	Other income (PF)	
<i>12 12 0</i>	<i><del>Production</del> value</i>	

12 14 0	<u>Value added at basic prices</u>	Optional
12 15 0	<del>Value</del> added at factor cost	
48 03 0	Total expenditure on pensions	
48 03 1	Regular pensions payments	
48 03 2	Pension payments of lump sums	
48 03 3	Outgoing transfers	
48 04 0	Net change in technical provisions (reserves)	
48 05 0	Insurance premiums payable	
48 06 0	Total operational expenses	
13 11 0	Total purchases of goods and services	
13 31 0	Personnel costs	
15 11 0	Gross investment in tangible goods	
48 07 0	All taxes	
Balance sheet data: assets		
48 11 0	Land and buildings (PF)	
48 12 0	Investments in affiliated enterprises and participating interests (PF)	
48 13 0	Shares and other variable-yield securities	
48 13 1	Shares traded on a regulated market	
48 13 2	Shares traded on a regulated market specialised in SMEs	
48 13 3	Non-publicly traded shares	
48 13 4	Other variable yield securities	
48 14 0	Units in undertakings for collective investment in transferable securities	
48 15 0	Debt securities and other fixed-income securities	
48 15 1	Debt securities and other fixed-income securities issued by public administrations	Optional
48 15 2	Other debt securities and other fixed income securities	Optional

48 16 0	Participation in investment pools (PF)	
48 17 0	Loans guaranteed by mortgages and other loans not covered elsewhere	
48 18 0	Other investments	
48 10 0	Total investments of pension funds	
48 10 1	Total investments invested in «the sponsoring enterprise»	
48 10 4	Total investments at market values	
48 20 0	Other assets	
Balance sheet data: liabilities		
48 30 0	Capital and reserves	
48 40 0	Net technical provisions (PF)	
48 50 0	Other liabilities	
Data on the internal market and internationalisation		
48 61 0	Geographical breakdown of turnover	
48 62 0	Shares and other variable-yield securities broken down by location	Optional
48 63 0	Total investments broken down by location	Optional
48 64 0	Total investments broken down into euro and non-euro components	
Data on employment		
16 11 0	<i>Number of persons employed</i>	
Residual data		
48 70 0	Number of members	
48 70 1	Number of members of defined benefits schemes	
48 70 2	Number of members of defined contributions schemes	
48 70 3	Number of members of hybrid schemes	
48 70 4	Number of active members	
48 70 5	Number of deferred members	

48 70 6	Number of retired persons	
---------	---------------------------	--

3. Enterprise characteristics for which yearly statistics are to be compiled (for enterprises with non-autonomous pension funds only):

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)		
Code	Title	Comment
⊗ Structural data ⊗		
11 15 0	Number of enterprises with non-autonomous pension funds	
⊗ Accounting data: profit and loss (income and expenditure) account ⊗		
48 08 0	Turnover of non-autonomous pension funds	Optional

↓ 2056/2002 Art. 1 pt. 2 and Annex

## SECTION 5

### First reference year

The first reference year for which annual statistics are to be compiled for the characteristics listed in Section 4 is the calendar year 2002.

## SECTION 6

### Production of results

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

1. The results for the characteristics listed in Section 4, paragraph 2, are to be broken down according to the NACE REV. 1 ⊗ .1 ⊗ , four-digit level (class).

2. The results for the characteristics listed in Section 4, paragraph 3, are to be broken down according to the NACE REV. 1 ⊗ .1 ⊗ section level.

---

↓ 2056/2002 Art. 1 pt. 2 and Annex

## SECTION 7

### Transmission of results

The results are to be transmitted within 12 months from the end of the reference year.

## SECTION 8

### Insurance Committee

The Commission shall inform the Insurance Committee about the implementation of this module and about all measures for adjustment to economic and technical developments concerning the collection and statistical processing of data, the processing and transmission of results.

---

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

## SECTION 9

### Pilot studies

For the activities covered by this Annex, the Commission  shall  ~~will~~ institute the following pilot studies to be carried out by Member States:

1. More in-depth information on cross-border activities of pension funds:

---

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

Code	Title	comment
<input checked="" type="checkbox"/> Structural data <input checked="" type="checkbox"/>		
<u>11 71 0</u>	<u>Number of enterprises with members in other EEA countries</u>	
11 72 0	Number of enterprises with active members in other EEA countries	
<input checked="" type="checkbox"/> Data on internal market and internationalisation <input checked="" type="checkbox"/>		
<u>48 65 0</u>	<u>Geographical breakdown of number of members by gender</u>	
48 65 1	Geographical breakdown of number of members of defined benefits	

	schemes
48 65 2	Geographical breakdown of number of members of defined contributions schemes
48 65 3	Geographical breakdown of number of members of hybrid schemes
48 65 4	Geographical breakdown of number of active members
48 65 5	Geographical breakdown of number of deferred members
48 65 6	Geographical breakdown of number of retired persons
48 65 7	Geographical breakdown of number of persons receiving a derived pension
⊗ Residual data ⊗	
<u>48 70 7</u>	<u>Number of female members</u>

2. Additional information on non-autonomous pension funds:

Code	Title	comment
⊗ Structural data ⊗		
11 15 1	Number of enterprises with non-autonomous pension funds, broken down by size classes of members	
⊗ Balance sheet data: liabilities ⊗		
48 40 1	Net technical provisions of non-autonomous pension funds	
⊗ Residual data ⊗		
48 72 0	Number of members of non-autonomous pension funds	
⊗ Data on internal market and internationalisation ⊗		
48 66 1	Geographical breakdown of number of active members of non-autonomous pension funds	
48 66 2	Geographical breakdown of number of deferred members of non-autonomous pension funds	
48 66 3	Geographical breakdown of number of retired persons receiving a pension of non-autonomous pension funds	
48 66 4	Geographical breakdown of number of persons receiving a derived pension of non-autonomous pension funds	

⊗ Accounting data: profit and loss (income and expenditure) account ⊗	
48 09 0	Pension payments by non-autonomous pension funds

↓ 2056/2002 Art. 1 pt. 2 and Annex (adapted)

3. Information on derivatives and off-balance sheet items.

The pilot studies shall be carried out in order to assess the relevance and feasibility of obtaining data, taking into account the benefits of the availability of the data in relation to the cost of collection and the burden on business.

## SECTION 10

### Transitional period

For the purposes of this detailed module, the transitional period ⊗ shall ⊗ ~~will~~ not exceed three years from the beginning of the first reference year for the compilation of the statistics indicated in Section 5. This period may be extended by a further period of up to three years in accordance with the procedure ⊗ referred to ⊗ ~~laid down~~ in Article ~~13~~ ⊗ 12 (2) ⊗ of this Regulation.

**ANNEX VIII**

**A DETAILED MODULE FOR STRUCTURAL STATISTICS ON BUSINESS SERVICES**

**SECTION 1**

**Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on the structure, activity, competitiveness and performance of the business services' sector.

**SECTION 2**

**Scope**

The statistics are to be compiled related to the domains referred to in Article 1 (a), (b), (c), (d) and (f) of this Regulation, in particular to:

- a list of characteristics for a detailed analysis of the structure, activity, performance and competitiveness of business services.

**SECTION 3**

**Coverage**

The statistics are to be compiled for all activities within the coverage of division 72 and classes 74.11, 74.12, 74.13, 74.14, 74.20, 74.30, 74.40 and 74.50 of NACE REV. 1.1. These sectors cover the activities of Computer related activities and a part of Other business activities. Statistics in this module refer to the population of all enterprises with 10 or more persons employed whose main activity is classified in the above division and classes.

**SECTION 4**

**Characteristics**

1. The list of characteristics and statistics set out below indicate the statistics which are to be compiled with a yearly or biennial frequency.
2. Characteristics for which yearly statistics are to be compiled for enterprises in division 72 and classes 74.40 and 74.50 of NACE REV. 1.1.

Code	Title	Comment
------	-------	---------

Structural data		
11 11 0	Number of enterprises	
Breakdown of turnover by product type		
12 11 0	Breakdown of <i>turnover</i> by product (according to CPA <sup>19</sup> )	The product breakdown shall be determined in accordance with the procedure referred to in Article 12 (2) of this Regulation.
Information on residence of client		
12 11 0	<i>Turnover</i> by residence of client, specifically: Resident Non-resident, of which – Intra-EU – Extra-EU	

3. Characteristics for which biennial statistics are to be compiled for enterprises in the classes 74.11, 74.12, 74.13, 74.14, 74.20 and 74.30 of NACE REV. 1.1.

Code	Title	Comment
Breakdown of turnover by product type		
Structural data		
11 11 0	Number of enterprises	
12 11 0	Breakdown of <i>turnover</i> by product (according to CPA)	The product breakdown shall be determined in accordance with the procedure referred to in Article 12 (2) of this Regulation.
Information on residence of client		
12 11 0	<i>Turnover</i> by residence of client, specifically: Resident	

<sup>19</sup> Council Regulation (EEC) No 3696/93 on the statistical classification of products by activity (CPA) in the European Economic Community, OJ L 342, 31.12.1993, p. 1, as last amended by Commission Regulation (EC) No 204/2002, OJ L 036, 06.02.2002, p. 1.

	Non-resident, of which – Intra-EU – Extra-EU	
--	--	--

## **SECTION 5**

### **First reference year**

The first reference year for which yearly statistics on the activities covered by the NACE REV. 1.1 division 72 and classes 74.40 and 74.50 and for which biennial statistics covered by the NACE REV. 1.1 classes 74.11, 74.12 and 74.14 are to be compiled is the calendar year of entry into force of this Regulation. The first reference year for which biennial statistics on the activities covered by NACE REV. 1.1 classes 74.13, 74.20 and 74.30 are to be compiled is the calendar year following the year of entry into force of this Regulation.

## **SECTION 6**

### **Production of results**

1. In order that Community statistics may be compiled, Member States are to produce component national results broken down to the NACE REV. 1.1 division 72 and classes 74.11, 74.12, 74.13, 74.14, 74.20, 74.30, 74.40 and 74.50.
2. Turnover results are also to be broken down by product and residence of client for the NACE REV. 1.1 division 72 and classes 74.11, 74.12, 74.13, 74.14, 74.20, 74.30, 74.40 and 74.50.

## **SECTION 7**

### **Transmission of results**

The results are to be transmitted within 18 months of the end of the calendar year of the reference period.

## **SECTION 8**

### **Transitional period**

For the purposes of the detailed module defined in this Annex, the transitional period shall not extend more than two years beyond the first reference years (see Section 5) for the compilation of the statistics indicated in section 4. This transitional period may be extended by a further period of two years in accordance with the procedure referred to in Article 12 (2) of this Regulation.

## **ANNEX IX**

### **A DETAILED MODULE FOR STRUCTURAL STATISTICS ON BUSINESS DEMOGRAPHY**

#### **SECTION 1**

##### **Aims**

The aim of this Annex is to establish a common framework for the collection, compilation, transmission and evaluation of Community statistics on business demography.

#### **SECTION 2**

##### **Scope**

The statistics to be compiled relate to the domains referred to in Article 1 (a), (b), (c), (d), (e) and (f) of this Regulation, in particular to:

- a list of characteristics for a detailed analysis of the population of active enterprises, enterprise births, enterprise deaths and the survival of newly born enterprises and the related effects on the structure, activity and the evolution of the business population.

#### **SECTION 3**

##### **Coverage**

1. The statistics are to be compiled for the activities listed in Section 10.
2. Pilot studies are to be conducted for the statistical unit, activities and demographic events listed in section 12.

#### **SECTION 4**

##### **Definitions**

For the purpose of this annex, the following definition applies:

- “reference period” shall mean the year in which populations of active enterprises, enterprise births, enterprise deaths and enterprise survivals are observed. It is referred to as “t” in section 5.

#### **SECTION 5**

##### **Characteristics**

1. Yearly demographic statistics using the enterprise as the statistical unit are to be compiled for the following characteristics:

Code	Title
Structural data	
11 91 0	Population of active enterprises in t
11 92 0	Number of births of enterprises in t
11 93 0	Number of deaths of enterprises in t
11 94 1	Number of enterprises newly born in t-1 having survived to t
11 94 2	Number of enterprises newly born in t-2 having survived to t
11 94 3	Number of enterprises newly born in t-3 having survived to t
11 94 4	Number of enterprises newly born in t-4 having survived to t
11 94 5	Number of enterprises newly born in t-5 having survived to t

2. Enterprise characteristics for the populations of active enterprises, enterprise births, enterprise deaths and enterprise survivals for which yearly statistics are to be compiled:

Code	Title
Data on employment	
16 91 0	Number of persons employed in the population of active enterprises in t
16 91 1	Number of employees in the population of active enterprises in t
16 92 0	Number of persons employed in the population of births in t
16 92 1	Number of employees in the population of births in t
16 93 0	Number of persons employed in the population of deaths in t
16 93 1	Number of employees in the population of deaths in t
16 94 1	Number of persons employed in the population of enterprises newly born in t-1 having survived to t
16 94 2	Number of persons employed in the population of enterprises newly born in t-2 having survived to t
16 94 3	Number of persons employed in the population of enterprises newly born in t-3 having survived to t
16 94 4	Number of persons employed in the population of enterprises newly born in t-4 having survived to t

16 94 5	Number of persons employed in the population of enterprises newly born in t-5 having survived to t
16 95 1	Number of persons employed in the year of birth in the population of enterprises newly born in t-1 having survived to t
16 95 2	Number of persons employed in the year of birth in the population of enterprises newly born in t-2 having survived to t
16 95 3	Number of persons employed in the year of birth in the population of enterprises newly born in t-3 having survived to t
16 95 4	Number of persons employed in the year of birth in the population of enterprises newly born in t-4 having survived to t
16 95 5	Number of persons employed in the year of birth in the population of enterprises newly born in t-5 having survived to t

## SECTION 6

### First reference year

The first reference year for which annual statistics shall be compiled is as follows:

Calendar year	Code
2004	11 91 0, 11 92 0, 11 93 0, 16 91 0, 16 91 1, 16 92 0, 16 92 1, 16 93 0 and 16 93 1
2005	11 94 1, 16 94 1 and 16 95 1
2006	11 94 2, 16 94 2 and 16 95 2
2007	11 94 3, 16 94 3 and 16 95 3
2008	11 94 4, 16 94 4 and 16 95 4
2009	11 94 5, 16 94 5 and 16 95 5

## SECTION 7

### Report on the quality of statistics

The Member States shall produce quality reports that shall indicate the comparability of characteristics 11 91 0 and 16 91 0 with characteristics 11 11 0 and 16 11 0 in Annex I of this Regulation and, if necessary, the compliance of the delivered data with the common methodology as laid down in the recommendations manual referred to in section 11.

## **SECTION 8**

### **Production of results**

1. The results are to be broken down to the level of the breakdown of activities listed in Section 10.
2. Some results, to be determined in accordance with the procedure referred to in Article 12 (2) of this Regulation, shall also be broken down into size classes to the level of detail listed in section 10, except for NACE REV. 1.1 section K, where the breakdown is required only to the group level.
3. Some results to be determined in accordance with the procedure referred to in Article 12 (2) of this Regulation shall also be broken down according to legal form to the level of the detail listed in section 10, except for NACE REV. 1.1 section K, where the breakdown is required only to the group level.

## **SECTION 9**

### **Transmission of results**

Preliminary results for characteristics related to enterprise deaths (11 93 0, 16 93 0, 16 93 1) are to be transmitted within 18 months of the end of the calendar year of the reference period. Revised results for these characteristics, following the confirmation of enterprise deaths after two years of inactivity, are to be transmitted within 30 months of the same reference period. All other results are to be transmitted within 18 months of the end of the calendar year of the reference period.

## **SECTION 10**

### **Breakdown of activities**

The following breakdown of activities refer to the NACE REV. 1.1 classification:

#### **Section C**

##### *Mining and quarrying*

To enable Community statistics to be compiled, Member States shall transmit component national results broken down to the section level of NACE REV. 1.1.

#### **Section D**

##### *Manufacturing*

To enable Community statistics to be compiled, Member States shall transmit component national results broken down to the subsection level of NACE REV. 1.1

## **Sections E and F**

### *Electricity, gas and water supply and construction*

To enable Community statistics to be compiled, Member States shall transmit component national results broken down to the section level of NACE REV. 1.1.

## **Section G**

### *Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods*

To enable Community statistics to be compiled, Member States shall transmit component national results for the NACE REV. 1.1 codes G, 50, 51, 52, 52.1, 52.2, 52.3+52.4+52.5, 52.6 and 52.7.

## **Section H**

### *Hotels and restaurants*

To enable Community statistics to be compiled, Member States shall transmit component national results for the NACE REV. 1.1 codes 55, 55.1+55.2 and 55.3+55.4+55.5.

## **Section I**

### *Transport, storage and communication*

To enable Community statistics to be compiled, Member States shall transmit component national results for the NACE REV. 1.1 codes I, 60, 61, 62, 63, 64, 64.1 and 64.2.

## **Section J**

### *Financial Intermediation*

To enable Community statistics to be compiled, Member States shall transmit component national results broken down to the division level of NACE REV. 1.1.

## **Section K**

### *Real estate, renting and business activities*

NACE REV. 1.1 class 74.15 is excluded from the scope of this Annex. To enable Community statistics to be compiled, Member States shall transmit component national results broken down to the class level of NACE REV. 1.1.

## **Special aggregates**

To enable Community statistics on business demography to be compiled for the Information and Communication Technology sector, a number of special aggregates of the NACE REV. 1.1 shall be transmitted. These aggregates shall be determined in accordance with the procedure referred to in Article 12 (2) of this Regulation.

## **SECTION 11**

### **Recommendations manual**

The Commission shall publish a recommendations manual in close co-operation with the Member States, which contains supplementary guidance concerning the Community statistics produced pursuant to this Annex. The recommendations manual shall be published when this Regulation enters into force.

## **SECTION 12**

### **Pilot studies**

For the activities covered by this annex, the Commission shall institute the following pilot studies to be carried out by Member States:

- production of the data using the local unit as the statistical unit;
- production of data on other demographic events than enterprise births, survivals and deaths, and
- production of data on NACE REV. 1.1 sections M, N and O.

If the Commission, on the basis of the evaluation of pilot studies concerning non-market activities in Sections M to O of NACE REV. 1.1, deems it necessary to expand the current scope of this Regulation it shall make a proposal in accordance with the procedure laid down in Article 251 of the Treaty.

## **SECTION 13**

### **Transitional period**

For the purposes of the detailed module defined in this Annex, the transitional period shall not extend more than four years beyond the first reference years for the compilation of the statistics indicated in section 6.

**ANNEX X**

**Repealed Regulation with its successive amendments**

Council Regulation (EC, Euratom) No 58/97 (OJ No L 14, 17.1.1997, p. 1)

Council Regulation (EC, Euratom) No 410/98 (OJ L 52, 21.2.1998, p. 1)

Article 1 of Commission Regulation (EC) No 1614/2002 (OJ L 244, 12.9.2002, p. 7)

Regulation (EC) No 2056/2002 of the European Parliament and of the Council (OJ L 317, 21.11.2002, p. 1)

Point 69 of Annex III of Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1)

---

## ANNEX XI

### CORRELATION TABLE

<b>Council Regulation (EC, Euratom) No 58/97</b>	<b>This Regulation</b>
Article 1	Article 1
Article 2	Article 1
Article 3	Article 2
Article 4, paragraph 1	Article 3, paragraph 1
Article 4, paragraph 2	Article 3, paragraph 3
Article 5	Article 3, paragraph 2
-	Article 3, paragraph 4
-	Article 4
Article 6	Article 5
Article 7, paragraphs 1-3	Article 6, paragraphs 1-3
-	Article 6, paragraph 4
Article 8	Article 7
Article 9	Article 8
Article 10	Article 9
Article 11	Article 10
Article 12, paragraphs (i) to (x)	Article 11, paragraphs (a) to (j)
-	Article 11, paragraphs (k), (l) and (m)
Article 13	Article 12
Article 14	Article 13
Article 15	-
-	Article 14
Article 16	Article 15
Annex 1, Sections 1 – 9	Annex I, Sections 1 – 9

Annex 1, Section 10, paragraphs 1 and 2	Annex I, Section 10, paragraphs 1 and 2, with deletions
Annex 1, Section 10, paragraphs 3 and 4	-
Annex 1, Section 11	Annex I, Section 11
Annex 2	Annex II
Annex 3, Sections 1 – 8	Annex III, Sections 1 - 8
Annex 3, Section 9	-
Annex 3, Section 10	Annex III, Section 9
Annex 4, Sections 1 – 8	Annex IV, Sections 1 - 8
Annex 4, Section 9	-
Annex 4, Section 10	Annex IV, Section 9
-	Annex V
-	Annex VI
-	Annex VII
-	Annex VIII
-	Annex IX

## FINANCIAL STATEMENT

**1. NAME OF THE PROPOSAL :**

Proposal for a Regulation (EC) No .../... of the European Parliament and of the Council concerning structural business statistics.

**2. ABM / ABB FRAMEWORK**

Policy Area(s) concerned and associated Activity/Activities:

Statistics

**3. BUDGET LINES**

**3.1 Budget lines (operational lines and related technical and administrative assistance lines (ex- B.A lines)) including headings :**

29 02 01 Statistical Information Policy

29 01 01 Expenditure related to staff in active employment of policy area statistics

**3.2 Duration of the action and of the financial impact:**

Yearly data collection and compilation starting from the year after entry into force of the regulation.

**3.3 Budgetary characteristics (*add rows if necessary*) :**

Budget line	Type of expenditure		New	EFTA contribution	Contributions from applicant countries	Heading in financial perspective
29 02 01	Non-comp	Diff <sup>19</sup>	NO	YES	YES	<b>No 3 Internal Policies</b>
29 01 01	Non-comp	Non-Diff	NO	YES	YES	<b>No 3 Internal Policies</b>

---

<sup>19</sup> Differentiated appropriations

#### 4. SUMMARY OF RESOURCES

##### 4.1 Financial Resources

##### 4.1.1 Summary of commitment appropriations (CA) and payment appropriations (PA)

EUR million (to 3 decimal places)

Expenditure type	Section no.		2007	2008	2009	2010	2011	2012	Total
------------------	-------------	--	------	------	------	------	------	------	-------

##### Operational expenditure<sup>20</sup>

Commitment Appropriations (CA)	8.1	a	2.000	1.950	1.000	0	0	0	4.950
Payment Appropriations (PA)		b	1.000	2.000	1.450	0.500			4.950

##### Administrative expenditure within reference amount<sup>21</sup>

Technical & administrative assistance (NDA)	8.2.4	c							
---	-------	---	--	--	--	--	--	--	--

##### TOTAL REFERENCE AMOUNT

Commitment Appropriations		a+c	2.000	1.950	1.000	0	0	0	4.950
Payment Appropriations		b+c	1.000	2.000	1.450	0.500	0	0	4.950

##### Administrative expenditure not included in reference amount<sup>22</sup>

Human resources and associated expenditure (NDA)	8.2.5	d	0.540	0.540	0.540	0.216	0.216	0.216	2.268
Administrative costs, other than human resources and associated costs, not included in reference amount (NDA)	8.2.6	e							

##### Total indicative financial cost of intervention

<b>TOTAL CA including cost of Human Resources</b>		a+c+d+e	2.540	2.490	1.540	0.216	0.216	0.216	7.218
---	--	---------	-------	-------	-------	-------	-------	-------	-------

<sup>20</sup> Expenditure that does not fall under Chapter xx 01 of the Title xx concerned.

<sup>21</sup> Expenditure within article xx 01 04 of Title xx.

<sup>22</sup> Expenditure within chapter xx 01 other than articles xx 01 04 or xx 01 05.

<b>TOTAL PA including cost of Human Resources</b>		b+c +d+ e	1.540	2.540	1.990	0.716	0.216	0.216	7.218
---	--	-----------------	-------	-------	-------	-------	-------	-------	-------

#### Co-financing details

EUR million (to 3 decimal places)

Co-financing body		2007	2008	2009	2010	2011	2012	Total
Member State	f	0.200	0.195	0.100	0	0	0	0.495
TOTAL CA including co-financing	a+c +d+ e+f	2.740	2.685	1.640	0.216	0.216	0.216	7.713

#### 4.1.2 Compatibility with Financial Programming

Proposal is compatible with the Commission's February 2004 Communication on the financial perspective 2007-2013 (COM (2004) 101). The appropriations from 2007 onwards are subject to the approval of the next financial programming period.

#### 4.1.3 Financial impact on Revenue

Proposal has no financial implications on revenue

#### 4.2 Human Resources FTE (including officials, temporary and external staff) – see detail under point 8.2.1.

Annual requirements	2007	2008	2009	2010	2011	2012 and later
Total number of human resources	5	5	5	2	2	2

### 5. CHARACTERISTICS AND OBJECTIVES

#### 5.1 Need to be met in the short or long term

This codified/recast version of the Council and the European Parliament Regulation aims at adjusting the available data on the structure, activity,

competitiveness and performance of businesses in the Community to the new Community policy needs.

## **5.2 Value-added of Community involvement and coherence of the proposal with other financial instruments and possible synergy**

Community legislation of structural business statistics is needed to set common statistical standards for data, with a high degree of comparability between data collected in different Member States. Such comparability is requested by all users, not only at Community level, but also within Member States. The regulation defines a set of relevant statistical data to ensure the comparability of the statistics. This is essential, for the calculation of EU aggregates, which are in great demand by users. The likely impact of a continuation of the existing situation can be the lack of information needed by the users. In order to carry out the tasks entrusted to it under the Treaties, especially with regard to the internal market, the Commission must have adequate, meaningful, up-to-date, reliable and comparable structural business statistics.

## **5.3 Objectives, expected results and related indicators of the proposal in the context of the ABM framework**

The objective for the amendment is to put services on equal footing with manufacturing, to provide data on business demography and a flexible tool to make ad hoc surveys to respond to user needs.

The feasibility of collecting harmonised statistical information

- for activities under Sections M to O of NACE REV. 1.1 (Annex I, section 10, paragraph 1),
- for characteristics relating to financial accounts, intangible investments and forms of organising the production system (Annex I, section 10, paragraph 2),
- for environmental characteristics and subcontracting in industry (Annex II, section 9),
- for information on derivatives and off-balance sheet items, information on the distribution networks, and information broken down to prices and volumes for credit institutions (Annex VI, section 9),
- for information on cross-border activities of pensions funds, information on non-autonomous pension funds and information on derivatives and off-balance sheet items for pensions funds (Annex VII, section 9),
- for data using the local unit as the statistical unit, activities under Sections M to O of NACE REV. 1.1 and demographic characteristics other than enterprise births, survivals and deaths for business demography (Annex IX, section 12)

shall be tested via pilot studies.

The information is needed for drawing up, monitoring and evaluating Community policies, in particular concerning the internal market as well as enterprise, economic, financial, employment and information society policies

#### **5.4 Method of Implementation (indicative)**

Show below the method(s)<sup>23</sup> chosen for the implementation of the action.

- Centralised Management** Directly by the Commission

## **6. MONITORING AND EVALUATION**

### **6.1 Monitoring system**

The Commission shall - according to article 13 of the proposed regulation - submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and in particular on their quality and the burden on businesses. In this report the Commission shall take into account the outcome of the pilot studies and propose amendments if necessary.

### **6.2 Evaluation**

#### **6.2.1 Ex-ante evaluation**

The feasibility of collecting the data, taking into account the benefits of the availability of the data in relation to the costs of collection and the burden of businesses was tested for the new modules on business services (Annex VIII) and business demography (Annex IX) in pilot studies on a voluntary basis.

The legal basis for the pilot studies was Annex I Section 10 of Council Regulation No 58/97 of 20 December 1996 concerning structural business statistics. The pilot studies have proven that the data collection is possible. It has been shown convincingly that the data can be collected, that the statistics can be produced in a cost-effective way, and that the results are of great interest to users inside and outside the European Commission.

Several publications presenting the results of the data collection so far have been produced. Detailed publications on business demography and business services and several Statistics in Focus have been published. Data are also available in Eurostat's free database, Theme Industry, Trade and Services, Domain Structural Business Statistics.

---

<sup>23</sup> If more than one method is indicated please provide additional details in the "Relevant comments" section of this point

The main limitation is the lack of coverage of all Member States. For Community policies, in particular to evaluate the functioning of the Internal Market, it is essential to have data for all EU Member States.

The benefits of the availability of the data have been measured against the costs of collection and the burden on businesses for the pilot studies. The burden on businesses was difficult to quantify, because there are limited data existing in the Member States quantifying it. However, the information to be collected is also needed in Member States. The amendment proposal brings about simplifications and alleviations to burden in order to balance to the new requirements. Several characteristics have been deleted from Annexes I to IV. The Business Demography is made of existing data and does not imply a significant additional burden on national authorities and businesses.

The implementation of new statistics always involves set-up costs as well as costs for the research and development of the data process in the implementation phase. For the pilot studies carried out the Commission contributed financial support to help cover the costs of the Member States. The recast regulation is a response to high needs expressed by Commission Directorates-General.

The benefits are also difficult to quantify in figures. However, in the past few years the Member States and Eurostat have registered a growth in the number of requests for new information from international organisations, as well as from economists, banks, academics and other statistical offices.

#### 6.2.2 Measures taken following an intermediate/ex-post evaluation (lessons learned from similar experiences in the past)

According to article 13 of the proposed regulation it is envisaged that a report on the implementation of this regulation shall be submitted within three years of the entry into force of the regulation, to the European Parliament and the Council. In particular on the burden on their businesses.

#### 6.2.3 Terms and frequency of future evaluation

The first report shall be prepared within three years after the date of entry into force of this Regulation and again every three years thereafter.

### 7. ANTI-FRAUD MEASURES

A revised system of internal management and control was put in place following the Commission's Reform initiative on financial management. This system included a reinforced internal audit capacity.

Annual monitoring of progress with implementation of the Commission's Internal Control standards is designed to give assurance on the existence and

functioning of procedures for prevention and detection of fraud and irregularities.

New rules and procedures have been adopted for the principal budgetary process: calls for tenders, grants, commitments, contracts and payments. The manual of procedures are made available to all those intervening in financial acts with a view to clarify responsibilities, simplify workflows and indicate key control points. Training on their use is provided. The manuals are subject to regular review and updating.

## 8. DETAILS OF RESOURCES

### 8.1 Objectives of the proposal in terms of their financial cost

*Commitment appropriations in EUR million (to 3 decimal places)*

(Headings of Objectives, actions and outputs should be provided)	Type of output	Av. cost	2007		2008		2009		TOTAL	
			No. outputs	Total cost						
OPERATIONAL OBJECTIVE No.1: Pilot studies on sections M, N and O (Annex I, section 10, paragraph 1)										
<b>Action:</b> Pilot studies on sections M, N and O (Annex I, section 10, paragraph 1)										
Output: data on sections M, N and O (Annex I, section 10, paragraph 1), feasibility study	data			1.000		0.500				1.500
OPERATIONAL OBJECTIVE No.2:Pilot studies on characteristics relating to financial accounts, intangible investments and forms of organising the production system (Annex I, section 10, paragraph 2)										
<b>Action:</b> Pilot studies on characteristics relating to financial accounts, intangible investments and forms of organising the production system (Annex I, section 10, paragraph 2)										
Output: data on financial account, intangible investments and forms of organising the production system (Annex I, section 10, paragraph 2), feasibility study	data							0.500		0.500
OPERATIONAL OBJECTIVE No. 3: Environmental characteristics and subcontracting in industry (Annex II, section 9)										
<b>Action:</b> Pilot studies on environmental characteristics and subcontracting in industry (Annex II, section 9)										
Output: data on environmental characteristics and subcontracting in industry (Annex II, section 9), feasibility study	data					0.700		0.250		0.950
OPERATIONAL OBJECTIVE No. 4: Information on derivatives and off-balance sheet items, information on the distribution networks, and information broken down to prices and volumes for credit institutions (Annex VI, section 9)										

<b>Action:</b> Pilot studies on data collection on derivatives and off-balance sheet items, information on the distribution networks, and information broken down to prices and volumes for credit institutions (Annex VI, section 9)										
Output: data on derivatives and off-balance sheet items, information on the distribution networks, and information broken down to prices and volumes for credit institutions (Annex VI, section 9), feasibility study	data			0.250						0.250
OPERATIONAL OBJECTIVE No. 5: Information on cross-border activities of pensions funds, information on non-autonomous pension funds and information on derivatives and off-balance sheet items for pensions funds (Annex VII, section 9)										
<b>Action:</b> Pilot studies on information on cross-border activities of pensions funds, information on non-autonomous pension funds and information on derivatives and off-balance sheet items for pensions funds (Annex VII, section 9)										
Output: data on cross-border activities of pensions funds, information on non-autonomous pension funds and information on derivatives and off-balance sheet items for pensions funds (Annex VII, section 9), feasibility study	data							0.250		0.250
OPERATIONAL OBJECTIVE No. 6: Pilot studies for business demography (Annex IX, section 12)										
<b>Action:</b> Pilot studies for business demography (Annex IX, section 12)										
Output: data on business demography (Annex IX, section 12), feasibility study	data			0.750		0.750				1.500
<b>TOTAL COST</b>				2.000		1.950		1.000		4.950

## 8.2 Administrative Expenditure

The needs for human and administrative resources shall be covered within the allocations granted to the managing service in the framework of the annual allocation procedure.

### 8.2.1 Number and type of human resources

Types of post		Staff to be assigned to management of the action using existing and/or additional resources ( <b>number of posts/FTEs</b> )					
		2007	2008	2009	2010	2011	2012
Officials or temporary staff <sup>24</sup> (XX 01 01)	A*/AD	3	3	3			
	B*, C*/AST	2	2	2	2	2	2
Staff financed <sup>25</sup> by art. XX 01 02							
Other staff <sup>26</sup> financed by art. XX 01 04/05							
<b>TOTAL</b>		5	5	5	2	2	2

### 8.2.2 Description of tasks deriving from the action

Existing human resources shall be reallocated for the management and the needs of the programme, no other sources are necessary.

### 8.2.3 Sources of human resources (statutory)

- 3 A-posts currently allocated to the management of the programme to be redeployed inside the unit
- 1 B-post to be redeployed using existing resources within the managing service (internal redeployment), 1 additional B-post which is not possible to redeploy within the theme because of additional workload due to the extension taking into account simplification and extension.

### 8.2.4 Other Administrative expenditure included in reference amount (XX 01 04/05 – Expenditure on administrative management)

<sup>24</sup> Cost of which is NOT covered by the reference amount – staff category to be decided by AIPN

<sup>25</sup> Cost of which is NOT covered by the reference amount

<sup>26</sup> Cost of which is included within the reference amount

EUR million (to 3 decimal places)

Budget line (number and heading)	2007	2008	2009	2010	2011	2012	TOTAL
<b>1 Technical and administrative assistance (including related staff costs)</b>							
Executive agencies <sup>27</sup>							
Other technical and administrative assistance							
- <i>intra muros</i>							
- <i>extra muros</i>							
<b>Total Technical and administrative assistance</b>							

#### 8.2.5 Financial cost of human resources and associated costs not included in the reference amount

EUR million (to 3 decimal places)

Type of human resources	2007	2008	2009	2010	2011	2012
Officials and temporary staff (XX 01 01)	0.540	0.540	0.540	0.216	0.216	0.216
Staff financed under Art XX 01 02 (auxiliary, END, contract staff, etc.) (specify budget line)						
<b>Total cost of Human Resources and associated costs (NOT in reference amount)</b>	0.540	0.540	0.540	0.216	0.216	0.216

Calculation – *Officials and Temporary agents*

*Reference should be made to Point 8.2.1, if applicable*

108.000€ per person per year

Calculation – Staff financed under art. XX 01 02

*Reference should be made to Point 8.2.1, if applicable*

<sup>27</sup> Reference should be made to the specific legislative financial statement for the Executive Agency(ies) concerned.

## 8.2.6 Other administrative expenditure not included in reference amount

EUR million (to 3 decimal places)

	Year n	Year n+1	Year n+2	Year n+3	Year n+4	Year n+5 and later	TOTAL
XX 01 02 11 01 – Missions							
XX 01 02 11 02 – Meetings & Conferences							
XX 01 02 11 03 – Committees <sup>28</sup>							
XX 01 02 11 04 – Studies & consultations							
XX 01 02 11 05 - Information systems							
<b>Total Other Management Expenditure (XX 01 02 11)</b>							
<b>Other expenditure of an administrative nature</b> (specify including reference to budget line)							
<b>Total Administrative expenditure, other than human resources and associated costs (NOT included in reference amount)</b>							

Calculation - Other administrative expenditure not included in reference amount

<sup>28</sup> Specify the type of committee and the group to which it belongs.