



COMMISSION OF THE EUROPEAN COMMUNITIES

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2005/0150 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
on statistics of goods transport by inland waterways**

(presented by the Commission)

EXPLANATORY MEMORANDUM

OVERALL JUSTIFICATION AND OBJECTIVE

1. The promotion of inland waterways transport is an important part of the Common Transport Policy, on the grounds both of economic efficiency and of reducing the energy consumption and the environmental impacts of transport. This overall objective has been pursued in a series of Community measures, notably in Commission strategy documents such as the white paper on *European transport policy for 2010*.

In addition, inland waterways transport has also been promoted by major investments in inland waterways infrastructure under the transport part of the Trans-European Networks.

2. Statistics on inland waterways transport are collected under Council Directive 80/1119/EEC¹, but this legal act has some shortcomings:

- it covers only freight transport by vessels, whereas Community actions on inland waterways transport also require data on container transport;
- the statistics to be compiled do not correspond to the present needs in this domain;
- significant quality problems have been identified in these statistics;
- there is no provision for adaptation of the Directive via a committee procedure;
- with implementing new IT technologies the workload of reporting Member States could be reduced.

These shortcomings have, taken together, made it necessary to propose a replacement for Directive 80/1119/EEC.

3. A new legal act in this domain also provides the opportunity to introduce a committee procedure, and to clarify the role of national authorities in compiling these statistics and transmitting them to Eurostat.
4. The new legal act allows the implementation of the NST 2000 classification of goods following the same schedule as for other modes of transport.

¹

OJ L 339, 15.12.1980, p. 30.

LEGAL BASE AND FORM OF THE PROPOSED ACT

5. The proposed legal base for the Regulation on inland waterways transport statistics is Article 285(1) of the Treaty, on Community statistics. The proposal is included in the Commission's Work Programme for 2004.
6. The new legal act takes the form of a Regulation rather than a Directive, since it is intended to be directly applicable in Member States without transposition into national law. This does not affect the freedom of national authorities to compile the specified statistics using methods which take account of the different conditions existing in Member States. The use of a Regulation is in line with other statistical legal acts which have been adopted since 1997.

KEY FEATURES OF THE REGULATION

7. The Regulation sets out to define a set of common rules for inland waterways transport statistics together with a set of annexes specifying a set of statistical tables. The rules cover definitions, provisions for data collection, transmission and dissemination, and a committee procedure for the adoption of implementing measures and for later adaptation of the Regulation. They also include provisions for maintaining the quality of the statistics, for evaluation and for reporting to the European Parliament and the Council. Furthermore, the Regulation includes provisions relating to the coverage of inland waterways transport by the Regulation.
8. **Definitions** are set out in Article 3. Additional technical definitions needed to ensure a reasonable level of harmonisation will be adopted via the committee procedure (Article 10), while recognising that it is not practicable to impose legally binding definitions of all terms used in statistical data collection.
9. As in **other** statistical legal acts, the technical arrangements for **transmission of statistics to Eurostat** (Article 5) are to be adopted later via the committee procedure. This is desirable in order for the code lists and file formats to be discussed with Member States and tested before definitive versions are adopted.
10. The statistical results of this data collection shall be disseminated by . The arrangements for **data dissemination** (Article 6) are also to be adopted later via the committee procedure. This will allow discussing with Member States the modalities, content and timeliness of this dissemination.
11. The provisions on **quality criteria and reports** and on **report on implementation** (Articles 7 and 8) are designed to emphasize, first, the importance of non-binding methodological recommendations to complement the legal act in supporting the improvement of statistical quality as the Regulation is implemented, and second, the evaluation of quality, costs and benefits for these statistics.
12. The **committee procedure** (Article 10) will ensure that the provisions of the Regulation can be adjusted in the light of experience as it is implemented. In particular, Eurostat will propose harmonised technical definitions, rules for the application of simplified reporting, and technical standards for data transmission once these have been fully tested. The Commission proposes a regulatory procedure

as the most appropriate type of procedure in this case, in conformity with Council Decision 1999/468/EC².

DATA TO BE COLLECTED

13. The data to be collected are specified in Annexes A-E (Article 4). The proposed legal base includes the following main differences compared to the data collection specified under Council Directive 80/1119/EEC:

- the periods of observation are quarters and years and no monthly data is requested to reduce the burden on the Member States;
- a new set of Community statistics on container transport by inland waterways collected quarterly and annually;
- the data on the transport by type of good follow the NST 2000 classification of goods;
- a simplified classification of the type of vessels;
- a new field of information to separate loaded and empty vessels and containers;
- the identification of the regions of loading and unloading is requested according to the NUTS2 classification;
- a reduced data collection for those Member States where there is no international or transit inland waterways transport but where the total volume of goods transported annually by inland waterways as national transport exceeds one million tonnes.

BENEFITS OF THE REGULATION

The collection of good quality statistics on inland waterways transport is important for the following reasons:

- 1) Development and monitoring of community actions also on quarterly basis (Annex D) to promote inland waterways transport as set out in the white paper.
- 2) Evaluation of impact of investment in inland waterway infrastructure.
- 3) Participation of foreign-owned vessels in national transport matters.
- 4) Harmonisation with other international data collection.
- 5) Reducing the workload for the reporting countries and Eurostat.

² OJ L 184, 17.7.1999, p. 23.

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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

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

Having regard to the proposal from the Commission,

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

Whereas:

- (1) Inland waterways are an important part of the Community's transport networks and the promotion of inland waterways transport is one of the objectives of the Common Transport Policy, both for reasons of economic efficiency and of reducing the energy consumption and the environmental impacts of transport, as described in the Commission (strategy document) *White Paper on European transport policy for 2010: time to decide*³.
- (2) The Commission needs statistics concerning the transport of goods by inland waterways in order to monitor and develop the common transport policy, as well as the transport elements of policies on the regions and on trans-European networks.
- (3) Statistics on inland waterways transport have been collected under Directive 80/1119/EEC of 17 November 1980 on statistical returns in respect of carriage of goods by inland waterways⁴ which no longer correspond to the present needs in this domain. It is therefore appropriate to replace it with a new instrument which extends its scope and improves its efficiency.
- (4) Community statistics on all modes of transport should be collected according to common concepts and standards, with the aim of achieving the fullest practicable comparability between transport modes.
- (5) Since the objectives of the action to be taken, namely the creation of common statistical standards that permit the production of harmonized data, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the

³ COM (2001) 370 Final.

⁴ OJ L 339, 15.12.1980, p.30.

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.

- (6) The measures necessary for the implementation of this Regulation should be adopted in accordance with Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission⁵.
- (7) The Statistical Programme Committee established by Decision 89/382 (EEC/Euratom)⁶ has been consulted in accordance with Article 3 of that Decision.

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes common rules for the production of Community statistics concerning inland waterways transport.

Article 2

Scope

1. Member States shall transmit to Eurostat the statistics which relate to inland waterways transport on its national territory.
2. Member States in which the total volume of goods transported annually by inland waterways as national, international or transit transport exceeds one million tonnes shall supply the statistics referred to in Article 4(1).
3. By way of derogation from paragraph 1, Member States where there is no international or transit inland waterways transport but where the total volume of goods transported annually by inland waterways as national transport exceeds one million tonnes shall supply only the statistics required under Article 4(2).
4. This Regulation shall not apply to:
 - (a) the carriage of goods by vessels of less than 50 deadweight tonnes,
 - (b) vessels used principally for the carriage of passengers,
 - (c) vessels used for ferrying purposes,

⁵ OJ L 184, 17.7.1999, p. 23.

⁶ OJ L 181, 28.6.1989, p. 47.

- (d) vessels used solely for non-commercial purposes by port administrations and public authorities,
- (e) vessels used solely for bunkering or storage,
- (f) vessels not used for the carriage of goods such as fishery vessels, dredgers, floating workshops, houseboats and pleasure craft.

Article 3

Definitions

For the purposes of this regulation, the following definitions shall apply:

- (a) “navigable inland waterway” means a stretch of water, not part of the sea, over which vessels of a carrying capacity of not less than 50 tonnes can navigate when normally loaded. This term covers both navigable rivers and lakes and navigable canals;
- (b) “inland waterway vessel” means a floating craft designed for the carriage of goods or public transport of passengers by navigable inland waterways.

Article 4

Data collection

1. Data shall be collected in accordance with the tables in Annexes A to D. :
2. The reduced requirement for data collection provided for in Article 2(3) shall cover the data requested under Annex E.
3. For the purposes of this Regulation, goods shall be classified in accordance with Annex F.

Article 5

Transmission of statistics

1. The first period of observation shall begin on 1 January 2007. Transmission of statistics shall take place as soon as possible and no later than five months after the end of the period of observation.
2. During the first three years of application of this Regulation, the period permitted for transmission referred to in paragraph 1 may be extended in accordance with the procedure referred to in Article 9. The maximum period permitted for transmission including any granted extension shall not exceed eight months after the end of the period of observation.

The extensions of the period permitted for transmission are referred to in Annex G.

Article 6

Dissemination

Community statistics based on the data referred to in Article 4 shall be disseminated by Eurostat with a frequency similar to that laid down for the transmission of results.

Article 7

Quality of statistics

1. Eurostat shall develop and publish, in accordance with the procedure referred to in Article 9, methodological requirements and criteria designed to ensure the quality of the data produced.
2. Member States shall take all measures necessary to ensure the quality of the data transmitted.
3. Eurostat shall assess the quality of the data transmitted. Member States shall supply Eurostat with a report containing the information and data that it requests to verify the quality of the data transmitted.

Article 8

Report on implementation

Within three years of entry into force of this Regulation and after consultation of the Statistical Program Committee, the Commission shall submit a report to the European Parliament and the Council on implementation of this Regulation. In particular, that report shall:

- (a) assess the benefits accruing to the Community, the Member States and the providers and users of statistical information of the statistics produced in relation to their costs;
- (b) assess the quality of the statistics produced;
- (c) identify areas for potential improvement and amendments considered necessary in the light of the results obtained.

Article 9

Implementing measures

The measures for implementing this Regulation, including measures to take account of economic and technical trends, shall be laid down in accordance with the procedure referred to in Article 10(2). Such measures shall concern:

- (a) adaptation of the threshold for statistical coverage of inland waterways transport (Article 2)
- (b) adaptation of the definitions and adoption of additional definitions (Article 3),
- (c) adaptation of the data collection scope and the content of the annexes (Article 4),
- (d) arrangements for transmitting data to Eurostat including data interchange standards (Article 5).
- (e) arrangements for disseminations of results by Eurostat (Article 6).
- (f) development and publication of methodological requirements and criteria (Article 7).

Article 10

Committee

1. The Commission shall be assisted by the Statistical Program Committee instituted by Article 1 of Decision 89/382/EEC, Euratom.
2. Where reference is made to this paragraph, Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.
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.

Article 11

Directive 80/1119/EEC

1. Member States shall provide results for the year 2006 in accordance with Directive 80/1119/EEC.
2. Directive 80/1119/EEC is hereby repealed with effect from 1 January 2007.

Article 12

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European 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 A

Table A1. Goods transport by type of good (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	“A1”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Country/region of loading	2-letter or 4-alpha	ISO national code or NUTS2	
Country/region of unloading	2-letter or 4-alpha	ISO national code or NUTS2	
Type of transport	1-digit	1 = National 2 = International (except transit) 3 = Transit	
Type of good	2-digit	NST 2000	
Type of packaging	1-digit	1= Goods in containers 2= Goods not in containers	
Tonnes transported			Tonnes
Tonnes-Km			Tonnes-Km

ANNEX B

Table B1. Transport by nationality of the vessel and type of vessel (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	“B1”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Country/region of loading	2-letter or 4-alpha	ISO national code or NUTS2	
Country/region of unloading	2-letter or 4-alpha	ISO national code or NUTS2	
Type of transport	1-digit	1 = National 2 = International (except transit) 3 = Transit	
Type of vessel	1-digit	1= Self-propelled barge 2= Barge not self-propelled 3= Self-propelled tanker barge 4= Tanker barge not self-propelled 5= Other goods carrying vessel	
Nationality of vessel	2-letter	ISO national code	
Tonnes transported			Tonnes
Tonnes-Km			Tonnes-Km

Table B2. Vessel traffic (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	“B2”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Number of loaded vessels			Vessels
Number of empty vessels			Vessels
Vessel –Km (loaded vessels)			Vessel-Km
Vessel –Km (empty vessels)			Vessel-Km

NOTE: The provision of this Table B2 is optional.

ANNEX C

Table C1. Container transport by type of good (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	“C1”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Country/region of loading	2-letter or 4-alpha	ISO national code or NUTS2	
Country/region of unloading	2-letter or 4-alpha	ISO national code or NUTS2	
Type of transport	1-digit	1 = National 2 = International (except transit) 3 = Transit	
Size of containers	1-digit	1 = 20' freight units 2 = 40' freight units 3 = freight units > 20' and < 40' 4 = freight units > 40'	
Loading status	1-digit	1 = Loaded containers 2 = Empty containers	
Type of good	2-digit	NST 2000	
Tonnes transported*			Tonnes
Tonnes-Km*			Tonnes-Km
TEU			TEU
TEU-Km			TEU-Km

* Only for loaded containers

ANNEX D

Table D1. Transport by nationality of vessels (quarterly data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	“D1”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Quarter	2-alpha	“Q1, Q2, Q3 or Q4 ”	
Type of transport	1-digit	1= National 2= International (except transit) 3= Transit	
Nationality of the vessel	2-letter	ISO national code	
Tonnes transported			Tonnes
Tonnes-Km			Tonnes-Km

Table D2. Container transport by nationality of vessels (quarterly data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	“D2”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Quarter	2-alpha	“Q1, Q2, Q3 or Q4”	
Type of transport	1-digit	1 = National 2 = International (except transit) 3 = Transit	
Nationality of vessel	2-letter	ISO national code	
Loading status	1-digit	1 = Loaded containers 2 = Empty containers	
Tonnes transported*			Tonnes
Tonnes-Km*			Tonnes-Km
TEU			TEU
TEU-Km			TEU-Km

* Only for loaded containers

ANNEX E

Table E1. Goods transport (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	“E1”	
Reporting country	2-letter	ISO national code	
Year	4-digit	“yyyy”	
Total tonnes transported			Tonnes
Total tonnes-Km			Tonnes-Km

ANNEX F
GOODS NOMENCLATURE

1. NST-2000

NST-2000 groups	Description of goods	Defined by products in CPA divisions
01	Products of agriculture, hunting, and forestry; fish and other fishing products	01, 02, 05
02	Coal and lignite; peat; crude petroleum and natural gas; uranium and thorium	10, 11, 12
03	Metal ores and other mining and quarrying products	13, 14
04	Food products, beverages and tobacco	15, 16
05	Textiles and textile products; leather and leather products	17, 18, 19
06	Wood and products of wood and cork (except furniture); articles of straw and plaiting materials; pulp, paper and paper products; printed matter and recorded media	20, 21, 22
07	Coke, refined petroleum products and nuclear fuel	23
08	Chemicals, chemical products, and man-made fibres; rubber and plastic products	24, 25
09	Other non-metallic mineral products	26
10	Basic metals; fabricated metal products, except machinery and equipment	27, 28
11	Machinery and equipment n.e.c.; office machinery and computers; electrical machinery and apparatus n.e.c.; radio, television and communication equipment and apparatus; medical, precision and optical instruments; watches and clocks	29, 30, 31, 32, 33
12	Transport equipment	34, 35
13	Furniture; other manufactured goods n.e.c.	36
14	Secondary raw materials; municipal wastes and other wastes not specified elsewhere in CPA	37 + municipal wastes (as input to CPA division 90) and other wastes not specified elsewhere in CPA

15	<p>Mail, parcels</p> <p><i>Note: this heading is normally used for goods transported by postal administrations and specialized courier services in NACE Rev. 1 division 64</i></p>	
16	<p>Equipment and material utilised in the transport of goods</p> <p><i>Note: this heading covers items such as empty containers, palettes, boxes, crates and roll cages. It also covers vehicles used to contain goods, where the vehicle is itself carried on another vehicle.</i></p> <p><i>The existence of a code for this type of material does not prejudge the question of whether such materials are to be counted as "goods", this will depend on the rules for data collection in each mode of transport.</i></p>	
17	<p>Goods moved in the course of household and office removals; baggage transported separately from passengers; motor vehicles being moved for repair; other non-market goods n.e.c.</p>	
18	<p>Grouped goods: a mixture of types of goods which are transported together</p> <p><i>Note: this heading is used whenever it is not considered appropriate to assign the goods to separately to groups 01-16.</i></p>	
19	<p>Unidentifiable goods: goods which for any reason cannot be identified and therefore cannot be assigned to groups 01-16.</p> <p><i>Note: this heading is intended to cover goods where the reporting unit does not have information on the type of goods being transported.</i></p>	
20	<p>Other goods n.e.c.</p> <p><i>Note: this heading covers any items which cannot be assigned to any of the groups 01-19. Since the groups 01-19 are intended to cover all foreseeable categories of transported goods, the use of group 20 should be considered unusual and may indicate a need for further checking of the data reported under this heading.</i></p>	

ANNEX G

EXTENSIONS OF THE PERMITTED PERIOD FOR TRANSMISSION (Article 5(2))

Member State	Extended transmission period after the end of the period of observation	Last year of application of the extended transmission period
Belgium	8 months	2009