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► B REGULATION (EC) No 1365/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
of 6 September 2006
on statistics of goods transport by inland waterways and repealing Council Directive 80/1119/EEC
(OJ L 264, 25.9.2006, p. 1)

Amended by:

		Official Journal		
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► <u>M1</u>	Commission Regulation (EC) No 425/2007 of 19 April 2007	L 103	26	20.4.2007
► <u>M2</u>	Commission Regulation (EC) No 1304/2007 of 7 November 2007	L 290	14	8.11.2007



**REGULATION (EC) No 1365/2006 OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL**

of 6 September 2006

**on statistics of goods transport by inland waterways and repealing
Council Directive 80/1119/EEC**

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 ⁽¹⁾,

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 in order to reduce energy consumption and the environmental impact of transport, as described in the Commission White Paper: European transport policy for 2010: time to decide.
- (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 Council Directive 80/1119/EEC of 17 November 1980 on statistical returns in respect of carriage of goods by inland waterways ⁽²⁾, which no longer corresponds to the present needs in this domain. It is therefore appropriate to replace that Directive with a new instrument which extends its scope and improves its efficiency.
- (4) Consequently, Directive 80/1119/EEC should be repealed.
- (5) 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.
- (6) Inland waterways transport does not occur in all Member States and, therefore, the effect of this Regulation is limited to those Member States where this mode of transport exists.
- (7) Since the objective of this Regulation, namely the creation of common statistical standards that permit the production of harmonised 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 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

⁽¹⁾ Opinion of the European Parliament of 17 January 2006 (not yet published in the Official Journal) and Council Decision of 24 July 2006.

⁽²⁾ OJ L 339, 15.12.1980, p. 30. Directive as last amended by the 2003 Act of Accession.

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not go beyond what is necessary in order to achieve that objective.

- (8) Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics ⁽¹⁾ provides a reference framework for the provisions laid down by this Regulation.
- (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 ⁽²⁾.
- (10) The Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom ⁽³⁾ 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 the Commission (Eurostat) data relating to inland waterways transport on their national territory.
2. Member States in which the total volume of goods transported annually by inland waterways as national, international or transit transport exceeds 1 000 000 tonnes shall supply the data referred to in Article 4(1).
3. By way of derogation from paragraph 2, 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 1 000 000 tonnes shall supply only the data 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;
 - (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.

⁽¹⁾ OJ L 52, 22.2.1997, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).

⁽²⁾ OJ L 184, 17.7.1999, p. 23. Decision as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).

⁽³⁾ OJ L 181, 28.6.1989, p. 47.

▼M1*Article 3***Definitions**

For the purposes of this Regulation the following definitions shall apply:

- (a) 'navigable inland waterway' means a watercourse, not part of the sea, which by natural or man-made features is suitable for navigation, primarily by inland waterway vessels;
- (b) 'inland waterway vessel' means a floating craft designed for the carriage of goods or public transport of passengers which navigates predominantly in navigable inland waterways or in waters within, or closely adjacent to sheltered waters or areas where port regulations apply;
- (c) 'nationality of the vessel' means the country in which the vessel is registered;
- (d) 'inland waterways transport' means any movement of goods and/or passengers using inland waterways vessels which is undertaken wholly or partly in navigable inland waterways;
- (e) 'national inland waterways transport' means inland waterways transport between two ports of a national territory irrespective of the nationality of the vessel;
- (f) 'international inland waterways transport' means inland waterways transport between two ports located in different national territories;
- (g) 'transit inland waterways transport' means inland waterways transport through a national territory between two ports both located in another national territory or national territories provided that in the total journey within the national territory there is no transshipment;
- (h) 'inland waterways traffic' means any movement of a vessel on a given navigable inland waterway,

▼B*Article 4***Data collection**

1. Data shall be collected in accordance with the tables set out in Annexes A to D.
2. In the case referred to in Article 2(3) data shall be collected in accordance with the table set out in Annex E.
3. For the purposes of this Regulation, goods shall be classified in accordance with Annex F.

*Article 5***Transmission of data**

1. The first period of observation shall begin on 1 January 2007. The transmission of data shall take place as soon as possible and no later than five months after the end of the relevant period of observation.
2. During the first three years of application of this Regulation, the time allowed for the transmission of data referred to in paragraph 1 may be extended in accordance with the procedure referred to in Article 10 (2). The maximum time allowed for transmission, including any extension granted, shall not exceed eight months.

Extensions of the time allowed for transmission are set out in Annex G.

▼B*Article 6***Dissemination**

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

*Article 7***Quality of data**

1. The Commission (Eurostat) shall develop and publish, in accordance with the procedure referred to in Article 10(2), 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. The Commission (Eurostat) shall assess the quality of the data transmitted. Member States shall supply the Commission (Eurostat) with a report containing such information and data as it may request in order to verify the quality of the data transmitted.

*Article 8***Report on implementation**

By 15 October 2009 and after consulting the Statistical Programme Committee, the Commission shall submit a report to the European Parliament and the Council on the 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 any 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 the Commission (Eurostat) including data interchange standards (Article 5);
- (e) arrangements for the dissemination of results by the Commission (Eurostat) (Article 6);
- (f) development and publication of methodological requirements and criteria (Article 7).

*Article 10***Committee procedure**

1. The Commission shall be assisted by the Statistical Programme Committee established 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***Transitional provisions and repeal**

1. Member States shall provide statistical 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***Entry into force**

This Regulation shall enter into force on the 20th 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.

▼ M1

ANNEX A

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

Elements	Coding	Nomenclature	Unit
Table	2-alpha	'A1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	NUTS2 (*)	
Type of transport	1-digit	1= national 2= international (except transit) 3= transit	
Type of goods	2-digit	NST 2000 (**)	
Type of packaging	1-digit	1= goods in containers 2= goods not in containers and empty containers	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When the regional code is unknown or not available the following codification will be used:

- 'NUTS0 + ZZ' when the NUTS code exists for the partner country.
- 'ISO code + ZZ' when the NUTS code does not exist for the partner country.
- 'ZZZZ' when the partner country is completely unknown.

(**) Only for the reference year 2007, the classification NST/R can be used for reporting the type of goods as explained in Annex F.

▼ **M1**

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	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	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 6= seagoing vessel	
Nationality of vessel	2-letter	NUTS0 (national code) (**)	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When the regional code is unknown or not available the following codification will be used:

- 'NUTS0 + ZZ' when the NUTS code exists for the partner country.
- 'ISO code + ZZ' when the NUTS code does not exist for the partner country.
- 'ZZZZ' when the partner country is completely unknown.

(**) When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.

Table B2. Vessel traffic (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'B2'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Type of transport	1-letter	1= national 2= international (except transit) 3= transit	
Number of movements of loaded vessels			movements of vessels
Number of movements of empty vessels			movements of vessels
Vessel-km (loaded vessels)			vessel-km
Vessel-km (empty vessels)			vessel-km

NOTE: The provision of this Table B2 is optional.

▼ **M1**

ANNEX C

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

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'C1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	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 goods	2-digit	NST 2000 (**)	
Tonnes transported			tonnes
tonnes-km			tonnes-km
TEU			TEU
TEU-km			TEU-km

(*) When the regional code is unknown or not available the following codification will be used:

- 'NUTS0 + ZZ' when the NUTS code exists for the partner country.
- 'ISO code + ZZ' when the NUTS code does not exist for the partner country.
- 'ZZZZ' when the partner country is completely unknown.

(**) Only for the reference year 2007, the classification NST/R can be used for reporting the type of good, as explained in Annex F.

▼ **M1**

ANNEX D

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

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'D1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Quarter	2-digit	41= quarter 1 42= quarter 2 43= quarter 3 44= quarter 4	
Type of transport	1-digit	1= national 2= international (except transit) 3= transit	
Nationality of the vessel	2-letter	NUTS0 (national code) (*)	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.

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

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'D2'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Quarter	2-digit	41= quarter 1 42= quarter 2 43= quarter 3 44= quarter 4	
Type of transport	1-digit	1= national 2= international (except transit) 3= transit	
Nationality of vessel	2-letter	NUTS0 (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

(*) When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.

▼ M1

ANNEX E

Table E1. Goods transport (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	'E1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Type of transport	1-digit	1= national 2= international (except transit) 3= transit	
Type of goods	2-digit	NST 2000 (*)	
Total tonnes transported			tonnes
Total tonnes-km			tonnes-km

(*) Only for the reference year 2007, the classification NST/R can be used for reporting the type of goods as explained in Annex F.

▼ M2

ANNEX F

NST 2007

Division	Description
01	Products of agriculture, hunting, and forestry; fish and other fishing products
02	Coal and lignite; crude petroleum and natural gas
03	Metal ores and other mining and quarrying products; peat; uranium and thorium
04	Food products, beverages and tobacco
05	Textiles and textile products; leather and leather products
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
07	Coke and refined petroleum products
08	Chemicals, chemical products, and man-made fibres; rubber and plastic products; nuclear fuel
09	Other non-metallic mineral products
10	Basic metals; fabricated metal products, except machinery and equipment
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
12	Transport equipment
13	Furniture; other manufactured goods n.e.c.
14	Secondary raw materials; municipal wastes and other wastes
15	Mail, parcels
16	Equipment and material utilised in the transport of goods
17	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.
18	Grouped goods: a mixture of types of goods which are transported together
19	Unidentifiable goods: goods which for any reason cannot be identified and therefore cannot be assigned to groups 01–16.
20	Other goods n.e.c.

▼B*ANNEX G***Extensions of the time allowed for transmission (Article 5(2))**

Member State	Extended transmission period after the end of the period of observation	Last year for which an extension is granted
Belgium	8 months	2009