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AGREEMENT

between the European Community and the Swiss Confederation on cooperation in the field of statistics

(OJ L 90, 28.3.2006, p. 2)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Decision No 2/2008 of the Community/Switzerland Statistical Committee of 21 November 2008	L 68	14	13.3.2009
► <u>M2</u>	Decision No 3/2010 of the European Union/Switzerland Statistical Committee of 1 October 2010	L 277	31	21.10.2010
► <u>M3</u>	Decision No 2/2010 of the European Union/Switzerland Statistical Committee of 1 October 2010	L 280	62	26.10.2010

▼B**AGREEMENT****between the European Community and the Swiss Confederation on cooperation in the field of statistics**

THE EUROPEAN COMMUNITY, hereinafter referred to as 'the Community',

and

THE SWISS CONFEDERATION, hereinafter referred to as 'Switzerland',

hereinafter together referred to as the 'Contracting Parties',

DESIRING to improve the cooperation between the Community and Switzerland in the field of statistics and, to that end, to define through this Agreement the principles and conditions governing that cooperation;

CONSIDERING that appropriate measures should be established in order to realise a gradual harmonisation and ensure the coherent evolution of the legal framework for the collection of data, the classifications, the definitions and the methodologies in statistics;

WHEREAS common rules for the production of statistics within the area covered by the Community and Switzerland are to be set out;

AGREEING that it is appropriate to base those rules on the legislation which is in force within the Community,

HAVE AGREED AS FOLLOWS:

*Article 1***Subject matter**

1. This Agreement applies to the cooperation in the field of statistics between the Contracting Parties in order to ensure the production and dissemination of coherent and comparable statistical information for describing and monitoring all economic, social and environmental policies relevant for the bilateral cooperation.

2. To this end, the Contracting Parties shall develop and use harmonised methods, definitions and classifications as well as common programmes and procedures organising statistical work at appropriate administrative levels and in accordance with the provisions laid down in this Agreement.

3. The production of Contracting Parties' statistics shall conform to impartiality, reliability, objectivity, scientific independence, cost-effectiveness and statistical confidentiality; it shall not entail excessive burdens on economic operators.

▼B*Article 2***Legal acts in the field of statistics**

The Acts referred to in Annex A, as adapted by this Agreement, shall be binding upon the Contracting Parties.

*Article 3***Joint Committee**

1. A Committee composed of representatives of the Contracting Parties, to be known as the 'Community/Switzerland Statistical Committee' (hereinafter referred to as the Joint Committee), is hereby established.

It shall be responsible for the administration of this Agreement and shall ensure its proper implementation. For this purpose it shall make recommendations and take decisions in the cases provided for in this Agreement. The Joint Committee shall act by mutual agreement. A decision of the Joint Committee shall be binding upon the Contracting Parties.

2. The Joint Committee and the Statistical Programme Committee (SPC) established by Council Decision 89/382/EEC, Euratom of 19 June 1989 shall organise their tasks for the purposes of this Agreement in combined meetings.

3. The Joint Committee shall adopt, by a decision, its rules of procedure which shall include, among other provisions, the procedures for convening meetings, appointing the Chair and laying down the Chair's terms of reference.

4. The Joint Committee shall meet as and when necessary. Either Contracting Party may request the convening of a meeting. The Joint Committee may decide to set up any subcommittee or working party that can assist it in carrying out its tasks.

5. A Contracting Party may at any time raise a matter of concern at the level of the Joint Committee.

6. Each decision shall state the date of its implementation. The decisions shall be submitted if necessary for ratification or approval by the Contracting Parties in accordance with their own procedures and shall be put into effect by the Contracting Parties in accordance with their own rules.

*Article 4***New legislation**

1. This Agreement shall be without prejudice to the right of each Contracting Party, subject to compliance with the provisions of this Agreement, to amend unilaterally its legislation on a point regulated by this Agreement.

2. During the period preceding the formal adoption of new legislation, the Contracting Parties shall inform and consult each other as closely as possible. At the request of either Contracting Party, a preliminary exchange of views may take place in the Joint Committee.

3. As soon as a Contracting Party has adopted an amendment of its legislation, it shall inform the other Contracting Party.

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4. The Joint Committee shall:
- either adopt a decision revising Annex A and/or Annex B or, if necessary, propose a revision of the provisions of this Agreement, so as to incorporate therein, if necessary on a basis of reciprocity, the amendments made to the legislation in question;
 - or adopt a decision to the effect that the amendments to the legislation in question shall be regarded as being in accordance with the proper functioning of this Agreement;
 - or decide any other measure to ensure the proper functioning of this Agreement.

*Article 5***Statistical cooperation**

1. The Community Statistical programme referred to in Chapter II of Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics, as from time to time adopted by Decisions of the European Parliament and of the Council, shall constitute the framework for the statistical actions to be carried out by Switzerland for the relevant time periods covered by each programme. All main fields and statistical themes of the Community Statistical programme shall be considered to be relevant for the Community/Switzerland statistical cooperation and shall be open for full participation by Switzerland.

2. A specific Community/Switzerland annual statistical programme shall be developed every year as a subset of, and in parallel with, the annual work programme drawn up by the Commission in accordance with the Decision of the European Parliament and of the Council establishing the specific relevant Community statistical programme. Each Community/Switzerland annual statistical programme shall be submitted for examination and approval to the Joint Committee. It shall indicate in particular those actions within the themes of the programme which are relevant and have priority for the Community/Switzerland statistical cooperation during the programme period.

3. Statistical information from Switzerland shall be transmitted to Eurostat for storage, processing and dissemination. To this end, the Swiss Federal Statistical Office shall work in close cooperation with Eurostat in order to ensure that data from Switzerland are transmitted properly and disseminated to the various user groups through the normal dissemination channels as part of the Community/Switzerland statistics.

The handling of statistics from Switzerland shall be governed by Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics.

4. The Joint Committee shall examine the progress made in the framework for Community/Switzerland statistical actions. It shall in particular assess whether the objectives, priorities and actions planned during the first three years of application of this Agreement have been achieved. It shall also assess whether the contents of Annex A adequately reflect the concept of relevance as mentioned in Article 1(1).

▼B*Article 6***Participation**

1. Entities established in Switzerland shall be entitled to participate in specific Community programmes managed by Eurostat, with the same contractual rights and obligations as those of entities established in the Community. However, entities established in Switzerland shall not be entitled to receive any financial contribution from Eurostat.
2. Swiss national experts may be seconded to Eurostat. The costs associated with the secondment of Swiss national experts to Eurostat, including salaries, social security costs, provision for pensions, daily and travel allowances, shall be borne entirely by Switzerland.
3. Entities established in the Community shall be entitled to participate in specific programmes managed by the Swiss Federal Statistical Office, with the same contractual rights and obligations as those of entities established in Switzerland.

*Article 7***Other forms of cooperation**

1. Transfer of technology in the field of statistics between the Swiss Federal Statistical Office and Eurostat may take place by mutual agreement.
2. The Contracting Parties may exchange any information in the field of statistics.
3. The statistical services of the Contracting Parties may exchange officials. The statistical services of the Member States of the Community may also exchange officials with Switzerland. The conditions under which these exchanges take place shall be agreed directly between the statistical services involved.

*Article 8***Financial provisions**

1. In order to cover the entirety of the costs of its participation, Switzerland shall contribute financially to the Community Statistical Programme on an annual basis from the entry into force of this Agreement.
2. The rules governing Switzerland's financial contribution are set out in Annex B.

*Article 9***Non-discrimination**

Within the scope of application of this Agreement, and without prejudice to any special provisions contained therein, any discrimination of grounds of nationality shall be prohibited.

▼B*Article 10***Fulfilment of obligations**

The Contracting Parties shall take all appropriate measures, whether general or particular, to ensure fulfilment of the obligations arising out of this Agreement and shall refrain from any measures which would jeopardise attainment of the objectives of this Agreement.

*Article 11***Annexes**

The Annexes shall form an integral part of this Agreement.

*Article 12***Territorial application**

This Agreement shall apply, on the one hand, to the territories in which the Treaty establishing the European Community is applied and under the conditions laid down in that Treaty and, on the other hand, to the territory of Switzerland.

*Article 13***Entry into force and duration**

1. This Agreement shall be ratified or approved by the Contracting Parties in accordance with their own procedures. It shall enter into force on the first day of January of the year following the day on which the Contracting Parties notify each other that the procedures necessary to this end have been completed.
2. This Agreement shall be concluded for an initial period of five years. Unless written notice of termination is given six months before the expiration of this period, the Agreement shall be considered as renewed indefinitely.
3. Either Contracting Party may terminate this Agreement by a written notification to the other Contracting Party. This Agreement shall cease to be in force six months after the date of such notification.

*Article 14***Authentic texts**

1. This Agreement shall be drawn up in duplicate in the Czech, Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Hungarian, Italian, Latvian, Lithuanian, Polish, Portuguese, Slovak, Slovenian, Spanish and Swedish languages, each of these texts being equally authentic.
2. The Maltese language version shall be authenticated by the Contracting Parties on the basis of an Exchange of Letters. It shall also be authentic, in the same way as for the languages referred to in paragraph 1.

IN WITNESS WHEREOF, the undersigned Plenipotentiaries have hereunto set their hands.

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Hecho en Luxemburgo, el veintiséis de octubre de dos mil cuatro.

V Lucemburku dne dvacátého šestého října dva tisíce čtyři.

Udfærdiget i Luxembourg den seksogtyvende oktober to tusind og fire.

Geschehen zu Luxemburg am sechszwanzigsten Oktober zweitausendundvier.

Kahe tuhande neljanda aasta oktoobrikuu kahekümne kuuendal päeval Luxembourgis.

Έγινε στο Λουξεμβούργο, στις είκοσι έξι Οκτωβρίου δύο χιλιάδες τέσσερα.

Done at Luxembourg on the twenty-sixth day of October in the year two thousand and four.

Fait à Luxembourg, le vingt-six octobre deux mille quatre.

Fatto a Lussemburgo, addi ventisei ottobre duemilaquattro.

Luksemburgā, divi tūkstoši ceturtdā gada divdesmit sestajā oktobrī.

Priimta du tūkstančiai ketvirtą metų spalio dvidešimt šeštą dieną Liuksemburge.

Kelt Luxembourgban, a kettőezer-negyedik év október havának huszonhatodik napján.

Magħmula fil-Lussemburgu fis-sitta u għoxrin jum ta' Ottubru tas-sena elfejn u erbgħa.

Gedaan te Luxemburg, de zesentwintigste oktober tweeduizendvier.

Sporządzono w Luksemburgu, dnia dwudziestego szóstego października roku dwa tysiące czwartego.

Feito no Luxemburgo, em vinte e seis de Outubro de dois mil e quatro.

V Luxemburgu dvadsiateho šiesteho oktobra dvetisícštyri.

V Luxembourg, dne šestindvajsetega oktobra leta dva tisoč štiri

Tehty Luxemburgissa kahdentenkymmenentenäkuudentena päivänä lokakuuta vuonna kaksituhattaneljä.

Som skedde i Luxemburg den tjugosjätte oktober tjugohundrafyra.

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Por la Comunidad Europea

Za Evropské společenství

For Det Europæiske Fællesskab

Für die Europäische Gemeinschaft

Euroopa Ühenduse nimel

Για την Ευρωπαϊκή Κοινότητα

For the European Community

Pour la Communauté européenne

Per la Comunità europea

Eiropas Kopienas vārdā

Europos bendrijos vardu

az Európai Közösség részéről

Għall-Komunità Ewropea

Voor de Europese Gemeenschap

W imieniu Wspólnoty Europejskiej

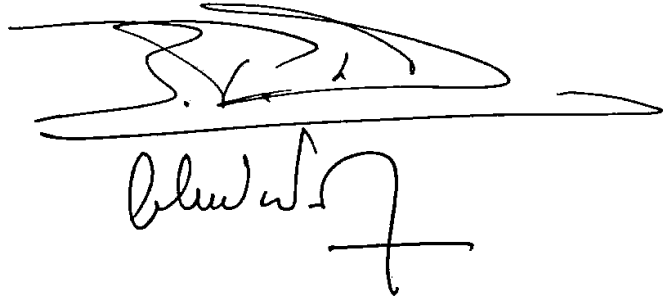
Pela Comunidade Europeia

Za Európske spoločenstvo

za Evropsko skupnost

Euroopan yhteisön puolesta

På Europeiska gemenskapens vägnar



Für die Schweizerische Eidgenossenschaft

Pour la Confédération suisse

Per la Confederazione svizzera



▼ M3*ANNEX A***LEGAL ACTS IN THE FIELD OF STATISTICS REFERRED TO IN
ARTICLE 2****SECTORAL ADAPTATION**

1. The term ‘Member State(s)’ contained in the acts referred to in this Annex shall be understood to include Switzerland, in addition to its meaning in the relevant Community acts.
2. References to the ‘Nomenclature of the Economic Activities in the European Communities (NACE Rev. 1)’ shall, except where otherwise provided, be read as references to ‘Nomenclature of Economic Activities in the European Communities (NACE Rev. 2)’, as defined by Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains⁽¹⁾. The referred code numbers shall be read as the corresponding converted code numbers in NACE Rev. 2.
3. Provisions laying down by whom the costs for carrying out surveys and the like shall be borne shall not apply for the purposes of this Agreement.

ACTS REFERRED TO**BUSINESS STATISTICS**

- 32008 R 0295: Regulation (EC) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics (recast) (OJ L 97, 9.4.2008, p. 13), as amended by:
 - 32009 R 0251: Commission Regulation (EC) No 251/2009 of 11 March 2009 (OJ L 86, 31.3.2009, p. 170);
 - 32009 R 0250: Commission Regulation (EC) No 250/2009 of 11 March 2009 (OJ L 86, 31.3.2009, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Switzerland shall not be bound by the regional breakdown of the data as required by this Regulation;
- (b) Switzerland is exempted from providing data at the 4-digit level of the NACE REV. 2;
- (c) Switzerland is exempted from providing data required by this Regulation for kind of activity units;
- (d) For Annex IX variables: 11910, 11930, 16910, 16911, 16930 and 16931, Switzerland shall supply data having as reference year 2011;
- (e) In Annex VII Switzerland will be exempted of providing data ‘Geographical Breakdown’ for the Series 7E.

⁽¹⁾ OJ L 393, 30.12.2006, p. 1.

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- 31998 R 2700: Commission Regulation (EC) No 2700/98 of 17 December 1998 concerning the definitions of characteristics for structural business statistics (OJ L 344, 18.12.1998, p. 49), as amended by:
 - 32002 R 1614: Commission Regulation (EC) No 1614/2002 of 6 September 2002 (OJ L 244, 12.9.2002, p. 7);
 - 32003 R 1670: Commission Regulation (EC) No 1670/2003 of 1 September 2003 (OJ L 244, 29.9.2003, p. 74).

- 31998 R 2701: Commission Regulation (EC) No 2701/98 of 17 December 1998 concerning the series of data to be produced for structural business statistics (OJ L 344, 18.12.1998, p. 81), as amended by:
 - 32002 R 1614: Commission Regulation (EC) No 1614/2002 of 6 September 2002 (OJ L 244, 12.9.2002, p. 7);
 - 32003 R 1669: Commission Regulation (EC) No 1669/2003 of 1 September 2003 (OJ L 244, 29.9.2003, p. 57).

- 31998 R 2702: Commission Regulation (EC) No 2702/98 of 17 December 1998 concerning the technical format for the transmission of structural business statistics (OJ L 344, 18.12.1998, p. 102), as amended by:
 - 32002 R 1614: Commission Regulation (EC) No 1614/2002 of 6 September 2002 (OJ L 244, 12.9.2002, p. 7);
 - 32003 R 1668: Commission Regulation (EC) No 1668/2003 of 1 September 2003 (OJ L 244, 29.9.2003, p. 32);
 - 32006 R 1792: Commission Regulation (EC) No 1792/2006 of 23 October 2006 (OJ L 362, 20.12.2006, p. 1).

- 31999 R 1618: Commission Regulation (EC) No 1618/1999 of 23 July 1999 concerning the criteria for the evaluation of quality of structural business statistics (OJ L 192, 24.7.1999, p. 11).

- 31999 R 1225: Commission Regulation (EC) No 1225/1999 of 27 May 1999 concerning the definitions of characteristics for insurance services statistics (OJ L 154, 19.6.1999, p. 1).

- 31999 R 1227: Commission Regulation (EC) No 1227/1999 of 28 May 1999 concerning the technical format for the transmission of insurance services statistics (OJ L 154, 19.6.1999, p. 75), as amended by:
 - 12003 T 003: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33);

- 32006 R 1792: Commission Regulation (EC) No 1792/2006 of 23 October 2006 (OJ L 362, 20.12.2006, p. 1).

- 31999 R 1228: Commission Regulation (EC) No 1228/1999 of 28 May 1999 concerning the series of data to be produced for insurance services statistics (OJ L 154, 19.6.1999, p. 91), as amended by:

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- 12003 T 003: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33);

- 32006 R 1792: Commission Regulation (EC) No 1792/2006 of 23 October 2006 (OJ L 362, 20.12.2006, p. 1).

- 32003 R 1668: Commission Regulation (EC) No 1668/2003 of 1 September 2003 implementing Council Regulation (EC, Euratom) No 58/97 with regard to the technical format for the transmission of the structural business statistics and amending Commission Regulation (EC) No 2702/98 concerning the technical format for the transmission of structural business statistics (OJ L 244, 29.9.2003, p. 32), as amended by:

- 32006 R 1792: Commission Regulation (EC) No 1792/2006 of 23 October 2006 (OJ L 362, 20.12.2006, p. 1).

- 32003 R 1669: Commission Regulation (EC) No 1669/2003 of 1 September 2003 implementing Council Regulation (EC, Euratom) No 58/97 with regard to the series of data to be produced for structural business statistics and amending Commission Regulation (EC) No 2701/98 concerning the series of data to be produced for structural business statistics (OJ L 244, 29.9.2003, p. 57).

- 32003 R 1670: Commission Regulation (EC) No 1670/2003 of 1 September 2003 implementing Council Regulation (EC, Euratom) No 58/97 with regard to the definitions of characteristics for structural business statistics and amending Regulation (EC) No 2700/98 concerning the definitions of characteristics for structural business statistics (OJ L 244, 29.9.2003, p. 74).

- 31998 R 1165: Council Regulation (EC) No 1165/98 of 19 May 1998 concerning short-term statistics (OJ L 162, 5.6.1998, p. 1), as amended by:

- 32005 R 1158: Regulation (EC) No 1158/2005 of the European Parliament and of the Council of 6 July 2005 (OJ L 191, 22.7.2005, p. 1);

- 32006 R 1503: Commission Regulation (EC) No 1503/2006 of 28 September 2006 (OJ L 281, 12.10.2006, p. 15);

- 32008 R 1178: Commission Regulation (EC) No 1178/2008 of 28 November 2008 (OJ L 319, 29.11.2008, p. 16).

The provisions of these Regulations shall, for the purposes of this Agreement, be read with the following adaptations:

Switzerland is exempted from providing data at the 4-digit level of the NACE REV. 1.

- 32009 R 0329: Commission Regulation (EC) No 329/2009 of 22 April 2009 amending Council Regulation (EC) No 1165/98 concerning short-term statistics as regards the updating of the list of variables, the frequency of compilation of the statistics and the levels of breakdown and aggregation to be applied to the variables (OJ L 103, 23.4.2009, p. 3).

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The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Switzerland is exempted from providing data for the variables 220 and 230 until 2013.

— 32009 R 0596: Regulation (EC) No 596/2009 of the European Parliament and of the Council of 18 June 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny — Adaptation to the regulatory procedure with scrutiny — Part Four (OJ L 188, 18.7.2009, p. 14).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Switzerland is exempted from providing data for the variables 220 and 230 until 2013.

— 32001 R 0586: Commission Regulation (EC) No 586/2001 of 26 March 2001 on implementing Council Regulation (EC) No 1165/98 concerning short-term statistics as regards the definition of Main Industrial Groupings (MIGS) (OJ L 86, 27.3.2001, p. 11), as amended by:

— 32006 R 1503: Commission Regulation (EC) No 1503/2006 of 28 September 2006 (OJ L 281, 12.10.2006, p. 15);

— 32007 R 0656: Commission Regulation (EC) No 656/2007 of 14 June 2007 (OJ L 155, 15.6.2007, p. 3).

— 32008 R 0177: Regulation (EC) No 177/2008 of the European Parliament and of the Council of 20 February 2008 establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93 (OJ L 61, 5.3.2008, p. 6).

— 31993 R 2186: Council Regulation (EEC) No 2186/93 of 22 July 1993 on Community coordination in drawing up business registers for statistical purposes (OJ L 196, 5.8.1993, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

For Switzerland, entry 1(k) of Annex II to the Regulation shall not apply.

— 32009 R 0192: Commission Regulation (EC) No 192/2009 of 11 March 2009 implementing Regulation (EC) No 177/2008 of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes, as regards the exchange of confidential data between the Commission (Eurostat) and Member States (OJ L 67, 12.3.2009, p. 14).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

Switzerland is exempted to transmit individual data of turnover for enterprises described in the Annex A Turnover data until end 2013.

— 32009 D 0252: Commission Decision 2009/252/EC of 11 March 2009 concerning derogations from certain provisions of Regulation (EC) No 177/2008 of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes (OJ L 75, 21.3.2009, p. 11).

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TRANSPORT AND TOURISM STATISTICS

- 31998 R 1172: Council Regulation (EC) No 1172/98 of 25 May 1998 on statistical returns in respect of the carriage of goods by road (OJ L 163, 6.6.1998, p. 1), as amended by:
 - 31999 R 2691: Commission Regulation (EC) No 2691/1999 of 17 December 1999 (OJ L 326, 18.12.1999, p. 39);
 - 12003 T 003: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33);
 - 32006 R 1791: Council Regulation (EC) No 1791/2006 of 20 November 2006 (OJ L 363, 20.12.2006, p. 1);
 - 32006 R 1893: Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 393, 30.12.2006, p. 1);
 - 32007 R 1304: Commission Regulation (EC) No 1304/2007 of 7 November 2007 (OJ L 290, 8.11.2007, p. 14);
 - 32009 R 0399: Regulation (EC) No 399/2009 of the European Parliament and of the Council of 23 April 2009 (OJ L 126, 21.5.2009, p. 9).
- 32001 R 2163: Commission Regulation (EC) No 2163/2001 of 7 November 2001 concerning the technical arrangements for data transmission for statistics on the carriage of goods by road (OJ L 291, 8.11.2001, p. 13), as amended by:
 - 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 (OJ L 216, 21.8.2007, p. 10).
- 32004 R 0642: Commission Regulation (EC) No 642/2004 of 6 April 2004 on precision requirements for data collected in accordance with Council Regulation (EC) No 1172/98 on statistical returns in respect of the carriage of goods by road (OJ L 102, 7.4.2004, p. 26).
- 32007 R 0833: Commission Regulation (EC) No 833/2007 of 16 July 2007 ending the transitional period provided for in Council Regulation (EC) No 1172/98 on statistical returns in respect of the carriage of goods by road (OJ L 185, 17.7.2007, p. 9).
- 32003 R 0006: Commission Regulation (EC) No 6/2003 of 30 December 2002 concerning the dissemination of statistics on the carriage of goods by road (OJ L 1, 4.1.2003, p. 45).
- 31993 D 0704: Council Decision 93/704/EC of 30 November 1993 on the creation of a Community database on road accidents (OJ L 329, 30.12.1993, p. 63).
- 32003 R 0091: Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics (OJ L 14, 21.1.2003, p. 1), as amended by:
 - 32003 R 1192: Commission Regulation (EC) No 1192/2003 of 3 July 2003 (OJ L 167, 4.7.2003, p. 13);

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- 32007 R 1304: Commission Regulation (EC) No 1304/2007 of 7 November 2007 (OJ L 290, 8.11.2007, p. 14).

- 32007 R 0332: Commission Regulation (EC) No 332/2007 of 27 March 2007 on the technical arrangements for the transmission of railway transport statistics (OJ L 88, 29.3.2007, p. 16).

- 32003 R 0437: Regulation (EC) No 437/2003 of the European Parliament and of the Council of 27 February 2003 on statistical returns in respect of the carriage of passengers, freight and mail by air (OJ L 66, 11.3.2003, p. 1), as amended by:
 - 32003 R 1358: Commission Regulation (EC) No 1358/2003 of 31 July 2003 (OJ L 194, 1.8.2003, p. 9);
 - 32005 R 0546: Commission Regulation (EC) No 546/2005 of 8 April 2005 (OJ L 91, 9.4.2005, p. 5).

- 32003 R 1358: Commission Regulation (EC) No 1358/2003 of 31 July 2003 implementing Regulation (EC) No 437/2003 of the European Parliament and of the Council on statistical returns in respect of the carriage of passengers, freight and mail by air and amending Annexes I and II thereto (OJ L 194, 1.8.2003, p. 9), as amended by:
 - 32005 R 0546: Commission Regulation (EC) No 546/2005 of 8 April 2005 (OJ L 91, 9.4.2005, p. 5);
 - 32006 R 1792: Commission Regulation (EC) No 1792/2006 of 23 October 2006 (OJ L 362, 20.12.2006, p. 1);
 - 32007 R 0158: Commission Regulation (EC) No 158/2007 of 16 February 2007 (OJ L 49, 17.2.2007, p. 9).

- 31980 L 1119: Council Directive 80/1119/EEC of 17 November 1980 on statistical returns in respect of carriage of goods by inland waterways (OJ L 339, 15.12.1980, p. 30).

- 31995 L 0057: Council Directive 95/57/EC of 23 November 1995 on the collection of statistical information in the field of tourism (OJ L 291, 6.12.1995, p. 32), as amended by:
 - 120 03 T 003: Act concerning the conditions of accession of the Czech Republic, the Republic of Estonia, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Republic of Hungary, the Republic of Malta, the Republic of Poland, the Republic of Slovenia and the Slovak Republic and the adjustments to the Treaties on which the European Union is founded adopted on 16 April 2003 (OJ L 236, 23.9.2003, p. 33);
 - 32004 D 0883: Commission Decision 2004/883/EC of 10 December 2004 (OJ L 373, 21.12.2004, p. 69);
 - 32006 L 0110: Council Directive 2006/110/EC of 20 November 2006 (OJ L 363, 20.12.2006, p. 418).

- 31999 D 0035: Commission Decision 1999/35/EC of 9 December 1998 on the procedures for implementing Council Directive 95/57/EC on the collection of statistical information in the field of tourism (OJ L 9, 15.1.1999, p. 23).

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- 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 amending certain EC Regulations on specific statistical domains implementing the statistical classification of economic activities NACE Revision 2 (OJ L 216, 21.8.2007, p. 10).

FOREIGN TRADE STATISTICS

- 32009 R 0471: Regulation (EC) No 471/2009 of the European Parliament and of the Council of 6 May 2009 on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 (OJ L 152, 16.6.2009, p. 23), as implemented by:
 - 32010 R 0092: Commission Regulation (EU) No 92/2010 of 2 February 2010 (OJ L 31, 3.2.2010, p. 4);
 - 32010 R 0113: Commission Regulation (EU) No 113/2010 of 9 February 2010 (OJ L 37, 10.2.2010, p. 1).

The provisions of the Regulation (EC) No 471/2009 shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Switzerland shall put into effect the measures necessary to comply with this Regulation by 1 January 2012. All references to the centralised clearing system and related provisions are not relevant;
- (b) Article 2 Definition: The statistical territory shall comprise the customs territory excluding customs warehouses and duty-free warehouses.

Switzerland shall not be bound to compile statistics of trade between Switzerland and Liechtenstein.

- (c) Article 4 Data source: The text of Article 4(3) shall be replaced by the following: ‘Switzerland may use other data sources for the compilation of their national statistics’
- (d) Article 5(1) Statistical data: Statistical data referred to in Article 5(1)(e) shall be collected for the first time by 1 January 2016:
 - The provisions of Article 5(1)(f) and (k) shall not apply,
 - The classification referred to in Article 5(1)(h) shall be made at least down to the first six digits,
 - For Switzerland, the provisions of Article 5(1)(m)(ii) and (iii) shall not apply;
- (e) Article 6 Compilation of external trade statistics: The provisions of Article 6 shall not apply for statistical data for which Switzerland is exempted to collect pursuant to Article 5 of the Regulation thereof;
- (f) Article 7 Data exchange: The provisions of Article 7 shall not apply;

The provisions of Regulation (EU) No 113/2010 shall, for the purposes of this Agreement, be read with the following adaptations:

- (g) The following subparagraph shall be added to Article 4(2):

‘For Switzerland the “customs value” shall be defined within the respective national rules.’

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(h) The following subparagraph shall be added to Article 7(2):

‘For Switzerland “country of origin” shall be taken to mean the country in which the goods originated within the meaning of the respective national rules of origin.’

(i) The reference to Regulation (EEC) No 2454/93 in Article 15(4) is not applicable.

— 32006 R 1833: Commission Regulation (EC) No 1833/2006 of 13 December 2006 on the nomenclature of countries and territories for the external trade statistics of the community and statistics of trade between Member States (OJ L 354, 14.12.2006, p. 19).

STATISTICAL PRINCIPLES AND CONFIDENTIALITY

— 31990 R 1588: Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities (OJ L 151, 15.6.1990, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) The following new point is added to Article 2:

‘Staff of the Office of the EFTA Statistical Adviser: staff of the EFTA Secretariat working on the premises of the SOEC’;

(b) In the second sentence of Article 5(1), the term ‘SOEC’ is replaced by ‘SOEC and of the Office of the EFTA Statistical Adviser’;

(c) The following new subparagraph is added to Article 5(2):

‘Confidential statistical data transmitted to the SOEC through the Office of the EFTA Statistical Adviser shall be accessible also to the staff of this Office.’;

(d) In Article 6, the term ‘SOEC’ shall, for these purposes, be read as to include the Office of the EFTA Statistical Adviser.

— 32009 R 0223: Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

Switzerland shall put into effect the measures necessary to comply with this Regulation by 31 December 2012.

— 31997 R 0322: Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics (OJ L 52, 22.2.1997, p. 1).

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- 32002 R 0831: Commission Regulation (EC) No 831/2002 of 17 May 2002 implementing Council Regulation (EC) No 322/97 on Community Statistics, concerning access to confidential data for scientific purposes (OJ L 133, 18.5.2002, p. 7), as amended by:
 - 32006 R 1104: Commission Regulation (EC) No 1104/2006 of 18 July 2006 (OJ L 197, 19.7.2006, p. 3);
 - 32008 R 606: Commission Regulation (EC) No 606/2008 of 26 June 2008 (OJ L 166, 27.6.2008, p. 16).
- 32004 D 0452: Commission Decision 2004/452/EC of 29 April 2004 laying down a list of bodies whose researchers may access confidential data for scientific purposes (OJ L 156, 30.4.2004, p. 1), as amended by:
 - 32008 D 0876: Commission Decision 2008/876/EC of 6 November 2008 (OJ L 310, 21.11.2008, p. 28).
- 32008 D 0234: Decision No 234/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Advisory Committee and repealing Council Decision 91/116/EEC (OJ L 73, 15.3.2008, p. 13).
- 32008 D 0235: Decision No 235/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Governance Advisory Board (OJ L 73, 15.3.2008, p. 17).

Acts of which the Contracting Parties shall take note

The Contracting Parties shall take note of the content of the following act:

- 52005 PC 0217: Commission Recommendation COM(2005) 217 of 25 May 2005 on the independence, integrity and accountability of the national and Community statistical authorities (OJ C 172, 12.7.2005, p. 22).

DEMOGRAPHIC AND SOCIAL STATISTICS

- 32007 R 0862: Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (OJ L 199, 31.7.2007, p. 23).
- 31998 R 0577: Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community (OJ L 77, 14.3.1998, p. 3), as amended by:
 - 32002 R 1991: Regulation (EC) No 1991/2002 of the European Parliament and of the Council of 8 October 2002 (OJ L 308, 9.11.2002, p. 1);
 - 32002 R 2104: Commission Regulation (EC) No 2104/2002 of 28 November 2002 (OJ L 324, 29.11.2002, p. 14);
 - 32003 R 2257: Regulation (EC) No 2257/2003 of the European Parliament and of the Council of 25 November 2003 (OJ L 336, 23.12.2003, p. 6);
 - 32007 R 1372: Regulation (EC) No 1372/2007 of the European Parliament and of the Council of 23 October 2007 (OJ L 315, 3.12.2007, p. 42).

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The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

For Switzerland, irrespective of the provisions of Article 2(4), the sampling unit is an individual and the information concerning the other members of the household may include at least the characteristics listed pursuant to Article 4(1).

- 32000 R 1575: Commission Regulation (EC) No 1575/2000 of 19 July 2000 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the codification to be used for data transmission from 2001 onwards (OJ L 181, 20.7.2000, p. 16).

- 32000 R 1897: Commission Regulation (EC) No 1897/2000 of 7 September 2000 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the operational definition of unemployment (OJ L 228, 8.9.2000, p. 18).

- 32002 R 2104: Commission Regulation (EC) No 2104/2002 of 28 November 2002 adapting Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community and Commission Regulation (EC) No 1575/2000 implementing Council Regulation (EC) No 577/98 as far as the list of education and training variables and their codification to be used for data transmission from 2003 onwards are concerned (OJ L 324, 29.11.2002, p. 14) as implemented by:
 - 32003 R 0246: Commission Regulation (EC) No 246/2003 of 10 February 2003 adopting the programme of ad hoc modules, covering the years 2004 to 2006, to the labour force sample survey provided by Council Regulation (EC) No 577/98 (OJ L 34, 11.2.2003, p. 3);

 - 32005 R 0384: Commission Regulation (EC) No 384/2005 of 7 March 2005 adopting the programme of ad hoc modules, covering the years 2007 to 2009, for the labour force sample survey provided for by Council Regulation (EC) No 577/98 (OJ L 61, 8.3.2005, p. 23).

The provisions of this Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

Independently of the provisions of Article 1, Switzerland is exempted from carrying out the 2007 ad hoc module.

- 32005 R 0430: Commission Regulation (EC) No 430/2005 of 15 March 2005 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the codification to be used for data transmission from 2006 onwards and the use of a sub-sample for the collection of data on structural variables (OJ L 71, 17.3.2005, p. 36).

- 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 (OJ L 216, 21.8.2007, p. 10).

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— 32007 R 0102: Commission Regulation (EC) No 102/2007 of 2 February 2007 adopting the specifications of the 2008 ad hoc module on the labour market situation of migrants and their immediate descendants, as provided for by Council Regulation (EC) No 577/98 and amending Regulation (EC) No 430/2005 (OJ L 28, 3.2.2007, p. 3), as amended by:

— 32008 R 0391: Commission Regulation (EC) No 391/2008 of 30 April 2008 (OJ L 117, 1.5.2008, p. 15).

The provisions of this Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

Independently of the provisions of Article 2, Switzerland is exempted from providing the variables mentioned in columns 211/212, and for column 215 of the Annex.

— 32008 R 0207: Commission Regulation (EC) No 207/2008 of 5 March 2008 adopting the specifications of the 2009 ad hoc module on the entry of young people into the labour market provided for by Council Regulation (EC) No 577/98 (OJ L 62, 6.3.2008, p. 4).

— 32008 R 0365: Commission Regulation (EC) No 365/2008 of 23 April 2008 adopting the programme of ad hoc modules, covering the years 2010, 2011 and 2012, for the labour force sample survey provided for by Council Regulation (EC) No 577/98 (OJ L 112, 24.4.2008, p. 22).

— 32008 R 0377: Commission Regulation (EC) No 377/2008 of 25 April 2008 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community as regards the codification to be used for data transmission from 2009 onwards, the use of a sub-sample for the collection of data on structural variables and the definition of the reference quarters (OJ L 114, 26.4.2008, p. 57).

— 32009 R 0020: Commission Regulation (EC) No 20/2009 of 13 January 2009 adopting the specifications of the 2010 ad hoc module on reconciliation between work and family life provided for by Council Regulation (EC) No 577/98 (OJ L 9, 14.1.2009, p. 7).

— 31999 R 0530: Council Regulation (EC) No 530/1999 of 9 March 1999 concerning structural statistics on earnings and labour costs (OJ L 63, 12.3.1999, p. 6), as amended by:

— 31999 R 1726: Commission Regulation (EC) No 1726/1999 of 27 July 1999 (OJ L 203, 3.8.1999, p. 28);

— 32005 R 1737: Commission Regulation (EC) No 1737/2005 of 21 October 2005 (OJ L 279, 22.10.2005, p. 11);

— 32006 R 1893: Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 393, 30.12.2006, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

(a) For the statistics on the structure and distribution of earnings, Switzerland shall collect the data required in Article 6(2) of this Regulation for the first time in 2010;

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- (b) For the statistics on the level and composition of labour costs, Switzerland shall collect the data required in Article 6(1) of this Regulation in 2008 for some variables only and for the first time in 2012 for all variables;
- (c) For the year 2008, Switzerland shall be allowed:
- to provide the information required in Article 6(1)(a) based on enterprises (instead of local units), at national level, according to NACE Rev. 1.1 at section and section aggregates level and without breakdown by size of the enterprise;
 - to forward the results within a period of 24 months from the end of the reference year (instead of 18 months as stated in Article 9).
- 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 (OJ L 216, 21.8.2007, p. 10).
- 32000 R 1916: Commission Regulation (EC) No 1916/2000 of 8 September 2000 on implementing Council Regulation (EC) No 530/1999 concerning structural statistics on earnings and on labour costs as regards the definition and transmission of information on structure of earnings (OJ L 229, 9.9.2000, p. 3), as amended by:
- 32005 R 1738: Commission Regulation (EC) No 1738/2005 of 21 October 2005 (OJ L 279, 22.10.2005, p. 32);
 - 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 (OJ L 216, 21.8.2007, p. 10),
- 32006 R 0698: Commission Regulation (EC) No 698/2006 of 5 May 2006 implementing Council Regulation (EC) No 530/1999 as regards quality evaluation of structural statistics on labour costs and earnings (OJ L 121, 6.5.2006, p. 30).
- 32003 R 0450: Regulation (EC) No 450/2003 of the European Parliament and of the Council of 27 February 2003 concerning the labour cost index (OJ L 69, 13.3.2003, p. 1), as implemented by:
- 32006 R 1893: Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 393, 30.12.2006, p. 1).
- 32003 R 1216: Commission Regulation (EC) No 1216/2003 of 7 July 2003 implementing Regulation (EC) No 450/2003 of the European Parliament and of the Council concerning the labour cost index (OJ L 169, 8.7.2003, p. 37).
- 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 amending certain EC Regulations on specific statistical domains implementing the statistical classification of economic activities NACE Revision 2 (OJ L 216, 21.8.2007, p. 10).
- 32008 R 0453: Regulation (EC) No 453/2008 of the European Parliament and of the Council of 23 April 2008 on quarterly statistics on Community job vacancies (OJ L 145, 4.6.2008, p. 234).

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- 32008 R 1062: Commission Regulation (EC) No 1062/2008 of 28 October 2008 implementing Regulation (EC) No 453/2008 of the European Parliament and of the Council on quarterly statistics on Community job vacancies, as regards seasonal adjustment procedures and quality reports (OJ L 285, 29.10.2008, p. 3).

- 32009 R 0019: Commission Regulation (EC) No 19/2009 of 13 January 2009 implementing Regulation (EC) No 453/2008 of the European Parliament and of the Council on quarterly statistics on Community job vacancies, as regards the definition of a job vacancy, the reference dates for data collection, data transmission specifications and feasibility studies (OJ L 9, 14.1.2009, p. 3).

- 32003 R 1177: Regulation (EC) No 1177/2003 of the European Parliament and of the Council of 16 June 2003 concerning Community statistics on income and living conditions (EU-SILC) (OJ L 165, 3.7.2003, p. 1), as amended by:
 - 32005 R 1553: Regulation (EC) No 1553/2005 of the European Parliament and of the Council of 7 September 2005 (OJ L 255, 30.9.2005, p. 6).

- 32003 R 1980: Commission Regulation (EC) No 1980/2003 of 21 October 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards definitions and updated definitions (OJ L 298, 17.11.2003, p. 1), as amended by:
 - 32006 R 0676: Commission Regulation (EC) No 676/2006 of 2 May 2006 (OJ L 118, 3.5.2006, p. 3).

- 32003 R 1981: Commission Regulation (EC) No 1981/2003 of 21 October 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the fieldwork aspects and the imputation procedures (OJ L 298, 17.11.2003, p. 23).

- 32003 R 1982: Commission Regulation (EC) No 1982/2003 of 21 October 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the sampling and tracing rules (OJ L 298, 17.11.2003, p. 29).

- 32003 R 1983: Commission Regulation (EC) No 1983/2003 of 7 November 2003 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the list of target primary variables (OJ L 298, 17.11.2003, p. 34), as amended by:
 - 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 (OJ L 216, 21.8.2007, p. 10).

- 32004 R 0028: Commission Regulation (EC) No 28/2004 of 5 January 2004 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the detailed content of intermediate and final quality reports (OJ L 5, 9.1.2004, p. 42).

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- 32006 R 0315: Commission Regulation (EC) No 315/2006 of 22 February 2006 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the list of target secondary variables relating to housing conditions (OJ L 52, 23.2.2006, p. 16).
- 32007 R 0215: Commission Regulation (EC) No 215/2007 of 28 February 2007 on implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the list of target secondary variables relating to over-indebtedness and financial exclusion (OJ L 62, 1.3.2007, p. 8).

The provisions of the Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

Switzerland will be exempted of to deliver data until end 2010.

- 32008 R 0362: Council Regulation (EC) No 362/2008 of 14 April 2008 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2009 list of target secondary variables on material deprivation (OJ L 112, 24.4.2008, p. 1).
- 32009 R 0646: Commission Regulation (EC) No 646/2009 of 23 July 2009 implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2010 list of target secondary variables on intra-household sharing of resources (OJ L 192, 24.7.2009, p. 3).

ECONOMIC STATISTICS

- 31995 R 2494: Council Regulation (EC) No 2494/95 of 23 October 1995 concerning harmonised indices of consumer prices (OJ L 257, 27.10.1995, p. 1).

For Switzerland the Regulation applies to the harmonisation of consumer price indices for international comparisons.

It is not relevant as regards the explicit purposes of calculating harmonised CPI's in the context of the Economic and Monetary Union.

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Article 2(c), as well as references to MUICP in Article 8(1) and Article 11, are not applicable;
 - (b) Article 5(1)(a) is not applicable;
 - (c) Article 5(2) is not applicable;
 - (d) The consultation of the EMI as specified in Article 5(3) is not applicable.
- 32009 R 0330: Commission Regulation (EC) No 330/2009 of 22 April 2009 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the treatment of seasonal products in the Harmonised Indices of Consumer Prices (HICP) (OJ L 103, 23.4.2009, p. 6).

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- 31996 R 1749: Commission Regulation (EC) No 1749/96 of 9 September 1996 on initial implementing measures for Council Regulation (EC) No 2494/95 concerning harmonised indices of consumer prices (OJ L 229, 10.9.1996, p. 3), as amended by:
 - 31998 R 1687: Council Regulation (EC) No 1687/98 of 20 July 1998 (OJ L 214, 31.7.1998, p. 12);
 - 31998 R 1688: Council Regulation (EC) No 1688/98 of 20 July 1998 (OJ L 214, 31.7.1998, p. 23);
 - 32007 R 1334: Commission Regulation (EC) No 1334/2007 of 14 November 2007 (OJ L 296, 15.11.2007, p. 22).

- 31996 R 2214: Commission Regulation (EC) No 2214/96 of 20 November 1996 concerning harmonised indices of consumer prices: transmission and dissemination of sub-indices of the HICP (OJ L 296, 21.11.1996, p. 8), as amended by:
 - 31999 R 1617: Commission Regulation (EC) No 1617/1999 of 23 July 1999 (OJ L 192, 24.7.1999, p. 9);
 - 31999 R 1749: Commission Regulation (EC) No 1749/1999 of 23 July 1999 (OJ L 214, 13.8.1999, p. 1), as corrected by OJ L 267, 15.10.1999, p. 59;
 - 32001 R 1920: Commission Regulation (EC) No 1920/2001 of 28 September 2001 (OJ L 261, 29.9.2001, p. 46), as corrected by OJ L 295, 13.11.2001, p. 34;
 - 32005 R 1708: Commission Regulation (EC) No 1708/2005 of 19 October 2005 (OJ L 274, 20.10.2005, p. 9).

- 31997 R 2454: Commission Regulation (EC) No 2454/97 of 10 December 1997 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the quality of HICP weightings (OJ L 340, 11.12.1997, p. 24).

- 31998 R 2646: Commission Regulation (EC) No 2646/98 of 9 December 1998 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the treatment of tariffs in the Harmonised Index of Consumer Prices (OJ L 335, 10.12.1998, p. 30).

- 31999 R 1617: Commission Regulation (EC) No 1617/1999 of 23 July 1999 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the treatment of insurance in the Harmonised Index of Consumer Prices and modifying Commission Regulation (EC) No 2214/96 (OJ L 192, 24.7.1999, p. 9).

- 31999 R 2166: Council Regulation (EC) No 2166/1999 of 8 October 1999 laying down detailed rules for the implementation of Regulation (EC) No 2494/95 as regards minimum standards for the treatment of products in the health, education and social protection sectors in the Harmonised Index of Consumer Prices (OJ L 266, 14.10.1999, p. 1).

- 32000 R 2601: Commission Regulation (EC) No 2601/2000 of 17 November 2000 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards the timing of entering purchaser prices into the Harmonised Index of Consumer Prices (OJ L 300, 29.11.2000, p. 14).

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- 32000 R 2602: Commission Regulation (EC) No 2602/2000 of 17 November 2000 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the treatment of price reductions in the Harmonised Index of Consumer Prices (OJ L 300, 29.11.2000, p. 16), as amended by:
 - 32001 R 1921: Commission Regulation (EC) No 1921/2001 of 28 September 2001 (OJ L 261, 29.9.2001, p. 49), as corrected by OJ L 295, 13.11.2001, p. 34.

- 32001 R 1920: Commission Regulation (EC) No 1920/2001 of 28 September 2001 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for the treatment of service charges proportional to transaction values in the harmonised index of consumer prices and amending Regulation (EC) No 2214/96 (OJ L 261, 29.9.2001, p. 46), as corrected by OJ L 295, 13.11.2001, p. 34.

- 32001 R 1921: Commission Regulation (EC) No 1921/2001 of 28 September 2001 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards minimum standards for revisions of the harmonised index of consumer prices and amending Regulation (EC) No 2602/2000 (OJ L 261, 29.9.2001, p. 49), as corrected by OJ L 295, 13.11.2001, p. 34.

- 32005 R 1708: Commission Regulation (EC) No 1708/2005 of 19 October 2005 laying down detailed rules for the implementation of Council Regulation (EC) No 2494/95 as regards the common index reference period for the harmonised index of consumer prices, and amending Regulation (EC) No 2214/96 (OJ L 274, 20.10.2005, p. 9).

- 32006 R 0701: Council Regulation (EC) No 701/2006 of 25 April 2006 laying down detailed rules for the implementation of Regulation (EC) No 2494/95 as regards the temporal coverage of price collection in the harmonised index of consumer prices (OJ L 122, 9.5.2006, p. 3).

- 32007 R 1445: Regulation (EC) No 1445/2007 of the European Parliament and of the Council of 11 December 2007 establishing common rules for the provision of basic information on Purchasing Power Parities and for their calculation and dissemination (OJ L 336, 20.12.2007, p. 1).

- 31996 R 2223: 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), as amended by:
 - 31998 R 0448: Council Regulation (EC) No 448/98 of 16 February 1998 (OJ L 58, 27.2.1998, p. 1);

- 32000 R 1500: Commission Regulation (EC) No 1500/2000 of 10 July 2000 (OJ L 172, 12.7.2000, p. 3);

- 32000 R 2516: Regulation (EC) No 2516/2000 of the European Parliament and of the Council of 7 November 2000 (OJ L 290, 17.11.2000, p. 1);

- 32001 R 0995: Commission Regulation (EC) No 995/2001 of 22 May 2001 (OJ L 139, 23.5.2001, p. 3);

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- 32001 R 2558: Regulation (EC) No 2558/2001 of the European Parliament and of the Council of 3 December 2001 (OJ L 344, 28.12.2001, p. 1);
- 32002 R 0113: Commission Regulation (EC) No 113/2002 of 23 January 2002 (OJ L 21, 24.1.2002, p. 3);
- 32002 R 1889: Commission Regulation (EC) No 1889/2002 of 23 October 2002 (OJ L 286, 24.10.2002, p. 1);
- 32003 R 1267: Regulation (EC) No 1267/2003 of the European Parliament and of the Council of 16 June 2003 (OJ L 180, 18.7.2003, p. 1);
- 32009 R 0400: Regulation (EC) No 400/2009 of the European Parliament and of the Council of 23 April 2009 (OJ L 126, 21.5.2009, p. 11).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Switzerland shall be permitted to compile data by institutional units when the provisions of this Regulation refer to industry;
- (b) Switzerland shall not be bound by the regional breakdown of the data as required by this Regulation;
- (c) Switzerland shall not be bound by EU/third countries breakdown of exports and imports of services as required by this Regulation;
- (d) In Annex B, Derogations concerning the tables to be supplied in the framework of the questionnaire 'ESA-95' by country, the following shall be added after point 15 (Iceland):

‘16. SWITZERLAND

16.1. Derogations for tables

Table No	Table	Derogation	Until
1	Main aggregates, annual and quarterly	Transmission for 1990 onwards	
2	Main aggregates of the general government	Transmission delay: t + 8 months Periodicity: annual Transmission for 1990 onwards	Unlimited Unlimited
3	Tables by industry	Transmission for 1990 onwards	
4	Exports and imports by EU/third countries	Transmission for 1998 onwards	
5	Household final consumption expenditure by purpose	Transmission for 1990 onwards	
6	Financial accounts by institutional sectors	Transmission for 1998 onwards	2006
7	Balance sheets for financial assets and liabilities	Transmission for 1998 onwards	2006

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Table No	Table	Derogation	Until
8	Non-financial accounts by institutional sectors	Transmission delay: t + 18 months Transmission for 1990 onwards	Unlimited
9	Detailed tax and social contributions receipts by sector	Transmission delay: t + 18 months Transmission for 1998 onwards	Unlimited
10	Tables by industry and region, NUTS II, A17	No regional breakdown	
11	General government expenditure by function	Transmission for 2005 onwards No backward calculations	2007
12	Tables by industry and by region, NUTS III, A3	No regional breakdown	
13	Household accounts by region, NUTS II	No regional breakdown	
14-22	In accordance with derogation (a) of this Regulation, Switzerland shall be exempted from providing data for tables 14 to 22.		

— 31997 D 0178: Commission Decision 97/178/EC, Euratom of 10 February 1997 on the definition of a methodology for the transition between the European System of National and Regional Accounts in the Community (ESA 95) and the European System of Integrated Economic Accounts (ESA second edition) (OJ L 75, 15.3.1997, p. 44).

— 31998 D 0715: Commission Decision 98/715/EC of 30 November 1998 clarifying Annex A to Council Regulation (EC) No 2223/96 on the European system of national and regional accounts in the Community as concerns the principles for measuring prices and volumes (OJ L 340, 16.12.1998, p. 33).

The provisions of the Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Article 3 (classification of methods by product) shall not apply to Switzerland.

— 32002 R 1889: Commission Regulation (EC) No 1889/2002 of 23 October 2002 on the implementation of Council Regulation (EC) No 448/98 completing and amending Regulation (EC) No 2223/96 with respect to the allocation of financial intermediation services indirectly measured (FISIM) within the European System of national and regional Accounts (ESA) (OJ L 286, 24.10.2002, p. 11).

— 32003 R 1287: Council Regulation (EC, Euratom) No 1287/2003 of 15 July 2003 on the harmonisation of gross national income at market prices (GNI Regulation) (OJ L 181, 19.7.2003, p. 1).

— 32005 R 0116: Commission Regulation (EC, Euratom) No 116/2005 of 26 January 2005 on the treatment of repayments of VAT to non-taxable persons and to taxable persons for their exempt activities, for the purposes of Council Regulation (EC, Euratom) No 1287/2003 on the harmonisation of gross national income at market prices (OJ L 24, 27.1.2005, p. 6).

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- 32005 R 1722: Commission Regulation (EC) No 1722/2005 of 20 October 2005 on the principles for estimating dwelling services for the purpose of Council Regulation (EC, Euratom) No 1287/2003 on the harmonisation of gross national income at market prices (OJ L 276, 21.10.2005, p. 5).
- 31999 D 0622: Commission Decision 1999/622/EC, Euratom of 8 September 1999 on the treatment of repayments of VAT to non-taxable units and to taxable units for their exempt activities, for the purpose of implementing Council Directive 89/130/EEC, Euratom on the harmonisation of the compilation of gross national product at market prices (OJ L 245, 17.9.1999, p. 51).
- 32006 R 0601: Commission Regulation (EC) No 601/2006 of 18 April 2006 implementing Regulation (EC) No 184/2005 of the European Parliament and of the Council as regards the format and the procedure for the transmission of data (OJ L 106, 19.4.2006, p. 7).

The provisions of the Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

Switzerland will be exempted to implement the procedures regarding the format and procedures for the transmission of data until end 2013.

- 32000 R 0264: Commission Regulation (EC) No 264/2000 of 3 February 2000 on the implementation of Council Regulation (EC) No 2223/96 with respect to short-term public finance statistics (OJ L 29, 4.2.2000, p. 4).

The provisions in the tables 25.1 and 25.2 of the Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

- Switzerland is exempted from the breakdown of the social benefits D.60 in D.62 and D.631M,
- Switzerland is exempted from the breakdown of the social contributions D.61 in D.611 and D.612,
- Switzerland is exempted from the breakdown of the capital transfers D.9 in D.91 and D.9N,
- The first data shall be transferred in the year 2012 + t6 (end of June) for the 1st quarter of 2012 and retroactively as from 1st quarter of 1999.
- 32002 R 1221: Regulation (EC) No 1221/2002 of the European Parliament and of the Council of 10 June 2002 on quarterly non-financial accounts for general government (OJ L 179, 9.7.2002, p. 1).

The provisions in the tables 25.1 and 25.2 of the Regulation shall, for the purpose of this Agreement, be read with the following adaptations:

- Switzerland is exempted from the breakdown of the social benefits D.60 in D.62 and D.631M,
- Switzerland is exempted from the breakdown of the social contributions D.61 in D.611 and D.612,
- Switzerland is exempted from the breakdown of the capital transfers D.9 in D.91 and D.9N,
- The first data shall be transferred in the year 2012 + t6 (end of June) for the 1st quarter of 2012 and retroactively as from the 1st quarter of 1999.

▼ M3

- 32005 R 0184: Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment (OJ L 35, 8.2.2005, p. 23), as amended by:
 - 32006 R 0602: Commission Regulation (EC) No 602/2006 of 18 April 2006 (OJ L 106, 19.4.2006, p. 10);
 - 32009 R 0707: Commission Regulation (EC) No 707/2009 of 5 August 2009 (OJ L 204, 6.8.2009, p. 3).

The provisions of these Regulations shall, for the purposes of this Agreement, be read with the following adaptations:

Switzerland is exempted from providing data for:

- Table 1 (Euro Indicators): Complete table,
- Table 2 (quarterly balance of payments): Portfolio investment breakdown by country,
- Table 3 (international trade in services): Services altogether geographical breakdown Level 3 and Government services sub-divisions,
- Table 4 (direct investment flows T + 21) and Table 5 (direct investment stocks T + 21): NOGA branch of economic activity 3-digit code level.

Switzerland is exempted to transmit data until end 2014 for:

- Table 2 (quarterly balance of payments): Balance of payments other than portfolio investment,
- Table 3 (international trade in services): Services altogether geographical breakdown Level 2,
- Table 4 (direct investment flows T + 9): Direct investment abroad total: geographical Breakdown level 3 and Direct investment in the reporting economy total: geographical Breakdown level 3,
- Table 4 (direct investment flows T + 21): Direct investment abroad total: geographical Breakdown level 3 and Direct investment in the reporting economy total: geographical Breakdown level 3 and NOGA branch of economic activity, 2-digit code level,
- Table 5 (direct investment stocks T + 21): Direct investment abroad total assets: Geographical breakdown level 3 and Direct investment in the reporting economy, total liabilities Geographical breakdown level 3 and NOGA branch of economic activity, 2-digit code level.

NOMENCLATURES

- 31990 R 3037: Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community (OJ L 293, 24.10.1990, p. 1), as amended by:
 - 31993 R 0761: Commission Regulation (EEC) No 761/93 of 24 March 1993 (OJ L 83, 3.4.1993, p. 1);
 - 32002 R 0029: Commission Regulation (EC) No 29/2002 of 19 December 2001 (OJ L 6, 10.1.2002, p. 3);

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- 32006 R 1893: Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 393, 30.12.2006, p. 1).

- 31993 R 0696: 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 L 76, 30.3.1993, p. 1), as amended by:
 - 1 94 N: Act concerning the conditions of accession of the Kingdom of Norway, the Republic of Austria, the Republic of Finland and the Kingdom of Sweden and the adjustments to the Treaties on which the European Union is founded (OJ C 241, 29.8.1994, p. 21 as adjusted by OJ L 1, 1.1.1995, p. 1).

- 32003 R 1053: Commission Regulation (EC) No 1053/2003 of 19 June 2003 amending Regulation (EC) No 999/2001 of the European Parliament and of the Council as regards rapid tests (OJ L 152, 20.6.2003, p. 8).

- 32003 R 1059: 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, 21.6.2003, p. 1), as amended by:
 - 32008 R 0011: Commission Regulation (EC) No 11/2008 of 8 January 2008 (OJ L 5, 9.1.2008, p. 13);
 - 32008 R 0176: Regulation (EC) No 176/2008 of the European Parliament and of the Council of 20 February 2008 (OJ L 61, 5.3.2008, p. 1).

- 32008 R 0451: Regulation (EC) No 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93 (OJ L 145, 4.6.2008, p. 65).

- 32006 R 1893: Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1).

AGRICULTURAL STATISTICS

- 31996 L 0016: Council Directive 96/16/EC of 19 March 1996 on statistical surveys of milk and milk products (OJ L 78, 28.3.1996, p. 27), as amended by:
 - 32003 L 0107: Directive 2003/107/EC of the European Parliament and of the Council of 5 December 2003 (OJ L 7, 13.1.2004, p. 40).

The provisions of the Directive shall, for the purposes of this Agreement, be read with the following adaptation:

Switzerland shall not be bound by the regional breakdown of the data as required by this Directive.

- 31997 D 0080: Commission Decision 97/80/EC of 18 December 1996 laying down provisions for the implementation of Council Directive 96/16/EC on statistical surveys of milk and milk products (OJ L 24, 25.1.1997, p. 26), as amended by:

▼ **M3**

— 31998 D 0582: Council Decision 98/582/EC of 6 October 1998 (OJ L 281, 17.10.1998, p. 36).

— 32005 D 0288: Commission Decision 2005/288/EC of 18 March 2005 amending Decision 97/80/EC on provisions for the implementation of Council Directive 96/16/EC on statistical surveys of milk and milk products (OJ L 88, 7.4.2005, p. 10).

The provisions of the Decision shall, for the purposes of this Agreement, be read with the following adaptation:

Switzerland shall not be bound by the regional breakdown as required in Annex I, table 1: Annual production of cow milk.

— 32008 R 1166: Regulation (EC) No 1166/2008 of the European Parliament and of the Council of 19 November 2008 on farm structure surveys and the survey on agricultural production methods and repealing Council Regulation (EEC) No 571/88 (OJ L 321, 1.12.2008, p. 14).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

For Switzerland, entry VII of Annex III to the Regulation (that includes 12 characteristics of support for rural development) shall not apply.

— 32008 R 1242: Commission Regulation (EC) No 1242/2008 of 8 December 2008 establishing a Community typology for agricultural holdings (OJ L 335, 13.12.2008, p. 3).

— 32000 D 0115: Commission Decision 2000/115/EC of 24 November 1999 relating to the definitions of the characteristics, the list of agricultural products, the exceptions to the definitions and the regions and districts regarding the surveys on the structure of agricultural holdings (OJ L 38, 12.2.2000, p. 1), as amended by:

— 32002 R 1444: Commission Regulation (EC) No 1444/2002 of 24 July 2002 (OJ L 216, 12.8.2002, p. 1);

— 32004 R 2139: Commission Regulation (EC) No 2139/2004 of 8 December 2004 (OJ L 369, 16.12.2004, p. 26);

— 32006 R 0204: Commission Regulation (EC) No 204/2006 of 6 February 2006 (OJ L 34, 7.2.2006, p. 3).

— 32008 D 0690: Commission Decision 2008/690/EC of 4 August 2008 amending Directive 2001/109/EC of the European Parliament and of the Council and Decision 2002/38/EC, as regards the statistical surveys carried out by the Member States on plantations of certain species of fruit trees (OJ L 225, 23.8.2008, p. 14).

— 32009 R 0543: Regulation (EC) No 543/2009 of the European Parliament and of the Council of 18 June 2009 concerning crop statistics and repealing Council Regulations (EEC) No 837/90 and (EEC) No 959/93 (OJ L 167, 29.6.2009, p. 1).

▼ **M3**

- 32004 R 0138: Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community (OJ L 33, 5.2.2004, p. 1), as amended by:
 - 32005 R 0306: Commission Regulation (EC) No 306/2005 of 24 February 2005 (OJ L 52, 25.2.2005, p. 9);
 - 32006 R 0909: Commission Regulation (EC) No 909/2006 of 20 June 2006 (OJ L 168, 21.6.2006, p. 14);
 - 32008 R 0212: Commission Regulation (EC) No 212/2008 of 7 March 2008 (OJ L 65, 8.3.2008, p. 5).
- 32008 R 1165: Regulation (EC) No 1165/2008 of the European Parliament and of the Council of 19 November 2008 concerning livestock and meat statistics and repealing Council Directives 93/23/EEC, 93/24/EEC and 93/25/EEC (OJ L 321, 1.12.2008, p. 1).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptations:

- (a) Switzerland shall not be bound by the following detailed categories of livestock statistics as required by Annex II to the Regulation:
 - Switzerland is exempted from the statistics of animals for slaughter as required by Annex II, categories of livestock statistics, bovine animals aged over 1 year but under 2 years, female (heifers; animals that have not yet calved).
 - Switzerland is exempted from the statistics of other as required by Annex II, categories of livestock statistics, bovine animals aged over 1 year but under 2 years, female (heifers; animals that have not yet calved).
 - Switzerland is exempted from the statistics of animals for slaughter as required by Annex II, categories of livestock statistics, bovine animals aged over 2 years and over, female, heifers.
 - Switzerland is exempted from the statistics of other as required by Annex II, categories of livestock statistics, bovine animals aged over 2 years and over, female, heifers.
 - Switzerland is exempted from the statistics of pigs with a live weight of 50 kg or more but less than 80 kg as required by Annex II, categories of livestock statistics, fattening pigs, including cull boars and cull sows.
 - Switzerland is exempted from the statistics of pigs with a live weight of 80 kg or more but less than 110 kg as required by Annex II, categories of livestock statistics, fattening pigs, including cull boars and cull sows.
 - Switzerland is exempted from the statistics of pigs with a live weight of 110 kg or more as required by Annex II, categories of livestock statistics, fattening pigs, including cull boars and cull sows.

▼ **M3**

- Switzerland is exempted from the statistics of sows covered for the first time as required by Annex II, categories of livestock statistics, breeding pigs with a live weight of 50 kg and over, covered sows.
- Switzerland is exempted from the statistics of gilts not yet covered as required by Annex II, categories of livestock statistics, breeding pigs with a live weight of 50 kg and over, other sows.
- (b) Switzerland is exempted from the statistics of young cattle as required by Annex IV, categories of slaughtering statistics, bovine animals.
- (c) Switzerland is exempted from the statistics of lambs and others as required by Annex IV, categories of slaughtering statistics, sheep.
- (d) Switzerland is exempted from the statistics of goats as required by Annex IV, categories of slaughtering statistics.
- (e) Switzerland is exempted from the statistics of ducks and others as required by Annex IV, categories of slaughtering statistics, poultry.

FISHERY STATISTICS

- 31991 R 1382: Council Regulation (EEC) No 1382/91 of 21 May 1991 on the submission of data on the landings of fishery products in Member States (OJ L 133, 28.5.1991, p. 1), as amended by:
 - 31993 R 2104: Council Regulation (EEC) No 2104/93 of 22 July 1993 (OJ L 191, 31.7.1993, p. 1).
- 31991 R 3880: Council Regulation (EEC) No 3880/91 of 17 December 1991 on the submission of nominal catch statistics by Member States fishing in the north-east Atlantic (OJ L 365, 31.12.1991, p. 1), as amended by:
 - 32001 R 1637: Commission Regulation (EC) No 1637/2001 of 23 July 2001 (OJ L 222, 17.8.2001, p. 20).
- 31993 R 2018: Council Regulation (EEC) No 2018/93 of 30 June 1993 on the submission of catch and activity statistics by Member States fishing in the Northwest Atlantic (OJ L 186, 28.7.1993, p. 1), as amended by:
 - 32001 R 1636: Commission Regulation (EC) No 1636/2001 of 23 July 2001 (OJ L 222, 17.8.2001, p. 1).
- 31995 R 2597: Council Regulation (EC) No 2597/95 of 23 October 1995 on the submission of nominal catch statistics by Member States fishing in certain areas other than those of the North Atlantic (OJ L 270, 13.11.1995, p. 1), as amended by:
 - 32001 R 1638: Commission Regulation (EC) No 1638/2001 of 24 July 2001 (OJ L 222, 17.8.2001, p. 29).

▼ **M3**

- 31996 R 0788: Council Regulation (EC) No 788/96 of 22 April 1996 on the submission by Member States of statistics on aquaculture production (OJ L 108, 1.5.1996, p. 1).

ENERGY STATISTICS

- 31990 L 0377: Council Directive 90/377/EEC of 29 June 1990 concerning a Community procedure to improve the transparency of gas and electricity prices charged to industrial end-users (OJ L 185, 17.7.1990, p. 16).

ENVIRONMENTAL STATISTICS

- 32006 R 1893: Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 (OJ L 393, 30.12.2006, p. 1).
- 32007 R 0973: Commission Regulation (EC) No 973/2007 of 20 August 2007 (OJ L 216, 21.8.2007, p. 10).

▼ M2

ANNEX B

FINANCIAL RULES GOVERNING THE CONTRIBUTION OF SWITZERLAND REFERRED TO IN ARTICLE 8

1. **Determination of financial participation**
 - 1.1. Switzerland shall contribute financially, on an annual basis, to the European Union Statistical Programme.
 - 1.2. This contribution shall be based on two elements:
 - The total cost of Eurostat [Cost]
 - The number of Member States in the European Union [# Members]
 - 1.3. The financial contribution shall be: [Cost]/[# Members]
 - 1.4. These elements shall be defined as follows:
 - 1.4.1. The total cost of Eurostat shall be defined as 85 % of the amount of commitment appropriations in the Statistics Policy Area (Title 29) of the Budget of the European Union, according to the Activity Based Budgeting nomenclature. This shall comprise Management and Support Expenditure of Policy Area Statistics (Expenditure related to staff in active employment, External staff and other management expenditure, Buildings and related expenditure and Support expenditure for operations) and the Financial Interventions in respect of the Production of Statistical Information. [Cost]
 - 1.4.2. The number of Member States shall be defined as the number of Member States of the European Union on 1 January of the year in question. [# Members]
 - 1.5. A draft calculation of this financial contribution shall be made immediately after the adoption of the Preliminary Draft Budget of the European Union for the year in question. The final calculation shall be made immediately after the adoption of the Budget for that year.
2. **Payment procedures**
 - 2.1. The Commission shall issue, at the latest on 15 June each financial year, a call for funds to Switzerland corresponding to its contribution under this Agreement. This call for funds shall provide for the payment of its contribution not later than 15 July. Any delay in the issuance of the call for funds shall give rise to a corresponding deferral of the scheduled payment date, to allow for a payment period of at least 30 days.
 - 2.2. The contribution of Switzerland shall be expressed and paid in euro.
 - 2.3. Switzerland shall pay its contribution under this Agreement in accordance with the schedule in point 2.1. Any delay in payment shall give rise to the payment of interest at the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the *Official Journal of the European Union*, in force on the first calendar day of the month in which the due date falls, increased by 1,5 percentage points. The increased rate shall be applied to the entire period of delay. However, the interest shall be due only in respect of any contribution paid more than 30 days after the scheduled payment date mentioned in point 2.1.

▼ M2

- 2.4. Costs incurred by Swiss representatives and experts participating in meetings convened by the Commission under this Agreement shall not be reimbursed by the Commission. As stated in Article 6(2), the costs associated with the secondment of Swiss national officials to Eurostat shall be borne entirely by Switzerland.

Subject to an agreement between Eurostat and the Swiss Federal Statistical Office, Switzerland may deduct from its financial contribution the cost for seconded national experts. The maximum amount to be deducted for each official shall not exceed the maximum deducted for officials from EEA-EFTA countries being seconded to Eurostat under the EEA Agreement. This sum shall be agreed on an annual basis in the Joint Committee.

- 2.5. Payments effected by Switzerland shall be credited as budgetary revenue earmarked to the corresponding budget line of the statement of revenue of the General Budget of the European Union. The Financial Regulation ⁽¹⁾ applicable to the General Budget of the European Communities shall apply to the management of appropriations.

3. Conditions for implementation

- 3.1. The financial contribution of Switzerland in accordance with Article 8 shall normally remain unchanged for the financial year in question.
- 3.2. The Commission, at the time of the closure of the accounts relating to each financial year (n), within the framework of the establishment of the revenue and expenditure account, shall proceed to the regularisation of the accounts with respect to the participation of Switzerland, taking into consideration modifications resulting from transfers, cancellations, carry-overs, or by supplementary and amending budgets during the financial year. This regularisation shall be made in the framework of the establishment of the budget for the following year (n + 2) and shall be reflected in the call for funds.

4. Information

- 4.1. At the latest on 31 May of each financial year (n + 1), the statement of appropriations corresponding to Eurostat's operational and administrative financial obligations, related to the previous financial year (n), shall be prepared and transmitted to Switzerland for information, according to the format of the Commission's revenue and expenditure account.
- 4.2. The Commission shall communicate to Switzerland all other general financial data relating to Eurostat which is made available to EEA-EFTA States.

⁽¹⁾ Council Regulation (EC, Euratom) No 1605/2002 of 25 June 2002 on the Financial Regulation applicable to the general budget of the European Communities (OJ L 248, 16.9.2002, p. 1), as last amended by Council Regulation (EC) No 1525/2007 (OJ L 343, 27.12.2007, p. 9).



FINAL ACT

The Plenipotentiaries
of the EUROPEAN COMMUNITY
and
of the SWISS CONFEDERATION,

meeting at Luxembourg on 26 October 2004 for the signature of the Agreement between the European Community and the Swiss Confederation on cooperation in the field of statistics, have adopted the following Joint Declaration, which is attached to this Final Act:

Joint Declaration by the Contracting Parties on the revision of Annexes A and B by the Joint Committee.

They have also noted the following Declaration, which is attached to this Final Act:

Declaration of the Council on Swiss attendance of committees.

Hecho en Luxemburgo, el veintiséis de octubre de dos mil cuatro.

V Lucemburku dne dvacátého šestého října dva tisíce čtyři.

Udfærdiget i Luxembourg den seksogtyvende oktober to tusind og fire.

Geschehen zu Luxemburg am sechszwanzigsten Oktober zweitausendundvier.

Kahe tuhanda neljanda aasta oktoobrikuu kahekümne kuuendal päeval Luxembourgis.

Έγινε στο Λουξεμβούργο, στις είκοσι έξι Οκτωβρίου δύο χιλιάδες τέσσερα.

Done at Luxembourg on the twenty-sixth day of October in the year two thousand and four.

Fait à Luxembourg, le vingt-six octobre deux mille quatre.

Fatto a Lussemburgo, addì ventisei ottobre duemilaquattro.

Luksemburgā, divi tūkstoši ceturtdā gada divdesmit sestajā oktobrī.

Priimta du tūkstančiai ketvirtų metų spalio dvidešimt šeštą dieną Liuksemburge.

Kelt Luxembourgban, a kettőezer-negyedik év október havának huszonhatodik napján.

Magħmula fil-Lussemburgu fis-sitta u għoxrin jum ta' Ottubru tas-sena elfejn u erbgha.

Gedaan te Luxemburg, de zesentwintigste oktober tweeduizendvier.

Sporządzono w Luksemburgu, dnia dwudziestego szóstego października roku dwa tysiące czwartego.

Feito no Luxemburgo, em vinte e seis de Outubro de dois mil e quatro.

V Luxemburgu dvadsiateho šiesteho oktobra dvetisícštyri.

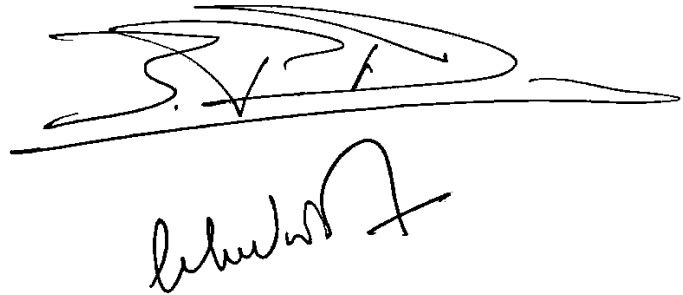
V Luxembourg, dne šestindvajsetega oktobra leta dva tisoč štiri

Tehty Luxemburgissa kahdentenäkymmenentenäkuudentena päivänä lokakuuta vuonna kaksituhattaneljä.

Som skedde i Luxemburg den tjugosjätte oktober tjugohundrafyra.

▼B

Por la Comunidad Europea
 Za Evropské společenství
 For Det Europæiske Fællesskab
 Für die Europäische Gemeinschaft
 Euroopa Ühenduse nimel
 Για την Ευρωπαϊκή Κοινότητα
 For the European Community
 Pour la Communauté européenne
 Per la Comunità europea
 Eiropas Kopienas vārdā
 Europos bendrijos vardu
 az Európai Közösség részéről
 Għall-Komunità Ewropea
 Voor de Europese Gemeenschap
 W imieniu Wspólnoty Europejskiej
 Pela Comunidade Europeia
 Za Európske spoločenstvo
 za Evropsko skupnost
 Euroopan yhteisön puolesta
 På Europeiska gemenskapens vägnar



Für die Schweizerische Eidgenossenschaft
 Pour la Confédération suisse
 Per la Confederazione svizzera



▼B**JOINT DECLARATION BY THE CONTRACTING PARTIES
on the revision of annexes A and B by the Joint Committee**

The Joint Committee shall meet as soon as possible after entry into force of this Agreement to prepare a revision to Annex A in order to update the list of legislative acts contained therein and to include the current Community statistical programme. In addition, the Joint Committee shall update and review Annexes A and B at the time of the entry into force of each new multi-year statistical programme referred to in Article 5(1) in order to add a reference to that programme and take account of the specificities of that programme, including the arrangements for the financial contribution.

**DECLARATION OF THE COUNCIL
on Swiss attendance of committees**

The Council agrees that Switzerland's representatives, as from the start of the cooperation in connection with the programmes and actions referred to in Article 5(2) of this Agreement, shall, insofar as the items concern them, participate fully without the right to vote in the committees and other bodies which assist the Commission of the European Communities in the management and development of these programmes and actions.

In case of other committees dealing with areas covered by this Agreement in which Switzerland has adopted either the *acquis communautaire* or equivalent measures, the Commission will consult Swiss experts by the method specified in Article 100 of the EEA Agreement.