

II

(Non-legislative acts)

DECISIONS

COMMISSION IMPLEMENTING DECISION (EU) 2021/1003

of 18 June 2021

granting derogations to certain Member States with respect to the transmission of statistics pursuant to Regulation (EU) 2019/2152 of the European Parliament and of the Council and Commission Implementing Regulation (EU) 2020/1197

(notified under document C(2021) 4237)

(Only the Danish, Dutch, English, Estonian, Finnish, French, German, Greek, Italian, Portuguese, Slovak, Spanish and Swedish texts are authentic)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2019/2152 of the European Parliament and of the Council of 27 November 2019 on European business statistics, repealing 10 legal acts in the field of business statistics ⁽¹⁾, and in particular Article 24 (1) thereof,

Whereas:

- (1) In accordance with Article 24(1) of Regulation (EU) 2019/2152, Belgium, Denmark, Estonia, Ireland, Spain, Italy, Cyprus, the Netherlands, Austria, Portugal, Slovakia and Finland submitted a duly reasoned request for derogations within three months of the date of entry into force of that Regulation and of Commission Implementing Regulation (EU) 2020/1197 ⁽²⁾.
- (2) It appears from the information provided to the Commission that the requests for derogations of these Member States are justified by the need for major adaptations to their national statistical systems in order to comply with Regulation (EU) 2019/2152 and Implementing Regulation (EU) 2020/1197.
- (3) The requested derogations should be granted to Belgium, Denmark, Estonia, Ireland, Spain, Italy, Cyprus, the Netherlands, Austria, Portugal, Slovakia and Finland.
- (4) The measures provided for in this Decision are in accordance with the opinion of the European Statistical System Committee established by Article 7 of Regulation (EC) No 223/2009 of the European Parliament and of the Council ⁽³⁾,

⁽¹⁾ OJ L 327, 17.12.2019, p. 1.

⁽²⁾ Commission Implementing Regulation (EU) 2020/1197 of 30 July 2020 laying down technical specifications and arrangements pursuant to Regulation (EU) 2019/2152 of the European Parliament and of the Council on European business statistics repealing 10 legal acts in the field of business statistics (OJ L 271, 18.8.2020, p. 1).

⁽³⁾ 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).

HAS ADOPTED THIS DECISION:

Article 1

Derogations from Regulation (EU) 2019/2152 and Commission Implementing Regulation (EU) 2020/1197, as set out in the Annex, are granted to the Member States listed therein.

Article 2

This Decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Republic of Estonia, Ireland, the Kingdom of Spain, the Italian Republic, the Republic of Cyprus, the Kingdom of the Netherlands, the Republic of Austria, the Portuguese Republic, the Slovak Republic and the Republic of Finland.

Done at Brussels, 18 June 2021.

For the Commission
Paolo GENTILONI
Member of the Commission

ANNEX

Derogations from Regulation (EU) 2019/2152

IRELAND

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex II – Periodicity, reference period and statistical unit of topics Domain 1: Short-term business statistics Topic: Outputs and Performance	3 years (January 2021 to December 2023)	Compilation of the ‘Outputs and performance indicator’ variable ‘140101. Production (volume)’ for NACE Section F on quarterly periodicity instead of on monthly periodicity.

Derogations from Commission Implementing Regulation (EU) 2020/1197

BELGIUM

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable ‘140201. Volume of sales’ to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable ‘140301. Net turnover (value)’ to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46. During the derogation period for NACE Divisions G45 and G46, quarterly net turnover data, for the first quarter 2021 to fourth quarter 2023, must continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98 ⁽¹⁾ .

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

DENMARK

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 5 Short-term business statistics on producer prices	2 years (first quarter 2021 to fourth quarter 2022)	No quarterly data to be submitted for variable '130201. Producer prices' for NACE Division N82.
Annex I, Part B, Table 6 Short-term business statistics on production (volume)	3 years (January 2021 to December 2023)	The data transmission deadline for the variable '140101. Production (volume)' for NACE Section F to be T+2M.

ESTONIA

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 5 Short-term business statistics on producer prices	1 year (first quarter 2021 to fourth quarter 2021)	No quarterly data to be submitted for variable '130201. Producer prices' for NACE Section L, Divisions L68 and N82.
Annex I, Part B, Table 10 Country-level business statistics on activities of enterprises	2 years (2021 and 2022)	No data to be submitted for the following variables: '220103. Number of employees in full-time equivalent units'; '220201. Hours worked by employees'; '240101. Total purchases of goods and services'; '250101. Net turnover'; '250301. Value of output'; '250401. Value added'; and '250501. Gross operating surplus' for the following breakdowns: NACE Section K, Division K66, Groups K64.2, K64.3, K64.9, Classes K64.20, K64.30.
Annex I, Part B, Table 11 Country-level business statistics on activities of enterprises broken down by size classes or broken down by legal form	2 years (2021 and 2022)	For the variables '250101. Net turnover' and '250401. Value added', no data broken down by size classes to be submitted for the following breakdowns: Division K66, Groups K64.2, K64.3, K64.9.

Annex I, Part B, Table 14 Country-level business statistics on enterprises by country of ultimate control	2 years (2021 and 2022)	Data broken down by ultimate control of the residence unit for variables: '240101. Total purchases of goods and services'; '240102. Purchases of goods and services for resale'; '240301. Total purchases of goods and services of foreign-controlled enterprises'; '240302. Purchases of goods and services for resale of foreign-controlled enterprises'; '250101. Net turnover'; '250301. Value of output'; '250401. Value added'; '250601. Net turnover of foreign-controlled enterprises' '250701. Value of output of foreign-controlled enterprises'; and '250801. Value added of foreign-controlled enterprises' for the following breakdowns: NACE Section K and special aggregates comprising NACE Section K must not include Division K66 and Groups K64.2, K64.3, K64.9.
Annex I, Part B, Table 21 Country-level business statistics on purchases by enterprises	2 years (2021 and 2022)	No data to be submitted for variable '240103. Expenses on services provided through agency workers' for the following breakdowns: NACE Section K, Divisions K64, K65, K66, Groups K64.1, K64.2, K64.3, K64.9, K65.1, K65.2, K65.3 and Classes K64.11, K64.19, K65.11, K65.12, K65.20 and K65.30.
Annex I, Part B, Table 33 Statistics on international activities – control by institutional units of the reporting country on enterprises abroad	3 years (2021, 2022 and 2023)	No data to be submitted for the following variables: '410101. Number of enterprises abroad ultimately controlled by institutional units of the reporting country'; '420101. Number of employees and self-employed persons in enterprises abroad ultimately controlled by institutional units of the reporting country'; and '440101. Net turnover of enterprises abroad ultimately controlled by institutional units of the reporting country' for the geographical breakdown: GEO level 2 and GEO level 3 for 'Enterprises abroad in EU Member States ultimately controlled by institutional units of the reporting country'.

IRELAND

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 1 Short-term business statistics on business population	1 year (first quarter 2021 to fourth quarter 2021)	No quarterly data to be submitted for variable '110102. Bankruptcies'.
Annex I, Part B, Table 5 Short-term business statistics on producer prices	2 years (first quarter 2021 to fourth quarter 2022)	No quarterly data to be submitted for variable '130201. Producer prices' for NACE divisions J59 and M74.

SPAIN

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140201. Volume of sales' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions G45, G46 and Groups G451, G452, G453, G454, G461, G462, G463, G464, G465, G466, G467, G469, G471, G474, G475, G476, G477, G478 and G479. During the derogation period, for NACE G47, the monthly data for January 2021 to December 2023 to be sent in accordance with the activity breakdown laid down in Regulation (EC) No 1165/98.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140301. Net turnover' to be submitted by 31 March 2024 for the following breakdowns: NACE Groups G451, G452, G453, G454, G471, G474, G475, G476, G477, G478 and G479. During the derogation period: — for NACE Divisions G45 and G46, quarterly data for the first quarter 2021 to fourth quarter 2023 to continue to be sent according to the requirements of Regulation (EC) No 1165/98, and — for NACE Division G47, the monthly data for January 2021 to December 2023 to be sent according to the activity breakdown laid down in Regulation (EC) No 1165/98.

ITALY

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 5 Short-term business statistics on producer prices	2 years (first quarter 2021 to fourth quarter 2022)	No quarterly data to be submitted for variable '130201. Producer prices' for NACE Divisions J58, L68, M74, N79, N82.
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140201. Volume of sales' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140301. Net turnover (value)' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE divisions G45 and G46. During the derogation period, for NACE divisions G45 and G46, quarterly data for the first quarter 2021 to fourth quarter 2023 to continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98.

CYPRUS

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 1 Short-term business statistics on business population	3 years (first quarter 2021 to fourth quarter 2023)	The data transmission deadline for variables '110101. Registrations' and '110102. Bankruptcies' to be T +120 days with the following exception: for variable '110102. Bankruptcies', the special aggregate 'Industry, construction and services (except public administration, defence, compulsory social security, activities of membership organisations, activities of households as employers and extra-territorial organisations and bodies)' to have transmission deadline T+40.
Annex I, Part B, Table 5 Short-term business statistics on producer prices	2 years (first quarter 2021 to fourth quarter 2022)	No quarterly data to be submitted for variable '130201. Producer prices' for NACE Section L.
Annex I, Part B, Table 5 Short-term business statistics on producer prices	2 years (first quarter 2021 to fourth quarter 2022)	Variable '130201. Producer prices' for the aggregate of NACE Sections H+I+J+L+M (excl. M701, M72 and M75) + N, and NACE Sections and Divisions H, I, J, M (excl. M701, M72 and M75) and N, to refer only to Business-to-business (B2B) instead of Business-to-All (B2All) indicators.
Annex I, Part B, Table 6 Short-term business statistics on production (volume)	2 years (January 2021 to December 2022)	No monthly data to be submitted for variable '140101. Production (volume)' for NACE Sections and Divisions H, I, J, L, M (excl. M701, M72 and M75) and N.

Annex I, Part B, Table 6 Short-term business statistics on production (volume)	3 years (January 2021 to December 2023)	The data transmission deadline for variable '140101. Production (volume)' for NACE sections B, C, D (excl. D353) to be T+1M+25 days.
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140201. Volume of sales' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, and Divisions G45 and G46.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140301. Net turnover (value)' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, and Divisions G45 and G46. During the derogation period, for NACE Divisions G45 and G46, quarterly data for the first quarter 2021 to fourth quarter 2023 to continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	2 years (January 2021 to December 2022)	No monthly data to be submitted for variable '140301. Net turnover (value)' for NACE Sections and Divisions H, I, J, M (excl. M701, M72 and M75) and N. During the derogation period, for NACE Sections and Divisions H, I, J, M (excl. M701, M72 and M75) and N, quarterly data for the first quarter 2021 to fourth quarter 2022 to continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	2 years (January 2021 to December 2022)	No monthly data to be submitted for variable '140301. Net turnover (value)' for NACE Section L.
Annex I, Part B, Table 38 Statistics on international activities – International Supply of Services by Mode of Supply – annual data	First 3 years of application, for each of the breakdowns 1, 2 and 3 of Table 38. First year of application for breakdown 1: Y+2 years, where Y is the year of publication of the first edition of the MoS Compilers Guide referred to in Section 1 of Annex VI of the Commission Implementing Regulation (EU) 2020/1197.	No data to be submitted for variables '460101. Imports and acquisition of services' and '460201. Exports and provision of services' for breakdowns: 1. 'International supply of services by mode of supply and geographical breakdown'; 2. 'International supply of services by mode of supply, type of product and geographical breakdown'; and 3. 'International supply of services by mode of supply, detailed type of product breakdown and geographical breakdown' as defined in Table 38 of Annex I, Part B of Regulation (EU) 2020/1197, for the first three reference years of application.

	First year of application for breakdown 2: Z+2 years, where Z is the year of publication of the second edition of the MoS Compilers Guide referred to in Section 1 of Annex VI of the Commission Implementing Regulation (EU) 2020/1197. First year of application for breakdown 3: Z+4 years, where Z is the year of publication of the second edition of the MoS Compilers Guide referred to in Section 1 of Annex VI of the Commission Implementing Regulation (EU) 2020/1197.	
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NETHERLANDS

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 5 Short-term business statistics on producer prices	2 years (first quarter 2021 to fourth quarter 2022)	No quarterly data to be submitted for variable '130201. Producer prices' for the aggregate of NACE Sections H+I+J+L+M (excl. M701, M72 and M75) + N and the following breakdowns: NACE section L and NACE Divisions I55, I56, M69, M70, N77 and N81.
Annex I, Part B, Table 6 Short-term business statistics on production (volume)	2 years (January 2021 to December 2022)	No monthly data to be submitted for variable '140101. Production (volume)' for NACE Sections H, I, J, L, M (excl. M701, M72 and M75) and N.
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	No monthly data to be submitted for variable '140201. Volume of sales' for January 2021 to December 2022 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46. Monthly data for January 2023 to December 2023 for variable '140201. Volume of sales' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46.

Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	No monthly data to be submitted for variable '140301. Net turnover (value)' for January 2021 to December 2022 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46. Monthly data for January 2023 to December 2023 for variable '140301. Net turnover (value)' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46. During the derogation period, for NACE Divisions G45 and G46, quarterly data for the first quarter 2021 to fourth quarter 2023 to continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	2 years (January 2021 to December 2022)	No monthly data to be submitted for variable '140301. Net turnover (value)' for NACE Sections H, I, J, L, M (excl. M701, M72 and M75) and N. During the derogation period, for NACE Divisions in Section H (H49, H50, H51, H52, H53), Section I, Divisions of Section J (J58, J59, J60, J61, J62, J63), Divisions of Section M (M71, M73, M74), sum of (M69 and M702) (M69_M702), Divisions of Section N (N78, N79, N80, N812, N82), quarterly data for the first quarter 2021 to fourth quarter 2022 to continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98.

AUSTRIA

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 3 Short-term business statistics on hours worked and wages and salaries	3 years (first quarter 2021 to fourth quarter 2023)	Calendar adjusted data to be submitted by 15 July 2024 for variables '120201. Hours worked by employees' and '120301. Wages and salaries' for NACE Sections G, H to M (excl. K, M701, M72 and M75) and N.
Annex I, Part B, Table 6 Short-term business statistics on production (volume)	1 year (January 2021 to December 2021)	The data transmission deadline for the variable '140101. Production (volume)' for NACE Sections B, C, D (excl. D353) to be T+1M+25 days.
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140201. Volume of sales', for NACE Divisions G45 and G47 and the additional Group-level (3-digit) breakdowns to be submitted by 31 March 2024.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140301. Net turnover (value)', for NACE Divisions G45 and G47 and the additional Group-level (3-digit) breakdowns, to be submitted by 31 March 2024.

		During the derogation period, for NACE divisions G45 and G46, quarterly data for the first quarter 2021 to fourth quarter 2023 to continue to be sent in accordance with the requirements of Regulation (EC) No 1165/98.
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PORTUGAL

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 2 Short-term business statistics on employment	3 years (first quarter 2021 to fourth quarter 2023)	Quarterly data for the first quarter of 2021 to the fourth quarter of 2023 to be submitted by 15 June 2024 for variable '120101. Number of employees and self-employed persons' for the breakdown NACE Section G.
Annex I, Part B, Table 3 Short-term business statistics on hours worked and wages and salaries	3 years (first quarter 2021 to fourth quarter 2023)	Quarterly data for the first quarter of 2021 to the fourth quarter of 2023 to be submitted by 15 July 2024 for variable '120201. Hours worked by employees' for the breakdown NACE Section G.
Annex I, Part B, Table 3 Short-term business statistics on hours worked and wages and salaries	3 years (first quarter 2021 to fourth quarter 2023)	Calendar adjusted data to be submitted by 15 July 2024 for the variable '120301. Wages and salaries' for NACE Sections G, H to M (excl. K, M701, M72 and M75) and N.
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140201. Volume of sales' to be submitted by 31 March 2024 for the following breakdowns: NACE Section G, Divisions and Groups of NACE Divisions G45 and G46.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Calendar adjusted data to be submitted by 31 March 2024 for the following variables: '140301. Net turnover (value)'; '140302. Domestic net turnover (value)'; '140303. Non-domestic net turnover (value)'; '140304. Non-domestic net turnover (value) (euro area) (optional for non-euro area countries)'; and '140305. Non-domestic net turnover (value) (non-euro area) (optional for non-euro area countries)' for NACE Sections B and C.

SLOVAKIA

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 38 Statistics on international activities – International Supply of Services by Mode of Supply – annual data	First 3 years of application, for each of the breakdowns 1 and 2 of Table 38. First year of application for breakdown 1: Y+2 years, where Y is the year of publication of the first edition of the MoS Compilers Guide referred to in Section 1 of Annex VI of the Commission Implementing Regulation (EU) 2020/1197. First year of application for breakdown 2: Z+2 years, where Z is the year of publication of the second edition of the MoS Compilers Guide referred to in Section 1 of Annex VI of the Commission Implementing Regulation (EU) 2020/1197.	No data to be submitted for variables '460101. Imports and acquisition of services' and '460201. Exports and provision of services' for breakdowns: 1. 'International supply of services by mode of supply and geographical breakdown'; and 2. 'International supply of services by mode of supply, type of product and geographical breakdown' as defined in Table 38 of Annex I, Part B of Regulation (EU) 2020/1197, for the first three reference years of application.

FINLAND

Annex/table concerned	Derogation period granted	Content of the derogation granted
Annex I, Part B, Table 7 Short-term business statistics on volume of sales	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140201. Volume of sales' to be submitted by 31 March 2024 for the following breakdowns: NACE Groups G451, G452, G453, G454, G461, G462, G463, G464, G465, G466, G467, G468, G469, G471, G474, G475, G476, G477, G478 and G479. During the derogation period, for NACE G47, the monthly data for January 2021 to December 2023 to be sent in accordance with the activity breakdown laid down in Regulation (EC) No 1165/98.
Annex I, Part B, Table 8 Short-term business statistics on net turnover (value)	3 years (January 2021 to December 2023)	Monthly data for January 2021 to December 2023 for variable '140301. Net turnover (value)' to be submitted by 31 March 2024 for the following breakdowns: NACE Groups G451, G452, G453, G454, G461, G462, G463, G464, G465, G466, G467, G468, G469, G471, G474, G475, G476, G477, G478 and G479.

		During the derogation period, for NACE G47, the monthly data for January 2021 to December 2023 to be sent in accordance with the activity breakdown laid down in Regulation (EC) No 1165/98.
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