

Wednesday 15 January 2014

P7_TA(2014)0030

Statistics relating to trading of goods between Member States *I**

Amendments adopted by the European Parliament on 15 January 2014 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to trading of goods between Member States as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures, the communication of information by the customs administration, the exchange of confidential data between Member States and the definition of statistical value (COM(2013)0578 — C7-0242/2013 — 2013/0278(COD))⁽¹⁾

(Ordinary legislative procedure: first reading)

(2016/C 482/44)

Amendment 1**Proposal for a regulation****Recital 6***Text proposed by the Commission*

- (6) It is of particular importance that the Commission carries out the appropriate consultations during its preparatory work, including at expert level. When preparing and drawing up delegated acts, the Commission should ensure the simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council.

Amendment

- (6) It is of particular importance that the Commission carries out the appropriate consultations during its preparatory work, including at **the most efficient** expert level **after informing the Member States who is to be consulted and on what basis the respect of impartiality is to be ensured and possible conflicts of interest are to be avoided**. When preparing and drawing up delegated acts, the Commission should ensure the simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and the Council.

Amendment 2**Proposal for a regulation****Recital 7***Text proposed by the Commission*

- (7) The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States and on the respondent units.

Amendment

- (7) The Commission should ensure that these delegated acts do not impose a significant additional **cost or** administrative burden on the Member States and on the respondent units **and that they remain as economical as possible**.

⁽¹⁾ This matter was referred back to the committee responsible for reconsideration pursuant to Rule 57(2), second subparagraph (A7-0457/2013).

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Amendment 3
Proposal for a regulation
Recital 8

Text proposed by the Commission

- (8) In order to ensure uniform conditions for the implementation of Regulation (EC) No 638/2004, implementing powers should be conferred on the Commission enabling it to adopt the arrangements for collecting information, particularly concerning the codes to be used, technical provisions for compiling annual statistics on trade by business characteristics and any measures necessary to ensure that the quality of the statistics transmitted is according to the quality criteria. These powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

- (8) In order to ensure uniform conditions for the implementation of Regulation (EC) No 638/2004, implementing powers should be conferred on the Commission enabling it to adopt the arrangements for collecting information, particularly concerning the codes to be used, technical provisions for compiling annual statistics on trade by business characteristics and any measures necessary to ensure that the quality of the statistics transmitted **free of charge** is according to the quality criteria. These powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment 4
Proposal for a regulation
Recital 10

Text proposed by the Commission

- (10) Under the strategy for a new European Statistical System (hereinafter referred to as 'ESS') structure intended to improve coordination and partnership in a clear pyramid structure within the ESS, the European Statistical System Committee (hereinafter referred to as 'ESSC'), established by Regulation (EC) No 223/2009 of the European Parliament and of the Council **of 11 March 2009 on European statistics**⁽⁹⁾, should have an advisory role and assist the Commission in exercising its implementing powers.

⁽⁹⁾ OJ L 87, 31.3.2009, p. 164.

Amendment

- (10) Under the strategy for a new European Statistical System (hereinafter referred to as 'ESS') structure intended to improve coordination and partnership in a clear pyramid structure within the ESS, the European Statistical System Committee (hereinafter referred to as 'ESSC'), established by Regulation (EC) No 223/2009 of the European Parliament and of the Council⁽⁹⁾, should have an advisory role and assist the Commission in exercising its implementing powers. **Improving coordination between national authorities and the Commission (Eurostat) is key to producing higher quality statistics in the Union.**

⁽⁹⁾ **Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics** (OJ L 87, 31.3.2009, p. 164).

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Amendment 5
Proposal for a regulation

Recital 11

Text proposed by the Commission

- (11) Regulation (EC) No 638/2004 should be amended by replacing the reference to the Intrastat Committee with a reference to the ESSC.

Amendment

- (11) Regulation (EC) No 638/2004 should be amended by replacing the reference to the Intrastat Committee with a reference to the ESSC. ***The ESSC should have the same membership structure as that of the Intrastat Committee, namely one member from each Member State.***

Amendment 6
Proposal for a regulation

Recital 12

Text proposed by the Commission

- (12) Simplifications of customs clearance schemes have led to the non-availability, at customs level, of statistical information about goods under customs processing procedures. To assure coverage of the data, movements of those goods should be included in the Intrastat system.

Amendment

- (12) Simplifications of customs clearance schemes have led to the non-availability, at customs level, of statistical information about goods under customs processing procedures. To assure coverage of the data, movements of those goods should be included in the Intrastat system ***while any additional costs should be limited to the greatest extent possible. Information should follow the principle of ‘single-flow reporting’, thus, in so far as the quality of the data can be guaranteed, the data should only be collected by the exporting companies.***

Amendment 7
Proposal for a regulation

Recital 13

Text proposed by the Commission

- (13) The exchange of confidential data relating to intra-EU trade statistics should be allowed between Member States ***with a view to increasing*** the efficiency of the development, production and dissemination or to improving the quality of those statistics.

Amendment

- (13) The exchange of confidential data relating to intra-EU trade statistics should be allowed between Member States ***and should be free of charge if necessary to increase*** the efficiency of the development, production and dissemination or to improving the quality of those statistics. ***Such exchanges should be voluntary and should be possible for a transitional period following the entry into force of this Regulation. Such exchange of confidential data should, however, be treated carefully and should not in itself entail increased administrative burden on companies.***

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Amendment 8
Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) The definition of statistical value should be clarified and aligned with the definition of this data element under the extra-EU trade statistics.

Amendment

(14) The definition of statistical value should be clarified and aligned with the definition of this data element under the extra-EU trade statistics **in order to enable better comparability between intra-and extra-EU trade statistics. Uniform definitions are essential for the proper and frictionless functioning of cross-border trade and are especially important as a prerequisite for different national authorities to be able to make concordant interpretations of rules having an impact on the cross-border activities of businesses.**

Amendment 9
Proposal for a regulation
Recital 15

Text proposed by the Commission

(15) In accordance with the principle of proportionality, it is necessary and appropriate to lay down rules on the communication of information by the customs administration, the exchange of confidential data between MS and the definition of statistical value in the domain of intra-EU trade statistics. This Regulation does not go beyond what is necessary to achieve that objective, in accordance with Article 5(4) of the Treaty on the European Union.

Amendment

(15) In accordance with the principle of proportionality, it is necessary and appropriate to lay down **harmonised** rules on the communication of information by the customs administration, the exchange of confidential data between MS and the definition of statistical value in the domain of intra-EU trade statistics. This Regulation does not go beyond what is necessary to achieve that objective, in accordance with Article 5(4) of the Treaty on the European Union.

Amendment 10
Proposal for a regulation
Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) **Data transmission by the national authorities should be free of charge for the Member States and for the Union institutions or agencies.**

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Amendment 11
Proposal for a regulation
Recital 17 a (new)

Text proposed by the Commission

Amendment

- (17a) *Given the economic situation of the Member States and the stepping up of coordination measures at Union level, there is a need to develop an integrated approach and ever more reliable statistical indicators in order to implement policies more effectively.*

Amendment 12
Proposal for a regulation
Recital 17 b (new)

Text proposed by the Commission

Amendment

- (17b) *Following the recent discovery of breaches of the protection of the data of Union citizens and Member States, there is a need to enhance the security of the modes of transmission of sensitive statistical data, including economic data,*

Amendment 13
Proposal for a regulation
Article 1 — point 2 — point b
Regulation (EC) No 638/2004
Article 5 — paragraph 2

Text proposed by the Commission

Amendment

2. The statistical information on dispatches and arrivals of goods which are the subject of a single administrative document for customs or fiscal purposes shall be provided directly by customs to the national authorities, **at least** once a month.

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Amendment 14

Proposal for a regulation

Article 1 — point 5

Regulation (EC) No 638/2004

Article 9a — paragraph 1

Text proposed by the Commission

The exchange of confidential data, as defined by Article 3(7) of Regulation (EC) No 223/2009 of the European Parliament and of the Council **of 11 March 2009 on European statistics** (*), shall for statistical purposes only, be allowed between the respective national authorities of each Member State, where the exchange serves the efficient development, production and dissemination of European statistics relating to the trading of goods between Member States or improves their quality.

(*) OJ L 87, 31.3.2009, p. 164.

Amendment

The exchange, **free of charge**, of confidential data as defined by Article 3(7) of Regulation (EC) No 223/2009 of the European Parliament and of the Council (*), shall for statistical purposes only, be allowed between the respective national authorities of each Member State, where **it is proven that** the exchange serves the efficient development, production and dissemination of European statistics relating to the trading of goods between Member States or **significantly** improves their quality. **Any additional administrative burden and costs for the Member States shall be kept to a minimum. Such exchange of confidential information shall be voluntary until ... (**).**

(*) **Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics** (OJ L 87, 31.3.2009, p. 164).

(**) **Five years after the date of entry into force of this Regulation.**

Amendment 15

Proposal for a regulation

Article 1 — point 5

Regulation (EC) No 638/2004

Article 9a — paragraph 2

Text proposed by the Commission

National authorities that have obtained confidential data shall treat this information confidentially and shall use it exclusively for statistical purposes.

Amendment

National authorities that have obtained confidential data shall treat this information confidentially and shall use it exclusively for statistical purposes. **National authorities shall not transmit such data to any international organisation other than as provided in this Regulation.**

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Amendment 16**Proposal for a regulation****Article 1 — point 6 — point c**

Regulation (EC) No 638/2004

Article 10 — paragraph 5

Text proposed by the Commission

5. Member States may, under certain conditions that meet quality requirements, simplify the information to be provided for small individual transactions. The Commission shall be empowered to adopt, in accordance with Article 13a, delegated acts to define these conditions.

Amendment

5. Member States may, under certain conditions that meet quality requirements, simplify the information to be provided for small individual transactions **provided that such simplification has no detrimental effects on the quality of the statistics.** The Commission shall be empowered to adopt, in accordance with Article 13a, delegated acts to define these conditions.

Amendment 17**Proposal for a regulation****Article 1 — point 6 a (new)**

Regulation (EC) No 638/2004

Article 11

Present text

Article 11

Statistical confidentiality

Only where the party or parties that have provided information so request shall the national authorities decide whether statistical results which may make it possible to identify the said provider (s) are to be disseminated or are to be amended in such a way that their dissemination does not prejudice statistical confidentiality.

*Amendment***(6a) Article 11 is replaced by the following:**

'Article 11

Statistical confidentiality

Only where the party or parties that have provided information so request shall the national authorities decide whether statistical results which may make it possible to identify the said provider (s) are to be disseminated or are to be amended in such a way that their dissemination does not prejudice statistical confidentiality. **The national authorities shall ensure that any detrimental effects on a party or parties providing information is clearly outweighed by statistical benefits.**

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Amendment 18

Proposal for a regulation

Article 1 — point 7 — point c

Regulation (EC) No 638/2004

Article 12 — paragraph 4 — subparagraph 3

Text proposed by the Commission

The Commission shall adopt, by means of implementing acts, technical provisions for compiling these statistics.

Amendment

The Commission shall adopt, by means of implementing acts, technical provisions for compiling these statistics **in the most economical way**.

Amendment 19

Proposal for a regulation

Article 1 — point 8

Regulation (EC) No 638/2004

Article 13 — paragraph 4 — subparagraph 1

Text proposed by the Commission

(4) The Commission shall adopt, by means of implementing acts, any measures necessary to ensure the quality of the statistics transmitted according to the quality criteria.

Amendment

(4) The Commission shall adopt, by means of implementing acts, any measures necessary to ensure the quality of the statistics transmitted according to the quality criteria, **avoiding excessive costs for the national authorities**.

Amendment 20

Proposal for a regulation

Article 1 — point 9

Regulation (EC) No 638/2004

Article 13a — paragraph 2

Text proposed by the Commission

(2) When exercising the powers delegated in Articles 3(4), 6 (2), 10(3) (4) and (5), 12(1)(a) and (2), the Commission shall ensure that the delegated acts do not impose **a** significant additional administrative burden on the Member States and on the respondents.

Amendment

(2) When exercising the powers delegated in Articles 3(4), 6 (2), 10(3) (4) and (5), 12(1)(a) and (2), the Commission shall ensure that the delegated acts do not impose significant additional **costs or** administrative burden on the Member States and on the respondents. **The Commission shall pursue reductions of costs and administrative burden where possible. In addition, the Commission shall duly justify the actions in those intended delegated acts and provide information, with input from Member States, on any associated burden and production costs in accordance with Article 14(3) of Regulation (EC) No 223/2009.**

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Amendment 21**Proposal for a regulation****Article 1 — point 9**

Regulation (EC) No 638/2004

Article 13a — paragraph 3

Text proposed by the Commission

3. The power to adopt delegated acts referred to in Articles 3 (4), 6(2), 10(3) (4) and (5), 12(1)(a) and (2) shall be conferred on the Commission for **an indeterminate** period of **time** from [(Publication office: please insert the exact date of the entry into force of the amending Regulation)].

Amendment

3. The power to adopt delegated acts referred to in Articles 3 (4), 6(2), 10(3) (4) and (5), 12(1)(a) and (2) shall be conferred on the Commission for **a** period of **five years** from [Publication office: please insert the exact date of the entry into force of the amending Regulation]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**

Amendment 22**Proposal for a regulation****Article 1 — point 9**

Regulation (EC) No 638/2004

Article 13a — paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Articles 3(4), 6(2), 10 (3) (4) and (5), 12(1)(a) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **two** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **two** months at the initiative of the European Parliament or the Council.

Amendment

6. A delegated act adopted pursuant to Articles 3(4), 6(2), 10 (3) (4) and (5), 12(1)(a) and (2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of **three** months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by **three** months at the initiative of the European Parliament or the Council.