

English edition

Information and Notices

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I

(Information)

COMMISSION

Ecu ⁽¹⁾

12 June 1995

(95/C 146/01)

Currency amount for one unit:

Belgian and Luxembourg franc	38,3012	Finnish markka	5,71783
Danish krone	7,27893	Swedish krona	9,62521
German mark	1,86350	Pound sterling	0,831506
Greek drachma	300,587	United States dollar	1,32633
Spanish peseta	161,932	Canadian dollar	1,83061
French franc	6,55209	Japanese yen	111,837
Irish pound	0,813603	Swiss franc	1,53868
Italian lira	2199,43	Norwegian krone	8,28959
Dutch guilder	2,08460	Icelandic krona	84,2223
Austrian schilling	13,1042	Australian dollar	1,84675
Portuguese escudo	196,138	New Zealand dollar	1,98553
		South African rand	4,87494

The Commission has installed a telex with an automatic answering device which gives the conversion rates in a number of currencies. This service is available every day from 3.30 p.m. until 1 p.m. the following day.

Users of the service should do as follows:

- call telex number Brussels 23789;
- give their own telex code;
- type the code 'cccc' which puts the automatic system into operation resulting in the transmission of the conversion rates of the ecu;
- the transmission should not be interrupted until the end of the message, which is marked by the code 'ffff'.

Note: The Commission also has an automatic telex answering service (No 21791) and an automatic fax answering service (No 296 10 97) providing daily data concerning calculation of the conversion rates applicable for the purposes of the common agricultural policy.

⁽¹⁾ Council Regulation (EEC) No 3180/78 of 18 December 1978 (OJ No L 379, 30. 12. 1978, p. 1), as last amended by Regulation (EEC) No 1971/89 (OJ No L 189, 4. 7. 1989, p. 1).
Council Decision 80/1184/EEC of 18 December 1980 (Convention of Lomé) (OJ No L 349, 23. 12. 1980, p. 34).

Commission Decision No 3334/80/ECSC of 19 December 1980 (OJ No L 349, 23. 12. 1980, p. 27).

Financial Regulation of 16 December 1980 concerning the general budget of the European Communities (OJ No L 345, 20. 12. 1980, p. 23).

Council Regulation (EEC) No 3308/80 of 16 December 1980 (OJ No L 345, 20. 12. 1980, p. 1).

Decision of the Council of Governors of the European Investment Bank of 13 May 1981 (OJ No L 311, 30. 10. 1981, p. 1).

**LIST OF DOCUMENTS FORWARDED BY THE COMMISSION TO THE COUNCIL
DURING THE PERIOD 25. 5. TO 2. 6. 1995**

(95/C 146/02)

These documents may be obtained from the Sales Offices, the addresses of which are given on the back cover

Code	Catalogue No	Title	Date adopted by the Commission	Date forwarded to the Council	Number of pages
COM(95) 189	CB-CO-95-213-EN-C	Commission communication to the Council and the European Parliament — Wise use and conservation of wetlands (?)	29. 5. 1995	29. 5. 1995	73
COM(95) 196	CB-CO-95-224-EN-C	Commission report to the Council, the European Parliament and the Economic and Social Committee on the integration of health protection requirements in Community policies	29. 5. 1995	29. 5. 1995	50
COM(95) 202	CB-CO-95-227-EN-C	Proposal for a Council Decision on the signature of the revised Convention for the protection of the Mediterranean Sea against pollution, Protocol for the prevention of pollution by dumping from ships and aircraft and Protocol concerning specially protected areas (Barcelona Convention)	29. 5. 1995	29. 5. 1995	42
COM(95) 217	CB-CO-95-244-EN-C	Proposal for a Council Regulation (EC) amending Regulation (EEC) No 990/93 with a view to allowing the export of certain goods to the Federal Republic of Yugoslavia (Serbia and Montenegro)	29. 5. 1995	29. 5. 1995	5
COM(95) 209	CB-CO-95-234-EN-C	Amended proposal for a European Parliament and Council Decision adopting a programme of Community action on the prevention of Aids and certain other communicable diseases within the framework for action in the field of public health (?) (?)	30. 5. 1995	30. 5. 1995	22
COM(95) 226	CB-CO-95-251-EN-C	Amended proposal for a European Parliament and Council Decision (EC) laying down a series of guidelines on trans-European energy networks Amended proposal for a Council Decision (EC) laying down a series of measures aimed at creating a more favourable context for the development of trans-European networks in the energy sector	29. 5. 1995	30. 5. 1995	23
COM(95) 210	CB-CO-95-237-EN-C	Proposal for a Council Decision on the equivalence of seed potatoes produced in third countries	30. 5. 1995	31. 5. 1995	7
COM(95) 211	CB-CO-95-238-EN-C	Amended proposal for a Council Regulation (EC) amending for the fifth time Regulation (EEC) No 1866/86 laying down certain technical measures for the conservation of fishery resources in the waters of the Baltic Sea, the Belts and the Sound (?) (?)	30. 5. 1995	31. 5. 1995	15
COM(95) 212	CB-CO-95-239-EN-C	Proposal for a Council Regulation (EC) amending for the 18th time Regulation (EEC) No 3094/86 laying down certain technical measures for the conservation of fishery resources (?) (?)	30. 5. 1995	31. 5. 1995	6

Code	Catalogue No	Title	Date adopted by the Commission	Date forwarded to the Council	Number of pages
COM(95) 214	CB-CO-95-240-EN-C	Proposal for a Council Regulation (EC) temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products ⁽¹⁾	30. 5. 1995	31. 5. 1995	6
COM(95) 215	CB-CO-95-243-EN-C	Proposal for a Council Decision authorizing certain Member States to apply or to continue to apply to certain mineral oils used for specific purposes reductions in or exemptions from excise duty, in accordance with the procedure provided for in Article 8 (4) of Directive 92/81/EEC ⁽²⁾	30. 5. 1995	31. 5. 1995	5
COM(95) 221	CB-CO-95-250-EN-C	Commission communication to the Council — a new partnership between women and men: equal sharing and participation — The European Community's priorities for the fourth UN World Conference on Women (Beijing, September 1995)	29. 5. 1995	31. 5. 1995	12
COM(95) 120	CB-CO-95-167-EN-C	Proposal for a Council Decision concerning the conclusion of an Agreement for cooperation in higher education and vocational education and training between the European Community and the United States of America ⁽²⁾	12. 4. 1995	1. 6. 1995	23
COM(95) 201	CB-CO-95-226-EN-C	Proposal for a Council Regulation (EC) concerning humanitarian aid ⁽²⁾	31. 5. 1995	1. 6. 1995	17
COM(95) 218	CB-CO-95-246-EN-C	Proposal for a Council Directive amending Annex II to Directive 90/642/EEC relating to the fixing of maximum levels for pesticide residues in and on certain products of plant origin, including fruit and vegetables and providing for the establishment of a list of maximum levels ⁽²⁾	31. 5. 1995	1. 6. 1995	10
COM(95) 208	CB-CO-95-233-EN-C	Amended proposal for a Council Regulation (EC, ECSC, Euratom) amending the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽²⁾ ⁽³⁾	1. 6. 1995	2. 6. 1995	9
COM(95) 237	CB-CO-95-258-EN-C	Proposal for a Council Regulation (EC) establishing a system for the management of fishing effort relating to certain Community fishing areas and resources ⁽¹⁾	1. 6. 1995	2. 6. 1995	10

⁽¹⁾ This document contains an impact assessment on business, and in particular on SME's.

⁽²⁾ This document will be published in the *Official Journal of the European Communities*.

⁽³⁾ Text with EEA relevance.

NB: COM documents are available by subscription, either for all editions or for specific subject areas, and by single copy, in which case the price is based pro rata on the number of pages.

Prior notification of a concentration
(Case No IV/M.542 — Babcock/Siemens/BS Railcare)

(95/C 146/03)

(Text with EEA relevance)

1. On 30 May 1995, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾ by which the undertakings Babcock International Limited (Babcock) and Siemens plc (Siemens) acquire within the meaning of Article 3 (1) (b) of Regulation (EEC) No 4064/89 joint control of Railcare Ltd, a newly created company constituting a joint venture.
2. The business activities of the undertakings concerned are:
 - Siemens: electronics, engineering and manufacturing,
 - Babcock: engineering and contracting,
 - Railcare: maintenance, repair and refurbishment of railway vehicles and assembly and sale of railway vehicles.
3. Upon preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.
4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax No (32 2) 296 43 01) or by post, under reference number IV/M.542 — Babcock/Siemens/BS Railcare, to the following address:

Commission of the European Communities,
Directorate-General for Competition (DG IV),
Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1049 Brussels.

⁽¹⁾ OJ No L 395, 30. 12. 1989. Corrigendum: OJ No L 257, 21. 9. 1990, p. 13.

Prior notification of a concentration**(Case No IV/M.585 — VAI/Davy)**

(95/C 146/04)

(Text with EEA relevance)

1. On 7 June 1995, the Commission received a notification of a proposed concentration pursuant to Article 4 of Council Regulation (EEC) No 4064/89 ⁽¹⁾ by which the undertakings Voest Alpine Industrieranlagenbau GmbH (VAI), controlled by VA Technologie AG (VATech), and Davy International Limited (Davy), controlled by Trafalgar House plc acquire within the meaning of Article 3 (1) (b) of Regulation (EEC) No 4064/89 joint control of Conroll Technology GmbH (Conroll), a newly created company constituting a joint venture.

2. The business activities of the undertakings concerned are:

- VAI: provider of turnkey plants, engineering and contracting services for the iron and steel industry,
- VATech: holding company, active as a systems supplier for large-scale industrial plants (metallurgical technology, energy),
- Davy: provider of engineering and contracting services for the iron and steel industry and for environmental projects,
- Trafalgar House: engineering and construction, commercial and residential property, passenger shipping and hotels.
- Conroll: provider of engineering services for hot connect systems for steel production plants.

3. Upon preliminary examination, the Commission finds that the notified concentration could fall within the scope of Regulation (EEC) No 4064/89. However, the final decision on this point is reserved.

4. The Commission invites interested third parties to submit their possible observations on the proposed operation to the Commission.

Observations must reach the Commission not later than 10 days following the date of this publication. Observations can be sent to the Commission by fax (fax No (32 2) 296 43 01) or by post, under reference number IV/M.585 — VAI/Davy, to the following address:

Commission of the European Communities,
Directorate-General for Competition (DG IV),
Merger Task Force,
Avenue de Cortenberg/Kortenberglaan 150,
B-1049 Brussels.

⁽¹⁾ OJ No L 395, 30. 12. 1989. Corrigendum: OJ No L 257, 21. 9. 1990, p. 13.

II

(Preparatory Acts)

COMMISSION

Draft Council Regulation (Euratom, EC) concerning structural business statistics

(95/C 146/05)

COM(95) 99 final — 95/0076(CNS)

(Submitted by the Commission on 3 April 1995)

THE COUNCIL OF THE EUROPEAN UNION,

statistics at national and regional levels, particularly for distributive trade and distribution;

Having regard to the Treaty establishing the European Community, and in particular Article 213 thereof,

Whereas in its Directive 78/660/EEC (*) the Council adopted measures to improve the coordination of national provisions concerning the presentation and content of annual accounts and annual reports, the valuation methods used therein and their publication in respect of certain companies with limited liability;

Having regard to the draft Regulation submitted by the Commission,

Having regard to the opinion of the European Parliament,

Whereas the European Community has in the meantime made substantial progress towards integration; whereas new economic, competition, social, environmental and enterprise policies and guidelines call for initiatives and decisions based on valid statistics; whereas the information provided for under existing Community legislation or available in the various Member States is insufficient, inadequate or insufficiently comparable to serve as a reliable basis for the work of the Commission;

Having regard to the opinion of the Economic and Social Committee,

Whereas Council Directive 64/475/EEC (*) and Council Directive 72/221/EEC (2) which aimed to provide a body of coherent statistics, have not been able to take account of economic and technical changes;

Whereas in its Decision 93/379/EEC (3) the Council adopted a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of policy for enterprise, in particular small and medium-sized enterprises, in the Community; whereas statistics are needed to assess the impact of the measures undertaken to achieve the objectives laid down in the Decision, in particular to have statistics which are comparable for businesses of all sectors, statistics on the national and international sub-contracting relations between businesses and improved statistics on small and medium-sized enterprises;

Whereas in its resolution of 14 November 1989 (4), the Council requested the Commission to improve statistics on distributive trade by rendering them compatible with Community definitions and ensure that more such data are supplied to the Statistical Office of the European Communities;

Whereas in Decision 92/326/EEC (5) the Council adopted a programme for the development of statistics on services, including the drawing up of harmonized

Whereas in its Decision 93/464/EEC (6) the Council adopted a framework programme for priority actions in the field of statistical information for 1993 to 1997;

(*) OJ No L 131, 13. 8. 1964, p. 2193/64.

(2) OJ No L 133, 10. 6. 1972, p. 57.

(3) OJ No C 297, 25. 11. 1989, p. 2.

(4) OJ No L 179, 1. 7. 1992, p. 131.

(*) OJ No L 222, 14. 8. 1978, p. 1.

(6) OJ No L 161, 2. 7. 1993, p. 68.

(7) OJ No L 219, 28. 8. 1993, p. 1.

Whereas there is a need for statistics on business conduct, in particular concerning training, research, development and innovation, environmental protection, investment, eco-industries, tourism and high-technology industries; whereas the development of the European Community and the operation of the internal market increase the need for comparable data on the structure of earnings of employees, the cost of labour and of training by businesses;

Whereas there is a need for complete and reliable statistical sources in order to enable a correct application of the Council Directive on the harmonization of the compilation of gross national product at market prices (89/130/EEC, Euratom) (*);

Whereas the compilation of national accounts according to the European System of Integrated Economic Accounts (ESA) requires the development of comparable, complete and reliable statistical sources;

Whereas there is a specific need for regional indicators and accounts to monitor the effects of the allocation of the structural funds;

Whereas, in order to carry out the tasks entrusted to it under the Treaties, especially with regard to the internal market under Article 7a of the Treaty establishing the European Community, the Commission must have exhaustive, up-to-date, reliable and comparable information on the structure, activity and performance of economic activities in the Community;

Whereas standardization is required to meet Community needs for information concerning economic convergence;

Whereas businesses and their professional associations need such information in order to understand their markets and to know their activity and performance relative to competitors in their sector, at regional, national and international level;

Whereas in accordance with the principle of subsidiarity the creation of common statistical norms that permit the production of harmonized data is an action which can only be undertaken efficiently at Community level; whereas such norms will be implemented in each Member State under the authority of the bodies and institutions in charge of compiling official statistics;

Whereas the best method of ascertaining the structure, activity and performance of economic activities consists of compiling statistics which conform to common methodological principles and with common definitions of

characteristics; whereas it is only from coordinated compilation that harmonized statistics can be drawn up with reliability, speed, flexibility and the level of detail required to meet the needs of the Commission and of enterprises;

Whereas the statistical data compiled within a Community system must be of a satisfactory quality and this quality, as well as the burden it entails, must be comparable from one Member State to another, and whereas it is therefore necessary to establish jointly the criteria enabling these requirements to be met;

Whereas it is necessary to simplify the administrative procedures for enterprises, particularly smaller enterprises, including the promotion of new technologies for data collection and compilation; whereas it may still be necessary to collect directly from businesses the data necessary to compile structural business statistics, using methods and techniques which will ensure that they are exhaustive, reliable and up to date, without giving rise for the parties concerned, in particular for small and medium-sized businesses, to a burden out of proportion to the results which users of the said statistics can reasonably expect;

Whereas the General Agreement on Trade in Services (GATS) has been signed and there is a substantial need for statistics implied in its management and development in terms of the size of the signatories' markets and their shares of these markets;

Whereas it is necessary to have a legal framework common to all business activities and domains of business statistics covering also the activities and domains for which statistics are not yet developed,

HAS ADOPTED THIS REGULATION:

Article 1

Aims

1. Within the framework of the elaboration of a European Information System on businesses, the Member States shall carry out the production of Community statistics on the structure, activity and performance of businesses in the Member States, as well as the future development of these statistics in cooperation with the Commission.

2. For the collection of data and the compilation of statistics referred to in paragraph 1, the Member States, in cooperation with the Commission in accordance with

(*) OJ No L 49, 21. 2. 1989, p. 26.

the multiannual framework programme for priority actions in the field of statistical information for 1993 to 1997 as established by Council Decision 93/464/EEC, shall promote the conditions for administrative simplification for businesses in providing official statistics.

SCOPE

Article 2

Coverage

1. The present Regulation covers all activities in Sections C to K and M to O of the statistical classification of economic activities in the European Community (NACE Rev. 1) as established by Council Regulation (EEC) No 3037/90 (*) and amended by Commission Regulation (EEC) No 761/93 (**).

2. Statistical units of the types listed in section I of the Annex to Council Regulation (EEC) No 696/93 (**), classified to one of the activities referred to in paragraph 1 are included in the scope of the Regulation. The use of particular units for the compilation of the statistics is specified in the annexes referred to in Article 4 (3). Data on activities in Sections M to O of NACE Rev. 1 cover private sector entities, general government and private non-profit institutions. The identification and classification of government and private non-profit institutions' activities must be carried out using statistical units corresponding to entities which are closest to the statistical units defined in the private sector.

Article 3

Domains

The present Regulation relates to the compilation of statistics on the following domains:

- (i) the structure of the activities, and their evolution, as well as the type of relations between businesses;
- (ii) the factors of production used and other elements allowing business activity, performance and competitiveness to be measured;
- (iii) the regional, national, Community and international development of businesses and markets;

(*) OJ No L 293, 24. 10. 1990, p. 1.

(**) OJ No L 83, 3. 4. 1993, p. 1.

(***) OJ No L 76, 30. 3. 1993, p. 1.

- (iv) the elements allowing business conduct to be studied;
- (v) the specific elements for the study of small and medium-sized enterprises;
- (vi) the specific elements for the study of particular regroupings of activities or analysis according to analogous classifications.

OBSERVATION AND ESTIMATION OF CHARACTERISTICS AND THE COMPILATION AND TRANSMISSION OF RESULTS

Article 4

Modules

- 1. The statistics to be compiled for the domains listed in Article 3 shall be divided into modules.
- 2. The modules will be organized as one of two types:
 - common module: statistics to be compiled annually for all or most of the activities listed in Article 2 (1)
 - detailed module: statistics to be compiled for particular regroupings of activities or themes relating to the domains listed in Article 3.
- 3. Each module shall be laid down in Annexes to the present Regulation, which form an integral part thereof. The following minimum information shall be laid down in each module:
 - (i) the activities for which the statistics are to be compiled, drawn from the coverage indicated in Article 2 (1) of the present Regulation;
 - (ii) the types of statistical unit to be used for the compilation of the statistics, drawn from the list of statistical units referred to in Article 2 (2) of the present Regulation;
 - (iii) lists of characteristics for which statistics are to be compiled for the domains listed in Article 3 and the reference periods for these characteristics. These lists may vary according to the different main activities, sizes, geographical locations, legal forms, financial and economic control and type of the statistical units for which the characteristics need to be observed;

- (iv) a list of statistics to be compiled on business demography;
- (v) the frequency for the compilation of the statistics which shall be yearly or multi-yearly. If the compilation is multi-yearly, it shall be done at least once every ten years;
- (vi) the timetable showing the first reference years for the statistics to be compiled;
- (vii) the norms relating to representativeness and quality control;
- (viii) the period of time from the end of the reference period within which the statistics shall be transmitted;
- (ix) the maximum length of the transition period which may be conceded.

4. The Annexes to the present Regulation are:

- a common module for annual structural statistics in Annex 1,
- a detailed module for structural statistics in industry in Annex 2,
- a detailed module for structural statistics in the distributive trades in Annex 3.

Article 5

Sources, requirements and administrative simplification

1. The Member States shall collect the necessary data for the observation of the characteristics in the lists referred to in the modules in Article 4 and may use a combination of the different sources specified below.

The Member States may collect the necessary data using compulsory surveys where the legal units, which the statistical units called upon by Member States to supply information belong to or are composed of, are obliged to give honest and complete information within the prescribed deadlines.

Equally, compulsory surveys need not be carried out in full or in part if the Member States can collect the data on the relevant population from other sources which are at least equivalent as regards accuracy and quality. For

this purpose Member States shall take the necessary measures to allow and facilitate access by the authorities responsible for the collection of data, to administrative sources within their State which meet the necessary accuracy requirements referred to in Article 6 (2).

The collection of data for the observation of some of the characteristics may imply the drawing of a sample of observation units within the reporting unit.

2. The Member States shall estimate the necessary data using statistical inference methods where some or all of the characteristics have not been observed for all of the units for which the statistics are to be compiled according to the modules in Article 4.

3. The burden on enterprises, particularly on small and medium-sized enterprises, and the representativeness and quality control requirements (Article 6) shall be fully taken into account by the Member States in their choice and combination of the sources and the use of estimation mentioned in paragraphs 1 and 2 above.

4. The Member States, with the technical support of the Commission, shall promote the conditions for increased use of electronic data transmission and automatic data processing.

Article 6

Representativeness and quality control

1. The Member States shall take the necessary measures to ensure that the data transmitted reflect the structure of the population of the statistical units laid down in the Annexes to the present Regulation, with particular reference to the main activities, the sizes, economic and financial control within the meanings of the GATS and of the Commission Directive (EEC) No 723/80⁽¹²⁾ and geographical locations of the statistical units.

2. The Member States shall ensure that the statistics compiled from the collected and estimated data for the populations referred to in paragraph 1 meet the necessary optimal accuracy requirements taking account of the degree of representativeness in the Member State, the need for statistics on the European Community, the benefits of the availability of the data relative to the costs of collection and the burden on small enterprises, as well as the methods used.

⁽¹²⁾ OJ No L 195, 29. 7. 1980, p. 35.

3. Member States shall transmit to the Commission at its request all of the information necessary to evaluate the degree of accuracy of the results at the Community level. Such an evaluation shall be presented to the Committee referred to in Article 12.

Article 7

Production of results

1. From the collected and estimated data (Article 5 (1) and (2)) the Member States shall produce comparable results in accordance with standardized specifications. The results shall be broken down according to a number of classifications as laid down for each module in the annexes.

2. In particular the results shall be broken down to the level of the NACE Rev. 1 class unless laid down otherwise in the modules referred to in Article 4, or laid down by the Commission after consulting the Committee referred to in Article 12 and in accordance with the procedure laid down in Article 13, in which case the results shall be produced at a more aggregated level of the NACE Rev. 1.

Article 8

Transmission of results

1. The Member States shall transmit the results referred to in Article 7, including the data declared confidential by the Member States pursuant to domestic legislation or practice concerning statistical confidentiality, in accordance with the provisions of Council Regulation (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⁽¹³⁾. The said Regulation governs the confidential treatment of information.

2. The results shall be transmitted in an appropriate technical form and within a period of time from the end of the reference period which shall be laid down for each module (Article 4 (3)) in the Annexes and shall be no longer than 18 months. In addition, if laid down in a module, a small number of estimated rapid results shall be transmitted within a period of time from the end of

the reference period which shall be laid down for each module in the Annexes and shall be no longer than 10 months.

GENERAL PROVISIONS

Article 9

Reports

The Member States shall transmit to the Commission at its request any relevant information with regard to the implementation of the Regulation in the Member States.

Article 10

Transition period and derogations

1. A transition period shall be laid down for each module in the annexes.

2. During the transition periods derogations from the provisions of the annexes to the present Regulation may be accepted in so far as the national statistical systems in the field of structural business statistics in the particular regrouping of activities concerned require important adaptations.

3. The obligations under this Regulation and relevant modules have to be fully applied by all Member States by the end of the transition period in each module.

Article 11

Review

1. The Council shall re-examine the present Regulation within three years of the date of entry into force, and at least every three years thereafter.

2. For this purpose the Commission shall submit a report to the Council by the beginning of the year of the review on the experience acquired from the work carried out pursuant to this Regulation, in particular regarding the domains listed in Article 3 and the Annexes referred to in Article 4 (2). The Commission shall at the same time submit the report to the European Parliament.

⁽¹³⁾ OJ No L 151, 15. 6. 1990, p. 1.

COMMITTEE PROVISIONS

Article 12

Consultation of the Committee

The procedures for implementing this Regulation, including the measures for adjustment to economic and technical developments concerning the collection and statistical processing of data, the processing and the transmission of the results, in particular:

- (i) the updating of the lists of characteristics, statistics on business demography and rapid results in so far that such updating, after a quantitative assessment, does not imply an increase in the number of units surveyed nor of the burden on the units out of proportion to the results foreseen (Articles 4 and 8);
- (ii) the frequency of the compilation of the statistics;
- (iii) the definitions of the characteristics and their relevance for certain activities (Article 4);
- (iv) the definition of the reference period (Article 4)
- (v) the first reference year for the compilation of the rapid results (Article 8)
- (vi) the application of quality controls for NACE Rev. 1 classes (Article 6);
- (vii) the standardized specifications for the processing of results, in particular the classifications and breakdowns to be used in processing (Article 7);
- (viii) the appropriate technical form for the transmission of results (Article 8);
- (ix) the updating of the periods of time for the transmission of data (Article 8);
- (x) the transition period and derogations from the provisions of this Regulation during the transition period (Article 10),

shall be laid down by the Commission after consultation of the Statistical Programme Committee established by Council Decision 89/382 (EEC/Euratom) ^(*) according to the procedure set out in Article 13.

Article 13

Procedure

1. The representatives of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.
2. The opinion shall be recorded in the minutes; in addition, each Member States will have the right to ask to have its opinion recorded in the minutes.
3. The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

FINAL PROVISIONS

Article 14

Repeal of existing structural business statistics legislation

The Council Directives 64/475/EEC and 72/221/EEC shall no longer apply after the transmission of all the data for the 1994 reference year.

Article 15

Entry into force

The present Regulation shall enter into force on the 20th day following its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

^(*) OJ No L 181, 28. 6. 1989, p 47.

*ANNEX I***A COMMON MODULE FOR ANNUAL STRUCTURAL STATISTICS***Section 1***Aims**

This Annex contains a common module for the production of Community statistics on the structure, activity and performance of businesses in the Member States, within the aims laid down in Article 1 of the present Regulation.

*Section 2***Coverage**

- (1) Activities covered by this module (Article 4 (3) (i) of the present Regulation): the statistics are to be compiled for all Sections C to K of NACE Rev. 1 except Class 6602 and Group 672. When statistics need not be compiled for some of the activities included within the coverage indicated above, this is explicitly mentioned in the list of characteristics below. The collection of data and the compilation of statistics does not apply to units classified to Class 6602, Group 672 and Sections M to O of NACE Rev. 1; these units shall be the subject of a specific study laid down in Section 10 of the present Annex. These activities are listed in Section 9 of the present Annex.
- (2) Statistical units covered by this module (Article 4 (3) (ii) of the present Regulation): when statistics need not be compiled for enterprises constituted of all types of legal units this is explicitly mentioned in the list of characteristics below.

*Section 3***Domains**

The statistics to be compiled relate to the domains numbered (i), (ii) and (iii) of Article 3 of the present Regulation and in particular to the analysis of value added and of its main components.

*Section 4***Characteristics**

- (1) The lists of characteristics and statistics (Article 4 (3) (iii) and (v)) presented below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency (Article 4 (3) (iv)).
- (2) The Commission, after consulting the Committee referred to in Article 12 of the present Regulation and in accordance with the procedure laid down in Article 13 of the present Regulation shall lay down the corresponding titles of the characteristics for which the statistics are to be compiled on activities in Section J of NACE Rev. 1 which correspond the closest to those listed in paragraphs 3 to 5 below.
- (3) Yearly demographic statistics to be compiled for the specified statistical units

Code	Title	Comment
11 11 0	Number of enterprises	
11 21 0	Number of local units	

(4) Enterprise characteristics for which yearly statistics are to be compiled

Code	Title	Comment
12 11 0	Turnover	
12 12 0	Production value	
12 14 0	Value added at market prices	
12 15 0	Value added at factor cost	
13 31 0	Personnel costs	
12 18 0	Financial surplus	Only legal persons
13 11 0	Total purchases of goods and services	
13 12 0	Purchases of goods and services purchased for resale in the same condition as received	
14 11 0	Turnover from intra-community deliveries of goods and services	
14 12 0	Turnover from extra-community exports of goods and services	
14 21 0	Intra-community acquisitions of goods and services	
14 22 0	Extra-community imports of goods and services	
15 11 1	Gross investment in tangible goods (excluding land not built upon)	
16 11 0	Number of persons employed	
16 13 0	Number of employees	

(5) Characteristics for which yearly regional statistics are to be compiled

Code	Title	Comment
13 32 0	Wages and salaries	
15 11 1	Gross investment in tangible goods (excluding land not built upon)	
16 11 0	Number of persons employed	

Section 5

First reference year

- (1) With reference to Article 4 (3) (vi) of the present Regulation, the first reference year for which the statistics shall be compiled is the calendar year 1995.

- (2) For the reference years 1995, 1996 and 1997, where the necessary data for the compilation of the results for some or all of the characteristics 12 18 0 (financial surplus) and 14 11 0 to 14 22 0 (breakdown of turnover and purchases by geographical market) is not available in one or more of the Member States, the Member States concerned shall carry out pilot surveys to assess the feasibility of collecting the data necessary for the compilation of results for the characteristics for which data is unavailable. In accordance with Article 9 of the present Regulation the Member States shall inform the Commission of the outcome of the pilot surveys. In accordance with Article 11 of the present Regulation the Commission shall submit a report to the Council on the outcome of these pilot surveys which shall include a recommendation on the continuation of the action.

Section 6

Report on the quality of statistics

For each characteristic provided the Member States shall provide the degree of precision related to a confidence level of 95 % which the Commission shall present in its report foreseen by Article 6 of the present Regulation, taking account of the application in each Member State of the said Article.

Section 7

Production of results

- (1) The results for the enterprise statistics are to be broken down to the level of the regroupings of activities listed in Section 9 of the present Annex.
- (2) The results for the enterprise statistics are also to be broken down into size classes for each group of Sections C-G of the NACE Rev. 1 and at the level of the regroupings listed in Section 9 of the present Annex for the other Sections.
- (3) The results for the regional statistics are to be broken down to the NACE Rev. 1 2-digit level (divisions) and the level II of the Nomenclature of territorial units (NUTS).
- (4) In the case of areas which are eligible for structural funds a more detailed geographical breakdown may be used.
- (5) For the sections G to K of NACE Rev. 1 the results for the enterprise statistics in Section 4 paragraphs 3 and 4 above shall be broken down according to the existence or otherwise of a majority control by non-resident enterprises as defined in the GATS.

Section 8

Transmission of results

The results shall be transmitted within a delay of 18 months from the end of the calendar year of the reference period.

Section 9

Regroupings of activities

The following regroupings of activities refer to the NACE Rev. 1 classification.

SECTIONS C, D, E AND F

Mining and quarrying; manufacturing; electricity, gas and water supply; construction

Broken down to the NACE Rev. 1 4-digit level (class).

SECTION G

Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods

Broken down to the NACE Rev. 1 4-digit level (class).

SECTION H

Hotels and restaurants

55.1 + 55.2 'Hotels' + 'Camping' sites and other provision of short-stay accommodation

55.3 + 55.4 + 55.5 'Restaurants' + 'Bars' + 'Canteens and catering'

SECTION I

Transport, storage and communication

60.1 Transport via railways

60.21 + 60.22 + 60.23 'Other land transport' without 'freight transport by road'

60.24 Freight transport by road

60.3 Transport via pipelines

61.1 Sea and coastal water transport

61.2 Inland water transport

62 Air transport

63.1 + 63.2 + 63.4 'Supporting and auxiliary transport activities' without 'activities of travel agencies and tours operators; tourist assistance activities n.e.c.'

63.3 'Activities of travel agencies and tour operators; tourist assistance activities n.e.c.'

64.11 National post activities

64.12 Courier activities other than national post activities

64.2 Telecommunications

SECTION J

Financial intermediation

65.11 Central banking

65.12 Other monetary intermediation

65.2 Other financial intermediation

66.01 Life insurance

66.02 Pension funding

66.03 Non-life insurance

67.1 Activities auxiliary to financial intermediation, except insurance and pension funding

67.2 Activities auxiliary to insurance and pension funding

SECTION K

Real estate, renting and business activities

70 Real estate activities

71.1 + 71.2 'Renting of automobiles' + 'renting of other transport equipment'

71.3	Renting of other machinery and equipment
71.4	Renting of personal and household goods n.e.c.
72	Computer related activities
73	Research and development
74.11 + 74.12 + 74.14 + 74.15	'Legal activities' + 'accounting, book keeping and auditing activities, tax consultancy' + 'business and management consultancy activities' + 'management activities of holding companies'
74.13	Market research and public opinion polling
74.2 + 74.3	'Architectural and engineering activities and related technical consultancy' + 'Technical testing and analysis'
74.4	Advertising
74.5	Labour recruitment and provision of personnel
74.6	Investigation and security activities
74.7	Industrial cleaning
74.8	Other business activities n.e.c.

SECTION M

Education

80	Education
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SECTION N

Health and social work

85.1	Human health activities
85.2	Veterinary activities
85.3	Social work activities

SECTION O

Other community and social service activities

90	Sewage and refuse disposal, sanitation and similar activities
91	Activities of membership organisations n.e.c.
92.1	Motion picture and video activities
92.2	Radio and television activities
92.3	Other entertainment activities
92.4 + 92.5	'News agency activities' + 'Library, archives, museums and other cultural activities'
92.6 + 92.7	'Sporting activities' + 'other recreational activities'
93	Other service activities

*Section 10***Reports and pilot studies for particular activities**

With reference to Article 9 of the present Regulation, the Member States shall provide the Commission with a report relating to the definition, structure and availability of information on statistical units which are classified to Class 6602, Group 672 and Sections M to O of NACE Rev.1. The Commission, after consultation of the Committee in accordance with the procedure laid down in Article 13 of the present Regulation, shall adopt a series of pilot studies for these activities. By way of the review procedure laid down in Article 11 of the present Regulation, the Commission shall inform the Council of the possibilities for compiling statistics which correspond the closest to those listed in paragraphs 3 to 5 of Section 4 of the present Annex for these activities.

*Section 11***Transition period**

For the purposes of this common module the transition period (Article 10 (1)) shall not extend more than three years beyond the first reference years for the compilation of the statistics indicated in Section 5 of the present Annex.

*ANNEX II***A DETAILED MODULE FOR STRUCTURAL STATISTICS IN INDUSTRY***Section 1***Aims**

This Annex contains a detailed module for the production of co-ordinated harmonized Community statistics on the structure, activity and performance of industrial activities in the Member States within the aims laid down in Article 1 of the present Regulation.

*Section 2***Coverage**

- (1) Activities covered by this module (Article 4 (3) (i) of the present Regulation): the statistics are to be compiled for all enterprises and their dependent statistical units classified to the activities within the sections C, D, E and F of NACE Rev.1. These sections cover the activities of mining and quarrying (C), manufacturing (D), electricity, gas and water supply (E) and construction (F).
- (2) Sizes: the statistics to be compiled shall be representative of statistical units of all size classes.
- (3) When statistics need not be compiled for some of the activities or size classes included within the coverage indicated above, this is explicitly mentioned in the list of characteristics below.

*Section 3***Domains**

The statistics to be compiled relate to the domains numbered (i), (ii), (iii), (iv) and (v) of Article 3 of the present Regulation, in particular to:

- a central list of statistics for a detailed analysis of the structure, activity, performance and competitiveness of industrial activities,
- a wider list of statistics for the study of special subjects such as sub-contracting, the cost and availability of financing for small businesses.

Section 4

Characteristics

(1) The lists of characteristics and statistics (Article 4 (3) (iii) and v)) presented below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency (Article 4 (3) iv)). The statistics and characteristics presented in italics are also included in the lists in the common module.

(2) Yearly demographic statistics to be compiled for the specified statistical units

Code	Title	Comment
11 11 0	<i>Number of enterprises</i>	
11 12 0	Number of births of enterprises	
11 13 0	Number of deaths of enterprises	
11 21 0	<i>Number of local units</i>	
11 31 0	Number of kind of activity units	

(3) Enterprise characteristics for which yearly statistics are to be compiled

Code	Title	Comment
12 11 0	<i>Turnover</i>	
12 12 0	<i>Production value</i>	
12 13 0	Gross margin on goods for resale	
12 14 0	<i>Value added at market prices</i>	
12 15 0	<i>Value added at factor cost</i>	
12 16 0	Income from ordinary activities	Only legal persons
12 17 0	Gross operating surplus	
12 18 0	<i>Financial surplus</i>	<i>Only legal persons</i>
12 19 0	Gross ordinary surplus	Only legal persons
12 20 0	Profit or loss for the year	Only legal persons
13 11 0	<i>Total purchases of goods and services</i>	
13 12 0	<i>Purchases of goods and services purchased for resale in the same condition as received</i>	
13 13 1	Payments for agency workers	
13 21 3	Change in stocks of finished products and work in progress manufactured by the unit	
13 32 0	Wages and salaries	
13 33 0	Social security costs	
14 11 0	<i>Turnover from intra-community deliveries of goods and services</i>	

Code	Title	Comment
14 12 0	<i>Turnover from extra-community exports of goods and services</i>	
14 21 0	<i>Intra-community acquisitions of goods and services</i>	
14 22 0	<i>Extra-community imports of goods and services</i>	
15 12 0	Gross investment in land not built upon	
15 13 0	Gross investment in existing buildings and structures	
15 14 0	Gross investment in construction and alteration of buildings	
15 15 0	Gross investment in machinery and equipment	
15 21 0	Sales of tangible investment goods	
15 31 0	Value of tangible goods acquired through financial leasing	
15 35 0	Payments for long term rental and operational leasing of goods	
15 61 0	Purchases of shares and participating interests	
15 62 0	Sales of shares and participating interests	
16 11 0	<i>Number of persons employed</i>	
16 13 0	<i>Number of employees</i>	
16 13 1	Number of part-time employees	
16 13 2	Number of apprentices	
16 14 0	Number of employees in full time equivalent units	
16 15 0	Number of hours worked by employees	
18 11 0	Turnover from the principal activity at the NACE Rev.1 four-digit level	
18 12 0	Turnover from industrial activities	
18 13 0	Turnover from trading activities of purchase and resale	
18 14 0	Turnover from intermediary activities (agents)	
18 15 0	Turnover from service activities	
20 11 0	Purchases of energy products (in value)	
21 11 0	Investment in equipment and plant for pollution control, and special anti-pollution accessories (mainly end-of-pipe equipment), broken down into:	Sections C-E only
21 11 1	Waste	Sections C-E only
21 11 2	Air emissions	Sections C-E only
21 11 3	Water protection	Sections C-E only

Code	Title	Comment
21 11 4	Noise	Sections C-E only
21 12 0	Investment in equipment and plant linked to cleaner technology ('integrated technology'), broken down into:	Sections C-E only
21 12 1	Waste	Sections C-E only
21 12 2	Air emissions	Sections C-E only
21 12 3	Water protection	Sections C-E only
21 12 4	Noise	Sections C-E only
22 11 0	Total intra mural R&D expenditure	
22 12 0	Total number of R&D personnel	

(4) Enterprise characteristics for which multi-yearly statistics are to be compiled

Code	Title	Comment
16 13 5	Number of homeworkers	Divisions 17/18/19/21/22/25/28/ 31/32/36
15 42 0	Gross investment in concessions, patents, licences, trade marks and similar rights	
15 43 0	Gross investment in marketing	
15 44 0	Gross investment in software	
20 21 0	Purchases of hard coal (in value)	
20 22 0	Purchases of coke (in value)	
20 23 0	Purchases of patent fuels (in value)	
20 24 0	Purchases of gasoil (in value)	
20 25 0	Purchases of heavy fuel oil (in value)	
20 26 0	Purchases of other petroleum products (in value)	
20 27 0	Purchases of natural gas (in value)	
20 28 0	Purchases of derived gas (in value)	
20 29 0	Purchases of renewable energy sources (in value)	
20 30 0	Purchases of heat (in value)	
20 31 0	Purchases of electricity (in value)	
21 14 0	Total current expenditure on environmental protection, broken down into:	Sections C-E only
21 14 1	Waste	Sections C-E only
21 14 2	Air emissions	Sections C-E only
21 14 3	Water protection	Sections C-E only
21 14 4	Noise	Sections C-E only
23 11 0	Payments to sub-contractors	
23 12 0	Income from sub-contracting	

(5) Characteristics for which yearly regional statistics are to be compiled

Code	Title	Comment
13 32 0	<i>Wages and salaries</i>	
15 11 1	<i>Gross investment in tangible goods (excluding land not built upon)</i>	
16 11 0	<i>Number of persons employed</i>	

(6) Kind of activity unit characteristics for which yearly statistics are to be compiled

Code	Title	Comment
12 11 0	Turnover	
12 12 0	Production value	
13 32 0	Wages and salaries	
15 11 0	Gross investment in tangible goods	
16 11 0	Number of persons employed	

*Section 5***First reference year**

- (1) With reference to Article 4 (3) (vi) of the present Regulation, the first reference year for which yearly statistics shall be compiled is the calendar year 1995. The first reference years for the statistics to be compiled with a multi-yearly frequency are specified below for the codes under which the characteristics are listed.

— Calendar year 1995:	Codes	23 11 0—23 13 0 20 21 0—20 31 0 15 42 0—15 44 0
— Calendar year 1996:	Codes	16 13 5 21 14 0—21 14 4

- (2) Multi-yearly statistics are to be compiled at least every five years.
- (3) For the reference years 1995, 1996 and 1997, where the necessary data for the compilation of the results for some or all of the characteristics 12 16 0 and 12 18 0 to 12 20 0 (income from ordinary activities, financial surplus, gross ordinary surplus and profit or loss for the year), 14 11 0 to 14 22 0 (breakdown of turnover and purchases by geographical market) and 15 61 0 and 15 62 0 (purchases and sales of shares and participating interests) is not available in one or more of the Member States, the Member States concerned shall carry out pilot surveys to assess the feasibility of collecting the data necessary for the compilation of results for the characteristics for which data is unavailable. In accordance with Article 9 of the present Regulation the Member States shall inform the Commission of the outcome of the pilot surveys. In accordance with Article 11 of the present Regulation the Commission shall submit a report to the Council on the outcome of these pilot surveys which shall include a recommendation on the continuation of the action.

*Section 6***Report on the quality of statistics**

For each characteristic provided the Member States shall provide the degree of precision related to a confidence level of 95 % which the Commission shall present in its report foreseen by Article 6 of the present Regulation, taking account of the application in each Member State of the said Article.

*Section 7***Production of results**

- (1) The results for the enterprise statistics are to be broken down to the NACE Rev.1 four-digit level (class).
- (2) The results for the enterprise statistics are also to be broken down into size classes and to the NACE Rev.1 three-digit level (group).
- (3) The results for the enterprise statistics are also to be broken down between public and private sector enterprises according to the form of financial and economic control within the meaning of the Commission Directive 80/723/EEC and to the NACE Rev.1 three-digit level (group).
- (4) The results for the statistics compiled from kind of activity units are to be broken down to the NACE Rev.1 four-digit level (class).
- (5) The results for the regional statistics are to be broken down to the NACE Rev.1 two-digit level (divisions) and the level II of the Nomenclature of territorial units (NUTS). In the case of areas which are eligible for structural funds a more detailed geographical breakdown may be used.
- (6) The results for the characteristics 21 11 0-4, 21 12 0-4 and 21 14 0-4 (inclusive), concerning current expenditure and investment for the protection of the environment, shall be compiled for the following groupings of NACE Rev.1:
 - Section C
 - Subsection DA
 - Subsections DB + DC
 - Subsection DD
 - Subsection DE
 - Subsection DF
 - Subsection DG + DH
 - Subsection DI
 - Division 27
 - Division 28
 - Subsections DK + DL + DM + DN
 - Division 40
 - Division 41

*Section 8***Transmission of results**

The results shall be transmitted within a delay of 18 months from the end of the calendar year of the reference period.

Rapid results shall be transmitted within 10 months from the end of the calendar year of the reference period, for the enterprise statistics compiled for the characteristics listed below;

- Codes: 11 11 0 (Number of enterprises)
- 12 11 0 (Turnover)
 - 12 12 0 (Production value)
 - 13 11 0 (Total purchases of goods and services)
 - 13 32 0 (Wages and salaries)
 - 15 11 0 (Gross investment in tangible goods)
 - 16 11 0 (Number of persons employed)

These rapid results shall be broken down to the NACE Rev.1 three-digit level (group).

*Section 9***Transition period**

For the purposes of this detailed module for structural statistics in industry, the transition period (Article 10 (1)) shall not extend more than three years beyond the first reference years for the compilation of the statistics indicated in Section 5 of the present Annex.

*ANNEX III***A DETAILED MODULE FOR STRUCTURAL STATISTICS ON DISTRIBUTIVE TRADE***Section 1***Aims**

This Annex contains a detailed module for the production of harmonized Community statistics on distributive trade activities within the aims laid down in Article 1 of the present Regulation. This module includes a detailed list of characteristics for which it is necessary to compile statistics to improve knowledge of the regional, national, Community and international development of the distributive trade sector.

*Section 2***Coverage**

- (1) Activities covered by this module (Article 4 (3) (i) of the present Regulation): The statistics are to be compiled for all activities within the coverage of section G of the NACE Rev.1. This section covers the activities of wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods. Enterprise statistics refer to the population of all enterprises whose main activity is classified in Section G.
- (2) Sizes: The statistics to be compiled shall be representative of statistical units of all size classes.
- (3) When statistics need not be compiled for some of the activities or size classes included within the coverage indicated above, this is explicitly mentioned in the list of characteristics below.

*Section 3***Domains**

The statistics to be compiled relate to the domains numbered (i), (ii), (iii) and (vi) of Article 3 of the present Regulation and in particular to:

- the structure of the distributive trade network and its evolution, as well as the patterns of association and cooperation between enterprises,
- distributive activity and forms of selling, as well as patterns of supply and sale.

Section 4

Characteristics

The lists of characteristics and statistics (Article 4 (3) (iii) and (v)) presented below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency (Article 4 (3) (iv)). The statistics presented in italics are also included in the lists in the common module.

Yearly demographic statistics to be compiled

Code	Title	Comment
	Demographic data	
11 11 0	<i>Number of enterprises</i>	
11 21 0	<i>Number of local units</i>	

Enterprise characteristics for which yearly statistics are to be compiled

Code	Title	Comment
	Accounting data	
12 11 0	<i>Turnover</i>	
12 12 0	<i>Production value</i>	
12 13 0	Gross margin on goods for resale	
12 14 0	<i>Value added at market prices</i>	
12 15 0	<i>Value added at factor costs</i>	
12 17 0	Gross operating surplus	
12 18 0	<i>Financial surplus</i>	Only legal persons
13 11 0	<i>Total purchases of goods and services</i>	
13 12 0	<i>Purchases of goods and services purchased for resale in the same condition as received</i>	
13 21 0	Change in stocks of goods and services	
13 21 1	Change in stocks of goods and services purchased for resale in the same condition as received	
13 31 0	<i>Personnel costs</i>	
13 32 0	Wages and salaries	
13 41 1	Payments for long term rental and financial leasing of goods	
	Data reflecting the extent of integration and internationalization of enterprises	
14 11 0	<i>Turnover from intra-community deliveries of goods and services</i>	<i>Simplified provisions for division 52</i>
14 12 0	<i>Turnover from extra-community exports of goods and services</i>	<i>Simplified provisions for division 52</i>
14 21 0	<i>Intra-community acquisitions of goods and services</i>	<i>Simplified provisions for division 52</i>
14 22 0	<i>Extra-community imports of goods and services</i>	<i>Simplified provisions for division 52</i>

Code	Title	Comment
	Data relating to the capital account	
15 12 0	Gross investment in land not built upon	
15 13 0	Gross investment in existing buildings and structures	
15 14 0	Gross investment in construction and alteration of buildings	
15 15 0	Gross investment in machinery and equipment	
15 21 0	Sales of tangible investment goods	
	Data on employment	
16 11 0	<i>Number of persons employed</i>	
16 13 0	<i>Number of employees</i>	
16 13 3	Number of part-time employees working less than half-time	
16 13 4	Number of part-time employees working half-time or more	
	Breakdown of turnover by type of activity	
18 12 0	Turnover from industrial activities	
18 13 0	Turnover from trading activities of purchase and resale	
18 14 0	Turnover from intermediary activities (agents)	
18 15 0	Turnover from service activities	

Enterprise characteristics for which multi-yearly statistics are to be compiled

Code	Title	Comments
	Information on operating costs other than personnel costs	
13 41 0	Operating costs linked to buildings and equipment	
13 42 0	Cost of selling	
13 43 0	Other operating costs	
	Information on trading links by association and co-operation between enterprises	
	Involvement of the enterprise in an association or cooperation agreement with other enterprises specifically:	
17 11 1	Motor vehicle concessionaire	Division 50 only
17 11 2	Motor vehicle dealership	Division 50 only
17 11 3	Motor vehicle trader acting as subsidiary of motor vehicle producer	Division 50 only
17 11 4	Total or majority of goods for resale purchased from a single supplier	Division 51 only
17 11 5	Supplier of a franchising chain or a buying group	Division 51 only

Code	Title	Comments
17 11 6	Affiliation to a buying group	Division 52 only
17 11 7	Affiliation to a franchising chain	Division 52 only
17 11 8	Affiliation to a consumers' cooperative	Division 52 only
	Information on forms of trading by enterprises	Division 52 only
	Trading forms, amongst which;	
17 31 1	Trading in stores	
17 31 2	Trading through fixed market stands and/or stalls	
17 31 3	Itinerant trading	
17 31 4	Mail-order selling	
17 31 5	Other forms of trade than those mentioned above	
17 32 0	Number of retail stores	
17 33 0	Category of sales space for retail stores engaged in retail trade	
17 34 0	Number of fixed market stands and/or stalls	
	Breakdown of turnover by product type (excluding commissions and other payments for services rendered)	
18 21 0	Breakdown of turnover by product (according to the categories which serve to classify enterprises to NACE Rev.1)	
	Information on types of supplier and types of customers	
	Percentage share of turnover by customer type, specifically:	Division 51 only
25 11 1	Resale traders: retail traders	
25 11 2	Professional users (wholesalers, others)	
25 11 3	Final consumers (retail trade activity)	
	Percentage share of purchases by type of supplier, specifically:	Division 52 only
25 21 1	Wholesalers, purchasing groups	
25 21 2	Producers	

Characteristics for which yearly regional statistics are to be compiled

Code	Title	Comments
13 32 0	<i>Wages and salaries</i>	
15 11 1	<i>Gross investment in tangible goods (excluding land not built upon)</i>	
16 11 0	<i>Number of persons employed</i>	

Characteristics for which multi-yearly regional statistics are to be compiled

Code	Title	Comments
12 11 0	Accounting data Turnover	Divisions 50 and 52 only
17 33 1	Information on outlets Sales space	Division 52 only

Section 5

First reference year

- (1) With reference to Article 4 (3) (vi) of the present Regulation the first reference year for which yearly statistics shall be compiled is the calendar year 1995. The first reference years for the statistics to be compiled with a multi-yearly frequency are specified below for each of the divisions of NACE Rev.1 for which the data is to be collected:

Sector 52:	1996
Sector 51:	1998
Regional statistics:	1999
Sector 50:	2000.

- (2) The multi-yearly frequency is five years. A special transition period for regional statistics not extending more than three years may be conceded to Member States if the national statistical system requires important adaptations in distributive trade statistics or if the Member State has to adapt an existing multi-yearly local unit survey.
- (3) For the reference years 1995, 1996 and 1997, where the necessary data for the compilation of the results for some or all of the characteristics 12 18 0 (financial surplus) and 14 11 0 to 14 22 0 (breakdown of turnover and purchases by geographical market) is not available in one or more of the Member States, the Member States concerned shall carry out pilot surveys to assess the feasibility of collecting the data necessary for the compilation of results for the characteristics for which data is unavailable. In accordance with Article 9 of the present Regulation the Member States shall inform the Commission of the outcome of the pilot surveys. In accordance with Article 11 of the present Regulation the Commission shall submit a report to the Council on the outcome of these pilot surveys which shall include a recommendation on the continuation of the action.

Section 6

Report on the quality of statistics and production of results

- (1) For each characteristic provided the Member States shall provide the degree of precision related to a confidence level of 95 % which the Commission shall present in its report foreseen by Article 6 of the present Regulation, taking account of the application in each Member State of the said Article.
- (2) The enterprise statistics are to be compiled according to the classes of the NACE Rev.1 in accordance with the procedure laid down under Article 7 (2) of the present Regulation.
- (3) The results for the enterprise statistics are also to be broken down into size classes for each NACE Rev.1 group.
- (4) The regional statistics are to be compiled at the NUTS II level for each group of the NACE Rev.1.

- (5) The coverage of regional statistics to be compiled on a multi-yearly basis corresponds to the population of all local units whose main activity is classified in Section G. However, it can be limited to the local units dependent on enterprises classified in the section G of NACE Rev.1 if such a population covers more than 95 % of the total coverage. This ratio is calculated using the employment characteristic available in the business register.
- (6) Simplified provisions for the characteristics relating to the international trading of goods and services: the Member States need not compile these data if the share of such trade in the total sales or purchases of the retail trade sector is less than 5 %. This share is to be evaluated by way of multi-yearly surveys.

Section 7

Transmission of results

- (1) The results shall be transmitted within 18 months from the end of the calendar year of the reference period.
- (2) Rapid results shall be transmitted within 10 months from the end of the calendar year of the reference period for the enterprise statistics compiled for the characteristics listed below:
 - 12 11 0 (Turnover)
 - 16 11 0 (Number of persons employed)These rapid results are to be compiled at the three-digit level of NACE Rev.1.
- (3) The appropriate technical form for the transmission of results shall be laid down in accordance with the procedure foreseen in the Regulation.

Section 8

Transition period

For the purposes of this detailed module for structural statistics on distributive trade, the transition period (Article 10 (1)) shall not extend more than three years beyond the first reference years for the compilation of the statistics indicated in Section 5 of the present Annex.

III

(Notices)

COMMISSION

Outcome of the invitation to tender (Community food aid)

(95/C 146/06)

as provided for in Article 9 (5) of Commission Regulation (EEC) No 2200/87 of 8 July 1987 laying down general rules for the mobilization in the Community of products to be supplied as Community food aid

(Official Journal of the European Communities No L 204 of 25 July 1987, page 1)

6 June 1995

Regulation (EC) No	Lot	Action No	Recipient	Product	Quantity (tonnes)	Delivery stage	Successful tenderer	Awarded price (ECU/tonne)
Decision of 23. 5. 1995	A	E/95/19	ONG/Tajikistan	HTOUR	(¹)	DEST	Mutual Aid, Antwerp (B)	(¹)
	B	E/95/20	ONG/Kyrgyzstan	HTOUR	(²)	DEST	Mutual Aid, Antwerp (B)	(²)
Decision of 23. 5. 1995	A	E/95/17	ONG/Tajikistan	FBLT	(³)	DEST	Grandi Molini, Rovigo (I)	(³)
	B	E/95/18	ONG/Kyrgyzstan	FBLT	(⁴)	DEST	Grandi Molini, Rovigo (I)	(⁴)
Decision of 23. 5. 1995	B	E/95/15	ONG/Tajikistan	SUB	190 000	DEST	n.a.	
	C	E/95/16	ONG/Kyrgyzstan	SUB	90 000	DEST	n.a.	
1152/95	A	1263 + 1478 + 1542/94	Euronaid/...	CBR/M/L	1 503	EMB	Arrocieras Pons, Masanasa (ES)	333,00

n.a. No contract was awarded.

(¹) 580 000 ECU = 596 000 kg.

(²) 275 000 ECU = 283 500 kg.

(³) 1 120 000 ECU = 4 072 000 kg.

(⁴) 892 000 ECU = 3 185 000 kg.

BLT: Common wheat
 FBLT: Common wheat flour
 CBL: Long grain milled rice
 CBM: Medium grain milled rice
 CBR: Round grain milled rice
 BRI: Broken rice
 FHAF: Oat flakes
 FROF: Processed cheese
 WSB: Wheat soja blend
 SUB: Sugar
 ORG: Barley
 SOR: Sorghum
 DUR: Durum wheat
 GDUR: Durum wheat groats
 MAI: Maize

FMAI: Maize flour
 B: Butter
 GMAI: Maize groats
 SMAI: Maize meal
 LENP: Whole milk powder
 LEP: Skimmed-milk powder
 LEPv: Vitaminized skimmed-milk powder
 CT: Tomato concentrate
 CM: Tinmeat mackerel
 BISC: High protein biscuits
 BO: Butteroil
 HOLI: Olive oil
 HCOLZ: Refined rape or colza oil
 HPALM: Semi-refined palm oil
 HTOUR: Refined sunflower oil

BPJ: Beef in its own juice
 CB: Corned beef
 RsC: Currants
 BABYF: Babyfood
 Lsub1: Infant milk
 Lsub2: Follow-on milk
 PAL: Pasta
 FEQ: Horse beans (*Vicia faba equina*)
 FMA: Broad beans (*Vicia faba major*)
 SAR: Sardines
 DEB: Free at port of landing — landed
 DEN: Free at port of landing — ex ship
 EMB: Free at port of shipment
 DEST: Free at destination

Phare — electrification of railway track**Notice of invitation to tender issued by the Polish State Railways on behalf of the Government of Poland for a project financed from Phare funds**

(95/C 146/07)

Project title and number:

Transport programme PL 9308

1. Participation and origin

Participation is open on equal terms to all natural and legal persons of the Member States of the European Community or of Albania, Bulgaria, the Czech Republic, Estonia, Hungary, Latvia, Lithuania, Poland, Romania, the Slovak Republic and Slovenia.

Supplies offered must originate in the above countries.

2. Subject:

Electrification of the standard gauge railway track from Przemysl Bakonczyce to Pikulice (Polish-Ukrainian border crossing).

3. Invitation to tender dossier

The complete tender dossier may be obtained free of charge from:

- a) Polish State Railways - CBZis 'FERPOL', Ul. Grojecka 17, PL-00-973 Warsaw, tel. (48-22) 24 44 59, facsimile (48-2) 628 25 24.

4. Tenders

Should arrive, at the latest, on 24. 7. 1995 (10.00), local time, at:

— Polish State Railways - CBZis 'FERPOL', Ul. Grojecka 17, PL-00-973 Warsaw.

They will be opened on 24. 7. 1995 (12.00), local time, at the same address.

EUROPEAN ECONOMIC INTEREST GROUPING**Notices published pursuant to Council Regulation (EEC) No 2137/85 of 25 July 1985 ⁽¹⁾ — Formation**

(95/C 146/08)

1. **Name of grouping:** Eurolux Lawyers (EESV)

2. **Date of registration of grouping:** 30. 5. 1995

3. **Place of registration of grouping:**

(a) **Member State:** NL

(b) **Place:** Nassauplein 2-8, NL-2011 PG Haarlem

4. **Registration number of grouping:** 91823

5. **Publication(s):**

(a) **Full title of publication:** Nederlandse Staatscourant

(b) **Name and address of publisher:** NV SDU, Postbus 20014, NL-2500 GA 's-Gravenhage

(c) **Date of publication:** 2. 6. 1995

⁽¹⁾ OJ No L 199, 31. 7. 1985, p. 1.

CORRIGENDA**Conducting a study on the evaluation of consumer training sessions aimed at disadvantaged populations**

(Official Journal of the European Communities No C 108, 29. 4. 1995, p. 15)

(95/C 146/09)

European Commission, DG XXIV, Consumer Policy Service, Unit 5, rue de la Loi/Wetstraat 200, B-1049 Bruxelles/Brussel.

Tel. (32-2) 295 53 95. Facsimile (32-2) 296 23 79.

Extension of the final dates for requests for documents and receipt of tenders.

Point 8:

a) As is.

c) Final date for receipt of requests for documents: read "These requests must be sent by facsimile or registered post latest 25 days after publication of the corrigendum to the call for tenders (OJEC of 13. 5. 1995, p. 15) (95/C 118/14)".

Point 9:

a) Final date for receipt of documents: read "Tenders must be received by the Commission 52 days after publication of the corrigendum to the call for tenders (OJEC of 13. 5. 1995, p. 15) (95/C 118/14), and by 16.00 at the latest. If day 52 is a bank holiday, tenders may be delivered on the next working day by 16.00 at the latest".

b) As is.

Note to readers on the setting-up of the European EEIG Network (Regie)

The European Economic Interest Grouping (EEIG) (1) has seen rapid development in recent years, due mainly to businesses aiming to acquire a means of transnational cooperation.

As the European Commission was often asked for information on this legal instrument, which is still little known in some Member States, it realized that businesses had a real need for support in this area.

In order to meet these expectations, the Commission is in the process of setting up the 'European EEIG Network', called Regie, to which it invites all those interested to apply.

1. The objectives

- First of all, the Commission intends to encourage the creation of EEIGs, without however financing them directly. It is therefore necessary to make businesses more aware of the opportunities offered by this instrument.
- As an EEIG is made up of at least two members with different nationalities, setting up an EEIG presupposes a transnational partnership. The Commission must therefore facilitate cross-border contacts between businesses, thus allowing various forms of cooperation to develop.
- As an EEIG is often created to act as a service provider for its members, it naturally represents an important intermediary between the Commission and the businesses or any other economic agent. In this way, contacts between the Commission and the EEIGs may be useful in providing their members with better information in all areas which might affect them.

2. The Regie project

In order to achieve these objectives, the Commission intends to set up a special form of network aimed at putting existing EEIGs into contact with economic agents who could set up an EEIG. In order to be fully effective, this network must not be limited to a mere listing of existing EEIGs: a list will be drawn up of existing EEIGs but also of businesses or persons who could create one, as well as lawyers, accountants and consultants involved in advising their clients in setting up EEIGs. In order to set up this network, the Commission drafted a questionnaire aimed at EEIGs and anyone else interested in this form of grouping.

Those replying to this questionnaire will be invited to a conference planned for the end of 1995/early 1996, which will enable direct contact to be made between representatives of existing EEIGs and interested parties who have not yet had the chance to meet at Community level. These contacts will provide the necessary boost for setting up the network.

The questionnaire is available on request from the Commission:

Secretariat of Mr Reinhard Schulte-Braucks
DG XXIII/A/1
Rue de la Loi/Wetstraat 200 (AN80)
B-1049 Brussels/Brussel
(fax No (32 2) 295 97 84).

(1) See Council Regulation (EEC) No 2137/85 of 25 July 1985 on the European Economic Interest Grouping (EEIG) (OJ No L 199, 31. 7. 1985, p. 1).