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REGULATIONS

COUNCIL REGULATION (EC) No 362/2008

of 14 April 2008

implementing Regulation (EC) No 1177/2003 of the European Parliament and of the Council concerning Community statistics on income and living conditions (EU-SILC) as regards the 2009 list of target secondary variables on material deprivation

(Text with EEA relevance)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 1177/2003 of the European Parliament and of the Council of 16 June 2003 concerning Community statistics on income and living conditions (EU-SILC) [1], and in particular Article 15(2)(f) thereof,

Whereas:

(1) Regulation (EC) No 1177/2003 established a common framework for the systematic production of Community statistics on income and living conditions, encompassing comparable and timely cross-sectional and longitudinal data on income and on the level and composition of poverty and social exclusion at national and European Union levels.

(2) Under Article 15(2)(f) of Regulation (EC) No 1177/2003, implementing measures are necessary for the list of target secondary areas and variables to be included each year in the cross-sectional component of EU-SILC. For the year 2009, the list of target secondary variables included in the module on material deprivation should be laid down. This should be accompanied by the provision of variable codes and definitions.

(3) The Statistical Programme Committee has not delivered a favourable opinion. This being so, following the procedure laid down in Article 14(2) of Regulation (EC) No 1177/2003, the Commission is, without delay, to submit to the Council a proposal relating to the measures to be taken and shall inform the European Parliament,

HAS ADOPTED THIS REGULATION:

Article 1

The list of target secondary variables, the variable codes, and the definitions for the 2009 module on material deprivation to be included in the cross-sectional component of Community statistics on income and living conditions (EU-SILC) shall be as laid down in the Annex.

Article 2

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Union*.

(1) OJ L 165, 3.7.2003, p. 1. Regulation as last amended by Council Regulation (EC) No 1791/2006 (OJ L 363, 20.12.2006, p. 1).

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

Done at Luxembourg, 14 April 2008.

For the Council
The President
I. JARC

ANNEX

For the purposes of this Regulation, the following units, modes of data collection, reference periods and definitions shall apply.

1. UNITS

The target variables relate to three different types of unit.

The variables relating to housing, the environment, financial stress and durables (except possession of mobile phones) are asked at household level and refer to the household as a whole.

Information on the possession of a mobile phone, basic needs, unmet needs as well as leisure and social activities in the category 'adult items' must be provided for each current household member or, if applicable, for all selected respondents, aged 16 and over.

Children's items relate to all household members aged under 16 to be compatible with the data collection defined in the Regulation (EC) No 1177/2003.

The questions must be answered by the household respondent for the whole group of children aged under 16. If at least one child does not have the item in question, the whole group of children in the household is assumed not to have the item.

2. MODES OF DATA COLLECTION

For variables asked at household level (section 1 in the list below), the mode of data collection is personal interview with the household respondent.

For variables asked at individual level (section 2 in the list below), the mode of data collection is personal interview with all current household members aged 16 and over or, if applicable, with each selected respondent.

For children's variables (section 3 in the list below), the mode of collection is personal interview with the household respondent.

Owing to the characteristics of the information to be collected, only personal interviews (proxy interviews as an exception for persons temporarily absent or incapacitated) are allowed.

3. REFERENCE PERIODS

All target variables relate to the current situation as the reference period, except for the two variables on the expectation of the household to change dwelling, which refers to the next six months, and the variables on unmet needs and on the visit to general practitioners and specialists, which refer to the past 12 months.

4. DEFINITIONS

(1) Housing items

(a) Change of dwelling:

— the reference period is 'the next six months'. If the household expects to change dwelling for several reasons during the reference period, the main reason should be given,

— eviction/distraint: forced to move for legal reasons,

— financial difficulties: problems paying rent/mortgage,

— family-related reasons: change in marital/partnership status, to establish own household, to follow partner/parents, to obtain better school or care facilities for children or other dependants,

— employment-related reasons: start new job or transfer of existing job, looking for work or made redundant, to be closer to work/easier to commute, retirement,

— other reasons: housing-related reasons (desire to change accommodation or tenure status, wanting new or better house/apartment, seeking better neighbourhood/less crime), studies-related reasons (attending or leaving college/university), health and other reasons;

(b) Shortage of space: the variable refers to the respondent's opinion/perception about shortage of space in the dwelling.

(2) **Environmental items**

(a) Accessibility: this relates to the services used by the household with regard to financial, physical, technical and health conditions. Accessibility of services is to be assessed in terms of physical and technical access, and opening hours, but not in terms of quality, price and similar aspects. Consequently, the access should refer to an objective and physical reality. It should not be based on a subjective feeling.

Access should be determined in relation to the services actually used by the household. Physical access has to be assessed in terms of distance but also of infrastructure and equipment for example for respondents with a physical disability.

The services provided at home should also be taken into account, if they are actually used by the household. Accessibility has thus to be evaluated regardless of the way(s) the household access to the service.

The respondent should give an answer for the household as a whole. If the respondent does not use a service but other household member(s) do, he or she should assess the accessibility according to this(these) other household member(s);

(b) Public transport: bus, metro, tram and similar;

(c) Postal or banking services: send and receive ordinary and parcel post, withdraw cash, transfer money and pay bills. Technical access could also intervene. Accessibility in terms of phone-banking and PC-banking should also be part of the assessment, if these ways are actually used by the household. Accessibility has to be evaluated according to the ease/difficulty to transfer and withdraw money, whether this is done by phone-banking and PC-banking or in a bank or post office.

(3) **Durables**

The possession of durables relates to the access of the specific product or service for the private use of the household. It can be rented or shared. If the product is shared, access to it should be easy and appropriate to household needs.

(4) **Basic needs**

(a) Shoes: this concept has to be understood in a broad sense. It could include boots, sandals, etc. according to the climatic conditions of the concerned country.

5. **TRANSMISSION OF DATA TO EUROSTAT**

The target secondary variables on 'material deprivation' should be sent to Eurostat in the household data file (H) and in the personal data file (P) after the target primary variables.

AREAS AND LIST OF TARGET VARIABLES

Module 2009		**Material deprivation**
Variable name	Code	Target variable
		1. ***Household item questions asked at household level***
		1.1. *Housing at household level*
HD010		**Place to live with hot running water**
	1	Yes
	2	No
HD010_F	*1*	Variable is filled
	-1	Missing
HD020		**Expectation of household to change dwelling**
	1	Yes
	2	No
HD020_F	*1*	Variable is filled
	-1	Missing
HD025		**Main reason for the expectation to change dwelling**
	1	Household will be forced to leave, since notice has been/will be given by the landlord on termination of the contract
	2	Household will be forced to leave, since notice has been/will be given by the landlord in the absence of a formal contract
	3	Household will be forced to leave because of eviction or distraint
	4	Household will be forced to leave for financial difficulties
	5	Household will leave for a family-related reason
	6	Household will leave for an employment-related reason
	7	Household will leave for some other reason
HD025_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (HD020=2)
HD030		**Shortage of space in dwelling**
	1	Yes
	2	No
HD030_F	*1*	Variable is filled
	-1	Missing
		OPTIONAL: Housing at household level
HD035		**Size of dwelling in square metres**
	0-999	Square metres
HD035_F	*1*	Variable is filled
	-1	Missing
		1.2. *Environment at household level*
HD040		**Litter lying around in the neighbourhood**
	1	Very frequently
	2	Frequently
	3	Sometimes
	4	Rarely or never

Module 2009		Material deprivation
Variable name	Code	Target variable
HD040_F	*1*	Variable is filled
	-1	Missing
HD050		**Damaged public amenities (bus stops, lamp posts, pavements, etc.) in the neighbourhood**
	1	Very frequently
	2	Frequently
	3	Sometimes
	4	Rarely or never
HD050_F	*1*	Variable is filled
	-1	Missing
HD060		**Accessibility of public transport**
	1	With great difficulty
	2	With some difficulty
	3	Easily
	4	Very easily
HD060_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (public transport not used by household)
HD070		**Accessibility of postal or banking services**
	1	With great difficulty
	2	With some difficulty
	3	Easily
	4	Very easily
HD070_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (services not used by household)
1.3. *Financial stress at household level*		
HD080		**Replacing worn-out furniture**
	1	Yes
	2	No, because the household cannot afford it
	3	No, for some other reason
HD080_F	*1*	Variable is filled
	-1	Missing
1.4. *Durables at household level*		
HD090		**Internet connection**
	1	Yes
	2	No, because the household cannot afford it
	3	No, for some other reason
HD090_F	*1*	Variable is filled
	-1	Missing

Module 2009		Material deprivation
Variable name	Code	Target variable
		2. ***Item questions asked at individual level***
		2.1. *Durables at individual level*
PD010		**Mobile phone**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
PD010_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
		2.2. *Basic needs at individual level*
PD020		**Replace worn-out clothes by some new (not second-hand) ones**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
PD020_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
PD030		**Two pairs of properly fitting shoes (including a pair of all-weather shoes)**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
PD030_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
		2.3. *Unmet needs at individual level*
PD040		**Visits to general practitioners and specialists, excluding visits to dentists or ophthalmologists, during the last 12 months**
	1	Not at all
	2	1-2 times
	3	3-5 times
	4	6-9 times
	5	10 times or more
PD040_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
		2.4. *Leisure and social activities at individual level*
PD050		**Get-together with friends/family (relatives) for a drink/meal at least once a month**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason

Module 2009		Material deprivation
Variable name	Code	Target variable
PD050_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
PD060		**Regularly participate in a leisure activity such as sport, cinema, concert**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
PD060_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
PD070		**Spend a small amount of money each week on yourself**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
PD070_F	*1*	Variable is filled
	-1	Missing
	-3	Not selected respondent
		3. ***Children's item questions asked at household level***
		3.1. *Basic needs for all household children*
HD100		**Some new (not second-hand) clothes**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD100_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD110		**Two pairs of properly fitting shoes (including a pair of all-weather shoes)**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD110_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD120		**Fresh fruit and vegetables once a day**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD120_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)

Module 2009		Material deprivation
Variable name	Code	Target variable
HD130		**Three meals a day**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD130_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD140		**One meal with meat, chicken or fish (or vegetarian equivalent) at least once a day**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD140_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
3.2. *Educational or leisure needs for all household children*		
HD150		**Books at home suitable for their age**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD150_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD160		**Outdoor leisure equipment (bicycle, roller skates, etc.)**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD160_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD170		**Indoor games (educational baby toys, building blocks, board games, computer games, etc.)**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD170_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD180		**Regular leisure activity (swimming, playing an instrument, youth organisations, etc.)**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason

Module 2009		Material deprivation
Variable name	Code	Target variable
HD180_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD190		**Celebrations on special occasions (birthdays, name days, religious events, etc.)**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD190_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD200		**Invite friends round to play and eat from time to time**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD200_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD210		**Participate in school trips and school events that cost money**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason
HD210_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16** in school)
HD220		**Suitable place to study or do homework**
	1	Yes
	2	No
HD220_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16** in school)
HD230		**Outdoor space in the neighbourhood where children can play safely**
	1	Yes
	2	No
HD230_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
OPTIONAL: 3.2. *Educational or leisure needs for all household children*		
HD240		**Go on holiday at least 1 week per year**
	1	Yes
	2	No, because cannot afford it
	3	No, for some other reason

Module 2009		Material deprivation
Variable name	Code	Target variable
HD240_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
OPTIONAL: 3.3. Medical needs for all household children		
HD250		**Unmet need for consulting a general practitioner or specialist**
	1	Yes, there was at least one occasion
	2	No, there was no occasion
HD250_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD255		**Main reason for unmet need for consulting a general practitioner or specialist**
	1	Could not afford to (too expensive)
	2	Waiting list
	3	Could not take the time because of work, care of other children or of other persons
	4	Too far to travel/no means of transport
	5	Other reason
HD255_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (HD250=2)
HD260		**Unmet need for consulting a dentist**
	1	Yes, there was at least one occasion
	2	No, there was no occasion
HD260_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (no children **aged under 16**)
HD265		**Main reason for unmet need for consulting a dentist**
	1	Could not afford to (too expensive)
	2	Waiting list
	3	Could not take the time because of work, care for other children or for other persons
	4	Too far to travel/no means of transport
	5	Other reason
HD265_F	*1*	Variable is filled
	-1	Missing
	-2	Not applicable (HD260=2)

COMMISSION REGULATION (EC) No 363/2008

of 23 April 2008

establishing the standard import values for determining the entry price of certain fruit and vegetables

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Commission Regulation (EC) No 1580/2007 of 21 December 2007 laying down implementing rules of Council Regulations (EC) No 2200/96, (EC) No 2201/96 and (EC) No 1182/2007 in the fruit and vegetable sector [1], and in particular Article 138(1) thereof,

Whereas:

(1) Regulation (EC) No 1580/2007 lays down, pursuant to the outcome of the Uruguay Round multilateral trade negotiations, the criteria whereby the Commission fixes the standard values for imports from third countries, in respect of the products and periods stipulated in the Annex thereto.

(2) In compliance with the above criteria, the standard import values must be fixed at the levels set out in the Annex to this Regulation,

HAS ADOPTED THIS REGULATION:

Article 1

The standard import values referred to in Article 138 of Regulation (EC) No 1580/2007 shall be fixed as indicated in the Annex hereto.

Article 2

This Regulation shall enter into force on 24 April 2008.

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

Done at Brussels, 23 April 2008.

For the Commission

Jean-Luc DEMARTY

Director-General for Agriculture and Rural Development

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[1] OJ L 350, 31.12.2007, p. 1.

ANNEX

to Commission Regulation of 23 April 2008 establishing the standard import values for determining the entry price of certain fruit and vegetables

(EUR/100 kg)

CN code	Third country code [1]	Standard import value
0702 00 00	MA	55,6
	TN	109,0
	TR	110,2
	ZZ	91,6
0707 00 05	JO	178,8
	MK	112,1
	TR	111,3
	ZZ	134,1
0709 90 70	MA	92,6
	MK	78,5
	TR	103,7
	ZZ	91,6
0805 10 20	EG	49,5
	IL	62,4
	MA	58,6
	TN	62,7
	TR	53,7
	US	45,4
	ZZ	55,4
0805 50 10	AR	70,7
	EG	126,4
	IL	131,6
	MK	125,0
	TR	132,0
	US	121,6
	ZA	104,3
	ZZ	115,9
0808 10 80	AR	90,1
	BR	83,0
	CA	77,9
	CL	99,6
	CN	96,1
	MK	59,4
	NZ	118,1
	TR	69,6
	US	107,8
	UY	76,8
	ZA	77,3
	ZZ	86,9
0808 20 50	AR	89,5
	AU	88,5
	CL	94,5
	CN	72,6
	ZA	91,3
	ZZ	87,3

[1] Country nomenclature as fixed by Commission Regulation (EC) No 1833/2006 (OJ L 354, 14.12.2006, p. 19). Code 'ZZ' stands for 'of other origin'.

COMMISSION REGULATION (EC) No 364/2008

of 23 April 2008

implementing Regulation (EC) No 716/2007 of the European Parliament and of the Council, as regards the technical format for the transmission of foreign affiliates statistics and the derogations to be granted to Member States

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 716/2007 of the European Parliament and of the Council of 20 June 2007 on Community statistics on the structure and activity of foreign affiliates [1], and in particular Article 9(1)(a) and (b) thereof,

Whereas:

(1) Regulation (EC) No 716/2007 established a common framework for the systematic production of Community statistics on the structure and activity of foreign affiliates.

(2) It is necessary to specify the technical format and the procedure for the transmission of foreign affiliates statistics listed in Annexes I, II and III to Regulation (EC) No 716/2007 in order to produce data comparable and harmonised between Member States, to reduce the risk of errors in the transmission of data and to increase the speed with which the data collected can be processed and made available to users. Implementing tools should therefore be laid down, supplemented by the instructions contained in the Eurostat Recommendations Manual on the Production of Foreign Affiliates Statistics, as revised regularly.

(3) It is also necessary to grant derogations from the provisions of Regulation (EC) No 716/2007 to allow Member States to make the necessary adaptations to their national statistical systems. This relates in particular in the development of new statistical registers and the methods of data collection. The particular problem for outward FATS is that the statistical unit of analysis differs from the reporting unit and is not resident in the Member States.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee,

[1] OJ L 171, 29.6.2007, p. 17.

HAS ADOPTED THIS REGULATION:

Article 1

The technical format referred to in Article 9(1)(a) of Regulation (EC) No 716/2007 for the common module for inward statistics on foreign affiliates shall be as set out in Annex I to this Regulation.

Article 2

Member States shall apply the format referred to in Article 1 for the data concerning the first reference year referred to in Section 4, paragraph 1, of Annex I to Regulation (EC) No 716/2007, and subsequent years.

Article 3

The technical format referred to in Article 9(1)(a) of Regulation (EC) No 716/2007 for the common module for outward statistics on foreign affiliates shall be as set out in Annex II to this Regulation.

Article 4

Member States shall apply the format referred to in Article 3 for the data concerning the first reference year referred to in Section 4, paragraph 1, of Annex II to Regulation (EC) No 716/2007, and subsequent years.

Article 5

The data to be submitted pursuant to Regulation (EC) No 716/2007 shall be transmitted in electronic form from competent national authorities to the Commission (Eurostat). The transmission format shall be in conformity with the interchange standards specified by the Commission (Eurostat). Data shall be transmitted or uploaded by electronic means to the single entry point for data, maintained by the Commission (Eurostat).

Member States shall implement the interchange standards and guidelines supplied by the Commission (Eurostat) according to the requirements of this Regulation.

Article 6

Member States shall, for each data delivery, provide the necessary metadata information to the Commission (Eurostat) in electronic form and in the structure defined in the most recent version of the Eurostat Recommendations Manual on the Production of Foreign Affiliates Statistics.

Article 7

The derogations referred to in Article 9(1)(b) of Regulation (EC) No 716/2007 shall be as specified in Annex III to this Regulation.

Article 8

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 23 April 2008.

For the Commission

Joaquín ALMUNIA

Member of the Commission

ANNEX I

TECHNICAL SPECIFICATIONS FOR THE TRANSMISSION OF INWARD STATISTICS ON FOREIGN AFFILIATES

1. Introduction

Standardisation of data record structures is fundamental for efficient data processing. It is a necessary stage for providing data conforming to the interchange standards specified by the Commission (Eurostat).

Data is sent as a set of records of which a large part describes the characteristics of the data (country, reference year, economic activity, geographical breakdown, etc.). The data itself is a number which can be linked to flags and explanatory footnotes used for adding explanations to data which give users additional information regarding for instance extreme year-to-year changes. One file shall be provided per series of data.

Confidential data have to be sent with the true value being recorded in the value field and a flag indicating the nature of the confidential data being added to the record. Member States have to provide all levels of aggregation of the breakdowns as defined in Regulation (EC) No 716/2007. In addition, data has to contain all secondary confidentiality flags in accordance with the confidentiality rules existing at national level.

Member States have to provide complete sets for all series of data to be provided including records for all data required by Regulation (EC) No 716/2007 which are not available, i.e. which are not collected in the Member State. Data for activities/phenomena not existing in the Member State should be marked in the record as zero (code '0' in the value field). The code '0' in the value field can also be used for activities that do exist but for which the data is small and as a result of rounding equals zero. Monetary data has to be expressed in thousands of national currency units (thousands of euros for the countries of the euro area). Countries acceding to the euro area shall report in euros instead of national currency monetary data due in the year of their accession.

2. Dataset identifier

The following dataset identifier will be used for reporting statistics on inward foreign affiliates:

For series 1G: SBSFATS_1GA1_A.

For series 1G2: SBSFATS_1GB1_A

3. Data structure and definition of fields

This section gives an overview of the data structure, and defines the fields, codes and attributes to be used. The codes to be used are to be found in the most recent version of the Eurostat Recommendations Manual on the Production of Foreign Affiliates Statistics referred to in Article 7 of Regulation (EC) No 716/2007. All fields should be sent, even if they are empty. In order from left to right the fields are:

Field No	Field-id (name)	Type and size	Definition
1	Dataset-id	AN2…3	Alphanumeric code of the series as defined in Section 3 of Annex I to Regulation (EC) No 716/2007, e.g. 1G for series 1G (geographical breakdown level 2-IN combined with activity breakdown level 3), 1G2 for series 1G2 (geographical breakdown level 3 combined with Business Economy).
2	Reference year	N4	Reference year in four characters, e.g. 2007.
3	Territorial unit	AN2	Corresponds to the code of the declaring country. The code to be used is NUTS0.
4	Size class	N2	Code for the size class, e.g. 30 for total.

Field No	Field-id (name)	Type and size	Definition
5	Economic activity	AN1…4	Alphanumeric or numeric codes for the NACE headings and standard aggregates according to the activity breakdown as specified for activity breakdown level 3 in Annex III to Regulation (EC) No 716/2007. An example for a standard activity code is BUS for Business Economy. Non-standard aggregates should be indicated in field 14. Dots in the NACE codes should be suppressed, e.g. mining and quarrying is coded as C, manufacture of food products and beverages is coded as 15, hotels as 551.
6	FATS identification	N2	30 for the country of Ultimate Controlling Institutional Unit.
7	Country of Ultimate Controlling Institutional Unit	AN2	Country code corresponding to the country where the Ultimate Controlling Institutional Unit is resident. Codes as specified for the geographical breakdown levels 2-IN and 3 in Regulation (EC) No 716/2007.
8	Characteristics	AN4…5	Characteristics code as laid down in Section 2 of Annex I to Regulation (EC) No 716/2007.
9	Data value	AN1…12	Numeric value of the data (negative values are preceded by a minus sign) expressed as a whole number without decimal places. An 'na' should be used if the data is not sent because it is not available.
10	Quality flag	AN…1	R: revised data, P: provisional data, W: low-quality data that is used for calculating Community totals but cannot be disseminated at national level, E: estimated value. A description of the revision has to be provided at the same time.
11	Confidentiality flag	AN…1	A, B, C, D, F, H: indicates that the data is confidential and the reason for that confidentiality: A: Too few enterprises B: One enterprise dominates the data C: Two enterprises dominate the data D: Secondary confidential data in order to protect data flagged with A, B, C, F or H F: Data is confidential in application of the p%-rule H: Data that is not published at national level as it is considered to be sensitive information or to protect data that is not required by Regulation (EC) No 716/2007 (manually confidential data).
12	Dominance/share largest unit	N…3	A numeric value less than or equal to 100 indicating the percentage dominance of one or two enterprises which dominate the data and make it confidential. The value is rounded to the nearest whole number: e.g. 90,3 becomes 90; 94,5 becomes 95. This field is only used when the confidentiality flags B or C are used in the previous field. Where F is used in the previous field, this field should include the share of the largest enterprise.
13	Share of second largest unit	N…3	A numeric value less than or equal to 100. This field shall be used when in field 11 the confidentiality flag F is used; this field should include the share of the second largest enterprise.

Field No	Field-id (name)	Type and size	Definition
14	Aggregation of NACE codes	AN…40	This field shall be used for non-standard aggregation of several NACE codes.
15	Units of data values	AN3…4	This field can be used for indicating if non-standard units have been used: The following codes should be used: UNIT: units for non-monetary data KEUR: thousands of EUR for monetary data for countries that are members of the euro area KNC: thousands of national currency units for countries that are not members of the euro area.
16	Footnote	AN…250	Free note on the data that can be published as methodological notes/additional explanations for better understanding the provided data.

NB: AN = alphanumeric (e.g. AN…8 – alphanumeric up to eight positions but field can be empty, AN1…8 – alphanumeric with at least one position and up to eight positions, AN1 – alphanumeric one position, exact); N = numeric (e.g. N1 – numeric one position, exact).

ANNEX II

TECHNICAL SPECIFICATIONS FOR THE TRANSMISSION OF OUTWARD FOREIGN AFFILIATES STATISTICS

1. **Introduction**

Standardisation of data record structures is fundamental for efficient data processing. It is a necessary stage for providing data conforming to the interchange standards specified by the Commission (Eurostat).

2. **Dataset identifier**

The following dataset identifier will be used for reporting statistics on outward foreign affiliates:

DSI+BOP_FATS_A

3. **Data structure, code lists and attributes**

This section gives an overview of the data structure, code lists and attributes to be used. The available values of the attributes are to be found in the most recent versions of the Eurostat Recommendations Manual on the Production of Foreign Affiliates Statistics referred to in Article 7 of Regulation (EC) No 716/2007 and of the Eurostat Balance of Payments Vademecum. All fields should be sent, even if they are empty.

In order from left to right the fields are:

Field No	Field-id (name)	Name of code list or concept	Type and size	Definition
1	Frequency	CL_FREQ	AN1	The frequency of the series.
2	Reference area or reporter	CL_AREA_EE	AN2	The country or geographical/political group of countries related to the measured economic phenomenon.
3	Adjustment indicator	CL_ADJUSTMENT	AN1	Indicates whether a seasonal adjustment and/or working day adjustment has been applied or not.
4	Data type	CL_DATA_TYPE_FATS	AN1	Describes the data type.
5	FATS coded item	CL_FATS_ITEM	AN3…8	Coded item for FATS characteristics.
6	Currency breakdown	CL_CURR_BRKDWN	AN1	Currency breakdown for transactions and positions.
7	Counterpart area	CL_AREA_EE	AN2	The country or geographical/economic group of countries within which the reference area or reporter has its affiliate.
8	Denomination of series	CL_SERIES_DENOM	AN1	Currency of denomination or special drawing rights.
9	Resident economic activity	CL_BOP_EC_ACTIV_R1	N4	NACE codes and special resident economic activity aggregates.
10	Non-resident economic activity	CL_BOP_EC_ACTIV_R1	N4	NACE codes and special non-resident economic activity aggregates.
11	Time period	TIME_PERIOD	AN4…35	Reference year.

Field No	Field-id (name)	Name of code list or concept	Type and size	Definition
12	Time format code	TIME_FORMAT	AN3	Describes a single time period or time series.
13	Observation value	OBS_VALUE	AN…15	Numeric value of data (negative values are preceded by a minus sign).
14	Observation status	CL_OBS_STATUS	AN1	Information on quality of value or an unusual or missing value.
15	Observation confidentiality	CL_OBS_CONF	AN1	Information about whether the observation can be made public outside the receiving institution or not. A blank space indicates non-confidential data.
16	Sender organisation	CL_ORGANISATION	AN3	Entity that sends the data.
17	Recipient	CL_ORGANISATION	AN3	Entity that receives the data.

NB: AN = alphanumeric (e.g. AN…8 — alphanumeric up to eight positions but field can be empty, AN1…8 — alphanumeric with at least one position and up to eight positions, AN1 — alphanumeric one position, exact); N = numeric (e.g. N1 — numeric one position, exact).

ANNEX III

DEROGATIONS

The following table indicates for each Member State the transition periods and derogations granted in Annexes I (module inward statistics on foreign affiliates) and II (module outward statistics on foreign affiliates) to Regulation (EC) No 716/2007. If a derogation is necessary a distinction is made between a complete derogation when no information can be provided and a partial derogation where some of the provisions cannot be met. In the case of a partial derogation the tables indicate whether the provisions that cannot be met relate to the transmission of results (20 months) or the activity coverage.

Member State	Module inward statistics on foreign affiliates	Module outward statistics on foreign affiliates
Germany	Extension of the data transmission period to 26 months for reference year 2007 Exemption from activity breakdown: NACE Rev. 1.1 division 67 and corresponding codes in NACE Rev. 2 for reference years 2007-2010	
Spain		Complete derogation for reference years 2007-2008
France		Complete derogation for reference years 2007-2008
Luxembourg	Complete derogation for reference years 2007-2008	Complete derogation for reference years 2007-2008
Malta	Extension of the data transmission period to 26 months for reference years 2007-2008	Extension of the data transmission period to 26 months for reference years 2007-2008
Poland		Complete derogation for reference year 2007
Slovenia	Exemption from activity breakdown: NACE Rev. 1.1 divisions 65 and 67 and corresponding codes in NACE Rev. 2 for reference years 2007-2010	
United Kingdom	Exemption from activity breakdown: NACE Rev. 1.1 section J for reference year 2007	Complete derogation for reference years 2007-2008

COMMISSION REGULATION (EC) No 365/2008

of 23 April 2008

adopting the programme of ad hoc modules, covering the years 2010, 2011 and 2012, for the labour force sample survey provided for by Council Regulation (EC) No 577/98

(Text with EEA relevance)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Regulation (EC) No 577/98 of 9 March 1998 on the organisation of a labour force sample survey in the Community [1], and in particular Article 4(2) thereof,

Whereas:

(1) In accordance with Article 4(2) of Regulation (EC) No 577/98, it is necessary to specify the elements of the programme of ad hoc modules covering the years 2010, 2011 and 2012.

(2) The Employment Guidelines (2005-2008) adopted by Council Decision 2005/600/EC [2], the European Commission's 'Roadmap on equality between women and men' [3] and the European Pact for Gender Equality [4] encourage Member States to take measures to promote a better work-life balance for all in terms of childcare, care facilities for other dependents and the promotion of parental leave for both women and men. Therefore, to measure the impact of recent policies in this area, it would be essential to collect relevant information with the 2010 ad hoc module.

(3) The Council Resolution of 17 June 1999 on equal opportunities for people with disabilities [5] refers to the need for a comprehensive and comparable dataset on the labour market situation of people with disabilities. Moreover, the Commission's European Action Plan on equal opportunities for people with disabilities [6], which focuses on the active inclusion of people with disabilities, should be monitored. Therefore, this information should be collected through the ad hoc module for 2011.

(4) There is a need for a comprehensive and comparable set of data on transitions from work into retirement in order to monitor progress towards the common objectives of the European Employment Strategy and of the open method of coordination in the area of pensions launched by the Laeken European Council in December 2001. Both processes identify the promotion of active ageing and prolongation of working life as priorities for action. Therefore, information on the labour market situation of older workers and the main factors influencing their labour market participation and transitions should be collected through the ad hoc module 2012.

(5) Commission Regulation (EC) No 430/2005 of 15 March 2005 implementing Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community concerning the codification to be used for data transmission from 2006 onwards and the use of a sub-sample for the collection of data on structural variables [7] sets out the characteristics of the sample to be used to collect information on ad hoc modules.

(6) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee established by Council Decision 89/382/EEC, Euratom [8],

HAS ADOPTED THIS REGULATION:

Article 1

The programme of ad hoc modules for the labour force sample survey, covering the years 2010, 2011 and 2012, as set out in the Annex, is hereby adopted.

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(1) OJ L 77, 14.3.1998, p. 3. Regulation as last amended by Regulation (EC) No 1372/2007 of the European Parliament and of the Council (OJ L 315, 3.12.2007. p. 42).

(2) OJ L 205, 6.8.2005, p. 21.

(3) Adopted on 1.3.2006, COM(2006) 0092 final.

(4) Presidency Conclusion of the Brussels European Council of 23-24 March 2006.

(5) OJ C 186, 2.7.1999, p. 3.

(6) COM(2003) 0650.

(7) OJ L 71, 17.3.2005, p. 36. Regulation as last amended by Regulation (EC) No 973/2007 (OJ L 216, 21.8.2007, p. 10).

(8) OJ L 181, 28.6.1989, p. 47.

Article 2

This Regulation shall enter into force on the seventh day following that of its publication in the *Official Journal of the European Union*.

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

Done at Brussels, 23 April 2008.

For the Commission

Joaquín ALMUNIA

Member of the Commission

ANNEX

LABOUR FORCE SURVEY

Multiannual programme of ad hoc modules

1. RECONCILIATION BETWEEN WORK AND FAMILY LIFE

List of variables: to be defined before December 2008.

Reference period: 2010.

Member States and regions concerned: All.

Sample: The sample should fulfil the requirements of Annex I, point 4 of Commission Regulation (EC) No 430/2005.

Transmission of the results: before 31 March 2011.

2. EMPLOYMENT OF DISABLED PEOPLE

List of variables: to be defined before December 2009.

Reference period: 2011.

Member States and regions concerned: All.

Sample: The sample should fulfil the requirements of Annex I, point 4 of Commission Regulation (EC) No 430/2005.

Transmission of the results: before 31 March 2012.

3. TRANSITION FROM WORK INTO RETIREMENT

List of variables: to be defined before December 2010.

Reference period: 2012.

Member States and regions concerned: All.

Sample: The sample should fulfil the requirements of Annex I, point 4 of Commission Regulation (EC) No 430/2005.

Transmission of the results: before 31 March 2013.

II

(Acts adopted under the EC Treaty/Euratom Treaty whose publication is not obligatory)

DECISIONS

COUNCIL

COUNCIL DECISION

of 18 April 2008

appointing a Belgian member of the European Economic and Social Committee

(2008/325/EC, Euratom)

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 259 thereof,

Having regard to the Treaty establishing the European Atomic Energy Community, and in particular Article 167 thereof,

Having regard to Decision 2006/651/EC, Euratom of 15 September 2006 appointing Belgian, Greek, Irish, Cypriot, Dutch, Polish, Portuguese, Finnish, Swedish and British members and two Italian members of the European Economic and Social Committee [1],

Having regard to the proposal submitted by the Belgian Government,

Having obtained the opinion of the Commission,

Whereas:

A member's seat on the European Economic and Social Committee has fallen vacant following the appointment of Mr PIETTE as a Minister in the Belgian Federal Government and as a result of the incompatibility of that office with being a member of the European Economic and Social Committee. This incompatibility no longer exists following Mr PIETTE's resignation as a Minister,

HAS DECIDED AS FOLLOWS:

Article 1

Mr Josly PIETTE, honorary General Secretary of the CSC, is hereby appointed a member of the European Economic and Social Committee for the remainder of the term of office, which runs until 20 September 2010.

Article 2

This Decision shall take effect on the date of its adoption.

Done at Luxembourg, 18 April 2008.

For the Council

The President

D. MATE

[1] OJ L 269, 28.9.2006, p. 13. Decision as amended by Decision 2007/622/EC, Euratom (OJ L 253, 28.9.2007, p. 39).

COMMISSION

COMMISSION DECISION

of 11 April 2008

adjusting the weightings applicable from 1 February 2007, 1 March 2007, 1 April 2007, 1 May 2007 and 1 June 2007 to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries

(2008/326/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to the Staff Regulations of officials of the European Communities and the conditions of employment of other servants of the Communities laid down by Regulation (EEC, Euratom, ECSC) No 259/68 [1], and in particular the second paragraph of Article 13 of Annex X thereto,

Whereas:

(1) Pursuant to the first paragraph of Article 13 of Annex X to the Staff Regulations, the weightings to be applied from 1 July 2006 to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries payable in the currency of their country of employment were laid down by Council Regulation (EC) No 453/2007 [2].

(2) Some of these weightings need to be adjusted in accordance with the second paragraph of Article 13 of Annex X to the Staff Regulations, with effect from 1 February, 1 March, 1 April, 1 May and 1 June 2007, since the statistics available to the Commission show that in certain third countries the variation in the cost of living measured on the basis of the weighting and the corresponding exchange rate has exceeded 5 % since weightings were last laid down or adjusted,

HAS DECIDED AS FOLLOWS:

Sole Article

With effect from 1 February, 1 March, 1 April, 1 May and 1 June 2007 the weightings applied to the remuneration of officials, temporary staff and contract staff of the European Communities serving in third countries, payable in the currency of the country of employment, shall be those set out in the Annex hereto.

The exchange rates for the calculation of such remuneration shall be established in accordance with the rules for the implementation of the Financial Regulation and shall correspond to the date referred to in the first paragraph.

Done at Brussels, 11 April 2008.

For the Commission
Benita FERRERO-WALDNER
Member of the Commission

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(1) OJ L 56, 4.3.1968, p. 1. Regulation as last amended by Regulation (EC, Euratom) No 337/2007 (OJ L 90, 30.3.2007, p. 1).
(2) OJ L 109, 26.4.2007, p. 22.

ANNEX

Place of employment	Weighting February 2007
Angola	117,3
Barbados	127,5
Bulgaria	80,4
Cape Verde	82,3
South Korea	117,3
Costa Rica	70,8
Guinea (Conakry)	57,7
Haiti	114,8
Lebanon	92,3
Nepal	78,8
Uganda	65,1
Paraguay	78,8
Democratic Republic of the Congo (Kinshasa)	137,6
Sierra Leone	76,6
Sudan	61,6
Syria	70,6

Place of employment	Weighting March 2007
Argentina	53,5
Cameroon	103,5
Côte d'Ivoire	98,7
Guyana	61,3
India	47,6
Jordan	75,9
Kazakhstan (Almaty)	121,6
Kyrgyzstan	84,3
Madagascar	84,7
Uganda	69,4
Sri Lanka	53,2
Venezuela	64,1

Place of employment	Weighting April 2007
Angola	121,8
Botswana	58,1
Guinea (Conakry)	49,2
Mali	86,3
Sudan	55,1
Tajikistan	66,5
Zambia	56,3

Place of employment	Weighting May 2007
Argentina	54,9
Costa Rica	70,8
Ethiopia	87,1
Ghana	69,2
Indonesia (Jakarta)	79,5
Democratic Republic of the Congo (Kinshasa)	131,6
Trinidad and Tobago	68,6
Turkey	85,9
Yemen	76,0

Place of employment	Weighting June 2007
Canada	92,7
El Salvador	76,6
United States (New York)	103,1
Guatemala	79,0
Malawi	73,1
Moldova	58,5
Nicaragua	57,3
Rwanda	90,9
Tanzania	61,7

COMMISSION DECISION

of 21 April 2008

derogating from certain provisions of Decision 2006/923/EC on a Community financial contribution for 2006 and 2007 to cover expenditure incurred by Portugal for the purpose of combating *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle et al. (pinewood nematode)

(notified under document number C(2008) 1444)

(Only the Portuguese text is authentic)

(2008/327/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Council Directive 2000/29/EC of 8 May 2000 on protective measures against the introduction into the Community of organisms harmful to plants or plant products and against their spread within the Community [1], and in particular Article 23(6) thereof,

Whereas:

(1) Commission Decision 2006/923/EC [2] approved a financial contribution from the Community for a programme of measures introduced by Portugal aiming in 2006 and 2007 at controlling the spread of *Bursaphelenchus xylophilus* (Steiner et Buhrer) Nickle et al. (pinewood nematode) to other Member States. The measures consisted of the creation of a barrier free from all host trees of the pinewood nematode vector, hereinafter the 'clear cut belt'.

(2) Since the adoption of Decision 2006/923/EC, Portugal has faced several adverse and exceptional circumstances, leading to a delay in the execution of the measures. Those circumstances were explained in a letter from Portugal to the Commission dated 28 September 2007. In particular, whilst the initial programme was based on an estimate of 700 000 pine trees to be felled, it became necessary to fell 980 000 in total. In addition, 3 700 000 young pine trees had also to be eliminated. The Portuguese authorities explained the difference in the number of trees by the fact that the sole data available at that time, the national forest inventory from 1995, appeared to be outdated and underestimated young trees, isolated trees and trees located in broadleaf dominated mixed stands.

(3) Notwithstanding the adverse circumstances, the Commission has verified by its missions in Portugal that the Portuguese authorities were able to meet the objectives laid down in Article 1 of Decision 2006/923/EC in an appropriate way. Inevitably the cumulative delays prevented them fully delivering the expected results within the strict deadline laid down in the Decision for the completion of the measures. Nevertheless, the delays were not such as to prevent the measures from being deployed to their full effect and, due to the weather conditions in spring 2007 in Portugal, not favourable to the flying of the insect vector of the pinewood nematode, did not result in an increased phytosanitary risk.

(4) Decision 2006/923/EC laid down penalties, in the form of progressive reductions of the Community financing, in case of non-implementation or late implementation of the measures. The application of such reductions and sanctions would be disproportionate given the exceptional circumstances.

(5) The documentation to be provided by Portugal has to be such that it enables the Commission to conclude that the conditions for the payment of the balance of the Community financial contribution laid down in Decision 2006/923/EC are met. As the exceptional circumstances faced by Portugal have also delayed the payments by Portugal to the private companies having executed the clear cut belt, the deadline for submitting the appropriate documentation should be extended.

(6) The measures provided in this Decision are in accordance with the opinion of the Standing Committee on Plant Health,

HAS ADOPTED THIS DECISION:

Article 1

1. By way of derogation from Article 4 of Decision 2006/923/EC, the balance of the Community financial contribution referred to in Article 2 of that Decision shall be paid once the following conditions have been satisfied:

(a) the measures necessary to the creation of a clear-cut belt as an area free from pinewood nematode vector hosts have been implemented by Portugal in an acceptable way and meet the objectives referred to in Article 1 of Decision 2006/923/EC;

[1] OJ L 169, 10.7.2000, p. 1. Directive as last amended by Commission Directive 2007/41/EC (OJ L 169, 29.6.2007, p. 51).

[2] OJ L 354, 14.12.2006, p. 42.

(b) Portugal has submitted to the Commission a financial report, including registered invoices or receipts, and a final technical report as provided for in Article 5 of Decision 2006/923/EC.

2. Article 7 of Decision 2006/923/EC shall not apply if the Commission is satisfied, on the basis of evidence provided by Portugal, that delays in the implementation of the measures have not affected the effectiveness of the measures.

Article 2

This Decision is addressed to the Portuguese Republic.

Done at Brussels, 21 April 2008.

For the Commission

Androulla VASSILIOU

Member of the Commission

AGREEMENTS

COUNCIL

Information relating to the entry into force of an Agreement in the form of an Exchange of Letters between the European Community and Ukraine in relation to export duties

The above Agreement between the European Community and Ukraine (OJ L 106, 16.4.2008) has entered into force on 1 April 2008.

CORRIGENDA

Corrigendum to Commission Directive 83/190/EEC of 28 March 1983 adapting to technical progress Council Directive 78/764/EEC on the approximation of the laws of the Member States relating to the driver's seat on wheeled agricultural or forestry tractors

(Official Journal of the European Communities L 109 of 26 April 1983)

On page 17, in the Annex, in the text which amends Annex II to Directive 78/764/EEC:

for: 'Item 2.5.1.5: In the Danish and French versions only, an adjective corresponding to 'full' shall be inserted to qualify the word corresponding to 'travel'.

Item 2.5.1.5: In the Danish and French versions only, an adjective corresponding to 'full' shall be inserted to qualify the word corresponding to 'travel'.

Item 2.5.1.7 shall be replaced by the following:',

read: 'Item 2.5.1.5: In the Danish and French versions only, an adjective corresponding to 'full' shall be inserted to qualify the word corresponding to 'travel'.

Item 2.5.1.6: The words 'in the mean position of the suspension system' shall be inserted after the word 'load'.

Item 2.5.1.7 shall be replaced by the following:'.