



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.03.2004
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2003/0126 (COD)

Amended proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT
AND OF THE COUNCIL**

on the statistics relating to the trading of goods between Member States

(presented by the Commission
pursuant to Article 250(2) of the EC Treaty)

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1. HISTORY OF THE PROPOSAL

20 June 2003: adoption by the Commission and transmission of the proposal to the Council and to the European Parliament,

COM (2003) 364 final – 2003/0126(COD)

The Council Working Party on Statistics examined the Commission proposal at its meetings of 8 September and 8 October 2003.

16 December 2003: opinion of the European Parliament at first reading.

2. PURPOSE OF THE COMMISSION PROPOSAL

The system of collecting statistics on the trading of goods between Member States of the European Union, known as the Intrastat system, was introduced by Council Regulation (EEC) No 3330/91¹ and has been applicable since 1993, when the single market was completed and the physical barriers between Member States were removed.

Until then, statistical information on the trading of goods, both with non-member countries and between Member States, had been collected on the basis of customs declarations. The disappearance of this comprehensive and very closely controlled source of information made it necessary to devise a new system which would maintain a satisfactory level of information. The advent of the internal market did not diminish the usefulness of statistics which help track progress in integrating Europe's economies and which help European businesses conduct market analyses and define their commercial strategies, whilst remaining an essential source of information for balance of payments statistics, national accounts and short-term economic studies.

From the beginning, the main characteristics of the Intrastat system have been:

- the management of detailed statistical information on trade;
- direct collection of information from companies, which have to send the relevant statistical body a summary statement for the previous month;

¹ OJL 316 of 16.11.91, p. 1.

- a close link with the VAT system relating to intra-Community trade, so that the exhaustiveness and quality of the statistical data can be checked;
- a maximum reduction of the workload on businesses by means of a system of exemption or simplification thresholds.

From the very outset, the Member States have, to varying degrees, experienced difficulties in complying with the Community rules. In view of the difficulties faced by certain businesses, particularly very small enterprises, Intrastat was chosen in 1996 as a pilot project for the SLIM (Simpler Legislation for the Internal Market) initiative launched by the internal market ministers. The work has shown that the interests of data providers, who naturally want formalities to be simplified, are not easily reconciled with those of data users, who generally want detailed information which is available quickly.

Despite this difficult context, the Commission and the Member States nonetheless managed to reach a consensus on amending the collection system on two occasions, firstly by reducing the number of statistical variables, and then by simplifying the arrangements for supplying the product nomenclature.

This new proposal for a Regulation of the European Parliament and of the Council, which will replace the existing rules as from 2005, should be seen in the context of improving and adapting the statistical system to take both user needs and the burden on information providers more fully into account.

3. THE COMMISSION'S OPINION ON THE AMENDMENTS PRESENTED BY PARLIAMENT

3.1. Amendments accepted by the Commission

The European Parliament proposes five modifications, all of which are accepted by the Commission.

Amendment 1, which concerns Article 3(5), stipulates that the list which is to be drawn up by the Commission of goods which shall be excluded must satisfy certain methodological criteria. The Commission will indeed have to take account of international recommendations designed to ensure that trade statistics are comparable at world level.

Amendment 2 concerns Article 10(3). It lowers the requirements in terms of trade coverage at a detailed level, from 98% to 97%. This amendment will lighten the administrative burden on a large number of enterprises and will have only a marginal impact on the quality of the statistics. The loss of information at detailed level will be compensated for at aggregated level by the new rules on adjustment.

Amendment 3 concerns Article 10(5). It stipulates that the conditions to be defined by the Commission relating to the simplification of information on small transactions must satisfy the quality requirements. This amendment therefore defines the Commission's scope for action.

Amendment 4, which concerns Article 11, relates to the confidentiality of the data and makes it explicit that the ultimate decision rests with the national authorities,

after they have examined requests from enterprises. This amendment is important for certain Member States where the issue of data confidentiality is highly sensitive.

Amendment 5, which concerns Article 12(1)(a), supplements a provision which makes the Commission competent to define the content of the aggregated results to be transmitted by the Member States. Like other, similar provisions, it stipulates that the Commission will be assisted in that task by a Committee set up under the Regulation. In this way, it avoids confusion by defining the framework in which the Commission is required to present its draft.

The Commission accepts the five amendments proposed by the European Parliament and will take them into account in its amended proposal.

3.2 Amendments not accepted by the Commission

None.

4. CONCLUSION

Pursuant to Article 250(2) of the EC Treaty, the Commission will amend its proposal as described above.