Commission Implementing Regulation (EU) 2020/1197 of 30 July 2020 laying down technical specifications and arrangements pursuant to Regulation (EU) 2019/2152 of the European Parliament and of the Council on European business statistics repealing 10 legal acts in the field of business statistics (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) 2020/1197

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to European Parliament and Council Regulation (EU) 2019/2152 on European business statistics, repealing 10 legal acts in the field of business statistics[(1)], and in particular Articles 7(1), 9(2), 10(5), 10(6), 17(6) and 18(1)thereof,

Whereas:

(1) Regulation (EU) 2019/2152 established a common legal framework for the development, production and dissemination of European business statistics.

(2) The framework for European business registers for statistical purposes represents a basic element of such a common framework, making it possible to organise and coordinate statistical surveys by providing a harmonised sampling frame.

(3) It is necessary to specify the data requirements for the production of business statistics in order to produce comparable data between Member States and achieve harmonisation across all Business Statistics domains.

(4) The principle of economic ownership as described in Regulation (EU) No 549/2013 2013 of the European Parliament and of the Council[(2)] should apply to European business statistics. It should be implemented to the extent possible, taking into account justified user needs, data availability and cost and burden implications, insofar as it is not in contradiction with the principles and purposes of certain business statistics laid down in this Regulation.

(5) For specifying the data requirements it is necessary to define the Main Industrial Groupings (MIGS) and other special aggregates of NACE codes.

(6) It is necessary to define the main variables and concepts for business statistics in order to produce comparable data between Member States and achieve harmonisation across all Business Statistics domains.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1197. (See end of Document for details)*

(7) For the purpose of alleviating the burden on businesses, and based on the principle of proportionality, data requirements need to be simplified taking into account the size and importance of the business economies of Member States.

(8) Specific provisions need to be laid down which will apply to data on the topic 'international trade in goods' and trade by enterprise characteristics, and to the domain 'Short Term Business statistics'.

(9) Increasing economic globalisation poses challenges to the current production of European business statistics. By recording data from multinational enterprise groups, the framework for European statistical business registers forms the basis for improving many statistics related to globalisation. Some of those statistics cover the whole economy and thus require the framework for European statistical business registers to cover all sectors of the economy.

(10) Information on links of control between legal units is needed in order to define enterprise groups, delineate the enterprises correctly, profile large and complex units and study market concentrations. Enterprise group information improves the quality of national statistical business registers. This information can be used to reduce the risk of disclosure of confidential data. Enterprise group data can be used for surveys on the group and may reduce the response burden.

(11) It is necessary to establish the format, security and confidentiality measures, and procedure for the transmission of data on individual units to the Commission (Eurostat) and for the transmission of data on the multinational enterprise groups back to national statistical authorities.

(12) An exchange of confidential data for statistical purposes between the Commission and national central banks, and between the Commission and the European Central Bank, should help ensure the quality of information on multinational enterprise groups in the Union. It is therefore necessary to establish the format, security and confidentiality measures as well as the procedure for the transmission of such confidential data to national central banks and the European Central Bank

(13) Regulation (EU) 2019/2152 puts in place the exchange of confidential data on intra-Union exports of goods between Member States. It is necessary to specify further the statistical data elements to be exchanged as well as the list of statistical data elements to be exchanged for specific goods or movements. Member States may simplify the information to be provided, on condition that such simplification has no detrimental effects on the quality of the statistics. The conditions for such simplification need to be established.

(14) In order to ensure harmonised implementation of the data exchange there is a need to specify the arrangements of their collection and compilation as well as the arrangements for the application of the minimum coverage rate of 95 %. In order for the national statistical authority of the country of import to be able to use the exchanged statistical information for compiling statistics on intra-Union imports of goods, metadata also need to be exchanged. To ensure harmonised implementation across Member States it is necessary to specify the metadata relevant for the use of the exchanged data on intra-

Union exports of goods in the compilation of statistics as well as a timetable for the transmission of the statistical information and the relevant metadata. It is necessary to establish the format, the security and confidentiality measures, and the procedure for exchanging the confidential data.

(15) Applying uniform standards for the exchange and transmission of data and metadata for the statistics covered by Regulation (EU) 2019/2152 contributes considerably to integrating business processes in European business statistics.

(16) The Statistical Data and Metadata Exchange (SDMX) international initiative on statistical and technical standards for the exchange and sharing of data and metadata provides standards for the exchange and dissemination of official statistics. The necessary data structure definitions designed in accordance with SDMX should therefore be used where appropriate.

(17) The Commission (Eurostat) should make available on the Commission (Eurostat) website documentation in relation to the data structures, including SDMX data structure definitions and supply guidelines on their implementation, in particular with regard to the technical format to be used.

(18) Member States should provide standard metadata and quality reports for the national statistical business registers and all business statistics in accordance with Article 16 of Regulation (EU) 2019/2152. It is therefore necessary to define the arrangements for and periodicity of those reports.

(19) The measures set out in this Regulation should replace those of Commission Regulation (EC) No 586/2001[(3)], Commission Regulation (EC) No 912/2004[(4)], Commission Regulation (EC) No 1982/2004[(5)], Commission Regulation (EC) No 1503/2006[(6)], Commission Regulation (EC) No 657/2007[(7)], Commission Regulation (EC) No 364/2008[(8)], Commission Regulation (EC) No 472/2008[(9)], Commission Regulation (EC) No 192/2009[(10)], Commission Regulation (EC) No 250/2009[(11)], Commission Regulation (EC) No 251/2009[(12)], Commission Regulation (EC) No 834/2009[(13)], Commission Regulation (EU) No 92/2010[(14)], Commission Regulation (EU) No 113/2010[(15)], Commission Regulation (EU) No 275/2010[(16)], Commission Regulation (EU) No 1097/2010[(17)], Commission Implementing Regulation (EU) No 995/2012[(18)] and Commission Regulation (EU) No 1106/2012[(19)]. Those Regulations should be repealed.

(20) The measures provided for in this Regulation are in accordance with the opinion of the European Statistical System Committee,

HAS ADOPTED THIS REGULATION:

Article 1

Data requirements

The elements of the data for the detailed topics listed in Article 7(1) of Regulation (EU) 2019/2152 are set out in Annex I to this Regulation.

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Regulation (EU) 2020/1197. (See end of Document for details)*

Article 2

Main Industrial Groupings and special aggregates

The Main Industrial Groupings (MIGs) and other special aggregates of the Nomenclature of Economic Activities (NACE) activities and classification of products by activity (CPA) products used for the breakdowns required in accordance with Article 7(1)(d) of Regulation (EU) 2019/2152 are set out in Annex II to this Regulation.

Article 3

Simplifications

The simplifications referred to in Article 7(1) of Regulation (EU) 2019/2152 are set out in Annex III to this Regulation.

Article 4

Technical definitions

1 The technical definitions of variables and other elements of the data sets referred to in Article 7(1) of Regulation (EU) 2019/2152 are set out in Annex IV to this Regulation.

2 The technical definitions related to European statistics on international trade in goods are set out in Annex V to this Regulation.

3 The technical definitions related to European statistics on international trade in services are set out in Annex VI to this Regulation.

Article 5

Technical specifications for European statistics on international trade in goods including trade in goods by enterprise characteristics

The technical specifications for European statistics on international trade in goods, including trade in goods by enterprise characteristics referred to in Article 7(1)(j) of Regulation (EU) 2019/2152 and related definitions in accordance with Article 7(1) of that Regulation, are set out in Annex V to this Regulation. The data requirements related to European statistics on international trade in goods are set out in Annex I, Part B, Table 16 and Tables 34 to 37 to this Regulation.

Article 6

Definitions and breakdowns for European statistics on international trade in services by enterprise characteristics and international supply of services

The definitions of variables and breakdowns for European statistics on international trade in services by enterprise characteristics and international supply of services are set out in Annex VI to this Regulation. The data requirements related to European statistics

on international trade in services by enterprise characteristics and international supply of services are set out in Annex I, Part B, Table 17 and Table 38 to this Regulation.

Article 7

Weighting and change of base year for the domain 'Short Term Business Statistics'

The weighting and change of base year for the domain 'Short Term Business Statistics' referred to in Article 7(1)(i) of Regulation (EU) 2019/2152 are set out in Annex VII to this Regulation. That Annex also sets out transitional arrangements regarding the data requirements for the domain specified in Annex I, Part B tables 1 to 9 to this Regulation.

Article 8

Variables linked to the detailed topics for the European framework for statistical business registers

In accordance with Article 9(2) of Regulation (EU) 2019/2152, the variables related to the register detailed topics for the European framework for statistical business registers are set out in Annex VIII to this Regulation.

Article 9

Technical specifications for the exchange of confidential data for the purposes of the European framework for statistical business registers

In accordance with Article 10(5) of Regulation (EU) 2019/2152, the technical details of the variables listed in Annex IV to that Regulation are set out in Annex VIII to this Regulation. In addition, in accordance with Article 10(6) of Regulation (EU) 2019/2152, Annex IX to this Regulation sets out the format, security and confidentiality measures for the exchange of confidential data for the purposes of the European framework for statistical business registers.

Article 10

Procedure and specifications for the transmission of data and metadata

1 The data and metadata transmitted to the Commission (Eurostat) under this Regulation shall be exchanged in electronic format and transmitted or uploaded through its single entry point for data and, where appropriate for metadata.

2 Member States shall make available to the Commission (Eurostat) the data and metadata required under this Regulation using the statistical data and metadata exchange standards specified by the Commission (Eurostat).

3 Confidential data and metadata shall be transmitted via secure networks used by the Commission (Eurostat), or via a secured remote access using the exchange standards specified by the Commission (Eurostat).

4 Member States should implement the exchange standards in accordance with the implementation guidelines supplied by the Commission (Eurostat).