Regulation (EU) 2018/1091 of the European Parliament and of the Council of 18 July 2018 on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011 (Text with EEA relevance)

REGULATION (EU) 2018/1091 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 18 July 2018

on integrated farm statistics and repealing Regulations (EC) No 1166/2008 and (EU) No 1337/2011

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Acting in accordance with the ordinary legislative procedure[(1)],

Whereas:

(1) Regulation (EC) No 1166/2008 of the European Parliament and of the Council[(2)] establishes a framework for European statistics on the structure of agricultural holdings up to 2016. That Regulation should therefore be repealed.

(2) The programme of European surveys on the structure of agricultural holdings, which has been carried out in the Union since 1966, should be continued in order to examine the trends in the structure of agricultural holdings at the Union level and to provide the statistical knowledge base necessary for the design, implementation, monitoring, evaluation and review of related policies, in particular the common agricultural policy (CAP), including rural development measures, as well as environmental, climate change adaptation and mitigation and land use policies of the Union and some Sustainable Development Goals (SDGs). Such a knowledge base is also required in order to estimate the impact of those policies on the female workforce on agricultural holdings.

(3) The collection of statistical data, in particular concerning the structure of farms, should aim, amongst other objectives, to inform the decision-making process with updated data with a view to future CAP reforms.

(4) An international evaluation of agricultural statistics led to setting up the Food and Agriculture Organization's (FAO) Global Strategy to Improve Agricultural and Rural Statistics that was endorsed by the United Nations Statistics Committee (UNSC) in 2010. European agricultural statistics should, where appropriate, follow the

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recommendations of the Global Strategy to Improve Agricultural and Rural Statistics, as well as those of the FAO World Programme for the Census of Agriculture 2020.

(5) Regulation (EC) No 223/2009 of the European Parliament and of the Council[(3)] provides for a framework for the development, production and dissemination of European statistics, based on common statistical principles. It establishes quality criteria, and refers to the need to minimise the response burden on survey respondents and to contribute to the more general objective of a reduction of administrative burdens.

(6) A multipurpose statistical programme on agricultural holdings should be set up for the next decade to provide the framework for harmonised, comparable and coherent statistics. Those statistics should be targeted towards policy needs.

(7) The Strategy for Agricultural Statistics for 2020 and beyond, set up by the European Statistical System Committee (ESSC) in November 2015, envisages the adoption of two framework Regulations covering all aspects of agricultural statistics, with the exception of the Economic Accounts for Agriculture. This Regulation is one of those framework Regulations.

(8) For the purposes of harmonisation and comparability of information on the structure of agricultural holdings and in order to meet the current needs of the Single Common Market Organisation and in particular the fruit and wine sector, Regulation (EU) No 1337/2011 of the European Parliament and of the Council[(4)] should be integrated with the structural information at the level of agricultural holdings from 2023 onwards and replaced by this Regulation. It is therefore necessary to repeal that Regulation.

(9) Comparable statistics from all Member States on the structure of agricultural holdings are important to determine the development of the CAP. Therefore standard classifications and common definitions should be used insofar as possible for variables.

(10) The statistical data records relating to agricultural holdings enable core and module data to be cross-tabulated, therefore allowing for information to be retrieved based on variables such as the gender of the manager of the agricultural holding, that manager's age, the ownership structure and size of the agricultural holding and the uptake of environmental measures. A disaggregation of results will be possible for the criteria included in the core data and for combinations of criteria.

(11) The collection of information on year of birth, year when classified as manager of the agricultural holding and gender could provide data for the development of actions in respect of generational renewal and gender-related aspects.

(12) Amongst other reasons, for the purposes of updating the basic registers of agricultural holdings and the rest of the information required for the stratification of samples, a census of agricultural holdings should be carried out in the Union at least every 10 years. The most recent census took place in 2009/2010.

(13) Member States in which the periods of fieldwork for the survey reference year 2020 overlap with the work planned for the 10-year population census should have the possibility to bring the farming survey forward a year so as to avoid the heavy burden of conducting two major data collections at the same time.

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(14) In order to avoid placing an unnecessary burden on agricultural holdings and national administrations, thresholds should be established. Properly analysing the structure of European agriculture requires that 98 % of the utilised agricultural area and the livestock on farms should be covered by the statistics. In some Member States, this means that the thresholds listed in this Regulation are too high. However, the agricultural holdings below those thresholds are so small that a sample data collection to be carried out once per decade is sufficient to allow the estimation of their structure and the impact on production, resulting in the reduction of costs and burdens while still enabling the design of effective policy action to support and maintain small farming structures.

(15) The areas used for agricultural production should be covered by integrated farm statistics, including the land used by two or more agricultural holdings because common rights apply.

(16) It is necessary to receive information about the affiliation of an agricultural holding to a group of enterprises, the entities of which are controlled by a parent entity.

(17) In order to reduce the burden on respondents, the National Statistical Institutes (NSIs) and other national authorities should have access to administrative data, to the extent that those data are necessary for the development, production and dissemination of European statistics, in accordance with Article 17a of Regulation (EC) No 223/2009.

(18) Member States or responsible national authorities should endeavour to modernise data collection modes on agricultural holdings insofar as possible. The use of digital solutions in that regard should be promoted.

(19) For the purposes of flexibility for the European agricultural statistical system, and for the simplification and modernisation of agricultural statistics, the variables to be collected should be allocated to different collection groups (core data and modules) varying in frequency or representativeness, or both.

(20) The response burden and costs can be further reduced by reusing data from the year directly preceding or following the reference year. This would be particularly relevant for aspects where no large changes are expected from one year to the next.

(21) For the purpose of flexibility and to reduce the burden on respondents, the NSIs and other national authorities, the Member States should be allowed to use statistical surveys, administrative records and any other sources, methods or innovative approaches including scientifically based and well documented methods such as imputation, estimation and modelling.

(22) The collection of information on nutrient and water use and agricultural production methods applied on agricultural holdings should be improved in order to provide additional statistics for the development of agro-environmental policy and to enhance the quality of agro-environmental indicators.

(23) For geocoding of agricultural holdings, the Statistical Units theme in accordance with Annex III to Directive 2007/2/EC of the European Parliament and of the Council[(5)] should be used.

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(24) The Commission is to respect the confidentiality of the data transmitted in line with Regulation (EC) No 223/2009. The necessary protection of confidentiality of data should be ensured, among other means, by limiting the use of the location parameters to spatial analysis of information and by appropriate aggregation when publishing statistics. For that reason, a harmonised approach to the protection of confidentiality and quality aspects for data dissemination should be developed while making efforts to render online access to official statistics easy and user-friendly.

(25) Any processing of personal data under this Regulation is subject to Regulation (EU) 2016/679 of the European Parliament and of the Council[(6)] and provisions adopted in accordance with that Regulation, and/or Regulation (EC) No 45/2001 of the European Parliament and of the Council[(7)], as the case may be.

(26) Regulation (EC) No 1893/2006 of the European Parliament and of the Council[(8)] establishes the statistical classification of economic activities in the Union referred to in this Regulation for the purpose of defining the relevant population of agricultural holdings.

(27) In accordance with Regulation (EC) No 1059/2003 of the European Parliament and of the Council[(9)], territorial units should be defined in accordance with the Nomenclature of Territorial Units for Statistics (NUTS) classification.

(28) Funding should be required from both the Member States and the Union over a number of years in order to carry out the data collection. Provision should therefore be made for a Union grant to support that programme through the European Agricultural Guarantee Fund under Regulation (EU) No 1306/2013 of the European Parliament and of the Council[(10)].

(29) This Regulation lays down a financial envelope for the entire duration of the relevant multiannual financial framework (MFF) which is to constitute the prime reference amount, within the meaning of point 17 of the Interinstitutional Agreement of 2 December 2013 between the European Parliament, the Council and the Commission on cooperation on budgetary discipline, on cooperation in budgetary matters and on sound financial management[(11)], for the European Parliament and the Council during the annual budgetary procedure. This Regulation makes a provision for establishing the budget for further data collections in the context of the subsequent MFF.

(30) Economic aspects of this Regulation should be reviewed for the period post-2020 taking into account the new MFF and other relevant changes to Union instruments. Based on that review, the Commission should consider proposing relevant changes to this Regulation.

(31) Since the objective of this Regulation, namely the systematic production of European statistics on agricultural holdings in the Union, cannot be sufficiently achieved by the Member States but can rather, for reasons of consistency and comparability, be better achieved at the Union level, the Union may adopt measures in accordance with the principle of subsidiarity, as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.

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(32) Regulation (EC) No 223/2009 provides for a reference framework for European statistics and requires Member States to comply with the statistical principles and quality criteria specified in that Regulation. Quality reports are essential for assessing, improving and communicating on the quality of European statistics. The ESSC has endorsed a European Statistical System (ESS) standard for Quality Reports Structure, in accordance with Article 12 of Regulation (EC) No 223/2009. That ESS standard should contribute to the harmonisation of quality reporting under this Regulation.

(33) An impact assessment has been performed in accordance with the principle of sound financial management, in order to focus the statistical programme established by this Regulation on the need for effectiveness in achieving the objectives and in order to incorporate budgetary constraints from the design phase onwards.

(34) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of specifying the descriptions of variables listed in this Regulation and the technical elements of the data to be provided, establishing the descriptions of the variables and other practical arrangements for the collection of ad-hoc data as laid down in this Regulation, as well as setting out the practical arrangements for and contents of the quality reports. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[(12)]. When exercising those powers, the Commission should take into account aspects such as cost and administrative burdens on agricultural holdings and Member States.

(35) In order to take into account emerging data needs mainly stemming from new developments in agriculture, revised legislation and changing policy priorities, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission in respect of amending the detailed topics listed in this Regulation and supplementing the relevant module data by specifying the information to be provided on an ad-hoc basis as set out in this Regulation. In order to provide for compatibility and facilitate the use of other data sources, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of amending the variables listed in this Regulation. When exercising that power, the Commission should take into account aspects such as cost and administrative burdens on agricultural holdings and Member States. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[(13)]. In particular, in order to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

(36) The European Data Protection Supervisor has been consulted and adopted an opinion on 20 November 2017[(14)].

(37) The ESSC has been consulted,