Commission Regulation (EU) No 446/2014 of 2 May 2014 amending Regulation (EC) No 295/2008 of the European Parliament and of the Council concerning structural business statistics, and Commission Regulations (EC) No 251/2009 and (EU) No 275/2010, as regards the series of data to be produced and the criteria for evaluation of the quality of structural business statistics (Text with EEA relevance)

COMMISSION REGULATION (EU) No 446/2014

of 2 May 2014

amending Regulation (EC) No 295/2008 of the European Parliament and of the Council concerning structural business statistics, and Commission Regulations (EC) No 251/2009 and (EU) No 275/2010, as regards the series of data to be produced and the criteria for evaluation of the quality of structural business statistics

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EC) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics[(1)], and in particular Article 11(2)(a), (b), (d), (e) and (j) thereof,

Whereas:

(1) Regulation (EC) No 295/2008 of the European Parliament and the Council established a common framework for the collection, transmission and evaluation of European statistics on the structure, activity, competitiveness and performance of businesses in the Union.

(2) Commission Regulation (EC) No 251/2009[(2)] established the frequency of the compilation of the multiannual structural business statistics and the breakdown of the results for the production of structural business statistics in order to produce data comparable and harmonised between Member States.

(3) Commission Regulation (EU) No 275/2010[(3)] laid down the criteria for the evaluation of quality and the contents of the quality reports to be provided by the Member States.

(4) It is necessary to update the list of characteristics by specifying data series on the demography of enterprises with at least one employee to respond to the need for increased international comparability of results, especially for statistics on entrepreneurship. The first reference year, the frequency and the breakdown of results for these characteristics should also be established. Therefore, Annex IX to Regulation (EC) No 295/2008 and Annex I to Regulation (EC) No 251/2009 should be amended accordingly.

(5) Experience has shown that the characteristics established in Annexes V to VII to Regulation (EC) No 295/2008 are not needed at the current annual frequency. The

Changes to legislation: Commission Regulation (EU) No 446/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

frequency should therefore be adapted to a compilation once every 10 years. Annex I to Regulation (EC) No 251/2009 should be amended accordingly.

(6) The quality reports on the statistics compiled pursuant to Annexes V to VII of Regulation (EC) No 295/2008 are no longer needed on a yearly basis. Their frequency should therefore be adapted to a submission every 10 years in line with the data requirements. The Annex to Regulation (EU) No 275/2010 should be amended accordingly.

(7) For the purposes of ensuring a better monitoring of progress in innovation in the context of the Europe 2020 strategy, Union and national stakeholders have called for a single integrated indicator. This indicator is, inter alia, meant to benchmark employment in innovative, high-growth enterprises across Europe and internationally. Providing the data underlying this new indicator is urgent so as to allow its use in the European Semester 2014. Regulation (EC) No 295/2008 should thus be amended accordingly.

(8) 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

Annexes I, V, VI, VII and IX to Regulation (EC) No 295/2008 are amended in accordance with Annex I to this Regulation.

Article 2

Annexes I and II to Regulation (EC) No 251/2009 are amended in accordance with Annex II to this Regulation.

Article 3

The Annex to Regulation (EU) No 275/2010 is amended in accordance with Annex III to this Regulation.

Article 4

This Regulation shall enter into force on the twentieth 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, 2 May 2014.

For the Commission

The President

José Manuel BARROSO

***Changes to legislation:** Commission Regulation (EU) No 446/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX I

Annexes I, V, VI, VII and IX to Regulation (EC) No 295/2008 are amended as follows:

1. in Annex I, point 1 of Section 8 ‘Transmission of results’ is replaced by the following:

1. The results are to be transmitted within 18 months of the end of the calendar year of the reference period, except for the NACE Rev. 2 activity classes 64.11 and 64.19. For the NACE Rev. 2 activity classes 64.11 and 64.19 the transmission delay is 10 months. The transmission delay of the results on the activity classes covered by the NACE Rev. 2 groups 64.2, 64.3 and 64.9 and division 66 will be decided in accordance with the regulatory procedure with scrutiny referred to in Article 12(3).;

2. in Annex V, Section 5 is replaced by the following:

SECTION 5

First reference year

The first reference year for which statistics are compiled for the characteristics listed in Section 4 is the calendar year 2008.;

3. Annex VI is amended as follows:

(a) in Section 4(d) the word ‘annual’ is replaced by ‘multi-yearly’;

(b) Section 5 is replaced by the following:

SECTION 5

First reference year

The first reference year for which statistics are compiled for the characteristics listed in Section 4 is the calendar year 2008.;

4. Annex VII is amended as follows:

(a) in Sections 4(2) and 4(3) the word ‘annual’ is replaced by ‘multi-yearly’;

(b) Section 5 is replaced by the following:

SECTION 5

First reference year

The first reference year for which statistics are compiled for the characteristics listed in Section 4 is the calendar year 2008.;

5. Annex IX is amended as follows:

(a) the following characteristics are added to Section 5, point 1:

11 01 0	Population of active enterprises having at least one employee in t

Changes to legislation: Commission Regulation (EU) No 446/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

11 02 0	Number of active enterprises that have the first employee in t
11 03 0	Number of enterprises having no employees anymore from any point in time in t
11 04 1	Number of enterprises that had the first employee at any point in time in t – 1 and that had also at least one employee at any point in time in t
11 04 2	Number of enterprises that had the first employee at any point in time in t – 2 and that had also at least one employee at any point in time in t
11 04 3	Number of enterprises that had the first employee at any point in time in t – 3 and that had also at least one employee at any point in time in t
11 04 4	Number of enterprises that had the first employee at any point in time in t – 4 and that had also at least one employee at any point in time in t
11 04 5	Number of enterprises that had the first employee at any point in time in t – 5 and that had also at least one employee at any point in time in t
11 96 0	Number of high growth enterprises measured in employment in t

(b) the following characteristics are added to Section 5, point 2:

16 01 0	Number of persons employed in t in the population of active enterprises having at least one employee at any point in time in t
16 01 1	Number of employees in t in the population of active enterprises having at least one employee at any point in time in t
16 02 0	Number of persons employed in t in the population of enterprises that have the first employee in t

***Changes to legislation:** Commission Regulation (EU) No 446/2014 is up to date with all changes known to be in force on or before 28 December 2020. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

16 02 1	Number of employees in t in the population of enterprises that have the first employee in t
16 03 0	Number of persons employed in t in the population of enterprises that have no employees anymore from any point in time in t
16 03 1	Number of employees in t in the population of enterprises that have no employees anymore from any point in time in t
16 04 1	Number of persons employed in t in the population of enterprises that had the first employee at any point in time in t – 1 and that have also at least one employee at any point in time in t
16 04 2	Number of persons employed in t in the population of enterprises that had the first employee at any point in time in t – 2 and that have also at least one employee at any point in time in t
16 04 3	Number of persons employed in t in the population of enterprises that had the first employee at any point in time in t – 3 and that have also at least one employee at any point in time in t
16 04 4	Number of persons employed in t in the population of enterprises that had the first employee at any point in time in t – 4 and that have also at least one employee at any point in time in t
16 04 5	Number of persons employed in t in the population of enterprises that had the first employee at any point in time in t – 5 and that have also at least one employee at any point in time in t
16 05 1	Number of persons employed in t – 1 in the population of enterprises that had the first employee at any point in time in t – 1 and that have also at least one employee at any point in time in t