Commission Regulation (EU) No 859/2013 of 5 September 2013 implementing Regulation (EC) No 808/2004 of the European Parliament and of the Council concerning Community statistics on the information society (Text with EEA relevance)

COMMISSION REGULATION (EU) No 859/2013

of 5 September 2013

implementing Regulation (EC) No 808/2004 of the European Parliament and of the Council concerning Community statistics on the information society

(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 808/2004 of the European Parliament and of the Council of 21 April 2004 concerning Community statistics on the information society[(1)], and in particular Article 8(2) thereof,

Whereas:

(1) Regulation (EC) No 808/2004 establishes a common framework for the systematic production of European statistics on the information society.

(2) Implementing measures are necessary to determine the data to be supplied for preparation of the statistics in Module 1: ‘Enterprises and the information society’ and Module 2: ‘Individuals, households and the information society’, and the deadlines for their transmission.

(3) 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

The data to be transmitted for the production of European statistics on the information society as referred to in Article 3(2) and Article 4 of Regulation (EC) No 808/2004 in Module 1: ‘Enterprises and the information society’ and Module 2: ‘Individuals, households and the information society’, shall be as specified in Annexes I and II to this Regulation.

Article 2

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.

Changes to legislation: Commission Regulation (EU) No 859/2013 is up to date with all changes known to be in force on or before 15 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

Done at Brussels, 5 September 2013.

For the Commission

The President

José Manuel BARROSO

***Changes to legislation:** Commission Regulation (EU) No 859/2013 is up to date with all changes known to be in force on or before 15 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

MODULE 1:ENTERPRISES AND THE INFORMATION SOCIETY

1. SUBJECTS AND THEIR CHARACTERISTICS

(a) The subjects to be covered for the reference year 2014, selected from the list in Annex I to Regulation (EC) No 808/2004, are:

— ICT systems and their usage in enterprises,

— ICT competence in the enterprise unit and the need for ICT skills,

— use of the internet and other electronic networks by enterprises,

— access to and use of technologies providing the ability to connect to the internet or other networks from anywhere at any time (ubiquitous connectivity),

— e-business processes and organisational aspects,

— access to and use of the internet and other network technologies for connecting objects and devices (Internet of Things),

— e-commerce.

(b) The following enterprise characteristics are to be collected:

ICT systems and their usage in enterprises

Characteristic to be collected for all enterprises:

— computer usage.

Characteristic to be collected for enterprises that use computers:

— (optional) persons employed or percentage of the total number of persons employed who use computers for business purposes.

ICT competence in the enterprise unit and the need for ICT skills

Characteristics to be collected for enterprises that use computers:

— employment of ICT specialists,

— provision of any type of training to develop ICT-related skills for ICT specialists, during the previous calendar year,

— provision of any type of training to develop ICT-related skills for other persons employed, during the previous calendar year,

— recruitment or attempted recruitment of ICT specialists, during the previous calendar year.

Characteristic to be collected for enterprises that use computers and which have recruited or tried to recruit ICT specialists during the previous calendar year:

— existence of vacancies for ICT specialists that were difficult to fill, during the previous calendar year.

Use of the internet and other electronic networks by enterprises

Characteristic to be collected for enterprises that use computers:

— access to the internet.

Characteristics to be collected for enterprises that have access to the internet:

— persons employed or percentage of the total number of persons employed who use computers with access to the internet for business purposes,

— internet connection: DSL or any other type of fixed broadband connection,

— internet connection: maximum contracted download speed of the fastest internet connection in Mbit/s; ([0;< 2], [2;< 10], [10;< 30], [30;< 100], [≥ 100]),

Changes to legislation: *Commission Regulation (EU) No 859/2013 is up to date with all changes known to be in force on or before 15 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*

— internet connection: mobile broadband connection via a portable device using mobile telephone networks (‘3G’ or ‘4G’),
— (optional) internet connection: mobile broadband connection via portable computer using mobile telephone networks (‘3G’ or ‘4G’),
— (optional) internet connection: mobile broadband connection via other portable devices such as smartphones using mobile telephone networks (‘3G’ or ‘4G’),
— internet connection: other mobile connection using mobile telephone networks,
— persons employed or percentage of the total number of persons employed using a portable device provided by the enterprise which allows internet connection via mobile telephone networks, for business purposes,
— (optional) use of social networks, not solely used for posting paid adverts,
— (optional) use of enterprise’s blogs or microblogs, not solely used for posting paid adverts,
— (optional) use of multimedia content-sharing websites, not solely used for posting paid adverts,
— (optional) use of wiki-based knowledge-sharing tools, not solely used for posting paid adverts,
— use of a website.

Characteristics to be collected for enterprises that have a website:
— (optional) provision of the following facility: description of goods or services, price lists,
— provision of the following facility: online ordering or reservation or booking,
— (optional) provision of the following facility: possibility for visitors to customise or design online goods or services,
— (optional) provision of the following facility: tracking or status of placed orders,
— (optional) provision of the following facility: personalised content in the website for regular/recurrent visitors,
— (optional) provision of the following facility: links or references to the enterprise’s social media profiles,
— (optional) provision of the following facility: privacy policy statement, privacy seal, or certification of website safety,
— (optional) provision of the following facility: advertisement of open job positions or online job application,
— provision of the following facility: electronic submission of complaints.

Access to and use of technologies providing the ability to connect to the internet or other networks from anywhere at any time (ubiquitous connectivity)

Characteristics to be collected for enterprises that have access to the internet:
— (optional) provision of remote access to the enterprise’s e-mail system, documents or applications,
— (optional) use of paid adverts on the internet,
— use of cloud computing services, excluding free-of-charge-services.

Characteristics to be collected for enterprises that have access to the internet and buy cloud computing services:
— use of e-mail as a cloud computing service,
— use of office software as a cloud computing service,
— hosting the enterprise’s database(s) as a cloud computing service,
— storing files as a cloud computing service,

***Changes to legislation:** Commission Regulation (EU) No 859/2013 is up to date with all changes known to be in force on or before 15 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*

— use of finance or accounting software applications as a cloud computing service,
— use of Customer Relationship Management (CRM) as a cloud computing service,
— use of computing power for running the enterprise's own software as a cloud computing service,
— use of cloud computing services delivered from shared servers of service providers,
— use of cloud computing services delivered from servers of service providers exclusively reserved for the enterprise,
— factors limiting the use of cloud computing services: risk of a security breach,
— factors limiting the use of cloud computing services: problems accessing data or software,
— factors limiting the use of cloud computing services: difficulties in unsubscribing or changing service provider (including concerns about data portability),
— factors limiting the use of cloud computing services: uncertainty about the location of the data,
— factors limiting the use of cloud computing services: uncertainty about applicable law, jurisdiction, dispute resolution mechanism,
— factors limiting the use of cloud computing services: high costs of buying cloud computing services,
— factors limiting the use of cloud computing services: insufficient knowledge of cloud computing,
— (optional) the degree to which benefits related to the reduction of ICT-related costs were realised, on the scale: 'to a high degree', 'to some degree', 'to a limited degree', 'not at all',
— (optional) the degree to which benefits related to flexibility generated by scaling cloud computing services up or down were realised, on the scale: 'to a high degree', 'to some degree', 'to a limited degree', 'not at all',
— (optional) the degree to which benefits related to easy and quick deployment of solutions based on cloud computing were realised, on the scale: 'to a high degree', 'to some degree', 'to a limited degree', 'not at all'.

Characteristics to be collected for enterprises that have access to the internet and do not buy any cloud computing services:

— (optional) factors preventing the use of cloud computing services: risk of a security breach,
— (optional) factors preventing the use of cloud computing services: uncertainty about the location of the data,
— (optional) factors preventing the use of cloud computing services: uncertainty about applicable law, jurisdiction, dispute resolution mechanism,
— (optional) factors preventing the use of cloud computing services: high costs of buying cloud computing services,
— (optional) factors preventing the use of cloud computing services: insufficient knowledge of cloud computing.

E-business processes and organisational aspects

Characteristics to be collected for enterprises that use computers:

— sending of invoices to other enterprises or public authorities, during the previous calendar year,
— percentage of all invoices sent as eInvoices in a standard structure suitable for automated processing, to other enterprises or public authorities, during the previous calendar years,