# Regulation (EU) No 99/2013 of the European Parliament and of the Council of 15 January 2013 on the European statistical programme 2013-17 (Text with relevance for the EEA and for Switzerland)

## REGULATION (EU) No 99/2013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 15 January 2013

on the European statistical programme 2013-17

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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(1) 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) Solid empirical data and statistics are absolutely essential in order to measure the progress and evaluate the efficiency of the Union's policies and programmes, especially in the context of the Europe 2020 Strategy set out in the Commission Communication of 3 March 2010 entitled 'Europe 2020: A strategy for smart, sustainable and inclusive growth' (Europe 2020).

(2) Pursuant to Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics[(2)], a multiannual European statistical programme (the 'multiannual programme') should be established, providing a framework for funding Union actions.

(3) In accordance with Regulation (EC) No 223/2009, the multiannual programme should provide the framework for the development, production and dissemination of European statistics, the main fields and the objectives of the actions envisaged for a period not exceeding five years. It should lay down priorities concerning the needs for information for the purpose of carrying out the activities of the Union. Those needs should be weighed against the resources needed at Union and national level to provide the required statistics, and also against the response burden and the respondents' associated costs, paying particular attention to cost-effectiveness.

(4) The development, production and dissemination of European statistics within the legislative framework of the multiannual programme should be achieved through close and coordinated cooperation within the European Statistical System (ESS) between the Union statistical authority, which is the Commission (Eurostat), and the

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national statistical institutes and other national authorities as designated by the Member States[(3)] (collectively, 'national statistical authorities'). Professional independence of the national statistical institutes and the Commission (Eurostat) is essential for providing credible and high-quality statistical data.

(5) Closer cooperation between the Commission (Eurostat) and the national statistical institutes is absolutely essential, in order to enhance the quality of European statistics. Such closer cooperation should focus mainly on the provision of further methodological training on statistics and related matters, on the development and dissemination of existing good practices within the ESS, and on the exchange of staff between the Member States and the Commission (Eurostat) in both directions.

(6) The implementation of the multiannual programme is an opportunity to produce harmonised European statistics in order to contribute to the development, production and dissemination of common, comparable and reliable statistical information at Union level.

(7) High-quality statistics developed, produced and disseminated under the multiannual programme are essential for evidence-based decision-making, should be available in a timely manner and should contribute to the implementation of Union policies as reflected in the Treaty on the Functioning of the European Union (TFEU) and Europe 2020 and other policies addressed in the Commission's strategic priorities for 2010-14, namely strengthened and integrated economic governance, climate change, reformed agricultural policy, growth and social cohesion, gender equality, a people's Europe and globalisation. They should be fostered through actions which are financed under the multiannual programme where the Union can bring a clear added value, and which aim at ensuring that economic, social and environmental indicators are all treated on an equal footing.

(8) When defining statistical areas to be developed, the objectives of Regulation (EU) No 691/2011 of the European Parliament and of the Council of 6 July 2011 on European environmental economic accounts[(4)], which relate to the development of new environmental economic account modules, should be taken into account.

(9) In addition, particular attention should be paid in statistical studies to the impact of fiscal consolidation programmes on workers and other citizens. Statistical data should be collected in such a way as to ensure the visibility of developments in individual Member States, such as developments regarding unemployment, the amount of and changes to social transfer payments, the number and quality of jobs, labour mobility within the Member States, within the Union and between the Union and third countries, and the related socio-geographical changes in pay structure and training measures.

(10) In recent years, the ESS has been faced with a number of challenges. First, a lack of high-quality national statistics can have detrimental effects on Member States and on the Union in general. Consistently accurate and high-quality statistics, produced by the professionally independent national statistical institutes, are therefore absolutely essential for the purposes of policy-making at national and at Union level, and, in particular, in the context of the euro area's supervisory mechanisms.

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(11) Second, the need for European statistics has been constantly increasing, and this trend is unlikely to change in the future. Economic globalisation represents a specific challenge, requiring the development of new metrics to measure global value chains in an internationally coordinated way, thereby providing a better picture of economic growth and job creation.

(12) Third, the nature of needs is constantly changing, requiring more synergy between statistical domains.

(13) Fourth, appropriate breakdowns of available data can make it easier to monitor the effects of the economic and financial crisis and the impact of implemented policies on citizens, including the most vulnerable.

(14) Fifth, the nature of statistics has changed. They are no longer merely one source of information for policy-making purposes, but are now at the very heart of the decision-making process. Evidence-based decision-making requires statistics that meet high-quality criteria linked to the specific purposes they are serving, and there is an increasing need for complex multidimensional statistics supporting composite policy areas. In order to respond correctly to policy-making requirements, gender disaggregated data is necessary, where appropriate.

(15) Sixth, due to the appearance of new actors on the information market, including those providing information in nearly real time, the priority for the ESS in future is high quality, including timeliness.

(16) Seventh, budget constraints at both national and Union level as well as the need to further reduce the burden on enterprises and citizens make the situation even more challenging.

(17) The Commission Communication of 10 August 2009 on the production method of EU statistics: a vision for the next decade, and the ESS strategy for its implementation, address all those seven challenges by aiming to reengineer the ways of working in the ESS in order to make it more efficient and flexible. The implementation of that Communication constitutes the core of the multiannual programme within the framework of the joint ESS strategy.

(18) To ensure the integrity and quality management of the development, production and dissemination of European statistics under this Regulation, the national statistical institutes and the Commission (Eurostat) should take all necessary measures to maintain public confidence in statistics and to allow for a more rigorous application of the European Statistics Code of Practice in force and of the Commission Communication of 15 April 2011 entitled ‘Towards robust quality management for European Statistics’, while complying with the principles set out therein.

(19) With the aim of better matching the limited resources available to national and European producers for producing European statistics with the increasing needs for statistics, the preparation phase of the Commission’s annual statistical work programmes, which spell out in detail the multiannual programme, should include a systematic and thorough review of statistical priorities that will reduce less important requirements and simplify

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existing processes, while at the same time improving the reliability and maintaining the high-quality standards of official statistics. Account should also be taken of the burden on respondents, be they businesses, central, regional or local government units, households or individuals. The process should be pursued in close cooperation with both the users and the producers of European statistics.

(20) In this context, reasonable financial burden-sharing between the budgets of the Union and the Member States should be achieved. In addition to the financial allocation set by this Regulation, the national statistical authorities should therefore receive at national level the appropriate funding for carrying out the individual statistical actions decided for the implementation of the multiannual programme.

(21) In view of the compliance burden, particularly on smaller Member States, the Commission (Eurostat) should be able to provide technical assistance and expertise to Member States to help them tackle research constraints and major methodological obstacles, with a view to ensuring compliance and the provision of high-quality data.

(22) The financial envelope of the multiannual programme should also be allocated in such a way as to cover the expenses needed for improving the process for producing high-quality European statistics, and the capacity to do so, and for the training needs of national statisticians.

(23) Financial contributions by the Union should support actions for the development, production and dissemination of European statistics as set out in this Regulation. They should take the form of grants, public procurement contracts or any other interventions needed for the purposes of achieving the objectives of the multiannual programme. In this context, the use of lump sums should be a principal means of simplifying grant management.

(24) Pursuant to Article 15 of Regulation (EC) No 223/2009, an adequate financial structure should be developed to support collaborative networks.

(25) Provision should be made to open the multiannual programme to participation of the countries of the European Free Trade Association participating in the European Economic Area ('the EEA/EFTA countries') and to Switzerland. Provision should also be made to open the multiannual programme to participation by other countries, in particular the neighbouring countries of the Union, countries which have applied for membership of the Union and candidate and acceding countries.

(26) In the context of the implementation of the multiannual programme, where appropriate, cooperation with third countries not participating in the multiannual programme should be encouraged, taking into account any relevant agreements, or any envisaged agreements, between those countries and the Union.

(27) In order to be considered as financing decisions according to Article 84(3) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union[(5)] ('the Financial Regulation'), the annual work programmes adopted by the Commission for the implementation of the multiannual programme have to set out the objectives pursued, the expected results, the method of implementation and their total amount.

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They must also contain a description of the actions to be financed, an indication of the amount allocated to each action and an indicative implementation timetable. It is desirable that they also set out the relevance of the objectives pursued to the users' needs and a project plan. For grants, they should include the priorities, the essential evaluation criteria and the maximum rate of co-financing. Moreover, the annual work programmes should include appropriate indicators for monitoring outcomes.

(28) Since the objective of this Regulation, namely to establish the multiannual programme, cannot be sufficiently achieved by the Member States and can therefore be better achieved at 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.

(29) An *ex-ante* evaluation has been performed in accordance with the principle of sound financial management, in order to focus the multiannual programme on the need for effectiveness and efficiency in achieving its objectives and in order to incorporate budgetary constraints from the design phase of the multiannual programme onwards. The value and impact of the measures taken under the multiannual programme should be regularly monitored and evaluated, including by independent external evaluators. For the purpose of evaluating the multiannual programme, measurable objectives have been formulated and indicators developed.

(30) For 2013, this Regulation lays down a financial envelope for the multiannual programme, which, in the framework of the annual budgetary procedure, is to be the prime reference for the budgetary authority within the meaning of point 37 of the Interinstitutional Agreement of 17 May 2006 between the European Parliament, the Council and the Commission on budgetary discipline and sound financial management[(6)].

(31) In addition to the financial envelope set by this Regulation, the individual statistical actions aimed at implementing the multiannual programme, including actions taking the form of an agreement between the national statistical authorities and the Commission (Eurostat), should receive, to the extent possible, appropriate funding at national level.

(32) The impact assessment for this Regulation, indicating cost savings for the Union and the Member States, is the basis for the commitment of finances to the multiannual programme. Cost savings will result, in particular, from new methods of production of European statistics resulting from developments in the areas of information and communication technology.

(33) The financial interests of the Union should be protected through proportionate measures throughout the expenditure cycle, including the prevention, detection and investigation of irregularities, the recovery of funds lost, wrongly paid or incorrectly used and, where appropriate, penalties.

(34) In order to ensure the continuity of statistical operations under the ESS for the entire calendar year of 2013, and for the purpose of legal certainty, this Regulation should enter into force on the day of its publication and should apply from 1 January 2013. The