Commission Implementing Regulation (EU) No 995/2012 of 26 October 2012 laying down detailed rules for the implementation of Decision No 1608/2003/EC of the European Parliament and of the Council concerning the production and development of Community statistics on science and technology (Text with EEA relevance)

COMMISSION IMPLEMENTING REGULATION (EU) No 995/2012

of 26 October 2012

laying down detailed rules for the implementation of Decision No 1608/2003/EC of the European Parliament and of the Council concerning the production and development of Community statistics on science and technology

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Decision No 1608/2003/EC of the European Parliament and of the Council of 22 July 2003 concerning the production and development of Community statistics on science and technology[(1)] and in particular Article 3 thereof,

Whereas:

(1) In order to take into account the developments in the area of statistics on science and technology, as well as requests for new and more detailed and frequent statistics, new implementing measures of Decision No 1608/2003/EC should be laid down.

(2) Existing statistical support for decisions in current policy areas should be continued and additional requirements arising from new policy initiatives should be satisfied, with a view to making best use of available resources and minimising the response burden.

(3) Regulation (EC) No 223/2009 of the European Parliament and of the Council[(2)] on European statistics provides a reference framework, in particular with regard to rules on access to administrative data sources and statistical confidentiality.

(4) It is necessary to ensure that European statistics on science and technology are consistent with other international standards. To that end, work carried out by the Organisation for Economic Cooperation and Development (OECD) and other international organisations should be taken into account. In particular, the Frascati Manual on research and development statistics, the Canberra Manual on statistics on human resources devoted to science and technology, the OECD Patent Statistics Manual, published by the OECD, as well as the Oslo Manual on innovation statistics, published jointly by the OECD and the European Commission (Eurostat), should provide a reference framework.

(5) For the sake of clarity, Commission Regulation (EC) No 753/2004 of 22 April 2004 implementing Decision No 1608/2003/EC of the European Parliament and of the Council as regards statistics on science and technology[(3)] and Commission Regulation

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(EC) No 1450/2004 of 13 August 2004 implementing Decision No 1608/2003/EC of the European Parliament and of the Council concerning the production and development of Community statistics on innovation[(4)] should be repealed.

(6) 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

This Regulation lays down detailed rules concerning the production of European statistics on science and technology.

Article 2

1 This Regulation shall cover the following domains:

a statistics on research and development (R & D);

b statistics on government budget appropriations or outlays on research and development (GBAORD);

c innovation statistics;

d statistics on human resources in science and technology, including gender and mobility statistics, statistics on patents, statistics on high-technology industries and knowledge-based services and other statistics on science and technology.

The lists of statistical variables, the activities and sectors covered, breakdowns of the results, frequency, deadlines for data provision and the reference period shall be as specified in Annexes I and II.

For the domains referred to in point (d) of first subparagraph, the necessary data shall be obtained from existing statistical or other data sources, as specified in section 3 of Annex I.

2 The lists of statistical variables, the activities and sectors covered, breakdowns of the results, frequency, deadlines for data provision, and other characteristics set out in Annexes I and II shall, where appropriate, be reviewed at regular intervals.

Article 3

Member States shall acquire the necessary data using a combination of different sources, such as sample surveys, administrative data sources or other data sources. As far as the quality or statistical estimation procedures are concerned, the other data sources shall be at least equivalent to sample surveys or administrative data sources.

Article 4

The statistics referred to in Annexes I and II shall be based on harmonised concepts and definitions, notably those contained in the most recent versions of the Frascati Manual (R & D statistics), the Canberra Manual (statistics on human resources in science and technology), OECD Patent Statistics Manual (patent statistics), Oslo Manual (innovation statistics) or other harmonised standards.

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Article 5

Member States shall provide the variables listed in Annexes I and II, including confidential data, to the Commission (Eurostat), using the technical standard determined by the Commission (Eurostat) in cooperation with the Member States.

Member States may provide the Commission (Eurostat) with individual data records on innovation statistics on a voluntary basis using the technical standard determined by the Commission (Eurostat).

Article 6

1 Member States shall take all necessary measures to ensure the quality of the data provided.

2 Member States shall provide the Commission (Eurostat) with standard quality reports concerning the data on:

a research and development (R & D);

b government budget appropriations or outlays on research and development (GBAORD);

c innovation.

As far as research and development statistics are concerned, separate quality reports shall be drawn up for the business enterprise sector, government sector and higher education sector. Quality reports for the private non-profit sector shall be drawn up only if its R & D expenditure as a share of the total national R & D expenditure is more than 5 %.

3 Quality reports shall be drawn up by the Member States in accordance with the rules laid down in Annex III and shall cover the quality criteria defined in Article 12(1) of Regulation (EC) No 223/2009.

4 The first quality reports on R & D and GBAORD shall be drawn up for the data concerning the reference year 2011 and shall be submitted by 31 October 2013. For innovation statistics, the first quality reports shall be drawn up for the data concerning the reference year 2012 and shall be submitted by 31 October 2014. Subsequent quality reports shall be provided to the Commission (Eurostat) every second year within 22 months after the end of the reference year for which the data were collected.

Article 7

Regulations (EC) No 753/2004 and (EC) No 1450/2004 are repealed.

However, Regulation (EC) No 753/2004 shall continue to apply as regards R & D and GBAORD statistics for the reference year 2011.

References to the repealed Regulations shall be construed as references to this Regulation.

Article 8

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.

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Done at Brussels, 26 October 2012.

For the Commission

The President

José Manuel BARROSO

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ANNEX I

STATISTICS ON SCIENCE AND TECHNOLOGY

Section 1

Statistics on Research and Development

1. The statistics are to be compiled for R & D activity performed in the whole economy. The results shall relate to the population of all R & D performing units classified in Sections A to U of the common statistical classification of economic activities as established by Regulation (EC) No 1893/2006 of the European Parliament and of the Council[(5)] (NACE Rev.2).

2. The statistical units to be used in order to compile the statistics listed in paragraph 3 are: (a) enterprises for the statistics to be compiled at national level and (b) local units for the statistics to be compiled at regional level (NUTS 2). The definitions of the statistical units to be used ('enterprise' and 'local unit') are as set out in Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community[(6)].

3. The list of statistics (including their breakdowns) to be compiled is set out below.

Code	**Title**	**All sectors**	**By sector of performance**				
			Business enterprise sector	**Higher education sector**	**Government sector**	**Private non-profit sector**	**Comments**
1.11	**Number of R & D personnel in head count (HC)**						
	Without breakdown	1.11.0.0	1.11.0.1	1.11.0.2	1.11.0.3	1.11.0.4	
	By occupation and sex	1.11.1.0	1.11.1.1	1.11.1.2	1.11.1.3	1.11.1.4	
	By qualification and sex	1.11.2.0	1.11.2.1	1.11.2.2	1.11.2.3	1.11.2.4	Optional
	By principal economic activity (NACE)		1.11.3.1				
	By major field of science and sex			1.11.4.2	1.11.4.3		
	By region (NUTS 2)	1.11.5.0	1.11.5.1	1.11.5.2	1.11.5.3	1.11.5.4	