Changes to legislation: *Commission Regulation (EU) No 937/2011 is up to date with all changes known to be in force on or before 27 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*

Commission Regulation (EU) No 937/2011 of 21 September 2011 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 937/2011

of 21 September 2011

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 thereof,

Whereas:

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

(2) Pursuant to Article 8(1) of Regulation (EC) No 808/2004, implementing measures are necessary to determine the data to be supplied for preparation of the statistics referred to in Articles 3 and 4 of that Regulation 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 Articles 3(2) and 4 of Regulation (EC) No 808/2004 shall be as specified in Annexes I and II to this Regulation.

Article 2

This Regulation shall enter into force on the 20th day following 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, 21 September 2011.

For the Commission

The President

José Manuel BARROSO

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ANNEX I

MODULE 1:ENTERPRISES AND THE INFORMATION SOCIETY

1. SUBJECTS AND THEIR CHARACTERISTICS

(a) The subjects to be covered for the reference year 2012, 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,
— use of ICT by enterprises to exchange information and services with governments and public administrations (e-government),
— 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,
— e-commerce,
— ICT investment and expenditure.

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

ICT systems and their usage in enterprises

Characteristics to be collected for all enterprises:

— computer usage.

Characteristics to be collected for enterprises that use computers:

— (optional) persons employed or percentage of the total number of persons employed who used computers at least once a week,
— (optional) use of IT applications to provide persons employed with remote access to the enterprise's e-mail system, documents or applications.

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

Characteristics to be collected for enterprises that use computers:

— employment of ICT/IT specialists,
— recruitment or attempted recruitment of personnel for jobs requiring ICT/IT specialist skills, during the previous year,
— provision of training to develop or upgrade ICT related skills for ICT/IT specialists, during the previous year,
— provision of training to develop or upgrade ICT related skills for other persons employed, during the previous year.

Characteristics to be collected for enterprises that use computers and recruited or tried to recruit personnel for jobs requiring ICT/IT specialist skills during the previous year:

— existence of hard-to-fill vacancies for jobs requiring ICT/IT specialist skills, during the previous year.

Use of the Internet and other electronic networks by enterprises

Characteristics to be collected for enterprises that use computers:

— access to the Internet.

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

— Internet connection: DSL,
— Internet connection: other fixed broadband Internet connection,

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— Internet connection: dial-up access over normal telephone line or ISDN connection,
— Internet connection: mobile broadband connection,
— (optional) Internet connection: mobile broadband connection via portable computer with at least 3G modem,
— (optional) Internet connection: mobile broadband connection via handset with at least 3G technology,
— Internet connection: other mobile connection,
— Internet connection: maximum contracted download speed of the fastest Internet connection in MBit/s; ([0;<2], [2;<10], [10;<30], [30;<100], [>=100]),
— persons employed or percentage of the total number of persons employed who used computers with access to the World Wide Web at least once a week,
— use of a website or home page.

Characteristics to be collected for enterprises that have a website or home page:
— provision of the following facility: online ordering or reservation or booking,
— (optional) provision of the following facility: privacy policy statement, a privacy seal or certification related to website safety,
— (optional) provision of the following facility: product catalogues or price lists,
— (optional) provision of the following facility: order tracking available online,
— (optional) provision of the following facility: possibility for visitors to customise or design the products,
— (optional) provision of the following facility: personalised content for regular/repeated visitors,
— (optional) provision of the following facility: advertisement of open job positions or online job application.

Use of ICT by enterprises to exchange information and services with governments and public administrations (e-government)

Characteristics to be collected for enterprises that have access to the Internet:
— Internet usage for obtaining information from public authorities' websites or home pages, during the previous calendar year,
— Internet usage for obtaining forms from public authorities' websites or home pages, during the previous calendar year,
— Internet usage for returning filled-in forms electronically to public authorities, during the previous calendar year,
— Internet usage for handling the Value Added Tax (VAT) declaration completely electronically without the need for paperwork, during the previous calendar year,
— Internet usage for handling the declaration of social contributions completely electronically without the need for paperwork, during the previous calendar year,
— Internet usage for accessing tender documents and specifications in a public authority electronic procurement system, during the previous calendar year,
— Internet usage for offering goods or services in national public authority electronic procurement systems (eTendering), during the previous calendar year,
— Internet usage for offering goods or services in public authority electronic procurement systems (eTendering) in other EU Member States, during the previous calendar year.

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:

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— provision of portable devices to the persons employed, that allow a mobile connection to the Internet for business use,
— limitations or barriers to the use of a mobile connection to the Internet for business use via a portable device due to connectivity problems in relation to mobile telephone networks for accessing the Internet,
— limitations or barriers to the use of a mobile connection to the Internet for business use via a portable device due to high costs for subscribing to or using the Internet,
— limitations or barriers to the use of a mobile connection to the Internet for business use via a portable device due to security related risks (disclosure, destruction or corruption of data),
— limitations or barriers to the use of a mobile connection to the Internet for business use via a portable device due to technical obstacles or high costs for integrating mobile connection to the Internet into the enterprise's business software applications,
— limitations or barriers to the use of a mobile connection to the Internet for business use via a portable device due to other obstacles,
— limitations or barriers to the use of a mobile connection to the Internet for business use via a portable device due to limited or no need for a mobile connection to the Internet for business use.

Characteristics to be collected for enterprises that provide to the persons employed portable devices that allow a mobile connection to the Internet for business use:

— provision of portable computers that allowed a mobile connection to the Internet for business use,
— provision of other portable devices like Smartphone, Personal Digital Assistant (PDA) phone that allowed a mobile connection to the Internet for business use,
— persons employed or percentage of the total number of persons employed provided with a portable device that allowed a mobile connection to the Internet for business use,
— usage of portable devices that allowed a mobile connection to the Internet for business use for accessing publicly available information on the Internet,
— usage of portable devices that allowed a mobile connection to the Internet for business use for accessing the enterprise's e-mail system,
— usage of portable devices that allowed a mobile connection to the Internet for business use for accessing and modifying the enterprise's business documents,
— usage of portable devices that allowed a mobile connection to the Internet for business use for using dedicated business software applications.

E-business processes and organisational aspects

Characteristics to be collected for enterprises that use computers:

— use of Electronic Data Interchange (EDI), defined as the sending and/or receiving of messages via any computer network in an agreed or standard format which allows their automatic processing without the individual message being typed manually.

Characteristics to be collected for enterprises that use EDI:

— use of EDI for sending payment instructions to financial institutions,
— use of EDI for sending or receiving product information,
— use of EDI for sending or receiving transport documents,
— use of EDI for sending or receiving data to/from public authorities.

Characteristics to be collected for enterprises that use computers and are not classified in Section K of NACE Rev. 2: