Changes to legislation: *Commission Regulation (EC) No 1023/2009 is up to date with all changes known to be in force on or before 17 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 (EC) No 1023/2009 of 29 October 2009 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 (EC) No 1023/2009

of 29 October 2009

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 COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

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 established a common framework for the systematic production of Community 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 established by Regulation (EC) No 223/2009 of the European Parliament and of the Council[(2)] on European statistics,

HAS ADOPTED THIS REGULATION:

Article 1

The data to be transmitted for the production of Community 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, 29 October 2009.

For the Commission

Joaquín ALMUNIA

Member of the Commission

***Changes to legislation:** Commission Regulation (EC) No 1023/2009 is up to date with all changes known to be in force on or before 17 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 2010, selected from the list in Annex I to Regulation (EC) No 808/2004, are the following:

— ICT systems and their usage in enterprises,
— use of the Internet and other electronic networks by enterprises,
— e-commerce and e-business processes,
— ICT security,
— 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) percentage of persons employed using computers at least once a week,
— use of an internal computer network (e.g. LAN),
— use of an internal home page (intranet),
— use of extranet,
— use of free or open-source operating systems, such as Linux (i.e. with its source code available, no copyright cost, and the possibility to modify and/or (re)distribute it).

Characteristics to be collected for enterprises that use an internal computer network (e.g. LAN):

— use of wireless access within the internal computer network (e.g. LAN).

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:

— percentage of persons employed using computers connected to the World Wide Web at least once a week,
— Internet connection: traditional modem or ISDN,
— Internet connection: DSL,
— Internet connection: other fixed Internet connection,
— Internet connection: mobile broadband connection,
— (optional) Internet connection: mobile broadband connection via 3G handset,
— (optional) Internet connection: mobile broadband connection via portable computer using 3G modem,
— Internet connection: other mobile connection,
— (optional) Internet usage for banking and financial services,
— (optional) Internet usage for training and education,
— Internet usage for interaction with public authorities, in the previous calendar year,
— use of website,

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— use of digital signature in any message sent, i.e. using encryption methods that assure the authenticity and integrity of the message (uniquely linked to and capable of identifying the signatory and where any subsequent change to the message is detectable).

Characteristics to be collected for enterprises that interacted with public authorities via the Internet, in the previous calendar year:

— Internet usage for obtaining information from public authorities' websites, in the previous calendar year,
— Internet usage for obtaining forms from public authorities' websites, in the previous calendar year,
— Internet usage for returning filled-in forms to public authorities, in the previous calendar year,
— Internet usage for handling an administrative procedure completely electronically without the need for additional paperwork, in the previous calendar year,
— Internet usage for submitting a proposal in an electronic tender system (public e-procurement), in the previous calendar year.

Characteristics to be collected for enterprises that have a website:

— (optional) provision of the following facility: privacy policy statement, privacy seal or certification of website safety,
— (optional) provision of the following facility: product catalogues or price lists,
— (optional) provision of the following facility: possibility for visitors to customise or design products,
— (optional) provision of the following facility: online ordering or reservation or booking facility,
— (optional) provision of the following facility: online order tracking facility,
— (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.

E-commerce and e-business processes

Characteristics to be collected for enterprises that use computers:

— use of automated data exchange (ADE), defined as the sending and/or receiving of messages via any computer networks in an agreed or standard format which allows their automatic processing without the individual message being manually typed,
— electronic and automatic sharing of relevant information about sales orders received (either electronically or not) with the inventory management function,
— electronic and automatic sharing of relevant information about sales orders received (either electronically or not) with the accounting function,
— electronic and automatic sharing of relevant information about sales orders received (either electronically or not) with the production or services management function,
— electronic and automatic sharing of relevant information about sales orders received (either electronically or not) with the distribution management function,
— electronic and automatic sharing of relevant information about purchase orders sent (either electronically or not) with the inventory management function,
— electronic and automatic sharing of relevant information about purchase orders sent (either electronically or not) with the accounting function,

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— use of ERP (enterprise resource planning) software package to share internally information between different functional areas (e.g. accounting, planning, production, marketing),
— use of any software application for managing information about clients (customer relationship management — CRM) to capture, store and make available to other business functions information about clients,
— use of any software application for managing information about clients (CRM) to analyse the information about clients for marketing purposes (setting prices, making sales promotions, choosing distribution channels, etc.).

Characteristics to be collected for enterprises that use automated data exchange:
— use of ADE for: sending orders to suppliers,
— use of ADE for: receiving e-invoices,
— use of ADE for: receiving orders from customers,
— use of ADE for: sending e-invoices,
— use of ADE for: sending or receiving product information,
— use of ADE for: sending or receiving transport documents,
— (optional) use of ADE for: sending payment instructions to financial institutions,
— (optional) use of ADE 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:
— electronic sharing of supply-chain management information with customers or suppliers,
— sending of orders via computer networks, in the previous calendar year,
— receiving of orders via computer networks, in the previous calendar year.

Characteristics to be collected for enterprises that share supply-chain management information with customers or suppliers and are not classified in Section K of NACE Rev. 2:
— exchange of information with suppliers on inventory, production, demand forecasts or progress of deliveries,
— exchange of information with customers on inventory, production, demand forecasts or progress of deliveries,
— (optional) exchange of information with suppliers or customers via websites,
— (optional) exchange of information with suppliers or customers via electronic transmission allowing automatic processing (e.g. EDI-type systems, XML, Edifact, etc.).

Characteristics to be collected for enterprises that have received orders via computer networks and are not classified in Section K of NACE Rev. 2:
— percentage of total turnover resulting from orders received via computer networks, in the previous calendar year,
— percentage of e-commerce sales resulting from orders received via websites, in the previous calendar year,
— percentage of e-commerce sales resulting from orders received via electronic transmission allowing automatic processing (e.g. EDI-type systems, XML, Edifact, etc.), in the previous calendar year,
— use of secure protocols (SSL/TLS) in receiving orders via the Internet,

Characteristics to be collected for enterprises that have sent orders via computer networks and are not classified in Section K of NACE Rev. 2: