Commission Regulation (EC) No 251/2009 of 11 March 2009 implementing and amending Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the series of data to be produced for structural business statistics and the adaptations necessary after the revision of the statistical classification of products by activity (CPA) (Text with EEA relevance)

COMMISSION REGULATION (EC) No 251/2009

of 11 March 2009

implementing and amending Regulation (EC) No 295/2008 of the European Parliament and of the Council as regards the series of data to be produced for structural business statistics and the adaptations necessary after the revision of the statistical classification of products by activity (CPA)

(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 295/2008[(1)] of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics, and in particular Article 11(2) (b) and (e) thereof,

Whereas:

(1) Regulation (EC, Euratom) No 58/97[(2)] established a common framework for the production of Community statistics on the structure, activity, competitiveness and performance of businesses in the Community. For reasons of clarity and rationalisation that Regulation has been recast, with substantial amendments to various provisions.

(2) Commission Regulation (EC) No 2701/98 on the series of data to be produced for structural business statistics[(3)] must be modified in order to take account of those amendments. For the sake of clarity it should be replaced by this Regulation.

(3) It is necessary to specify the frequency of the compilation of the multiannual structural business statistics and the breakdown of the results for the production of structural business statistics in order to produce data comparable and harmonised between Member States.

(4) It is necessary to adapt certain titles of the characteristics of Annex V following the revision of the statistical classification of products by activity (CPA).

(5) The measures provided for in this Regulation are in accordance with the opinion of the Statistical Programme Committee,

HAS ADOPTED THIS REGULATION:

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 251/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Article 1

The frequency of the compilation of multiannual statistics and the breakdown of results referred to in Articles 3 and 7 of Regulation (EC) 295/2008 shall be as specified in the series of data laid down in the Annex I to this Regulation.

Member States shall produce these series of data for reference year 2008 and subsequent years.

Article 2

Regulation (EC) No 2701/98 is hereby repealed.

It shall, however, continue to apply as regards the series of data to be transmitted for reference years up to and including 2007.

Article 3

Annex V to Regulation No 295/2008 is amended as specified in the Annex II to this Regulation.

Article 4

This Regulation shall enter into force on the 20th 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:** There are outstanding changes not yet made to Commission Regulation (EC) No 251/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

ANNEX I

SERIES OF DATA

1. SERVICES

Summary table

Series code	Title
1A	Annual enterprise statistics for services
1B	Annual enterprise statistics by size class for services
1C	Annual regional statistics for services
1D	**[**[F1]Annual enterprise statistics for central banking and credit institutions classified in NACE Rev.2 64.19**]**
1E	Annual enterprise statistics for special aggregates of activities
[[F2]1G	Annual enterprise statistics for insurance services and pension funds**]**
1P	Annual preliminary results for services

Textual Amendments

F1 Substituted by Commission Regulation (EU) No 446/2014 of 2 May 2014 amending Regulation (EC) No 295/2008 of the European Parliament and of the Council concerning structural business statistics, and Commission Regulations (EC) No 251/2009 and (EU) No 275/2010, as regards the series of data to be produced and the criteria for evaluation of the quality of structural business statistics (Text with EEA relevance).

F2 Inserted by Commission Regulation (EU) No 446/2014 of 2 May 2014 amending Regulation (EC) No 295/2008 of the European Parliament and of the Council concerning structural business statistics, and Commission Regulations (EC) No 251/2009 and (EU) No 275/2010, as regards the series of data to be produced and the criteria for evaluation of the quality of structural business statistics (Text with EEA relevance).

Annual enterprise statistics for services listed in Annex I Section 4 paragraphs 3 and 4 of the Council Regulation (EC) No 295/2008 concerning structural business statistics.

Series 1A

Series name	Annual enterprise statistics for services
First reference year	2008
Frequency	Annual
Activity coverage	NACE Rev.2 Sections H to J and L to N and division 95

a Characteristic 16 12 0 Number of unpaid persons employed can be transmitted by the reporting Authorities. If not provided, it will be calculated as the difference between the values provided for the variables 16 11 0 and 16 13 0. The data will be considered confidential if either 16 11 0 or 16 13 0 or both are confidential.

Changes to legislation: *There are outstanding changes not yet made to Commission Regulation (EC) No 251/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Characteristics	Characteristic in Annex I section 4 paragraph 3: 11 11 0 Number of enterprises Characteristics in Annex I section 4 paragraph 4: 12 11 0 Turnover 12 12 0 Production value 12 15 0 Value added at factor cost 12 17 0 Gross operating surplus 13 11 0 Total purchases of goods and services 13 12 0 Purchases of goods and services for resale in the same condition as received 13 13 1 Payments for agency workers 13 31 0 Personnel costs 13 32 0 Wages and salaries 13 33 0 Social security costs 15 11 0 Gross investment in tangible goods 16 11 0 Number of persons employed[a] 16 13 0 Number of employees[a] 16 14 0 Number of employees in full-time equivalents
Level of activity breakdown	NACE Rev.2 4-digit level (classes) NACE Rev.2 3-digit level (groups) NACE Rev.2 2-digit level (divisions) NACE Rev.2 1-digit level (sections)

a Characteristic 16 12 0 Number of unpaid persons employed can be transmitted by the reporting Authorities. If not provided, it will be calculated as the difference between the values provided for the variables 16 11 0 and 16 13 0. The data will be considered confidential if either 16 11 0 or 16 13 0 or both are confidential.

Annual enterprise statistics by size class for services listed in Annex I Section 4 paragraphs 3 and 4 of the European Parliament and Council Regulation (EC) No 295/2008 concerning structural business statistics.
Series 1B

Series name	Annual enterprise statistics by size class for services
First reference year	2008
Frequency	Annual

***Changes to legislation:** There are outstanding changes not yet made to Commission Regulation (EC) No 251/2009. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Activity coverage	NACE Rev.2 Sections H to J and L to N and division 95
Characteristics	Characteristic of Annex I section 4 paragraph 3: 11 11 0 Number of enterprises Characteristics in Annex I section 4 paragraph 4: 12 11 0 Turnover 12 15 0 Value added at factor cost 16 11 0 Number of persons employed
Level of activity breakdown	NACE Rev.2 3-digit level (Groups) NACE Rev.2 2-digit level (Divisions) NACE Rev.2 1-digit level (Sections)
Level of size class breakdown	Number of persons employed: 0-1, 2-9, 10-19, 20-49, 50-249, 250+, total

Annual regional statistics for services listed in Annex I Section 4 paragraphs 3 and 5 of the European Parliament and Council Regulation (EC) No 295/2008 concerning structural business statistics.
Series 1C

Series name	Annual regional statistics for services
First reference year	2008
Frequency	Annual
Activity coverage	NACE Rev.2 Sections H to J and L to N and division 95
Characteristics	Characteristic of Annex I section 4 paragraph 3: 11 21 0 Number of local units Characteristics in Annex I section 4 paragraph 5: 13 32 0 Wages and salaries 16 11 0 Number of persons employed
Level of activity breakdown	NACE Rev.2 2-digit level (Divisions) NACE Rev.2 1-digit level (sections)
Level of regional breakdown	NUTS 2, NUTS1, NUTS0.

[F1Annual enterprise statistics for central banking and credit institutions classified in NACE Rev.2 64.19 listed in Section 4, paragraphs 3 and 4 of Annex I to Regulation (EC) No 295/2008.
Series 1D