Changes to legislation: *There are outstanding changes not yet made to Regulation (EC) No 1552/2005 of the European Parliament and of the Council. 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*

Regulation (EC) No 1552/2005 of the European Parliament and of the Council of 7 September 2005 on statistics relating to vocational training in enterprises (Text with EEA relevance)

REGULATION (EC) No 1552/2005 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 7 September 2005

on statistics relating to vocational training in enterprises

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285(1) thereof,

Having regard to the proposal from the Commission,

Acting in accordance with the procedure laid down in Article 251 of the Treaty[(1)],

Whereas:

(1) At the Lisbon European Council on 23 and 24 March 2000 the European Union set the strategic goal of becoming the most competitive and dynamic knowledge-based economy in the world, capable of sustained economic growth with more and better jobs and greater social cohesion.

(2) The employability, adaptability and mobility of citizens are vital for the Union to maintain its commitment to becoming the most competitive and dynamic knowledge-based economy in the world.

(3) Lifelong learning is a key element in developing and promoting a skilled, trained and adaptable workforce.

(4) The Council Conclusions of 5 May 2003 on reference levels of European average performance in education and training (Benchmarks)[(2)] adopted the following benchmark for lifelong learning: 'Therefore, by 2010, the European Union average level of participation in Lifelong Learning should be at least 12,5 % of the adult working age population (25 to 64 age group)'.

(5) The Lisbon European Council confirmed lifelong learning as a basic component of the European social model.

(6) The new European Employment Strategy confirmed by Council Decision 2003/578/EC of 22 July 2003 on guidelines for the employment policies of the Member States[(3)] aims to contribute better to the Lisbon strategy and to implement coherent and comprehensive strategies for lifelong learning.

Changes to legislation: *There are outstanding changes not yet made to Regulation (EC) No 1552/2005 of the European Parliament and of the Council. 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*

(7) When applying this Regulation, account should be taken of the notion of 'people at a disadvantage in the labour market' given in the guidelines for the employment policies of the Member States.

(8) Particular attention should be given to training at the workplace and during working hours, both these aspects being crucial dimensions of lifelong learning.

(9) Comparable statistical information at Community level, with specific respect to vocational training in enterprises, is essential for the development of lifelong learning strategies and for the monitoring of progress in their implementation.

(10) The production of specific Community statistics is governed by the rules set out in Council Regulation (EC) No 322/97 of 17 February 1997 on Community Statistics[(4)].

(11) The transmission of data subject to statistical confidentiality is governed by the rules set out in Regulation (EC) No 322/97 and in Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities[(5)].

(12) Commission Regulation (EC) No 831/2002 of 17 May 2002 implementing Council Regulation (EC) No 322/97 on Community Statistics, concerning access to confidential data for scientific purposes[(6)] established the conditions under which access to confidential data transmitted to the Community authority may be granted.

(13) Since the objective of this Regulation, namely the creation of common statistical standards that permit the production of harmonised data on vocational training in enterprises, cannot be sufficiently achieved by the Member States and can therefore be better achieved at Community level, the Community may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty. 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.

(14) The measures necessary for the implementation of this Regulation should be adopted in accordance with Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission[(7)]. These measures should take into account the capacities available in the Member States for data collection and processing.

(15) The Statistical Programme Committee has been consulted in accordance with Article 3 of Council Decision 89/382/EEC, Euratom of 19 June 1989 establishing a Committee on the Statistical Programmes of the European Communities[(8)],

HAVE ADOPTED THIS REGULATION:

Article 1

Subject matter

This Regulation establishes a common framework for the production of Community statistics on vocational training in enterprises.

***Changes to legislation:** There are outstanding changes not yet made to Regulation (EC) No 1552/2005 of the European Parliament and of the Council. 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 2

Definitions

For the purpose of this Regulation, the following definitions shall apply:

1. ‘enterprise’ means the enterprise as defined 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[9];

2. **[F1. . . . .]**

Textual Amendments

F1 Deleted by Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (Text with EEA relevance).

Article 3

Data to be collected

1 The data shall be collected by the Member States with a view to producing Community statistics for the analysis of continuing vocational training in enterprises in the following fields:

a training policy and training strategies of enterprises in developing the skills of their workforce;

b management, organisation and forms of continuing vocational training in enterprises;

c the role of social partners in ensuring all aspects of continuing vocational training in the workplace;

d access to continuing vocational training, its volume and content, especially in the context of economic activity and enterprise size;

e specific continuing vocational training measures of enterprises to improve the ICT skills of their workforce;

f chances for employees in small and medium-sized enterprises (SMEs) to access continuing vocational training and to acquire new skills, and the particular needs of SMEs in the provision of training;

g the effects of public measures on continuing vocational training in enterprises;

h equal opportunities to access continuing vocational training in enterprises for all employees, with respect to gender and specific age groups in particular;

i specific continuing vocational training measures for people at a disadvantage in the labour market;

j continuing vocational training measures geared to different types of employment contract;

k expenditure on continuing vocational training: funding levels and funding resources, incentives for continuing vocational training; and

l evaluation and monitoring procedures of enterprises as regards continuing vocational training.

Changes to legislation: *There are outstanding changes not yet made to Regulation (EC) No 1552/2005 of the European Parliament and of the Council. 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*

2 Specific data shall be collected by the Member States with respect to initial vocational training in enterprises on:

a participants in initial vocational training; and

b total expenditure on initial vocational training.

[F2 Article 4

Scope of statistics

The statistics on the vocational training in enterprises shall cover at least all economic activities defined in sections B to N and R to S of NACE Rev. 2.**]**

Textual Amendments

F2 Substituted by Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (Text with EEA relevance).

Article 5

Statistical units

1 For the collection of the data, the enterprise active in one of the economic activities referred to in Article 4 and employing 10 or more employees shall be used as a statistical unit.

[F3 2 Having regard to the specific national size distribution of enterprises and the evolution of policy needs, Member States may extend the definition of the statistical unit in their country. The Commission may also decide to extend that definition, if such extension would substantially enhance the representativeness and the quality of the result of the survey in the Member States concerned. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(3).**]**

Textual Amendments

F3 Substituted by Regulation (EC) No 596/2009 of the European Parliament and of the Council of 18 June 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny Adaptation to the regulatory procedure with scrutiny — Part Four.

Article 6

Data sources

1 Member States shall acquire the required data using either a survey in enterprises or a combination of a survey in enterprises and other sources, applying the principles of reduced burden on respondents and of administrative simplification.

2 Member States shall lay down the modalities for enterprises to reply to the survey.

***Changes to legislation:** There are outstanding changes not yet made to Regulation (EC) No 1552/2005 of the European Parliament and of the Council. 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*

3 Through the survey the enterprises shall be called upon to give correct and complete data within the prescribed deadlines.

4 Other sources, including administrative data, could be used to complete the data to be collected where these sources are appropriate in terms of relevance and timeliness.

Article 7

Survey characteristics

1 The survey shall be a sample survey.

2 Member States shall take the necessary measures to ensure that the data they transmit reflect the structure of the population of the statistical units. The survey shall be conducted in such a way as to permit a breakdown of the results at Community level in at least the following categories:

a economic activities pursuant to **[**[F2]NACE Rev. 2**]**; and

b size of the enterprises.

[[F3]3 Sampling and precision requirements, the sample sizes needed to meet those requirements, and the detailed specifications of the NACE Rev. 2 and size categories into which the results can be broken down shall be determined by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(3).**]**

Textual Amendments

F2 Substituted by Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (Text with EEA relevance).

F3 Substituted by Regulation (EC) No 596/2009 of the European Parliament and of the Council of 18 June 2009 adapting a number of instruments subject to the procedure referred to in Article 251 of the Treaty to Council Decision 1999/468/EC with regard to the regulatory procedure with scrutiny Adaptation to the regulatory procedure with scrutiny — Part Four.

Article 8

Survey approach

1 In order to reduce the burden on respondents the survey approach shall permit the data collection to be customised with respect to:

a training and non-training enterprises; and

b different forms of vocational training.

[[F3]2 The specific data to be collected with respect to training and non-training enterprises and to the different forms of vocational training shall be determined by the Commission. Those measures, designed to amend non-essential elements of this Regulation by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 14(3).**]**