Regulation (EC) No 1158/2005 of the European Parliament and of the Council of 6 July 2005 amending Council Regulation (EC) No 1165/98 concerning short-term statistics

REGULATION (EC) No 1158/2005 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 6 July 2005

amending Council Regulation (EC) No 1165/98 concerning short-term statistics

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,

Having regard to the opinion of the European Central Bank[(1)],

Acting in accordance with the procedure laid down in Article 251 of the Treaty[(2)],

Whereas:

(1) Regulation (EC) No 1165/98[(3)] established a common basic framework for the collection, compilation, transmission and evaluation of Community business statistics for the purpose of the analysis of the economic cycle.

(2) The implementation of Regulation (EC) No 1165/98 effected by Commission Regulations (EC) No 586/2001[(4)], (EC) No 588/2001[(5)], and (EC) No 606/2001[(6)], concerning respectively the definition of Main Industrial Groupings, the definition of variables and the granting of derogations to Member States, has created a body of practical experience that allows measures for further improvements in short-term statistics to be identified.

(3) In its Action Plan on EMU Statistical Requirements and in subsequent progress reports on the implementation of that plan, the Ecofin Council identified additional fundamental aspects for improving the statistics covered by Regulation (EC) No 1165/98.

(4) For its monetary policy, the European Central Bank (ECB) needs short-term statistics to be further developed, as is stated in its document ECB Statistical Requirements in the field of General Economic Statistics, and, in particular, it needs timely, reliable and meaningful aggregates for the euro zone.

(5) The Statistical Programme Committee, established by Council Decision 89/382/EEC, Euratom[(7)], has identified Principal European Economic Indicators (PEEI) that go beyond the scope of Regulation (EC) No 1165/98.

(6) It is therefore necessary to amend Regulation (EC) No 1165/98 in areas of particular importance to monetary policy and to the study of the business cycle.

Changes to legislation: *Regulation (EC) No 1158/2005 of the European Parliament and of the Council 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*

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

(8) The implementation of the Lisbon strategy for growth and employment includes the reduction of unnecessary burdens on businesses and the dissemination of new technologies,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EC) No 1165/98 shall be amended as follows:

1. Article 4(2) shall be amended as follows:

(a) the following point shall be added to the sole subparagraph:

(d) participation in European sample schemes coordinated by Eurostat in order to produce European estimates.

The details of the schemes referred to in the first subparagraph shall be as specified in the Annexes. Their approval and implementation shall be governed by the procedure laid down in Article 18.

European sample schemes shall be established when national sample schemes do not meet the European requirements. Furthermore, Member States may opt to take part in European sample schemes when such schemes create possibilities for substantial reductions in the cost of the statistical system or the burden on business which meeting the European requirements entails. Participation in a European sample scheme shall satisfy the conditions of a Member State for the supply of the variable concerned according to the objective of such a scheme. European sample schemes may target the conditions, the level of detail and the deadlines for data transmission.;

(b) the following subparagraph shall be added:

Compulsory surveys shall be used to obtain information that is not already available (within the required timelines) in other sources, such as registers. Surveys shall be performed using electronic questionnaires and web-questionnaires where applicable.;

2. Article 10 shall be amended as follows:

(a) paragraph 3 shall be replaced by the following:

3. The quality of the variables shall be tested regularly by comparing them with other statistical information, such comparison to be effected by each Member State and the Commission (Eurostat). In addition they shall be checked for internal consistency.;

(b) paragraph 4 shall be replaced by the following:

4. Quality evaluation shall be carried out comparing the benefits of the availability of the data with the costs of collection and the burden on businesses, especially on small enterprises. For the purpose of this evaluation, Member States shall transmit to the Commission, at its request,

***Changes to legislation:** Regulation (EC) No 1158/2005 of the European Parliament and of the Council 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*

the necessary information according to a common European methodology developed by the Commission in close cooperation with the Member States.;

3. Article 12(1) shall be replaced by the following:

1. The Commission, after consulting the Statistical Programme Committee, shall publish by 11 February 2006 an advisory methodological manual which explains the rules set out in the Annexes and also contains guidance concerning short-term statistics.;

4. Article 14(2) shall be replaced by the following:

2. The Commission shall, by 11 August 2008 and again every three years thereafter, submit a report to the European Parliament and the Council on the statistics compiled pursuant to this Regulation and in particular on their relevance and quality and the revision of indicators. The report shall also specifically address the cost of the statistical system and the burden on business arising from this Regulation in relation to its benefits. It shall report on best practices for lessening the burden on business and shall indicate ways of reducing the burden and costs.;

5. The following point shall be added to Article 17:

(j) the establishment of European sample schemes (Article 4).;

6) Annexes A to D shall be amended as shown in the Annex.

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.

Done at Strasbourg, 6 July 2005.

For the European Parliament

The President

J. BORRELL FONTELLES

For the Council

The President

J. STRAW

Changes to legislation: *Regulation (EC) No 1158/2005 of the European Parliament and of the Council 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*

ANNEX

PART (A)

Annex A to Regulation (EC) No 1165/98 is amended as follows:

Scope

The text under heading (a) (Scope) is replaced by the following:

> This Annex applies to all activities listed in Sections C to E of NACE, or as the case may be, to all products listed in Sections C to E of the CPA.

List of variables

The text under heading (c) (List of variables) is hereby amended as follows:

1. the following variable is added to paragraph 1:

Variable	Name
340	Import prices;

2. paragraph (2) is replaced by the following:

2. The information on output prices for non-domestic markets (No 312) and import prices (No 340) may be compiled using unit values for products originating from foreign trade or other sources only if there is no significant deterioration in quality compared to specific price information. The Commission shall determine, in accordance with the procedure laid down in Article 18, the conditions for assuring the necessary data quality.;

3. paragraph (9) is replaced by the following:

9. The information on output prices and import prices (Nos 310, 311, 312 and 340) is not required for the following groups of NACE respectively CPA: 12.0, 22.1, 23.3, 29.6, 35.1, 35.3, 37.1, 37.2. The list of groups may be revised until 11 August 2008 in accordance with the procedure laid down in Article 18.;

4. the following paragraph is added:

10. The variable on import prices (No 340) is calculated on the basis of CPA products. The importing kind-of-activity units may be classified outside the activities of Sections C to E of NACE.

Form

The text under heading (d) (Form) is replaced by the following:

1. All of the variables are to be transmitted in unadjusted form, if available.

2. In addition, the production variable (No 110) and the hours-worked variable (No 220) are to be transmitted in working-day adjusted form. Wherever other variables show working-day effects, Member States may also transmit those variables in working-day adjusted form. The list of variables to be transmitted in working-day adjusted form may be amended in accordance with the procedure laid down in Article 18.

3. In addition, Member States may transmit the variables seasonally adjusted and may also transmit the variables in the form of trend cycles. Only if data are not transmitted

***Changes to legislation:** Regulation (EC) No 1158/2005 of the European Parliament and of the Council 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*

in these forms, may the Commission (Eurostat) produce and publish seasonally adjusted and trend-cycle series for these variables.

4. Variables Nos 110, 310, 311, 312 and 340 are to be transmitted as an index. All other variables are to be transmitted either as an index or as absolute figures.

Reference period

Under heading (e) (Reference period), the following variable is added:

Variable	Reference period
340	month

Level of detail

The text under heading (f) (Level of detail), is amended as follows:

1. paragraphs 1 and 2 are replaced by the following:

   1. All variables, except the import price variable (No 340), are to be transmitted at the Section (one letter), Sub-section (two letter) and Division two-digit level of NACE. The variable 340 is to be reported at the Section (one letter), Sub-section (two letter) and Division two-digit level of CPA.

   2. In addition, for Section D of NACE, the index of production (No 110) and the index of output prices (Nos 310, 311, 312) are to be transmitted at the three-digit and four-digit levels of NACE. The transmitted indices for production and output prices at the three-digit and four-digit levels must represent at least 90 % of the total value added for each Member State of Section D of NACE in a given base year. The variables need not be transmitted at these detailed levels by those Member States whose total value added of Section D of NACE in a given base year represents less than 4 % of the European Community total.;

2. paragraph 4 is replaced by the following:

4. In addition, all variables except for the turnover and new orders variables (Nos 120, 121, 122, 130, 131, 132) are to be transmitted for total industry defined as NACE Sections C to E and the main industrial groupings (MIGs) as defined in Commission Regulation (EC) No 586/2001[(8)].

3. the following paragraphs are added:

   5. The turnover variables (Nos 120, 121, 122) are to be transmitted for total industry defined as NACE Sections C and D and the MIGs with the exception of the main industrial grouping defined for energy-related activities.

   6. The new orders variables (Nos 130, 131, 132) are to be transmitted for total manufacturing, Section D of NACE and a reduced set of MIGs calculated from covering the list of NACE Divisions defined in paragraph 8 under heading (c) (“List of variables”) of this Annex.

   7. The import price variable (No 340) is to be transmitted for total industrial products, Sections C to E of CPA and MIGs defined in accordance with Regulation (EC) No 586/2001 from product groups of the CPA. This variable does not need to be transmitted by those Member States that have not adopted the euro as their currency.