

**DRAFT COUNCIL REGULATION (EURATOM, EEC) No \*\*\*\*/9\***

**of \*\* \*\*\*\* 199\***

**concerning structural business statistics**

**THE COUNCIL OF THE EUROPEAN UNION,**

Having regard to the Treaty establishing the European Community, and in particular Article 213 thereof,

Having regard to the draft Regulation submitted by the Commission<sup>1</sup>,

Having regard to the opinion of the European Parliament<sup>2</sup>,

Having regard to the opinion of the economic and social committee<sup>3</sup>,

Whereas the Council Directive No. 64/475 of 30 July 1964<sup>4</sup> and Council Directive No. 72/221 of 6 June 1972<sup>5</sup> which aimed to provide a body of coherent statistics, have not been able to take account of economic and technical changes;

Whereas in its Resolution of 14 November 1989<sup>6</sup>, the Council requested the Commission to improve statistics on distributive trade by rendering them compatible with Community definitions and ensure that more such data are supplied to the Statistical Office of the European Communities;

Whereas in Decision 92/326 of 18 June 1992<sup>7</sup>, the Council adopted a programme for the development of statistics on services, including the drawing up of harmonised statistics at national and regional levels, particularly for distributive trade and distribution;

- 1 Official Journal \* \*\*\* of \*\*.\*\*\*.\*\*\*\*, p. \*.
- 2 Official Journal \* \*\*\* of \*\*.\*\*\*.\*\*\*\*, p. \*.
- 3 Official Journal \* \*\*\* of \*\*.\*\*\*.\*\*\*\*, p. \*.
- 4 Official Journal L 131 of 13.08.1964, p. 2193.
- 5 Official Journal L 133 of 10.06.1972, p. 57.
- 6 Official Journal C 297 of 25.11.1989, p. 2.
- 7 Official Journal L 179 of 01.07.1992, p. 131.

Whereas in its Directive 78/660 of 25 July 1978<sup>8</sup> the Council adopted measures to improve the co-ordination of national provisions concerning the presentation and content of annual accounts and annual reports, the valuation methods used therein and their publication in respect of certain companies with limited liability;

Whereas the European Community has in the meantime made substantial progress towards integration; whereas new economic, competition, social, environmental and enterprise policies and guide-lines call for initiatives and decisions based on valid statistics; whereas the information provided for under existing Community legislation or available in the various Member States is insufficient, inadequate or insufficiently comparable to serve as a reliable basis for the work of the Commission;

Whereas in its Decision 93/379 of 14 June 1993<sup>9</sup> the Council adopted a multiannual programme of Community measures to intensify the priority areas and to ensure the continuity and consolidation of policy for enterprise, in particular small and medium-sized enterprises, in the Community; Whereas statistics are needed to assess the impact of the measures undertaken to achieve the objectives laid down in the Decision, in particular to have statistics which are comparable for businesses of all sectors, statistics on the national and international sub-contracting relations between businesses and improved statistics on small and medium sized enterprises;

Whereas in its Decision 93/464 of 22 July 1993<sup>10</sup> the Council adopted a framework programme for priority actions in the field of statistical information for 1993 to 1997;

Whereas there is a need for statistics on business conduct, in particular concerning training, research, development and innovation, environmental protection, investment, eco-industries, tourism and high-technology industries; Whereas the development of the European Community and the operation of the internal market increase the need for comparable data on the structure of earnings of employees, the cost of labour and of the training by businesses;

Whereas there is a need for complete and reliable statistical sources in order to enable a correct application of the Council Directive on the harmonisation of the compilation of gross national product at market prices (89/130/EEC, Euratom);<sup>11</sup>

Whereas the compilation of national accounts according to the European System of Integrated Economic Accounts (ESA) requires the development of comparable, complete and reliable statistical sources;

Whereas there is a specific need for regional indicators and accounts to monitor the effects of the allocation of the structural funds;

<sup>8</sup> Official Journal L 222 of 14.8.1978, p. 1.

<sup>9</sup> Official Journal L 161 of 02.07.1993, p. 68.

<sup>10</sup> Official Journal L 219 of 28.08.1993, p.1.

<sup>11</sup> Official Journal L 49 of 21.2.1989, p. 26.

Whereas, in order to carry out the tasks entrusted to it under the Treaties, especially with regard to the internal market under Article 7a of the Treaty establishing the European Community, the Commission must have exhaustive, up-to-date, reliable and comparable information on the structure, activity and performance of economic activities in the Community;

Whereas standardisation is required to meet Community needs for information concerning economic convergence;

Whereas businesses and their professional associations need such information in order to understand their markets and to know their activity and performance relative to competitors in their sector, at regional, national and international level;

Whereas in accordance with the principle of subsidiarity the creation of common statistical norms that permit the production of harmonised data is an action which can only be undertaken efficiently at Community level; Whereas such norms will be implemented in each Member State under the authority of the bodies and institutions in charge of compiling official statistics;

Whereas the best method of ascertaining the structure, activity and performance of economic activities consists of compiling statistics which conform to common methodological principles and with common definitions of characteristics; whereas it is only from co-ordinated compilation that harmonised statistics can be drawn up with reliability, speed, flexibility and the level of detail required to meet the needs of the Commission and of enterprises;

Whereas the statistical data compiled within a Community system must be of a satisfactory quality and this quality, as well as the burden it entails, must be comparable from one Member State to another, and whereas it is therefore necessary to establish jointly the criteria enabling these requirements to be met;

Whereas it is necessary to simplify the administrative procedures for enterprises, particularly smaller enterprises, including the promotion of new technologies for data collection and compilation; Whereas it may still be necessary to collect directly from businesses the data necessary to compile structural business statistics, using methods and techniques which will ensure that they are exhaustive, reliable and up to date, without giving rise for the parties concerned, in particular for small and medium sized businesses, to a burden out of proportion to the results which users of the said statistics can reasonably expect;

Whereas the General agreement on trade in services (GATS) has been signed and there is a substantial need for statistics implied in its management and development in terms of the size of the signatories' markets and their shares of these markets;

Whereas it is necessary to have a legal framework common to all business activities and domains of business statistics covering also the activities and domains for which statistics are not yet developed,

HAS ADOPTED THIS REGULATION:

### *Article 1*

#### **Aims**

- (1) Within the framework of the elaboration of a European Information System on businesses, the Member States shall carry out the production of Community statistics on the structure, activity and performance of businesses in the Member States, as well as the future development of these statistics in co-operation with the Commission.
- (2) For the collection of data and the compilation of statistics referred to in paragraph 1, the Member States, in co-operation with the Commission in accordance with the multiannual framework programme for priority actions in the field of statistical information for 1993 to 1997 as established by Council Decision (EEC) No. 464/93 of 22 July 1993, shall promote the conditions for administrative simplification for businesses in providing official statistics.

#### **SCOPE**

### *Article 2*

#### **Coverage**

- (1) The present Regulation covers all activities in Sections C to K and M to O of the statistical classification of economic activities in the European Community (NACE Rev.1) as established by Council Regulation (EEC) No 3037/90 of 9 October 1990<sup>12</sup> and amended by Commission Regulation (EEC) No 761/93 of 24 March 1993<sup>13</sup>.
- (2) Statistical units of the types listed in section I of the Annex to Council Regulation No. 696/93 of 15 March 1993<sup>14</sup> classified to one of the activities referred to in paragraph 1 are included in the scope of the Regulation. The use of particular units for the compilation of the statistics is specified in the annexes referred to in Article 4 paragraph 3. Data on activities in Sections M to O of NACE Rev.1 cover private sector entities, general government and private non-profit institutions. The

<sup>12</sup> Official Journal L 293 of 24.10.1990, p. 1.

<sup>13</sup> Official Journal L 83 of 3.4.1993, p. 1.

<sup>14</sup> Official Journal L 76 of 30.03.1993, p. 1.

identification and classification of government and private non-profit institutions' activities must be carried out using statistical units corresponding to entities which are closest to the statistical units defined in the private sector.

### ***Article 3***

#### **Domains**

The present Regulation relates to the compilation of statistics on the following domains:

- i the structure of the activities, and their evolution, as well as the type of relations between businesses;
- ii the factors of production used and other elements allowing business activity, performance and competitiveness to be measured;
- iii the regional, national, Community and international development of businesses and markets;
- iv the elements allowing business conduct to be studied;
- v the specific elements for the study of small and medium sized enterprises;
- vi the specific elements for the study of particular regroupings of activities or analysis according to analogous classifications.

### **OBSERVATION AND ESTIMATION OF CHARACTERISTICS AND THE COMPILATION AND TRANSMISSION OF RESULTS**

### ***Article 4***

#### **Modules**

- (1) The statistics to be compiled for the domains listed in Article 3 shall be divided into modules.
- (2) The modules will be organised as one of two types:

Common module: Statistics to be compiled annually for all or most of the activities listed in Article 2 paragraph 1

Detailed module: Statistics to be compiled for particular regroupings of activities or themes relating to the domains listed in Article 3.

(3) Each module shall be laid down in Annexes to the present Regulation, which form an integral part thereof. The following minimum information shall be laid down in each module:

- i) the activities for which the statistics are to be compiled, drawn from the coverage indicated in Article 2 paragraph 1 of the present Regulation,
- ii) the types of statistical unit to be used for the compilation of the statistics, drawn from the list of statistical units referred to in Article 2 paragraph 2 of the present Regulation,
- iii) lists of characteristics for which statistics are to be compiled for the domains listed in Article 3 and the reference periods for these characteristics. These lists may vary according to the different main activities, sizes, geographical locations, legal forms, financial and economic control and type of the statistical units for which the characteristics need to be observed,
- iv) a list of statistics to be compiled on business demography,
- v) the frequency for the compilation of the statistics which shall be yearly or multi-yearly. If the compilation is multi-yearly, it shall be done at least one every ten years,
- vi) the timetable showing the first reference years for the statistics to be compiled,
- vii) the norms relating to representativeness and quality control,
- viii) the period of time from the end of the reference period within which the statistics shall be transmitted,
- ix) the maximum length of the transition period which may be conceded.

(4) The Annexes to the present Regulation are;

a common module for annual structural statistics in Annex 1,

a detailed module for structural statistics in industry in Annex 2,

a detailed module for structural statistics in the distributive trades in Annex 3.

### *Article 5*

#### **Sources, requirements and administrative simplification**

- (1) The Member States shall collect the necessary data for the observation of the characteristics in the lists referred to in the modules in Article 4 and may use a combination of the different sources specified below.

The Member States may collect the necessary data using compulsory surveys where the legal units, which the statistical units called upon by Member States to supply information belong to or are composed of, are obliged to give honest and complete information within the prescribed deadlines.

Equally, compulsory surveys need not be carried out in full or in part if the Member States can collect the data on the relevant population from other sources which are at least equivalent as regards accuracy and quality. For this purpose Member States shall take the necessary measures to allow and facilitate access by the authorities responsible for the collection of data, to administrative sources within their state which meet the necessary accuracy requirements referred to in Article 6 paragraph 2.

The collection of data for the observation of some of the characteristics may imply the drawing of a sample of observation units within the reporting unit.

- (2) The Member States shall estimate the necessary data using statistical inference methods where some or all of the characteristics have not been observed for all of the units for which the statistics are to be compiled according to the modules in Article 4.
- (3) The burden on enterprises, particularly on small and medium sized enterprises, and the representativeness and quality control requirements (Article 6) shall be fully taken into account by the Member States in their choice and combination of the sources and the use of estimation mentioned in paragraphs 1 and 2 above.
- (4) The Member States, with the technical support of the Commission, shall promote the conditions for increased use of electronic data transmission and automatic data processing.

**Representativeness and quality control**

- (1) The Member States shall take the necessary measures to ensure that the data transmitted reflect the structure of the population of the statistical units laid down in the Annexes to the present Regulation, with particular reference to the main activities, the sizes, economic and financial control within the meanings of the GATS and of the Commission Directive (EEC) No. 723/80 of 25 June 1980<sup>15</sup> and geographical locations of the statistical units.
- (2) The Member States shall ensure that the statistics compiled from the collected and estimated data for the populations referred to in paragraph 1 meet the necessary optimal accuracy requirements taking account of the degree of representativeness in the Member State, the need for statistics on the European Community, the benefits of the availability of the data relative to the costs of collection and the burden on small enterprises, as well as the methods used.
- (3) Member States shall transmit to the Commission at its request all of the information necessary to evaluate the degree of accuracy of the results at the Community level. Such an evaluation shall be presented to the Committee referred to in Article 12.

*Article 7*

**Production of results**

- (1) From the collected and estimated data (Article 5 paragraphs 1 and 2) the Member States shall produce comparable results in accordance with standardised specifications. The results shall be broken down according to a number of classifications as laid down for each module in Annex.
- (2) In particular the results shall be broken down to the level of the NACE Rev.1 class unless laid down otherwise in the modules referred to in Article 4, or laid down by the Commission after consulting the Committee referred to in Article 12 and in accordance with the procedure laid down in Article 13, in which case the results shall be produced at a more aggregated level of the NACE Rev.1.

<sup>15</sup> Official Journal L 195 of 29.7.1980, p. 35



## *Article 8*

### **Transmission of results**

- (1) The Member States shall transmit the results referred to in Article 7, including the data declared confidential by the Member States pursuant to domestic legislation or practice concerning statistical confidentiality, in accordance with the provisions of Council Regulation No. 1588/90 of 11 June 1990<sup>16</sup> on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities. The said Regulation governs the confidential treatment of information.
- (2) The results shall be transmitted in an appropriate technical form and within a period of time from the end of the reference period which shall be laid down for each module (Article 4 paragraph 3) in the Annexes and shall be no longer than eighteen months. In addition, if laid down in a module, a small number of estimated rapid results shall be transmitted within a period of time from the end of the reference period which shall be laid down for each module in the Annexes and shall be no longer than ten months.

## **GENERAL PROVISIONS**

### *Article 9*

#### **Reports**

The Member States shall transmit to the Commission at its request any relevant information with regard to the implementation of the Regulation in the Member States.

### *Article 10*

#### **Transition period and derogations**

- (1) A transition period shall be laid down for each module in the annexes.
- (2) During the transition periods derogations from the provisions of the annexes to the present Regulation may be accepted in so far as the national statistical systems in the field of structural business statistics in the particular regrouping of activities concerned require important adaptations.

<sup>16</sup> Official Journal L 151 of 15.6.1990, p. 1.

- (3) The obligations under this Regulation and relevant modules have to be fully applied by all Member States by the end of the transition period in each module.

## *Article 11*

### **Review**

- (1) The Council shall re-examine the present Regulation within three years of the date of entry into force, and at least every three years thereafter.
- (2) For this purpose the Commission shall submit a report to the Council by the beginning of the year of the review on the experience acquired from the work carried out pursuant to this Regulation, in particular regarding the domains listed in Article 3 and the Annexes referred to in Article 4 paragraph 2. The Commission shall at the same time submit the report to the European Parliament.

## **COMMITTEE PROVISIONS**

### *Article 12*

#### **Consultation of the Committee**

The procedures for implementing this Regulation, including the measures for adjustment to economic and technical developments concerning the collection and statistical processing of data, the processing and the transmission of the results, in particular:

- i) the updating of the lists of characteristics, statistics on business demography and rapid results insofar that such updating, after a quantitative assessment, does not imply an increase in the number of units surveyed nor of the burden on the units out of proportion to the results foreseen (Articles 4 and 8);
- ii) the frequency of the compilation of the statistics
- iii) the definitions of the characteristics and their relevance for certain activities (Article 4);
- iv) the definition of the reference period (Article 4);
- v) the first reference year for the compilation of the rapid results (Article 8)
- vi) the application of quality controls for NACE Rev.1 classes (Article 6);
- vii) the standardised specifications for the processing of results, in particular the classifications and breakdowns to be used in processing (Article 7);

- viii) the appropriate technical form for the transmission of results (Article 8);
- ix) the updating of the periods of time for the transmission of data (Article 8);
- x) the transition period and derogations from the provisions of this Regulation during the transition period (Article 10),

shall be laid down by the Commission after consultation of the Statistical Programme Committee established by Council Decision 89/382 (EEC/Euratom)<sup>17</sup> according to the procedure set out in Article 13.

### *Article 13*

#### **Procedure**

- (1) The representatives of the Commission shall submit to the Committee a draft of the measures to be taken. The Committee shall deliver its opinion on the draft within a time limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.
- (2) The opinion shall be recorded in the minutes; in addition, each Member State will have the right to ask to have its opinion recorded in the minutes.
- (3) The Commission shall take the utmost account of the opinion delivered by the Committee. It shall inform the Committee of the manner in which its opinion has been taken into account.

### **FINAL PROVISIONS**

### *Article 14*

#### **Repeal of existing structural business statistics legislation**

The Council Directives No. 64/475/EEC and No. 72/221/EEC shall no longer apply after the transmission of all the data for the 1994 reference year.

---

<sup>17</sup> Official Journal L 181 of 28.6.1989, p. 47.

## ***Article 15***

### **Entry into force**

The present Regulation shall enter into force on the twentieth day following its publication in the Official Journal of the European Communities

This Regulation shall be binding in its entirety and directly applicable in all Member States.

## ANNEX 1

### A COMMON MODULE FOR ANNUAL STRUCTURAL STATISTICS

#### *Section 1*

##### **Aims**

This Annex contains a common module for the production of Community statistics on the structure, activity and performance of businesses in the Member States, within the aims laid down in Article 1 of the present Regulation.

#### *Section 2*

##### **Coverage**

- (1) Activities covered by this module (Article 4, paragraph 3, indent i of the present Regulation): The statistics are to be compiled for all Sections C to K of NACE Rev.1 except Class 6602 and Group 672. When statistics need not be compiled for some of the activities included within the coverage indicated above, this is explicitly mentioned in the list of characteristics below. The collection of data and the compilation of statistics does not apply to units classified to Class 6602, Group 672 and Sections M to O of NACE Rev.1; These units shall be the subject of a specific study laid down in Section 10 of the present Annex. These activities are listed in Section 9 of the present Annex.
- (2) Statistical units covered by this module (Article 4, paragraph 3, indent ii of the present Regulation): When statistics need not be compiled for enterprises constituted of all types of legal units this is explicitly mentioned in the list of characteristics below.

### Section 3

#### Domains

The statistics to be compiled relate to the domains numbered i), ii) and iii) of Article 3 of the present Regulation and in particular to the analysis of value added and of its main components.

### Section 4

#### Characteristics

- (1) The lists of characteristics and statistics (Article 4, paragraph 3, indents iii and v) presented below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency (Article 4, paragraph 3, indent iv).
- (2) The Commission, after consulting the Committee referred to in Article 12 of the present Regulation and in accordance with the procedure laid down in Article 13 of the present Regulation shall lay down the corresponding titles of the characteristics for which the statistics are to be compiled on activities in Section J of NACE Rev.1 which correspond the closest to those listed in paragraphs 3 to 5 below.
- (3) Yearly Demographic statistics to be compiled for the specified statistical units

Code	Title	Comment
11 11 0	Number of enterprises	
11 21 0	Number of local units	

- (4) Enterprise characteristics for which yearly statistics are to be compiled

Code	Title	Comment
12.11 0	Turnover	
12 12 0	Production value	
12 14 0	Value added at market prices	
12 15 0	Value added at factor cost	
13 31 0	Personnel costs	
12 18 0	Financial surplus	Only legal persons
13 11 0	Total purchases of goods and services	

Code	Title	Comment
13 12 0	Purchases of goods and services purchased for resale in the same condition as received	
14 11 0	Turnover from intra-community deliveries of goods and services	
14 12 0	Turnover from extra-community exports of goods and services	
14 21 0	Intra- community acquisitions of goods and services	
14 22 0	Extra-community imports of goods and services	
15 11 1	Gross investment in tangible goods (excluding land not built upon)	
16 11 0	Number of persons employed	
16 13 0	Number of employees	

(5) Characteristics for which yearly regional statistics are to be compiled

Code	Title	Comment
13 32 0	Wages and Salaries	
15 11 1	Gross investment in tangible goods (excluding land not built upon)	
16 11 0	Number of persons employed	

*Section 5*

**First reference year**

- (1) With reference to Article 4, paragraph 3, indent vi of the present Regulation, the first reference year for which the statistics shall be compiled is the calendar year 1995.
- (2) For the reference years 1995, 1996 and 1997, where the necessary data for the compilation of the results for some or all of the characteristics 12 18 0 (financial surplus) and 14 11 0 to 14 22 0 (breakdown of turnover and purchases by geographical market) is not available in one or more of

the Member States, the Member States concerned shall carry out pilot surveys to assess the feasibility of collecting the data necessary for the compilation of results for the characteristics for which data is unavailable. In accordance with Article 9 of the present Regulation the Member States shall inform the Commission of the outcome of the pilot surveys. In accordance with Article 11 of the present Regulation the Commission shall submit a report to the Council on the outcome of these pilot surveys which shall include a recommendation on the continuation of the action.

## *Section 6*

### **Report on the quality of statistics**

For each characteristic provided the Member States shall provide the degree of precision related to a confidence level of 95% which the Commission shall present in its report foreseen by Article 6 of the present Regulation, taking account of the application in each Member State of the said Article.

## *Section 7*

### **Production of results**

- (1) The results for the enterprise statistics are to be broken down to the level of the regroupings of activities listed in Section 9 of the present Annex.
- (2) The results for the enterprise statistics are also to be broken down into size classes for each group of Sections C-G of the NACE Rev.1 and at the level of the regroupings listed in Section 9 of the present Annex for the other Sections.
- (3) The results for the regional statistics are to be broken down to the NACE Rev.1 2-digit level (divisions) and the level II of the Nomenclature of territorial units (NUTS).
- (4) In the case of areas which are eligible for structural funds a more detailed geographical breakdown may be used.
- (5) For the sections G to K of NACE Rev.1 the results for the enterprise statistics in Section 4 paragraphs 3 and 4 above shall be broken down according to the existence or otherwise of a majority control by non-resident enterprises as defined in the GATS.



## *Section 8*

### **Transmission of results**

The results shall be transmitted within a delay of 18 months from the end of the calendar year of the reference period.

## *Section 9*

### **Regroupings of activities**

The following regroupings of activities refer to the NACE Rev.1 classification.

#### **SECTIONS C, D, E AND F**

Mining and quarrying; manufacturing; electricity, gas and water supply; construction

Broken down to the NACE Rev.1 4-digit level (class).

#### **SECTION G**

Wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods

Broken down to the NACE Rev.1 4-digit level (class).

#### **SECTION H**

Hotels and restaurants

55.1 + 55.2

"Hotels" + "Camping sites and other provision of short-stay accommodation"

55.3 + 55.4 + 55.5

"Restaurants" + "Bars" + "Canteens and catering"

#### **SECTION I**

Transport, storage and communication

60.1

Transport via railways

60.21 + 60.22 + 60.23

"Other land transport" without "freight transport by road"

60.24

Freight transport by road

60.3

Transport via pipelines

61.1

Sea and coastal water transport

61.2	Inland water transport
62	Air transport
63.1 + 63.2 + 63.4	"Supporting and auxiliary transport activities" without "activities of travel agencies and tour operators; tourist assistance activities n.e.c."
63.3	"Activities of travel agencies and tour operators; tourist assistance activities n.e.c."
64.11	National post activities
64.12	Courier activities other than national post activities
64.2	Telecommunications

## SECTION J

### Financial inter mediation

65.11	Central banking
65.12	Other monetary inter mediation
65.2	Other financial inter mediation
66.01	Life insurance
66.02	Pension funding
66.03	Non-life insurance
67.1	Activities auxiliary to financial intermediation, except insurance and pension funding
67.2	Activities auxiliary to insurance and pension funding

## SECTION K

### Real estate, renting and business activities

70	Real estate activities
71.1 + 71.2	"Renting of automobiles " + "renting of other transport equipment"
71.3	Renting of other machinery and equipment
71.4	Renting of personal and household goods n.e.c.
72	Computer related activities
73	Research and development
74.11 + 74.12 + 74.14 + 74.15	"Legal activities" + "accounting, book keeping and auditing activities, tax consultancy" + "business and management consultancy activities", + "management activities of holding companies"
74.13	Market research and public opinion polling

74.2 + 74.3	"Architectural and engineering activities and related technical consultancy" + "Technical testing and analysis"
74.4	Advertising
74.5	Labour recruitment and provision of personnel
74.6	Investigation and security activities
74.7	Industrial cleaning
74.8	Other business activities n.e.c.

## **SECTION M**

### **Education**

80	Education
----	-----------

## **SECTION N**

### **Health and social work**

85.1	Human health activities
85.2	Veterinary activities
85.3	Social work activities

## **SECTION O**

### **Other community and social service activities**

90	Sewage and refuse disposal, sanitation and similar activities
91	Activities of membership organisation n.e.c.
92.1	Motion picture and video activities
92.2	Radio and television activities
92.3	Other entertainment activities"
92.4 + 92.5	"News agency activities" + "Library, archives, museums and other cultural activities"
92.6 + 92.7	"Sporting activities" + "other recreational activities"
93	Other service activities

## ***Section 10***

### **Reports and pilot studies for particular activities**

With reference to Article 9 of the present Regulation, the Member States shall provide the Commission with a report relating to the definition, structure and availability of information on statistical units which are classified to Class 6602, Group 672 and Sections M to O of NACE Rev.1. The Commission, after consultation of the Committee in accordance with the procedure laid down in Article 13 of the present Regulation, shall adopt a series of pilot studies for these activities. By way of the review procedure laid down in Article 11 of the present Regulation, the Commission shall inform the Council of the possibilities for compiling statistics which correspond the closest to those listed in paragraphs 3 to 5 of Section 4 of the present Annex for these activities.

## ***Section 11***

### **Transition period**

For the purposes of this common module the transition period (Article 10, paragraph 1) shall not extend more than three years beyond the first reference years for the compilation of the statistics indicated in Section 5 of the present Annex.

**ANNEX 2****A DETAILED MODULE FOR STRUCTURAL STATISTICS IN INDUSTRY*****Section 1*****Aims**

This Annex contains a detailed module for the production of co-ordinated harmonised Community statistics on the structure, activity and performance of industrial activities in the Member States within the aims laid down in Article 1 of the present Regulation.

***Section 2*****Coverage**

- (1) Activities covered by this module (Article 4, paragraph 3, indent i of the present Regulation): The statistics are to be compiled for all enterprises and their dependent statistical units classified to the activities within the sections C, D, E and F of NACE Rev.1. These sections cover the activities of mining and quarrying (C), manufacturing (D), electricity, gas and water supply (E) and construction (F).
- (2) Sizes: The statistics to be compiled shall be representative of Statistical units of all sizes classes.
- (3) When statistics need not be compiled for some of the activities or size classes included within the coverage indicated above, this is explicitly mentioned in the list of characteristics below.

***Section 3*****Domains**

The statistics to be compiled relate to the domains numbered i), ii), iii), iv) and v) of Article 3 of the present Regulation, in particular to:

- a central list of statistics for a detailed analysis of the structure, activity, performance and competitiveness of industrial activities,
- a wider list of statistics for the study of special subjects such as sub-contracting, the cost and availability of financing for small businesses.

#### Section 4

#### Characteristics

- (1) The lists of characteristics and statistics (Article 4, paragraph 3, indents iii and v) presented below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency (Article 4, paragraph 3, indent iv). The statistics and characteristics presented in italics are also included in the lists in the common module.
- (2) Yearly demographic statistics to be compiled for the specified statistical units

Code	Title	Comment
11 11 0	<i>Number of enterprises</i>	
11 12 0	Number of births of enterprises	
11 13 0	Number of deaths of enterprises	
11 21 0	<i>Number of local units</i>	
11 31 0	Number of kind-of activity units	

- (3) Enterprise characteristics for which yearly statistics are to be compiled

Code	Title	Comment
12 11 0	<i>Turnover</i>	
12 12 0	<i>Production value</i>	
12 13 0	Gross margin on goods for resale	
12 14 0	<i>Value added at market prices</i>	
12 15 0	<i>Value added at factor cost</i>	
12 16 0	Income from ordinary activities	<i>Only legal persons</i>
12 17 0	Gross operating surplus	
12 18 0	<i>Financial surplus</i>	<i>Only legal persons</i>

Code	Title	Comment
12 19 0	Gross ordinary surplus	Only legal persons
12 20 0	Profit or loss for the year	Only legal persons
13 11 0	<i>Total purchases of goods and services</i>	
13 12 0	<i>Purchases of goods and services purchased for resale in the same condition as received</i>	
13 13 1	Payments for agency workers	
13 21 3	Change in stocks of finished products and work in progress manufactured by the unit	
13 32 0	Wages and salaries	
13 33 0	Social security costs	
14 11 0	<i>Turnover from intra-community deliveries of goods and services</i>	
14 12 0	<i>Turnover from extra-community exports of goods and services</i>	
14 21 0	<i>Intra-community acquisitions of goods and services</i>	
14 22 0	<i>Extra-community imports of goods and services</i>	
15 12 0	Gross investment in land not built upon	
15 13 0	Gross investment in existing buildings and structures	
15 14 0	Gross investment in construction and alteration of buildings	
15 15 0	Gross investment in machinery and equipment	
15 21 0	Sales of tangible investment goods	
15 31 0	Value of tangible goods acquired through financial leasing	
15 35 0	Payments for long term rental and operational leasing of goods	
15 61 0	Purchases of shares and participating interests	
15 62 0	Sales of shares and participating interests	

Code	Title	Comment
16 11 0	<i>Number of persons employed</i>	
16 13 0	<i>Number of employees</i>	
16 13 1	Number of part-time employees	
16 13 2	Number of apprentices	
16 14 0	Number of employees in full time equivalent units	
16 15 0	Number of hours worked by employees	
18 12 0	Turnover from industrial activities	
18 11 0	Turnover from the principal activity at the NACE Rev.1 4-digit level	
18 13 0	Turnover from trading activities of purchase and resale	
18 14 0	Turnover from intermediary activities (agents)	
18 15 0	Turnover from service activities	
20 11 0	Purchases of energy products (in value)	
21 11 0	Investment in equipment and plant for pollution control, and special anti-pollution accessories (mainly end-of-pipe equipment), broken-down into:	Sections C-E only
21 11 1	Waste	Sections C-E only
21 11 2	Air emissions	Sections C-E only
21 11 3	Water protection	Sections C-E only
21 11 4	Noise	Sections C-E only
21 12 0	Investment in equipment and plant linked to cleaner technology ('integrated technology'), broken-down into:	Sections C-E only
21 12 1	Waste	Sections C-E only
21 12 2	Air emissions	Sections C-E only
21 12 3	Water protection	Sections C-E only
21 12 4	Noise	Sections C-E only
22 11 0	Total intra-mural R & D expenditure	
22 12 0	Total number of R & D personnel	



Enterprise characteristics for which multi-yearly statistics are to be compiled

Code	Title	Comment
16 13 5	Number of homeworkers	Divisions 17/18/19/21 /22/25/28/31/32/36
15 42 0	Gross investment in concessions, patents, licences, trade marks and similar rights	
15 43 0	Gross investment in marketing	
15 44 0	Gross investment in software.	
20 21 0	Purchases of hard coal (in value)	
20 22 0	Purchases of coke (in value)	
20 23 0	Purchases of patent fuels (in value)	
20 24 0	Purchases of gasoil (in value)	
20 25 0	Purchases of heavy fuel oil (in value)	
20 26 0	Purchases of other petroleum products (in value)	
20 27 0	Purchases of natural gas (in value)	
20 28 0	Purchases of derived gas (in value)	
20 29 0	Purchases of renewable energy sources (in value)	
20 30 0	Purchases of heat (in value)	
20 31 0	Purchases of electricity (in value)	
21 14 0	Total current expenditure on environmental protection, broken-down into:	Sections C-E only
21 14 1	Waste	Sections C-E only
21 14 2	Aair emissions	Sections C-E only
21 14 3	Water protection	Sections C-E only
21 14 4	Noise	Sections C-E only
23 11 0	Payments to sub-contractors	
23 12 0	Income from sub-contracting	

Characteristics for which yearly regional statistics are to be compiled

Code	Title	Comment
13 32 0	<i>Wages and salaries</i>	
15 11 1	<i>Gross investment in tangible goods (excluding land not built upon)</i>	
16 11 0	<i>Number of persons employed</i>	

(6) Kind of activity unit characteristics for which yearly statistics are to be compiled

Code	Title	Comment
12 11 0	Turnover	
12 12 0	Production value	
13 32 0	Wages and salaries	
15 11 0	Gross investment in tangible goods	
16 11 0	Number of persons employed	

Section 5

First reference year

(1) With reference to Article 4, paragraph 3, indent vi of the present Regulation, the first reference year for which yearly statistics shall be compiled is the calendar year 1995. The first reference years for the statistics to be compiled with a multi-yearly frequency are specified below for the codes under which the characteristics are listed.

Calendar year 1995	Codes	23 11 0 - 23 13 0 20 21 0 - 20 31 0 15 42 0 - 15 44 0
Calendar year 1996	Codes	16 13 5 21 14 0 - 21 14 4

(2) Multi-yearly statistics are to be compiled at least every five years.

(3) For the reference years 1995, 1996 and 1997, where the necessary data for the compilation of the results for some or all of the characteristics 12 16 0 and 12 18 0 to 12 20 0 (income from ordinary activities, financial surplus, gross ordinary surplus and profit or loss for the year), 14 11 0 to 14 22 0 (breakdown of turnover and purchases by geographical market) and 15 61 0 and 15 62 0 (purchases and sales of shares and participating interests) is not available in one or more of the Member States, the Member States concerned shall carry out pilot surveys to assess the feasibility of collecting the data necessary for the compilation of results for the characteristics for which data is unavailable. In accordance with Article 9 of the present Regulation the Member States shall inform the Commission of the outcome of the pilot surveys. In accordance with Article 11 of the present Regulation the Commission shall submit a report to the Council on the outcome of these pilot surveys which shall include a recommendation on the continuation of the action.

**Report on the quality of statistics**

For each characteristic provided the Member States shall provide the degree of precision related to a confidence level of 95% which the Commission shall present in its report foreseen by Article 6 of the present Regulation, taking account of the application in each Member State of the said Article.

*Section 7*

**Production of results**

- (1) The results for the enterprise statistics are to be broken down to the NACE Rev.1 4-digit level (class).
- (2) The results for the enterprise statistics are also to be broken down into size classes and to the NACE Rev.1 3-digit level (group).
- (3) The results for the enterprise statistics are also to be broken down between public and private sector enterprises according to the form of financial and economic control within the meaning of the Commission Directive (EEC) No. 723/80 of 25 June 1980 and to the NACE Rev.1 3-digit level (group).
- (4) The results for the statistics compiled from Kind of activity units are to be broken down to the NACE Rev.1 4-digit level (class)
- (5) The results for the regional statistics are to be broken down to the NACE Rev.1 2-digit level (divisions) and the level II of the Nomenclature of territorial units (NUTS). In the case of areas which are eligible for structural funds a more detailed geographical breakdown may be used.
- (6) The results for the characteristics 21 11 0-4, 21 12 0-4 and 21 14 0-4 (inclusive), concerning current expenditure and investment for the protection of the environment, shall be compiled for the following groupings of NACE Rev.1:

Section C,

Subsection DA,

Subsections DB+DC,

Subsection DD  
Subsection DE  
Subsection DF  
Subsections DG+DH  
Subsection DI  
Division 27  
Division 28  
Subsections DK+ DL+DM+DN  
Division 40  
Division 41

### ***Section 8***

#### **Transmission of results**

The results shall be transmitted within a delay of 18 months from the end of the calendar year of the reference period.

Rapid results shall be transmitted within 10 months from the end of the calendar year of the reference period, for the enterprise statistics compiled for the characteristics listed below;

Codes	11 11 0 (Number of enterprises)
	12 11 0 (Turnover)
	12 12 0 (Production value)
	13 11 0 (Total purchases of goods and services)
	13 32 0 (Wages and salaries)
	15 11 0 (Gross investment in tangible goods)
	16 11 0 (Number of persons employed)

These rapid results shall be broken down to the NACE Rev.1 3-digit level (group).

## ***Section 9***

### **Transition period**

For the purposes of this detailed module for structural statistics in industry, the transition period (Article 10, paragraph 1) shall not extend more than three years beyond the first reference years for the compilation of the statistics indicated in Section 5 of the present Annex.

**ANNEX 3****A DETAILED MODULE FOR STRUCTURAL STATISTICS ON DISTRIBUTIVE TRADE*****Section 1*****Aims**

This Annex contains a detailed module for the production of harmonised Community statistics on distributive trade activities within the aims laid down in Article 1 of the present Regulation. This module includes a detailed list of characteristics for which it is necessary to compile statistics to improve knowledge of the regional, national, Community and international development of the distributive trade sector.

***Section 2*****Coverage**

- (1) Activities covered by this module (Article 4, paragraph 3, indent i of the present Regulation): The statistics are to be compiled for all activities within the coverage of section G of the NACE Rev.1. This section covers the activities of wholesale and retail trade; repair of motor vehicles, motorcycles and personal and household goods. Enterprise statistics refer to the population of all enterprises whose main activity is classified in Section G.
- (2) Sizes: The statistics to be compiled shall be representative of Statistical units of all sizes classes.
- (3) When statistics need not be compiled for some of the activities or size classes included within the coverage indicated above, this is explicitly mentioned in the list of characteristics below.

### Section 3

#### Domains

The statistics to be compiled relate to the domains numbered (i), (ii), (iii) and (vi) of Article 3 of the present Regulation and in particular to:

- the structure of the distributive trade network and its evolution, as well as the patterns of association and co-operation between enterprises;
- distributive activity and forms of selling, as well as patterns of supply and sale.

### Section 4

#### Characteristics

The lists of characteristics and statistics (Article 4, paragraph 3, indents iii and v) presented below indicate, where relevant, the type of statistical unit for which the statistics are to be compiled and whether they are to be compiled with a yearly or multi-yearly frequency (Article 4, paragraph 3, indent iv). The statistics presented in *italics* are also included in the lists in the common module.

Yearly demographic statistics to be compiled

Code	Title	Comment
	<b>Demographic data</b>	
<i>11 11 0</i>	<i>Number of enterprises</i>	
<i>11 21 0</i>	<i>Number of local units</i>	

Enterprise characteristics for which yearly statistics are to be compiled

Code	Title	Comment
	<b>Accounting data</b>	
<i>12 11 0</i>	<i>Turnover</i>	
<i>12 12 0</i>	<i>Production value</i>	
<i>12 13 0</i>	<i>Gross margin on goods for resale</i>	

Code	Title	Comment
12 14 0	<i>Value added at market prices</i>	Only legal persons
12 15 0	<i>Value added at factor costs</i>	
12 17 0	Gross operating surplus	
12 18 0	<i>Financial surplus</i>	
13 11 0	<i>Total purchases of goods and services</i>	
13 12 0	<i>Purchases of goods and services purchased for resale in the same condition as received</i>	
13 21 0	Change in stocks of goods and services	
13 21 1	Change in stocks of goods and services purchased for resale in the same condition as received	
13 31 0	<i>Personnel costs</i>	
13 32 0	Wages and salaries	
13 41 1	Payments for long term rental and financial leasing of goods	
	Data reflecting the extent of integration and internationalisation of enterprises	
14 11 0	<i>Turnover from intra-community deliveries of goods and services</i>	
14 12 0	<i>Turnover from extra-community exports of goods and services</i>	
14 21 0	<i>Intra-community acquisitions of goods and services</i>	Simplified provisions for division 52
14 22 0	<i>Extra-community imports of goods and services</i>	Simplified provisions for division 52
	Data relating to the Capital Account	
15 12 0	Gross investment in land not built upon	
15 13 0	Gross investment in existing buildings and structures	



Code	Title	Comment
15 14 0	Gross investment in construction and alteration of buildings	
15 15 0	Gross investment in machinery and equipment	
15 21 0	Sales of tangible investment goods	
	<b>Data on employment</b>	
16 11 0	<i>Number of persons employed</i>	
16 13 0	<i>Number of employees</i>	
16 13 3	Number of part-time employees working less than half-time	
16 13 4	Number of part-time employees working half-time or more	
	<b>Breakdown of turnover by type of activity</b>	
18 12 0	Turnover from industrial activities	
18 13 0	Turnover from trading activities of purchase and resale	
18 14 0	Turnover from intermediary activities (agents)	
18 15 0	Turnover from service activities	

Enterprise characteristics for which multi-yearly statistics are to be compiled

Code	Title	Comments
	<b>Information on operating costs other than personnel costs</b>	
13 41 0	Operating costs linked to buildings and equipment	
13 42 0	Cost of selling	
13 43 0	Other operating costs	
	<b>Information on trading links by association and co-operation between enterprises</b>	
	Involvement of the enterprise in an association or co-operation agreement with other enterprises specifically:	
17 11 1	motor vehicle concessionaire	Division 50 only

Code	Title	Comments
17 11 2	motor vehicle dealership	Division 50 only
17 11 3	motor vehicle trader acting as subsidiary of motor vehicle producer	Division 50 only
17 11 4	total or majority of goods for resale purchased from a single supplier	Division 51 only
17 11 5	supplier of a franchising chain or a buying group	Division 51 only
17 11 6	affiliation to a buying group	Division 52 only
17 11 7	affiliation to a franchising chain	Division 52 only
17 11 8	affiliation to a consumers' co-operative	Division 52 only
	<b>Information on forms of trading by enterprises</b>	Division 52 only
	Trading forms, amongst which;	
17 31 1	Trading in stores	
17 31 2	Trading through fixed market stands and/ or stalls	
17 31 3	Itinerant trading	
17 31 4	Mail-order selling	
17 31 5	Other forms of trade than those mentioned above	
17 32 0	Number of retail stores	
17 33 0	Category of sales space for retail stores engaged in retail trade	
17 34 0	Number of fixed market stands and/ or stalls	
	<b>Breakdown of turnover by product type (excluding commissions and other payments for services rendered)</b>	
18 21 0	Breakdown of turnover by product (according to the categories which serve to classify enterprises to NACE Rev.1)	
	<b>Information on types of supplier and types of customer</b>	
	Percentage share of turnover by customer type, specifically:	Division 51 only
25 11 1	resale traders: retail traders	

Code	Title	Comments
25 11 2	professional users (wholesalers, others)	Division 52 only
25 11 3	final consumers (retail trade activity)	
	Percentage share of purchases by type of supplier, specifically:	
25 21 1	wholesalers, purchasing groups	
25 21 2	producers	

Characteristics for which yearly regional statistics are to be compiled

Code	Title	Comments
13 32 0	<i>Wages and salaries</i>	
15 11 1	<i>Gross investment in tangible goods (excluding land not built upon)</i>	
16 11 0	<i>Number of persons employed</i>	

Characteristics for which multi-yearly regional statistics are to be compiled

Code	Title	Comments
12 11 0	Accounting data	Divisions 50 and 52 only
	Turnover	
17 33 1	Information on outlets	Division 52 only
	Sales space	

## Section 5

### First reference year

- (1) With reference to Article 4, paragraph 3, indent vi of the present Regulation the first reference year for which yearly statistics shall be compiled is the calendar year 1995. The first reference years for

the statistics to be compiled with a multi-yearly frequency are specified below for each of the divisions of NACE Rev.1 for which the data is to be collected:

Sector 52:	1996
Sector 51:	1998
Regional statistics	1999
Sector 50	2000

- (2) The multi-yearly frequency is five years. A special transition period for regional statistics not extending more than three years may be conceded to Member States if the national statistical system requires important adaptations in Distributive Trade statistics or if the Member State has to adapt an existing multi-yearly local unit survey.
- (3) For the reference years 1995, 1996 and 1997, where the necessary data for the compilation of the results for some or all of the characteristics 12 18 0 (financial surplus) and 14 11 0 to 14 22 0 (breakdown of turnover and purchases by geographical market) is not available in one or more of the Member States, the Member States concerned shall carry out pilot surveys to assess the feasibility of collecting the data necessary for the compilation of results for the characteristics for which data is unavailable. In accordance with Article 9 of the present Regulation the Member States shall inform the Commission of the outcome of the pilot surveys. In accordance with Article 11 of the present Regulation the Commission shall submit a report to the Council on the outcome of these pilot surveys which shall include a recommendation on the continuation of the action.

## *Section 6*

### **Report on the quality of statistics and production of results**

- (1) For each characteristic provided the Member States shall provide the degree of precision related to a confidence level of 95% which the Commission shall present in its report foreseen by Article 6 of the present Regulation, taking account of the application in each Member State of the said Article.
- (2) The enterprise statistics are to be compiled according to the classes of the NACE Rev.1 in accordance with the procedure laid down under Article 7, paragraph 2 of the present Regulation.
- (3) The results for the enterprise statistics are also to be broken down into size classes for each NACE Rev.1 group.
- (4) The regional statistics are to be compiled at the NUTS II level for each group of the NACE Rev.1.

- (5) The coverage of regional statistics to be compiled on a multi-yearly basis corresponds to the population of all local units whose main activity is classified in Section G. However, it can be limited to the local units dependant on enterprises classified in the section G of NACE Rev.1 if such a population covers more than 95% of the total coverage. This ratio is calculated using the employment characteristic available in the business register.
- (6) Simplified provisions for the characteristics relating to the international trading of goods and services: the Member States need not compile these data if the share of such trade in the total sales or purchases of the retail trade sector is less than 5%. This share is to be evaluated by way of multi-yearly surveys.

## *Section 7*

### **Transmission of results**

- (1) The results shall be transmitted within 18 months from the end of the calendar year of the reference period.
- (2) Rapid results shall be transmitted within 10 months from the end of the calendar year of the reference period for the enterprise statistics compiled for the characteristics listed below:

12 11 0 (Turnover)

16 11 0 (Number of persons employed)

These rapid results are to be compiled at the 3-digit level of NACE Rev.1.

- (3) The appropriate technical form for the transmission of results shall be laid down in accordance with the procedure foreseen in the Regulation.

## *Section 8*

### **Transition period**

For the purposes of this detailed module for structural statistics on distributive trade, the transition period (Article 10, paragraph 1) shall not extend more than three years beyond the first reference years for the compilation of the statistics indicated in Section 5 of the present Annex.