



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 8 July 2013

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REV 1**

**ECOFIN 676
STATIS 63**

COVER NOTE

from:	Presidency
date of receipt:	4 July 2013
to:	Delegations
Subject:	Joint hearing on the outcome of trilogue negotiations on the Regulation amending the 'European Statistics' Regulation (EC)223/09 – extension of the deadline for providing opinions

Working Party on Statistics: to 'European Statistics' delegations

Delegations will find here attached the table with the compromise text of the Regulation on 'European statistics' as negotiated with the ECON negotiating team (last right column). As part of the negotiations the Presidency has agreed that this is the final text and is not subject to further amendments.

In order to facilitate taking decisions by Member States, the final consolidated text received from the EP Lawyer-linguist on 2 July 2013 and the Commission's non-paper prepared as a result of the 1st trilogue are also attached.

Member States are requested to indicate on the attached template their position on the final compromise text. The Presidency is requesting Member States to consider the text as an overall package.

Please provide your opinion by Tuesday 23 July at 12:00 (CET) to the following email addresses:

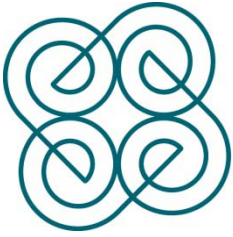
eu2013presidency@stat.gov.lt

dgg.statis.ecofin@consilium.europa.eu

If the delegations agree with the proposed compromise, the text (pending its legal/linguistic revision) will be submitted for approval to Coreper II.

The Committee will be also asked to mandate its Chair to write to the Chair of the Committee on Economic and Monetary Affairs of the European Parliament to confirm that, should the EP adopt a position which corresponds to the attached compromise text, the Council would, in accordance with Article 294(4) TFEU, be in a position to approve it, thus adopting the act in the wording which corresponds to the position of the EP, subject, if necessary, to revision by the legal linguists of both institutions.

Encl.:



Uachtaránacht na hÉireann ar
Chomhairle an Aontais Eorpaigh
Irish Presidency of the Council
of the European Union
eu2013.ie



**Proposal for a Council Regulation amending Regulation (EC) No 223/2009
on European statistics**

Member States are requested to indicate on the attached template their position on the final trilogue text. The Presidency is requesting Member States to consider the text as an overall package.

Please provide your opinion by Monday 23 July 2013 (by 12:00 CET) to the following email addresses:

eu2013presidency@stat.gov.lt

eu2013@eso.ie

dgg.statis.ecofin@consilium.europa.eu

YES

NO

NON-PAPER

Obligation for the Commission to consult the European Parliament on the appointment of the Director-General of Eurostat; a parallel with OLAF

Summary

In the SCICLUNA Report on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European statistics, adopted by the ECON Committee in December 2012, Amendment 28 aims at increasing the level of democratic scrutiny and accountability as regards Eurostat. Amongst others it is suggested that the Director-General of Eurostat should be appointed following consultation of the Parliament. In addition, it is suggested to establish, in the Regulation, the term of office of the Director-General as well as very detailed conditions for the recruitment process and for potential disciplinary action.

At the first trilogue meeting on 6 May, it was argued that OLAF would constitute a valid precedent in support for this amendment and that there is a legal basis for involvement of the Parliament and of the Council in Eurostat governance along these lines.

This non-paper aims at describing the legal framework in place as well as the facts surrounding the very specific set-up of OLAF that may have been presented as a relevant precedent. In addition, the very particular role of OLAF and its right to initiate investigations in all Union institutions and bodies is illustrated. That role and that right explain why the Commission has adopted exceptional rules in terms of involvement of the Parliament and of the Council in appointing the Director of OLAF as well as the members of the Supervisory Committee. Similar particularities, which could have brought the Commission to consider the adoption of exceptional rules, are not present in the case of Eurostat.

Furthermore, it is also clear that Article 338(1) does not provide a sufficient legal basis to impose upon the Commission an obligation to consult the European Parliament and/or the Council when appointing the Director-General of Eurostat, as such measure would affect the power of the Commission to determine its own internal organisation and be contrary to Article 17(6) of the Treaty on European Union (TEU).

General provisions and basic principles

TEU Article 17(3) third subparagraph: "the Commission shall be completely independent"

TEU Article 17(6): "The President of the Commission shall: ... (b) decide on the internal organisation of the Commission"

Treaty on the Functioning of the European Union (TFEU) Article 249(1): "The Commission shall adopt its Rules of Procedure so as to ensure that both it and its departments operate. It shall ensure that these Rules are published."

The above provisions relate to the basic principles of institutional autonomy and institutional balance. These principles are acknowledged in various other acts of secondary legislation, for instance in the [Financial Regulation](#) (Article 49) and in [Regulation \(EC\) No 1073/1999](#) of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF).

Fight against fraud

Initially, the administrative investigations to ensure protection of the Communities' financial interests and the fight against fraud were conferred on a Task Force, or an "Anti-Fraud Coordination Unit" (UCLAF). That Task Force was created as part of the Secretariat-General of the Commission in 1988. UCLAF's powers gradually increased and the importance of its tasks and the character of its role, for and within all Community institutions, gave an incentive to re-consider its set-up. It was acknowledged that independence of the considered new entity was an essential feature to ensure an effective fight against fraud, while it would help ensuring its efficiency if it could at the same time benefit from the administration as well as from other prerogatives of the Commission (like the right of initiative). In view of the above principles of institutional autonomy and balance, the Commission consequently decided to establish a new European Anti-Fraud Office, OLAF.

Commission Decision to establish OLAF

The Decision was adopted on the basis of Article 162 of the Treaty establishing the European Community (and corresponding provisions in the Treaties establishing the European Coal and Steel Community and the European Atomic Energy Community) which read, at the time, as follows:

"1. The Council and the Commission shall consult each other and shall settle by common accord their methods of cooperation.

2. The Commission shall adopt its rules of procedure so as to ensure that both it and its departments operate in accordance with the provisions of this Treaty. It shall ensure that these rules are published."

[Commission Decision](#) of 28 April 1999 establishing the European Anti-fraud Office (OLAF) 1999/352/EC, ECSC, Euratom (based on Article 162 of the Treaty establishing the European Community):

Recital 4: "the need to increase the effectiveness of the fight against fraud and other illegal activities detrimental to the financial interests of the Communities requires the establishment of a European Anti-fraud Office (OLAF), hereinafter referred to as "the Office" which must exercise its investigation powers in full independence"

Recital 5: "the independence of the Director of the Office and the role of the Surveillance Committee arising from this Decision, and from the EC and Euratom Regulations concerning the investigations conducted by the Office, seek to guarantee the Office's proper conduct of investigations without interfering with its other tasks, such as those which are the prerogative of the Commission, in particular in matters of legislation"

[Regulation \(EC\) No 1073/1999](#) of the European Parliament and of the Council of 25 May 1999 concerning investigations conducted by the European Anti-Fraud Office (OLAF):

Recitals 4 and 5: "... to reinforce the means available for combating fraud, while respecting the principle of each institution's internal organisational autonomy [emphasis added], the Commission has established among its own departments by Decision 1999/352/EC, ECSC, Euratom, a European Anti-Fraud Office (hereinafter "the Office") with responsibility for conducting administrative fraud investigations; whereas it has given this Office full independence to exercise its investigative function".

Article 1: "Objectives and tasks

1. In order to step up the fight against fraud, corruption and any other illegal activity affecting the financial interests of the European Community, the European Anti-Fraud Office established by Commission Decision 1999/352/EC, ECSC, Euratom (hereinafter "the Office") shall exercise the powers of investigation conferred on the Commission by the Community rules and Regulations and agreements in force in those areas.

...

3. Within the institutions, bodies, offices and agencies established by, or on the basis of, the Treaties (hereinafter "the institutions, bodies, offices and agencies"), the Office shall conduct administrative investigations for the purpose of:

- fighting fraud, corruption and any other illegal activity affecting the financial interests of the European Community,
- investigating to that end serious matters relating to the discharge of professional duties ..."

Proposal for a Council amending Regulation (EC) No 223/2009 on European statistics

COM - COUNCIL - EP TEXT- COMPROMISE TEXT

Document version: 18 June 2013

	COMMISSION	COUNCIL	PARLIAMENT	Compromise Text
citation 1	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,
citation 2	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
citation (new)		<u>Having regard to the opinion of the European Central Bank,</u>		Having regard to the opinion of the European Central Bank,
citation 3	After transmission of the draft legislative act to the national Parliaments,	After transmission of the draft legislative act to the national Parliaments,	After transmission of the draft legislative act to the national Parliaments,	After transmission of the draft legislative act to the national Parliaments,
citation 4	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
recital 1	(1) The European Statistical System (the ESS), as a partnership, has in general successfully consolidated its activities to ensure the development, production and dissemination of high-quality European statistics, including by improving the governance of the system.	(1) The European Statistical System ([...] ESS), as a partnership, has in general successfully consolidated its activities to ensure the development, production and dissemination of high-quality European statistics, including by improving the governance of the system.	(1) The European Statistical System (the ESS), as a partnership, has in general successfully consolidated its activities to ensure the development, production and dissemination of high-quality European statistics, including by improving the governance of the system.	(1) The European Statistical System (the ESS), as a partnership, has in general successfully consolidated its activities to ensure the development, production and dissemination of high-quality, regulated and reliable European statistics, including by improving the governance of the system.

recital 2	(2) Some weaknesses have, however, recently been identified, in particular with regard to the statistical quality-management framework.	(2) Some weaknesses have, however, recently been identified, in particular with regard to the statistical quality-management framework.	(2) <i>Major</i> weaknesses have, however, recently been identified, in particular with regard to the statistical quality-management framework, <i>which have resulted in inaccurate, and in some cases, false statistical data.</i>	Weaknesses have, however, recently been identified, in particular with regard to the statistical quality-management framework. Those weaknesses have served to emphasise the need to ensure the independence of statistical authorities from possible political pressure at national and Union level.
recital (new) 2a			<i>(2a) Those structural flaws have served to emphasise the need to ensure the independence of statistical authorities from possible political pressure at national and Union level.</i>	Deleted
recital 3	(3) The Commission suggested action to address these weaknesses in its Communication of 15 April 2011 to the European Parliament and the Council ‘Towards robust quality management for European Statistics’ ¹ . In particular, it suggested a targeted amendment of Regulation (EC) No 223/2009 of the European Parliament and the Council of 11 March 2009 on European statistics ² .	(3) The Commission suggested action to address these weaknesses in its Communication of 15 April 2011 to the European Parliament and the Council ‘Towards robust quality management for European Statistics’ ³ . In particular, it suggested a targeted amendment of Regulation (EC) No 223/2009 of the European Parliament and the Council of 11 March 2009 on European statistics ⁴ .	(3) The Commission suggested action to address these weaknesses <i>and to strengthen the governance of the ESS</i> in its Communication of 15 April 2011 to the European Parliament and the Council ‘Towards robust quality management for European Statistics’ ³ . In particular, it suggested a targeted amendment of Regulation (EC) No 223/2009 of the European Parliament and the Council of 11 March 2009 on European statistics.	(3) The Commission suggested action to address these weaknesses and to strengthen the governance of the ESS in its Communication of 15 April 2011 to the European Parliament and the Council ‘Towards robust quality management for European Statistics’ ³ . In particular, it suggested a targeted amendment of Regulation (EC) No 223/2009 of the European Parliament and the Council of 11 March 2009 on European statistics.
recital 4	(4) In its conclusions of 20 June 2011, the ECOFIN Council welcomed the Commission’s initiative and stressed the importance of continuously improving the	(4) In its conclusions of 20 June 2011, the ECOFIN Council welcomed the Commission’s initiative and stressed the importance of continuously improving the	(4) In its conclusions of 20 June 2011, the ECOFIN Council welcomed the Commission’s initiative and stressed the importance of continuously improving the	(4) In its conclusions of 20 June 2011, the ECOFIN Council welcomed the Commission’s initiative and stressed the importance of continuously improving the

¹ COM(2011) 211 final.

² OJL 87, 31.3.2009, p. 164.

³ COM(2011) 211 final.

⁴ OJL 87, 31.3.2009, p. 164.

	improving the governance and efficiency of the ESS.	of continuously improving the governance and efficiency of the ESS.	the governance and efficiency of the ESS.	improving the governance and efficiency of the ESS.
recital 5	(5) In addition, the impact on the statistical domain of recent developments in the context of the economic-governance framework of the Union should be taken into account, in particular aspects related to statistical independence such as transparent recruitment and dismissal processes, budgetary allocations and pre-release calendars, as laid down in Regulation (EU) No 1175/2011 of the European Parliament and the Council of 16 November 2011 amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies ¹ , as well as those related to the requirement for bodies in charge of monitoring the implementation of national fiscal rules to enjoy functional autonomy, as laid down in Regulation (EU) No .../...of the European Parliament and the Council on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area.	(5) In addition, the impact on the statistical domain of recent developments in the context of the economic-governance framework of the Union should be taken into account, in particular aspects related to statistical independence such as transparent recruitment and dismissal processes, budgetary allocations and pre-release calendars, as laid down in Regulation (EU) No 1175/2011 of the European Parliament and the Council of 16 November 2011 amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies, as well as those related to the requirement for bodies in charge of monitoring the implementation of national fiscal rules to enjoy functional autonomy, as laid down in Regulation (EU) No .../...of the European Parliament and the Council on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area.	(5) In addition, the impact on the statistical domain of recent developments in the context of the economic-governance framework of the Union should be taken into account, in particular aspects related to statistical independence such as transparent recruitment and dismissal processes, budgetary allocations and pre-release calendars, as laid down in Regulation (EU) No 1175/2011 of the European Parliament and the Council of 16 November 2011 amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies, as well as those related to the requirement for bodies in charge of monitoring the implementation of national fiscal rules to enjoy functional autonomy, as laid down in Regulation (EU) No .../...of the European Parliament and the Council on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area.	(5) In addition, the impact on the statistical domain of recent developments in the context of the economic-governance framework of the Union should be taken into account, in particular aspects related to statistical independence such as transparent recruitment and dismissal processes, budgetary allocations and pre-release calendars, as laid down in Regulation (EU) No 1175/2011 of the European Parliament and the Council of 16 November 2011 amending Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies, as well as those related to the requirement for bodies in charge of monitoring the implementation of national fiscal rules to enjoy functional autonomy, as laid down in Regulation (EU) No .../...of the European Parliament and the Council on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area.
recital 6	(6) Those aspects should not remain limited to the statistics produced for the purposes of the fiscal-surveillance	(6) Those aspects related to statistical independence, such as transparent recruitment and dismissal processes,	(6) Those aspects should not remain limited to the statistics produced for the purposes of the fiscal-surveillance	(6) Those aspects related to professional independence, such as transparent recruitment and dismissal

¹ OJ L 306, 23.11.2011, p. 12.

	system and the excessive-deficit procedure but should apply to all European statistics developed, produced and disseminated by the ESS.	<u>budgetary allocations and release calendars</u> , should not remain limited to the statistics produced for the purposes of the fiscal-surveillance system and the excessive-deficit procedure but should apply to all European statistics developed, produced and disseminated by the ESS.	system and the excessive-deficit procedure but should apply to all European statistics developed, produced and disseminated by the ESS, including those relating to growth and employment, taking account and assessing the added value of statistics gathered for attainment of the targets of the Europe 2020 Strategy.	processes, budgetary allocations and release calendars, should not remain limited to the statistics produced for the purposes of the fiscal-surveillance system and the excessive-deficit procedure but should apply to all European statistics developed, produced and disseminated by the ESS, while taking account of and assessing the added value of statistics gathered for attainment of the targets of the Union Growth Strategy.
recital (new) 6a			(6a) The quality of European statistics and their relevance for evidence-based decision-taking should be constantly reviewed, amongst others by assessing their added value for attainment of the targets of the Europe 2020 Strategy including those relating to growth and employment as well as social economy. When relevant, the coverage of European statistics should be adapted.	Deleted
recital 7	(7) Moreover, the adequacy of resources attributed on an annual or a multiannual basis and available to meet statistical needs is a necessary condition for the professional independence of statistical authorities.	(7) Moreover, the adequacy of resources attributed on an annual or a multiannual basis and available to meet statistical needs is a necessary condition for the professional independence of statistical authorities.	(7) Moreover, the adequacy of resources attributed on an annual or a multiannual basis and available to meet statistical needs is a necessary condition for ensuring professional independence of statistical authorities and the high quality of statistical data.	(7) Moreover, the adequacy of resources attributed on an annual or a multiannual basis and available to meet statistical needs is a necessary condition for ensuring professional independence of statistical authorities and the high quality of statistical data.
recital 8	(8) To that effect, the professional independence of statistical authorities should be strengthened and minimum standards should be enforced, in particular as regards the heads of national statistical institutes (NSIs), to whom specific guarantees should be provided in terms of the performance	(8) To that effect, the professional independence of statistical authorities should be strengthened and minimum standards should be [...] ensured. [...] Specific guarantees should be provided to the heads of national statistical institutes (NSIs) in terms of the performance of statistical	(8) To that effect, the professional independence of statistical authorities should be strengthened and minimum standards, harmonised at European level , should be enforced, in particular as regards the heads of national statistical institutes (NSIs), to whom specific guarantees should be provided	(8) To that effect, the professional independence of statistical authorities should be strengthened and minimum standards, applicable in the entire Union, should be ensured. Specific guarantees should be provided to the heads of national statistical institutes (NSIs), in terms of the performance of

	of statistical tasks, organisational management and resource allocation.	tasks, organisational management and resource allocation.	in terms of the performance of statistical tasks, organisational management and resource allocation. <i>To that end, national parliaments have a particularly important role to play regarding the legitimacy of the process and in terms of parliamentary control.</i>	statistical tasks, organisational management and resource allocation. The procedures for recruitment of heads of NSIs should be transparent and based on professional criteria only with due regard to equal opportunity and in particular, gender balance. To these ends, national parliaments should fully play their role. This role, where appropriate and in accordance with their national law, should foster the independence of statistics producers and increase the democratic accountability of statistical policy.
recital (new) 8a			<i>(8a) While credible European statistics require strong professional independence on the part of statisticians, European statistics should respond to policy needs and provide statistical support for new policy initiatives at National and Union level.</i>	(8a) While credible European statistics require strong professional independence on the part of statisticians, European statistics should respond to policy needs and provide statistical support for new policy initiatives at National and Union level.
recital (new) 8b			<i>(8b) In addition to guaranteeing the independence of NSIs, it is necessary for the independence of Eurostat to be consolidated and guaranteed by means of effective parliamentary scrutiny and control.</i>	(8b) It is necessary for the independence of Eurostat to be consolidated and guaranteed by means of effective parliamentary scrutiny and control.
recital 9	(9) Furthermore, the coordinating role already attributed to the NSIs should be clarified as regards its scope, so as to achieve more efficient coordination of statistical activities at national level, including quality management, while duly taking into account the statistical tasks performed by the European System	(9) Furthermore, the coordinating role already attributed to the NSIs <i>for European statistics produced through the ESS</i> should be clarified as regards its scope, so as to achieve more efficient coordination of statistical activities <i>within the ESS</i> at national level, including quality management. <i>It is necessary to step up coordination and</i>	(9) Furthermore, the coordinating role already attributed to the NSIs for European statistics produced through the ESS should be clarified as regards its scope, so as to achieve more efficient coordination of statistical activities within the ESS at national level, including quality management, while duly taking into account the	(9) Furthermore, the coordinating role already attributed to the NSIs for European statistics produced through the ESS should be clarified as regards its scope, so as to achieve more efficient coordination of statistical activities within the ESS at national level, including quality management, while duly taking into account the

recital 9a (new)		of Central Banks (ESCB).	<p><i>cooperation between NSIs and Eurostat and remedy any shortcomings in this respect.</i></p>	<p>statistical tasks performed by the European System of Central Banks (ESCB). The ongoing coordination and cooperation between NSIs and Eurostat is also an important part of efficient coordination of statistical activities within the ESS. The institutional separation of the ESCB and the independence of central banks should be respected in the framework of developing, producing and disseminating European statistics under the respective governance structure and statistical work programmes of the ESS and the ESCB.</p>
recital 10	(10) In order to reduce the burden on statistical authorities and respondents, the NSIs and other national	(10) In order to reduce the burden on statistical authorities and respondents, the NSIs and other	<p><i>(9a) In accordance with Article 9 of Regulation (EC) No 223/2009 and Article 2a of Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank¹, the ESS and the European System of Central Banks (ESCB) cooperate closely to ensure complete and coherent European statistics produced by the two statistical systems in their fields of competence in accordance with their respective work programmes. Particular areas of cooperation include national accounts and balance of payment statistics, as well as the provision of advice to the Commission on statistics related to the excessive deficit procedure.</i></p> <p><i>¹ OJL 318, 27.11.1998, p. 8.</i></p>	Deleted
recital 10	(10) In order to reduce the burden on statistical authorities and respondents, the NSIs and other national	(10) In order to reduce the burden on statistical authorities and respondents, the NSIs and other national authorities	(10) In order to reduce the burden on statistical authorities and respondents,	(10) In order to reduce the burden on statistical authorities and respondents,

	authorities should be able to access and use administrative records, including those filled electronically, promptly and free-of-charge, as well as to integrate these records with statistics.	national authorities should be able to access and use administrative records, including those filled electronically, promptly and free-of-charge, as well as to integrate these records with statistics.	should be able to access and use administrative records of publicly available information , including those filled electronically, promptly and free-of-charge, as well as to integrate these records with statistics.	the NSIs and other national authorities should be able to access and use administrative records, including those filled electronically, promptly and free-of-charge, as well as to integrate these records with statistics.
recital 10a (new)			(10a) National and European statistics should be easy to compare and access and should be updated promptly and regularly so as to ensure that Union policies and funding initiatives take full account of developments in Europe, in particular the consequences of the economic crisis.	(10 a) European statistics should be easy to compare and access and should be updated promptly and regularly so as to ensure that Union policies and funding initiatives take full account of developments in Europe, in particular the consequences of the economic crisis.
recital 11	(11) The NSIs should furthermore be consulted at an early stage on the design of new administrative records that could provide data for statistical purposes and on planned changes to, or cessation of, existing administrative sources. They should also receive relevant metadata from the owners of administrative data and coordinate standardisation activities concerning administrative records that are relevant for statistical data production.	(11) In this respect, the [...] NSIs should be [...] consulted at an early stage on the design of new administrative records that could provide data for statistical purposes and on planned changes to, or cessation of, existing administrative sources. They should also receive relevant metadata from the owners of administrative data and coordinate standardisation activities concerning administrative records that are relevant for statistical data production.	(11) The NSIs should furthermore be consulted at an early stage on the design of new administrative records that could provide data for statistical purposes and on planned changes to, or cessation of, existing administrative sources. They should also receive relevant metadata from the owners of administrative data and coordinate standardisation activities concerning administrative records that are relevant for statistical data production. Activities of the NSIs and other relevant national authorities in relation to access, use, standardisation, initial design, subsequent development and cessation of ESCB administrative records should not interfere with the performance of ESCB tasks specified in Article 127 of the Treaty on the Functioning of the European Union (TFEU) or with safeguards relating to central bank independence laid down in Article 130 and Article 282(3) TFEU and Articles 7 and 37 of Protocol No 4	(11) The NSIs should furthermore be consulted at an early stage on the design of new administrative records that could provide data for statistical purposes and on planned changes to, or cessation of, existing administrative sources. They should also receive relevant metadata from the owners of administrative data and coordinate standardisation activities concerning administrative records that are relevant for statistical data production.

	<p>(12) The confidentiality of data obtained from administrative records should be protected under the common principles and guidelines applicable to all confidential data used for the production of European statistics. Quality-assessment frameworks applicable to these data should also be established.</p>		<p>(12) The confidentiality of data obtained from administrative records should be protected under the common principles and guidelines applicable to all confidential data used for the production of European statistics. Quality-assessment frameworks applicable to these data should also be established.</p>		<p>(12) The confidentiality of data obtained from administrative records should be protected under the common principles and guidelines applicable to all confidential data used for the production of European statistics. Harmonised quality and transparency assessment frameworks applicable to these data should also be established.</p>	<p>on the Statute of the European System of Central Banks and of the European Central Bank.</p>		<p>(12) The confidentiality of data obtained from administrative records should be protected under the common principles and guidelines applicable to all confidential data used for the production of European statistics. Quality and transparency assessment frameworks applicable to these data should also be established and published.</p>	
<p>recital 12a (new)</p>			<p>(12a) All users should have access to the same data at the same time and embargoes should be strictly complied with. NSIs should establish release calendars for the publication of periodical data.</p>	<p>(12a) All users should have access to the same data at the same time and embargoes should be strictly complied with. NSIs should establish release calendars for the publication of periodical data.</p>					<p>(13) The quality of European statistics could be strengthened and the confidence of users reinforced, by involving national governments in the responsibility of rigorously applying the European Statistics Code of Practice. To this end, a 'Commitment on Confidence in Statistics' should be established in each Member State and include specific undertakings by its government to implement the Code and national high-quality-assurance frameworks, including self-assessments and improvement actions.</p>
<p>recital 13</p>		<p>(13) The quality of European statistics could be strengthened and the confidence of users reinforced, by involving national governments in the responsibility of applying the European Statistics Code of Practice. To this end, a 'Commitment on Confidence in Statistics' [...], established in each Member State, taking account of national specificities, could [...] include specific undertakings by its government to implement the Code and national quality-assurance frameworks, including self-assessments [...], improvement actions and monitoring mechanisms.</p>	<p>(13) The quality of European statistics could be strengthened and the confidence of users reinforced, by involving national governments in the responsibility of rigorously applying the European Statistics Code of Practice. To this end, a 'Commitment on Confidence in Statistics' should be established in each Member State and include specific undertakings by its government to implement the Code and national high-quality-assurance frameworks, including self-assessments and improvement actions with the participation and supervision of national parliaments.</p>	<p>(13) The quality of European statistics could be strengthened and the confidence of users reinforced, by involving national governments in the responsibility of rigorously applying the European Statistics Code of Practice. To this end, a 'Commitment on Confidence in Statistics' established in each Member State, taking account of national specificities, could include specific undertakings by its government to implement the Code and national high-quality-assurance frameworks, including self-assessments, improvement actions and monitoring mechanisms.</p>					

recital (new) 13a			<i>(13a) Since the quality-management system will require close coordination and collaboration between the Commission (Eurostat) and national bodies responsible for verifying upstream public finance data, reforms are needed to strengthen the independence and mandate of national courts of auditors.</i>		
recital (new) 13b			<i>(13b) The Commission (Eurostat) website should allow easy access to complete, user-friendly data series and should include easily comprehensible, comparative, coloured graphs. This should apply to all data sets, and equal representation of those sets should be guaranteed. Where possible, periodic updates should provide year-on-year and month-on-month information on each Member State.</i>		(13a) The Commission (Eurostat) website should allow easy access to complete, user-friendly data series. Where possible, periodic updates should provide year-on-year and month-on-month information on each Member State.
recital 14	(14) As the production of European statistics must be based on long-term operational and financial planning in order to ensure a high degree of independence, the European statistical programme should cover the same period as the multiannual financial framework.	(14) As the production of European statistics must be based on long-term operational and financial planning in order to ensure a high degree of independence, the European statistical programme should cover the same period as the multiannual financial framework.		(14) As the production of European statistics must be based on long-term operational and financial planning in order to ensure a high degree of independence, the European statistical programme should cover the same period as the multiannual financial framework.	
recital 15	(15) Regulation (EC) No 223/2009 confers powers on the Commission to implement some of the provisions of that Regulation; as a consequence of the entry into force of the Lisbon Treaty, the powers conferred under this Regulation need to be aligned to Articles 290 and 291 of the Treaty.	(15) Regulation (EC) No 223/2009 confers powers on the Commission to implement some of the provisions of that Regulation; as a consequence of the entry into force of [...] Regulation (EU) No 182/2011 which repeals Council Decision 1999/468/EC, the		(15) Regulation (EC) No 223/2009 confers powers on the Commission to implement some of the provisions of that Regulation in accordance with Council Decision 1999/468/EC of 28 June 1999. [...] As a consequence of the entry into force of [...] Regulation (EU) No 182/2011 which repeals Council Decision 1999/468/EC, the powers	(15) Regulation (EC) No 223/2009 confers powers on the Commission to implement some of the provisions of that Regulation in accordance with Council Decision 1999/468/EC of 28 June 1999. As a consequence of the entry into force of Regulation (EU) No 182/2011 which repeals Council Decision 1999/468/EC, the powers

recital 16	291 of the Treaty.	<p>powers conferred upon the Commission need to be aligned to this new legal framework. Those powers should therefore be exercised in accordance with Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers. The Commission should ensure that those implementing acts do not impose a significant additional administrative burden on the Member States and on the respondent units.</p>	<p>conferred upon the Commission need to be aligned to this new legal framework. Those powers should therefore be exercised in accordance with Regulation (EU) No 182/2011 laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers. The Commission should ensure that those implementing acts do not impose a significant additional administrative burden on the Member States and on the respondent units.</p>
recital 17	<p>(16) The Commission should have the power to adopt delegated acts in accordance with Article 290 of the Treaty in order to supplement or amend certain non-essential elements of Regulation (EC) No 223/2009 so as to specify quality requirements, such as target values and minimum standards for the statistical production, when sectoral statistical legislation does not provide for these. The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States and on the respondent units.</p>	[...]	<p>(16) The Commission should have the power to adopt delegated acts in accordance with Article 290 of the Treaty in order to supplement or amend certain non-essential elements of Regulation (EC) No 223/2009 so as to specify quality requirements, such as target values and minimum standards for the statistical production, when sectoral statistical legislation does not provide for these. The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on the Member States and on the respondent units.</p>
recital 17	<p>(17) It is of particular importance that the Commission carry out the appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated</p>	[...]	<p>(17) It is of particular importance that the Commission carry out the appropriate consultations during its preparatory work, including at expert level. The Commission, when preparing and drawing-up delegated acts, should</p>

	acts, should ensure simultaneous, timely and appropriate submission of the relevant documents to the European Parliament and Council.		ensure simultaneous, timely and appropriate submission of the relevant documents to the European Parliament and Council.	
recital 18	<p>(18) There is a need for uniform conditions for implementing access to confidential data for scientific purposes. Implementing powers should be conferred on the Commission with a view to establishing the arrangements, rules and conditions governing such access at Union level, in accordance with the examination procedure laid down in Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers¹.</p>	[...]	<p>(18) There is a need for uniform conditions for implementing access to confidential data for scientific purposes without compromising transparency. Implementing powers should be conferred on the Commission with a view to establishing the arrangements, rules and conditions governing such access at Union level, in accordance with the examination procedure laid down in Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission's exercise of implementing powers⁴.</p>	Deleted
recital 19	<p>(19) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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</p>	<p>(19) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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</p>	<p>(19) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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</p>	<p>(16) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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</p>

¹ OJL 55, 28.2.2011, p. 13.

	achieve that objective.	achieve that objective.	achieve that objective.	objective.	achieve that objective.
recital 20	(20) The European Statistical System Committee has been consulted,	(20) The European Statistical System Committee has been consulted,	(20) The European Statistical System Committee has been consulted,	(20) The European Statistical System Committee has been consulted,	(17) The European Statistical System Committee has been consulted,
	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	<i>Article 1</i>	
	Regulation (EC) No 223/2009 is amended as follows:	Regulation (EC) No 223/2009 is amended as follows:	Regulation (EC) No 223/2009 is amended as follows:	Regulation (EC) No 223/2009 is amended as follows:	
	(1) In Article 2(1), point (a) is replaced by the following:	(1) In Article 2(1), point (a) is replaced by the following:	(1) In Article 2(1), point (a) is replaced by the following:	(1) In Article 2(1), point (a) is replaced by the following:	
Art. 2 – paragraph 1 – point (a)	‘(a) ‘professional independence’, meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups or from Union or national authorities;’	‘(a) ‘professional independence’, meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups or from Union or national authorities;’	‘(a) ‘professional independence’, meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups or from Union or national authorities;’	‘(a) ‘professional independence’, meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups or from Union or national authorities;’	‘(a) ‘professional independence’, meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, free from any pressures from political or interest groups or from Union or national authorities;’
	(2) In Article 5, paragraph 1 is replaced by the following:	(2) In Article 5, paragraph 1 is replaced by the following:	(2) In Article 5, paragraph 1 is replaced by the following:	(2) In Article 5, paragraph 1 is replaced by the following:	In Article 5, paragraph 1 is replaced by the following:
Art. 5 – paragraph 1 – subparagraph 1	‘1. The national statistical authority designated by each Member State as the body having the responsibility for coordinating all activities at national level for the development, production and dissemination of European statistics (the NSI) shall act in this regard as the sole contact point for the	‘1. The national statistical authority designated by each Member State as the body having the responsibility for coordinating all activities at national level for the development, production and dissemination of European statistics (the NSI) shall act in this regard as the sole contact point for	‘1. The national statistical authority designated by each Member State as the body having the responsibility for coordinating all activities at national level for the development, production and dissemination of European statistics (the NSI) shall act in this regard as the sole contact point for	‘1. The national statistical authority designated by each Member State as the body having the responsibility for coordinating all activities at national level for the development, production and dissemination of European statistics (the NSI) shall act in this regard as the sole contact point for the Commission	‘1. The national statistical authority designated by each Member State as the body having the responsibility for coordinating all activities at national level under this Regulation (the NSI) shall act in this regard as the sole contact point for the Commission

Art. 5 – paragraph 1 – subparagraph 2	Commission (Eurostat) on statistical matters.	the Commission (Eurostat) on statistical matters.	(Eurostat) on statistical matters.	(Eurostat) on statistical matters.
	The coordinating responsibility of the NSI shall cover all other national authorities responsible for the development, production and dissemination of European statistics. The NSI shall, in particular, be responsible at national level for coordinating statistical programming and reporting, quality monitoring, data transmission and communication on ESS statistical actions.’	The coordinating responsibility of the NSI shall cover all other national authorities responsible for the development, production and dissemination of European statistics. The NSI shall, in particular, be responsible at national level for coordinating statistical programming and reporting, quality monitoring, <i>clear</i> methodology, data transmission and communication on ESS statistical actions and shall cooperate with the respective national central bank (NCB) to ensure production of complete and coherent European statistics through the ESS and the ESCB in their respective fields of competence.	The coordinating responsibility of the NSI shall cover all other national authorities responsible for the development, production and dissemination of European statistics produced under this Regulation by all other national authorities participating in the ESS. The NSI shall, in particular, be responsible at the national level for coordinating statistical programming and reporting, quality monitoring, clear methodology, data transmission and communication on ESS statistical actions. The NSI and the respective national central bank (NCB), in its capacity as an ESCB member implementing ESCB statistical work programmes, shall mutually cooperate on issues related to European statistics that are common to the ESS and the ESCB, with the view to ensuring production of complete and coherent European statistics through the ESS and the ESCB in their respective fields of competence.	
Art. 5a – title	(3) The following Article 5a is inserted: ‘ <i>Article 5a</i> Heads of NSIs	(3) The following Article 5a is inserted: ‘ <i>Article 5a</i> Heads of NSIs	(3) The following Article 5a is inserted: ‘ <i>Article 5a</i> Heads of NSIs	(3) The following Article 5a is inserted: ‘ <i>Article 5a</i> Heads of NSIs and statistical heads of other national authorities
Art. 5a – paragraph 1	1. Within their national statistical system, the heads of NSIs shall have the sole responsibility for deciding on	1. Within their national statistical system, [...] Member States shall ensure the professional	1. Within their national statistical system, the heads of NSIs shall have the sole responsibility for coordinating	1. Within their national statistical system, Member States shall ensure the professional independence, as

	<p>processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all European statistics. They shall be empowered to decide on all matters regarding the internal management of the NSI. They shall coordinate the statistical activities of all national authorities that contribute to the development, production and dissemination of European statistics. When carrying out these tasks, the heads of NSIs shall act in an independent manner; they shall neither seek nor take instructions from any government or other institution, body, office or entity; they shall refrain from any action incompatible with the performance of these tasks.</p>	<p>independence, as defined in Article 2(1), point (a), of officials responsible for the tasks set out in this Regulation.</p>	<p>processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all European statistics. They shall be empowered to decide on all matters regarding the internal management of the NSI. They shall coordinate the statistical activities of all national authorities that contribute to the development, production and dissemination of European statistics <i>produced through the ESS. Furthermore, they shall cooperate with the respective NCBs on issues related to the production of European statistics that are common to the ESS and to the ESCB. NSIs shall be responsible for their internal organisation for the purposes of compliance with this Regulation.</i> When carrying out these tasks, the heads of NSIs shall act in an independent manner; they shall neither seek nor take instructions from any government or other institution, body, office or entity; they shall refrain from any action incompatible with the performance of these tasks.</p>	<p>defined in Article 2(1), point (a), of officials responsible for the tasks set out in this Regulation</p>
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<p>Art. 5a – para 2</p>	<p>2. The procedures for recruitment, transfer and dismissal of heads of NSIs shall be transparent and based on professional criteria only.</p>	<p>2. [...] To this end, the heads of NSIs shall [...]:</p> <p>(a) have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for European statistics developed, produced and disseminated by the NSI;</p> <p>(b) be empowered to decide on all matters regarding the internal management of the NSI;</p> <p>(c) act in an independent manner while performing their statistical tasks; they shall neither seek nor take instructions from any government or other institution, body, office or entity;</p> <p>(d) be accountable for the statistical activities and budget execution of the NSI;</p> <p>(e) publish an annual report and may express comments on budget allocation issues related to the statistical activities of the NSI;</p> <p>(f) coordinate the statistical activities of all national authorities that contribute to the development, production and dissemination of European statistics, as set out in Article 5;</p>	<p>2. The procedures for recruitment, transfer and dismissal of heads of NSIs shall be transparent, based on professional criteria and published on their websites. Heads of NSIs shall be appointed by national governments after consulting the national parliament. They shall ensure that there are equal opportunities, notably as regards gender, and that all positions have both male and female candidates. Candidates shall be invited to appear before the relevant national parliamentary committees prior to their appointment.</p>	<p>2. To this end, the heads of NSIs shall:</p> <p>(a) have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for European statistics developed, produced and disseminated by the NSI;</p> <p>(b) be empowered to decide on all matters regarding the internal management of the NSI;</p> <p>(c) act in an independent manner while performing their statistical tasks; they shall neither seek nor take instructions from any government or other institution, body, office or entity;</p> <p>(d) be responsible for the statistical activities and budget execution of the NSI;</p> <p>(e) publish an annual report and where appropriate express comments on budget allocation issues related to the statistical activities of the NSI;</p> <p>(f) coordinate the statistical activities of all national authorities that contribute to the development, production and dissemination of European statistics, as set out in Article 5;</p> <p>(g) produce national guidelines, where necessary, for ensuring quality in the</p>
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Art. 5a – para 3	3. The heads of NSIs shall be accountable for the statistical activities and budget execution of the NSI; they shall publish an annual report and may express comments on budget allocation issues related to the statistical activities of the NSI.	3. [...] Member States shall ensure that other national authorities responsible for the development, production and dissemination of European statistics carry out such tasks in accordance with the national guidelines produced by the head of the NSI.	2a. Detailed reasons shall be given for the dismissal of a head of a NSI. Such a dismissal shall not be made on political grounds.	Deleted
Art. 5a – para 4	4. The heads of NSIs shall represent their national statistical systems within the ESS.	4. Member States shall ensure that the [...] procedures for recruitment, transfer and dismissal of heads of NSIs and, where appropriate, statistical heads of other national authorities producing European statistics are transparent and based on professional criteria only.	4. The heads of NSIs shall represent their national statistical systems within the ESS. 4. The procedures for recruitment, transfer and dismissal of heads of NSIs and, where appropriate, statistical heads of other national authorities producing European statistics shall be transparent and based on professional criteria only, and not on political grounds. They shall ensure that there are equal opportunities, notably as regards gender. Detailed reasons shall be given for the dismissal of a head of a NSI. These procedures shall be made public.	Deleted
Art. 5a – para 4a			EP COMP 4a. National parliaments shall be consulted prior to the appointment of heads of NSIs.	Deleted
Art. 5a – para 4a (new)		5. Member States may establish a national body for assuring the professional independence of the	5. Member States may establish a national body for assuring the professional independence of the	5. Member States may establish a national body for assuring the professional independence of the

		producers of European statistics in the Member State. The heads of NSIs and, where appropriate, the statistical heads of other national authorities producing European statistics may take advice from such bodies. The procedures for recruitment, transfer and dismissal of the members of such bodies shall be transparent and based on professional criteria only and not on political grounds.'			producers of European statistics in the Member State. The heads of NSIs and, where appropriate, the statistical heads of other national authorities producing European statistics may take advice from such bodies. The procedures for recruitment, transfer and dismissal of the members of such bodies shall be transparent and based on professional criteria only and not on political grounds.'	
					National parliaments should be consulted prior to the appointment of heads of NSIs, in order to foster their independence and to increase democratic accountability of statistical policy.	Deleted
						(4) In Article 6, paragraph 2 is replaced by the following: 2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles, through cooperation and coordination with NSIs . In this respect, it shall have the responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases, without prejudice to legislative guidance in accordance with Article 12(2) .
Art. 6 para 2	(4) In Article 6, paragraph 2 is replaced by the following: ‘2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles. In this respect, [...] the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases.’	(4) In Article 6, paragraph 2 is replaced by the following: ‘2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles. In this respect, [...] the Director-General of Eurostat shall have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases, in accordance with the European statistical programme and the annual work programme. When carrying out these statistical tasks,	(4) In Article 6, paragraph 2 is replaced by the following: ‘2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles. In this respect, [...] the Director-General of Eurostat shall have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases, and on the timing of statistical releases, without prejudice to legislative guidance in accordance with Article 12(2) .	(4) In Article 6, paragraph 2 is replaced by the following: 2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles, through cooperation and coordination with NSIs.		(4) In Article 6, paragraph 2 is replaced by the following: 2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles, through cooperation and coordination with NSIs.

<p>Article 6a – new</p>		<p>the Director-General of Eurostat shall act in an independent manner; he or she shall neither seek nor take instructions from the Union institutions or bodies, from any government of a Member State, or from any other institution, body, office or entity.’</p>	<p><i>(4a) the following article is inserted:</i></p> <p>"Article 6a</p> <p>Director-General of the Commission (Eurostat)</p> <p>1. The statistical office of the Commission (Eurostat) shall be headed by a Director-General. The Director-General shall be appointed by the Commission, for a non-renewable term of office of seven years, in accordance with the procedure specified in paragraph 2.</p> <p>2. The Commission shall publish a call for applications in the Official Journal of the European Union no later than six months before the end of the term of office of the Director-General in office. The procedure for the recruitment of the Director-General shall be transparent and based only on professional criteria and not on political grounds. The Commission shall appoint the Director-General after consulting the Council and the European Parliament.</p> <p>3. The Director-General shall have the sole responsibility for deciding on</p>	<p>Article 6a</p> <p>Director-General of the Commission (Eurostat)</p> <p>1. The statistical office of the Commission (Eurostat) shall be headed by a Director-General. The Director-General shall be appointed by the Commission, for a non-renewable term of office of seven years, in accordance with the procedure specified in paragraph 2.</p> <p>2. The Commission shall publish a call for applications in the Official Journal of the European Union no later than six months before the end of the term of office of the Director-General in office. The procedure for the recruitment, transfer and dismissal of the Director-General shall respect the principle of equal opportunities, be transparent and based only on professional criteria and not on political grounds. The Commission shall appoint the Director-General after consulting the Council and the European Parliament.</p> <p>3. The Director-General shall have the sole responsibility for deciding on</p>
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			<p><i>submitted, for information, to the European Parliament, the Council and the European Statistical Governance Advisory Board."</i></p>	<p>Director-General shall be the subject of a reasoned decision, which shall be submitted, for information, to the European Parliament, the Council and the European Statistical Governance Advisory Board."</p>
Art. 7a (new)			<p>(4b) the following article is inserted:</p> <p>"Article 7a</p> <p>Cooperation with courts of auditors</p> <p>1. In order to ensure that data on the public sector are accurate and fairly reflect the situation of public accounts, the ESS shall cooperate and collaborate closely with courts of auditors, without prejudice to their independence.</p> <p>2. NSIs shall disclose to the Commission (Eurostat) any doubts they have regarding the accuracy of the raw data passed to them for the purpose of compiling statistics. In cases where data is revised by a significant amount to be determined by the Commission (Eurostat), a footnote qualifying the data shall be included."</p>	Deleted
Art. 7b (new)			<p>(4c) the following Article is inserted:</p> <p>"Article 7b</p> <p>Fines for manipulation of statistics</p> <p>1. Unless Council objects by qualified majority, the Commission may impose a fine on a Member State that intentionally or, by gross negligence,</p>	Deleted

		<p><i>seriously misrepresents statistical data.</i></p> <p><i>2. In order to establish the existence of a misrepresentation as referred to in paragraph 1, the Commission may conduct all necessary investigations. The Commission may decide to initiate an investigation where there are clear indications of serious misrepresentations of data. The Commission shall conduct its investigation taking into account any comments submitted by the Member State subject to investigation. In order to carry out its tasks, the Commission may request that the Member States subject to investigation provide information. The Commission may also conduct on-site inspections and have access to all data produced by an NSI at national, regional and local level. If required by the law of the Member State subject to investigation, authorisation by a judicial authority shall be obtained before an on-site inspection.</i></p> <p><i>Upon completion of its investigation, the Commission shall give to the Member State subject to investigation the opportunity of being heard on the matters being investigated. The Commission shall base its decision only on facts on which the Member State has had the opportunity to comment.</i></p> <p><i>The rights of the defence of the Member State subject to investigation shall be fully respected during the investigation.</i></p> <p><i>3. The Commission shall be empowered</i></p>	
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			<p><i>to adopt delegated acts in accordance with Article 26a concerning:</i></p> <p><i>(a) detailed criteria establishing the amount of the fine; and</i></p> <p><i>(b) detailed rules on the procedure for the investigations referred to in paragraph 2, associated measures and reporting, including detailed rules of procedure aimed at guaranteeing the rights of the defence and relating to access to the file, legal representation, confidentiality, time limits, and the collection of fines.</i></p> <p><i>4. The Court of Justice of the European Union shall have unlimited jurisdiction to review decisions whereby the Commission has fixed a fine in accordance with paragraph 1. It may annul, reduce or increase the fine imposed."</i></p>	
Art. 7c (new)			<p><i>(4d) the following Article is inserted:</i></p> <p><i>"Article 7c</i></p> <p><i>Transmission and quality of data</i></p> <p><i>Where the Commission is not satisfied with the data flow from NSIs to the Commission (Eurostat) or the quality of the data, it shall send a public warning to the Member State concerned, publish it on the website of the Commission (Eurostat), and include a reference to it in the corresponding data set. If, within six months of such publication, the problems have not been remedied, the Commission may impose fines in</i></p>	Deleted

Art. 11 – para 3 – subparagraph 1	(5) In Article 11, the following paragraph 3 is added:	<p>‘3. Member States shall take all necessary measures to implement the Code of Practice in order to maintain confidence in their statistics. To this effect, each Member State, represented by its government, shall sign and implement a ‘Commitment on Confidence in Statistics’ whereby specific policy commitments are made to implement the Code and to establish a national quality assurance framework, including self-assessments and improvement actions. The Commitment shall be counter-signed by the Commission.</p> <p>4. A [...] ‘Commitment on Confidence in Statistics’ [...] shall further aim at ensuring public trust in European Statistics by involving Member States and/or the Commission in establishing specific policy commitments [...], by appropriate means, relating to the implementation of the statistical principles as further elaborated in the Code of Practice.</p>	(5) In Article 11, the following paragraph 3 is added:	<p>‘3. Member States shall take all necessary measures to implement the Code of Practice in order to maintain confidence in their <i>contribution to the European statistics produced by the ESS</i>. To this effect, each Member State, represented by its government, shall sign and implement a “Commitment on Confidence in Statistics” whereby specific policy commitments are made to implement the Code and to establish a national <i>high-quality</i> assurance framework, including self-assessments and improvement actions <i>subject to close monitoring by national parliaments</i>. The Commitment shall be counter-signed by the Commission <i>and shall be published together with a citizen’s summary on the websites of the NSI and Eurostat. NSIs shall publish on their websites whether there is a “commitment on confidence in statistics” established in their Member State.</i></p>	(5) In Article 11, the following paragraph 3 is added:
Art. 11 – para 3 – subparagraph 2	These commitments shall be regularly monitored by the Commission on the basis of annual reports sent by Member States. The Commission shall report to the European Parliament and the Council on the implementation of these commitments within 3 years of the entry into force of this Regulation.’	These commitments shall be regularly monitored by the Commission on the basis of annual reports sent by Member States. The Commission shall report to the European Parliament and the Council on the implementation of these commitments within 3 years of the entry into force of this Regulation.’	These commitments shall be regularly monitored by the Commission on the basis of annual reports sent by Member States. The Commission shall report to the European Parliament and the Council on the implementation of these commitments within 3 years of the entry into force of this Regulation.’	5. (a) These commitments shall be regularly monitored by the Commission on the basis of annual reports sent by Member States. In the absence of the publication of a ‘Commitment on Confidence in Statistics’, within 3 years of the entry into force of this Regulation, a Member State shall submit to the	5. (a) These commitments shall be regularly monitored by the Commission on the basis of annual reports sent by Member States. In the absence of the publication of a ‘Commitment on Confidence in Statistics’, within 3 years of the entry into force of this Regulation, a Member State shall submit to the

				<p>Commission a progress report on its implementation of the Code of Practice and, where appropriate, efforts undertaken towards the implementation of a 'Commitment on Confidence in Statistics'.</p> <p>The Commission shall report to the European Parliament and the Council on the published commitments and, where applicable, these progress reports, within a reasonable period of time, after 3 years of the entry into force of this Regulation.</p> <p>5. (b) These commitments by the Commission (Eurostat) shall be regularly monitored by ESGAB on the basis of an annual report sent by the Commission. ESGAB shall report to the European Parliament and the Council on the implementation of these commitments within 3 years of the entry into force of this Regulation.</p>
Art. 11 – para 3 – subparagraph 2a (new)			<p><i>The Commission shall establish a template for, and encourage, peer review and exchanges of best practices among NSIs.</i></p> <p>(6) In Article 12(2), the second subparagraph is replaced by the following:</p>	<p>6. The Commission, in consultation with the ESSC shall establish a template for, and encourage, peer review and exchanges of best practices among NSIs.</p> <p>(6) In Article 12(2), the second subparagraph is replaced by the following:</p>
Art. 12 – para 2	<p>(6) In Article 12(2), the second subparagraph is replaced by the following:</p> <p>'Specific quality requirements, such as target values and minimum standards for the production of</p>	<p>'2. Specific quality requirements, such as target values and minimum standards for the production of</p>	<p>Specific quality requirements, such as target values and minimum standards for the statistical production, may be</p>	<p>'2. Specific quality requirements, such as target values and minimum standards for the production of</p>

	<p>statistics, may be laid down in sectoral legislation. Where sectoral legislation does not so provide, the Commission may adopt, by means of delegated acts in accordance with Article 26a, such specific quality requirements.'</p>	<p>statistics, may also be laid down in sectoral legislation. [...]</p> <p><u>In order to ensure the uniform application of the quality criteria laid down in paragraph 1 of this Article to the data covered by sectoral legislation in specific statistical domains, the Commission shall adopt implementing acts defining the modalities, structure and periodicity of quality reports provided for in sectoral legislation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).'</u></p>	<p>laid down in sectoral legislation.</p>	<p>statistics, may also be laid down in sectoral legislation.</p> <p>In order to ensure the uniform application of the quality criteria laid down in paragraph 1 of this Article to the data covered by sectoral legislation in specific statistical domains, the Commission shall adopt implementing acts defining the modalities, structure and periodicity of quality reports and periodicity of quality reports provided for in sectoral legislation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).'</p> <p>(3) MS shall provide the Commission (Eurostat) with reports on the quality of data transmitted, including any concerns they have regarding the accuracy of the data. The Commission shall assess the quality of the data transmitted and shall prepare and publish reports and communications on the quality of European Statistics.</p> <p>(4) In the interest of transparency, the Commission (Eurostat) shall, where appropriate, disclose publicly its assessment of the quality of national contributions to European statistics.</p> <p>(5) Where sectoral legislation provides the possibility for imposing fines on Member States in cases of misrepresentation of statistics, the Commission may, in accordance with the Treaties and the specific sectoral legislation, initiate and conduct</p>
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				investigations as necessary, including where appropriate on-site inspections in order to establish whether a Member State intentionally, or by gross negligence, seriously misrepresents statistical data. The Commission may request that relevant information be provided by the Member state under investigation.
Art. 12 – para 3a (new)			<i>(6a) In Article 12, the following paragraph is added:</i> <i>"3a. The Commission (Eurostat) shall publicly and promptly voice any serious concern it has regarding the quality of the data transmitted.</i> <i>The Commission (Eurostat) shall publicly disclose serious breaches of the Code of Practice."</i>	(6) Where the Commission considers that a Member State has failed to fulfill its obligations under this Regulation or under the applicable sectoral legislation as regards the representation of the statistical data, it shall act in accordance with Article 258 TFEU.
			(7) In Article 13, paragraph 1 is replaced by the following:	Deleted
Art. 13 – para 1	(7) In Article 13, paragraph 1 is replaced by the following:	(7) In Article 13, paragraph 1 is replaced by the following:	'1. The European statistical programme shall provide the framework for the development, production and dissemination of European statistics, setting out the main fields and the objectives of the actions envisaged for a period corresponding to that of the	(7) In Article 13, paragraph 1 is replaced by the following: '1. The European statistical programme shall provide the framework for the development, production and dissemination of European statistics, setting out the main fields and the objectives of the actions envisaged for a period

	<p>corresponding to that of the multiannual financial framework. It shall be decided upon by the European Parliament and the Council. Its impact and cost effectiveness shall be assessed with input from independent experts.'</p>	<p>corresponding to that of the multiannual financial framework. It shall be decided upon by the European Parliament and the Council. Its impact and cost effectiveness shall be assessed with input from independent experts.'</p>	<p>multiannual financial framework. It shall be decided upon by the European Parliament and the Council. Its impact and cost effectiveness shall be assessed with input from independent experts.'</p>	<p>corresponding to that of the multiannual financial framework. It shall be decided upon by the European Parliament and the Council. Its impact and cost effectiveness shall be assessed with input from independent experts.'</p>	<p>corresponding to that of the multiannual financial framework. It shall be decided upon by the European Parliament and the Council. Its impact and cost effectiveness shall be assessed with input from independent experts.'</p>
14 (2)				<p>14 (2) The Commission may by means of implementing acts decide on a temporary direct statistical action provided that:</p> <p>(a) the action does not provide for data collection covering more than three reference years;</p> <p>(b) the data are already available or accessible within the NSIs and other national authorities responsible, or can be obtained directly, using the appropriate samples for the observation of the statistical population at European level with the adequate coordination with the NSIs and other national authorities; and</p> <p>(c) the Union shall, in accordance with Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 make financial contributions to the NSIs and other national authorities to cover the incremental costs incurred by them.</p> <p>Those implementing acts shall be</p>	

Art. 16 – para 1 – point a			<p>(7a) In Article 16(1), point (a) is replaced by the following:</p> <p>"(a) maximising the availability of statistical aggregates at European level thus enlarging its coverage to economic activities of family businesses and of the third sector, including social economy and improving the timeliness of European statistics, especially in relation to the indicators underpinning the objectives of the Europe 2020 Strategy,"</p>	<p>adopted in accordance with the examination procedure referred to in Article 27(2).</p> <p>Deleted</p>
Art 17 _title	Annual work programme	‘Article 17 Annual work programme		‘Article 17 Annual work programme
Article 17 – para 1	<p>Each year, before the end of May, the Commission shall submit to the ESS Committee its work programme for the following year.</p> <p>The Commission shall take the utmost account of the comments of the ESS Committee. That work programme shall be based on the European statistical programme and shall indicate, in particular:</p>	<p>Each year, before the end of April, the Commission shall submit to the ESS Committee its work programme for the following year.</p> <p>In the preparation of the work programme, the Commission shall ensure effective priority setting. This includes reviewing, reporting on statistical priorities and allocation of financial resources. The Commission shall take the utmost account of the comments of the ESS Committee. That work programme shall be based on the European statistical programme and shall indicate, in particular:</p>		<p>Each year, before the end of April, the Commission shall submit to the ESS Committee its work programme for the following year.</p> <p>In the preparation of the work programme, the Commission shall ensure effective priority setting. This includes reviewing, reporting on statistical priorities and allocation of financial resources. The Commission shall take the utmost account of the comments of the ESS Committee. That work programme shall be based on the European statistical programme and shall indicate, in particular:</p>

	(a) the actions which the Commission considers to have priority, bearing in mind Community policy needs and both national and Community financial constraints as well as the response burden;	(a) the actions which the Commission considers to have priority, bearing in mind [...] Union policy needs and both national and [...] Union financial constraints as well as the response burden;	(a) the actions which the Commission considers to have priority, bearing in mind Union policy needs and both national and Union financial constraints as well as the response burden;
	(b) initiatives regarding the review of priorities and the reduction of the response burden; and	(b) initiatives regarding the review of priorities, including negative priorities, and the reduction of the [...] burden on both data providers and producers of statistics; and	(b) initiatives regarding the review of priorities, including negative priorities, and the reduction of the burden on both data providers and producers of statistics; and
	(c) the procedures and any legal instruments envisaged by the Commission for implementation of the programme.	(c) the procedures and any legal instruments envisaged by the Commission for implementation of the programme.	(c) the procedures and any legal instruments envisaged by the Commission for implementation of the programme.
	(8) The following Article 17a is inserted:	(8) The following Article 17a is inserted:	(8) The following Article 17a is inserted:
Art. 17a – title	‘Article 17a Access, use and integration of administrative records	‘Article 17a Access, use and integration of administrative records	‘Article 17a Access, use and integration of administrative records
Art 17a -para 1	‘1. In order to reduce the burden on respondents, the NSIs, other national authorities as referred to in Article 4 and the Commission (Eurostat) shall have the right to access and use, promptly and free of charge, all administrative records and to integrate these administrative records with statistics, to the extent necessary for the development, production and dissemination of European statistics.	‘1. In order to reduce the burden on respondents, the NSIs, other national authorities as referred to in Article 4 and the Commission (Eurostat) shall have the right to access and use, promptly and free of charge, all administrative records and to integrate these administrative records with statistics, to the extent necessary for the development, production and dissemination of European statistics.	1. In order to reduce the burden on respondents, the NSIs, other national authorities as referred to in Article 4 and the Commission (Eurostat) shall have the right to access and use, promptly and free of charge, all administrative records and to integrate these administrative records with statistics, but only to the extent necessary for the development, production and dissemination of European statistics produced under this Regulation.

Art 17a -para 2	2. The NSIs and the Commission (Eurostat) shall be consulted on and involved in the initial design, subsequent development and discontinuation of administrative records built up and maintained by other bodies, thus facilitating the further use of these records for statistical purposes. They shall have the right to coordinate standardisation activities concerning administrative records relevant for statistical data production.	2. The NSIs and the Commission (Eurostat) shall be consulted on and involved in the initial design, subsequent development and discontinuation of administrative records built up and maintained by other bodies, thus facilitating the further use of these records for [...] the purpose of producing European statistics. They shall [...] be involved in the standardisation activities concerning administrative records that are relevant for [...] the production of European statistics.	2. The NSIs and the Commission (Eurostat) shall be consulted on and involved in the initial design, subsequent development and discontinuation of administrative records built up and maintained by other bodies, thus facilitating the further use of these records for statistical purposes. They shall have the right to coordinate standardisation activities concerning administrative records relevant for statistical data production.	2. The NSIs and the Commission (Eurostat) shall be consulted on and involved in the initial design, subsequent development and discontinuation of administrative records built up and maintained by other bodies, thus facilitating the further use of these records for the purpose of producing European statistics. They shall be involved in the standardisation activities concerning administrative records that are relevant for the production of European statistics.
Art 17a -para 3	3. Access by and involvement of the NSIs, other national authorities and the Commission (Eurostat) pursuant to paragraphs 1 and 2 shall be limited to administrative records within their own respective public administrative system.	3. Access by and involvement of the NSIs, other national authorities and the Commission (Eurostat) pursuant to paragraphs 1 and 2 shall be limited to administrative records within their own respective public administrative system.	3. The practical arrangements and the conditions for achieving effective access shall be determined, as appropriate, by each Member State and by the Commission (Eurostat) within their respective spheres of competence. As regards administrative records produced and maintained by the ESCB, performance by NSIs, other national authorities and the Commission (Eurostat) of competences under paragraphs 1 and 2 shall not interfere with the performance of ESCB tasks specified in Article 127 TFEU or with the safeguards relating to the independence of central banks and professional secrecy laid down in Article 130 and Article 282(3) TFEU and in Articles 7 and 37 of Protocol No 4 on the statute of the European System of Central Banks and of the European Central Bank.	3. Without prejudice to the ESCB Statute and to the independence of central banks, access by and involvement of the NSIs, other national authorities and the Commission (Eurostat) pursuant to paragraphs 1 and 2 shall be limited to administrative records within their own respective public administrative system.
Art 17a -para	4. The NSIs shall receive relevant metadata from the owners of	4. [...] Administrative records made available by their owners to the NSIs,	4. Access by and use of records by the NSIs, other national authorities and	4. Administrative records made available by their owners to the NSIs,

4	administrative records used for statistical purposes.	other national authorities and the Commission (Eurostat) in order to be used for the production of European statistics shall be accompanied by relevant metadata.	<i>the Commission (Eurostat) pursuant to paragraphs 1, 2 and 3 shall be limited to administrative records within their own respective public administrative system.</i>	other national authorities and the Commission (Eurostat) in order to be used for the production of European statistics shall be accompanied by relevant metadata.
Art 17a -para 4a (new)			<i>4a. The owners of the administrative records shall provide the NSIs with relevant metadata used for statistical purposes.</i>	deleted
Art 17a -para 5	5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms.'	5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms.'	5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms.'	5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms.'
Art. 20 – para 4 subpara				The NSIs and other national authorities and the Commission (Eurostat) shall take all necessary measures to ensure the harmonisation of principles and guidelines as regards the physical and logical protection of confidential data. The Commission shall ensure that harmonisation by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).
	(9) In Article 23, the second subparagraph is replaced by the following:	(9) In Article 23, the second subparagraph is replaced by the following:	(9) In Article 23, the second subparagraph is replaced by the following:	(9) In Article 23, the second subparagraph is replaced by the following:
Art. 23 – subpara 2	'The arrangements, rules and conditions for access at Union level shall be established in accordance with the examination procedure referred to in Article 27(2).'	'The arrangements, rules and conditions for access at Union level shall be established in accordance with the examination procedure referred to in Article 27(2).'	'The arrangements, rules and conditions for access at Union level shall be established in accordance with the examination procedure referred to in Article 27(2).'	'The arrangements, rules and conditions for access at Union level shall be established in accordance with the examination procedure referred to in Article 27(2).'

	(10) Article 24 is deleted.	(10) Article 24 is deleted.	(10) Article 24 is deleted.	(10) Article 24 is deleted.
	(10a) Article 26 is replaced by the following:	(10a) Article 26 is replaced by the following:	(10a) Article 26 is replaced by the following:	(10a) Article 26 is replaced by the following:
	<i>'Article 26</i> Violation of statistical confidentiality	<i>'Article 26</i> Violation of statistical confidentiality	<i>'Article 26</i> Violation of statistical confidentiality	<i>'Article 26</i> Violation of statistical confidentiality
	Member States and the Commission shall take appropriate measures to prevent and sanction any violations of statistical confidentiality.	Member States and the Commission shall take appropriate measures to prevent and sanction any violations of statistical confidentiality. The penalties provided for must be effective, proportionate and dissuasive.	Member States and the Commission shall take appropriate measures to prevent and sanction any violations of statistical confidentiality. The penalties provided for must be effective, proportionate and dissuasive.	Member States and the Commission shall take appropriate measures to prevent and sanction any violations of statistical confidentiality. The penalties provided for must be effective, proportionate and dissuasive.
	(11) The following Article 26a is inserted:	[...]	(11) The following Article 26a is inserted:	Deleted
Art 26a – title	<i>'Article 26a</i> Exercise of delegated powers	[...]	<i>'Article 26a</i> Exercise of delegated powers	Deleted
Art 26a – para 1	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	[...]	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	Deleted
Art 26a – para 2	2. The delegation of power referred to in Article 12(2) shall be conferred on the Commission for a period of 5 years from the entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration,	[...]	2. The delegation of power referred to in Article 12(2) shall be conferred on the Commission for a period of 5 years from the entry into force of this Regulation. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European	Deleted

	unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.		Parliament or the Council opposes such extension not later than three months before the end of each period.	
Art 26a – para 3 – subpara 1	3. The delegation of power referred to in Article 12(2) may be revoked at any time by the European Parliament or by the Council.	[...]	3. The delegation of power referred to in Article 12(2) may be revoked at any time by the European Parliament or by the Council.	Deleted
Art 26a – para 3 – subpara 2	A revocation decision shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	[...]	A revocation decision shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	Deleted
Art 26a – para 4	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	[...]	4. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	Deleted
Art 26a – para 5	5. A delegated act adopted pursuant to Article 12(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament	[...]	5. A delegated act adopted pursuant to Article 12(2) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of <i>three</i> months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by <i>three</i> months at the initiative of the European Parliament or the Council.’	Deleted

	or the Council.’				
	(12) Article 27 is replaced by the following:	(12) Article 27 is replaced by the following:	(12) Article 27 is replaced by the following:	(12) Article 27 is replaced by the following:	(12) Article 27 is replaced by the following:
Art 27 – title	‘Article 27 Committee	‘Article 27 Committee	‘Article 27 Committee	‘Article 27 Committee	‘Article 27 Committee
Art 27 – para 1	1. The Commission shall be assisted by the European Statistical System Committee. That committee shall be a committee within the meaning of Regulation (EU) No182/2011.	1. The Commission shall be assisted by the European Statistical System Committee. That committee shall be a committee within the meaning of Regulation (EU) No182/2011.	1. The Commission shall be assisted by the European Statistical System Committee. That committee shall be a committee within the meaning of Regulation (EU) No182/2011.	1. The Commission shall be assisted by the European Statistical System Committee. That committee shall be a committee within the meaning of Regulation (EU) No182/2011.	1. The Commission shall be assisted by the European Statistical System Committee. That committee shall be a committee within the meaning of Regulation (EU) No182/2011.
Art 27 – para 2	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers shall apply.’.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers shall apply.’.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers shall apply.’.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers shall apply.’.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers shall apply.’.
Art 27 – para 2a (new)		3. Where the committee delivers no opinion, the Commission shall not adopt the draft implementing act and the third subparagraph of Article 5(4) of Regulation (EU) No 182/2011 shall apply.			Deleted
	Article 2 Entry into force	Article 2 Entry into force	Article 2 Entry into force	Article 2 Entry into force	
	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> . It shall be made available in consolidated form within three months of its entry into force.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .

	<p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>	<p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>	<p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>	<p>This Regulation shall be binding in its entirety and directly applicable in all Member States.</p>
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Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

amending Regulation (EC) No 223/2009 on European statistics

(Text with relevance for the EEA and Switzerland)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Central Bank¹,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) The European Statistical System (the ESS), as a partnership, has in general successfully consolidated its activities to ensure the development, production and dissemination of high-quality, ***regulated and reliable*** European statistics, including by improving the governance of the system.
- (2) ■ Weaknesses have, however, recently been identified, in particular with regard to the statistical quality-management framework. ***Those weaknesses have served to emphasise the need to ensure the independence of statistical authorities from possible political pressure at national and Union level.***

¹ OJ C 374, 4.12.2012, p. 2.

- (3) The Commission suggested action to address these weaknesses ***and to strengthen the governance of the ESS*** in its Communication of 15 April 2011 ‘Towards robust quality management for European Statistics’. In particular, it suggested a targeted amendment of Regulation (EC) No 223/2009 of the European Parliament and the Council¹.
- (4) In its conclusions of 20 June 2011, the ECOFIN Council welcomed the Commission’s initiative and stressed the importance of continuously improving the governance and efficiency of the ESS.
- (5) In addition, the impact on the statistical domain of recent developments in the context of the economic-governance framework of the Union should be taken into account, in particular aspects related to statistical independence such as transparent recruitment and dismissal processes, budgetary allocations and pre-release calendars, as laid down in Regulation (EU) No 1175/2011 of the European Parliament and of the Council², as well as those related to the requirement for bodies in charge of monitoring the implementation of national fiscal rules to enjoy functional autonomy, as laid down in Regulation (EU) No 473/2013 of the European Parliament and of the Council³.
- (6) Those aspects ***related to professional independence, such as transparent recruitment and dismissal processes, budgetary allocations and release calendars***, should not remain limited to the statistics produced for the purposes of the fiscal-surveillance system and the excessive-deficit procedure but should apply to all European statistics developed, produced and disseminated by the ESS.
- (6a) The quality of European statistics and their relevance for evidence-based decision-taking should be constantly reviewed, amongst others by assessing their added value for attainment of the targets of the Union Growth Strategy including those relating to growth and employment as well as social economy. When relevant, the coverage of European statistics should be adapted.***

¹ Regulation (EC) No 223/2009 of the European Parliament and the Council of 11 March 2009 on European statistics (OJ L 87, 31.3.2009, p. 164).

² Regulation (EU) No 1175/2011 of the European Parliament and of the Council of 16 November 2011 amending Council Regulation (EC) No 1466/97 on the strengthening of the surveillance of budgetary positions and the surveillance and coordination of economic policies (OJ L 306, 23.11.2011, p. 12).

³ Regulation (EU) No 473/2013 of the European Parliament and of the Council of 21 May 2013 on common provisions for monitoring and assessing draft budgetary plans and ensuring the correction of excessive deficit of the Member States in the euro area (OJ L 140, 27.5.2013, p. 11).

- (7) Moreover, the adequacy of resources attributed on an annual or a multiannual basis and available to meet statistical needs is a necessary condition for *ensuring* professional independence of statistical authorities *and the high quality of statistical data*.
- (8) To that effect, the professional independence of statistical authorities should be strengthened and minimum standards, *applicable in the entire Union*, should be *ensured*. *Specific guarantees should be provided to* the heads of national statistical institutes (NSIs) **█** in terms of the performance of statistical tasks, organisational management and resource allocation. *The procedures for recruitment of heads of NSIs should be transparent and based on professional criteria only with due regard to equal opportunity and in particular, gender balance. To these ends, national parliaments should fully play their role. This role, where appropriate and in accordance with their national law, should foster the independence of statistics producers and increase the democratic accountability of statistical policy.*
- (8a) *While credible European statistics require strong professional independence on the part of statisticians, European statistics should respond to policy needs and provide statistical support for new policy initiatives at national and Union level.*
- (8b) *It is necessary for the independence of Eurostat to be consolidated and guaranteed by means of effective parliamentary scrutiny and control.*
- (9) Furthermore, the coordinating role already attributed to the NSIs *for European statistics produced through the ESS* should be clarified as regards its scope, so as to achieve more efficient coordination *at national level* of statistical activities *within the ESS*, including quality management, *while duly taking into account the statistical tasks performed by the European System of Central Banks (ESCB)*. *The ongoing coordination and cooperation between NSIs and Eurostat is also an important part of efficient coordination of statistical activities within the ESS. The institutional separation of the ESCB and the independence of central banks should be respected in the framework of developing, producing and disseminating European statistics under the respective governance structure and statistical work programmes of the ESS and the ESCB.*

- (10) In order to reduce the burden on statistical authorities and respondents, the NSIs and other national authorities should be able to access and use administrative records, including those filled electronically, promptly and free-of-charge, as well as to integrate these records with statistics.
- (10a) European statistics should be easy to compare and access and should be updated promptly and regularly so as to ensure that Union policies and funding initiatives take full account of developments in Europe, in particular the consequences of the economic crisis.***
- (11) The NSIs should furthermore be consulted at an early stage on the design of new administrative records that could provide data for statistical purposes and on planned changes to, or cessation of, existing administrative sources. They should also receive relevant metadata from the owners of administrative data and coordinate standardisation activities concerning administrative records that are relevant for statistical data production.
- (12) The confidentiality of data obtained from administrative records should be protected under the common principles and guidelines applicable to all confidential data used for the production of European statistics. Quality ***and transparency*** assessment frameworks applicable to these data should also be established ***and published***.
- (12a) All users should have access to the same data at the same time and embargoes should be strictly complied with. NSIs should establish release calendars for the publication of periodical data.***
- (13) The quality of European statistics could be strengthened and the confidence of users reinforced, by involving national governments in the responsibility of ***rigorously*** applying the European Statistics Code of Practice. To this end, a ‘Commitment on Confidence in Statistics’, ■ established in each Member State, ***taking account of national specificities, should*** include specific undertakings by its government to implement the ***statistical principles contained in the*** Code. ***This could include*** national ***high-quality-assurance*** frameworks, including self-assessments, improvement actions ***and monitoring mechanisms***.

- (13a) *The Commission (Eurostat) website should allow easy access to complete, user-friendly data series. Where possible, periodic updates should provide year-on-year and month-on-month information on each Member State.*
- (14) As the production of European statistics must be based on long-term operational and financial planning in order to ensure a high degree of independence, the European statistical programme should cover the same period as the multiannual financial framework.
- (15) Regulation (EC) No 223/2009 confers powers on the Commission to implement some of the provisions of that Regulation *in accordance with Council Decision 1999/468/EC¹*. As a consequence of the entry into force of *Regulation (EU) No 182/2011 of the European Parliament and of the Council² which repeals Council Decision 1999/468/EC*, the powers conferred ■ upon the Commission need to be aligned to *this new legal framework. Those powers should therefore be exercised in accordance with Regulation (EU) No 182/2011. The Commission should ensure that those implementing acts do not impose a significant additional administrative burden on the Member States and on the respondent units.*
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- (19) Since the objective of this Regulation cannot be sufficiently achieved by the Member States and can be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. 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.
- (20) The European Statistical System Committee has been consulted.
- (20a) *Regulation (EC) No 223/2009 should therefore be amended accordingly,*

¹ *Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).*

² *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

HAVE ADOPTED THIS REGULATION:

Article 1

Amendments to Regulation (EC) No 223/2009

Regulation (EC) No 223/2009 is amended as follows:

(1) in Article 2(1), point (a) is replaced by the following:

‘(a) ‘professional independence’, meaning that statistics must be developed, produced and disseminated in an independent manner, particularly as regards the selection of techniques, definitions, methodologies and sources to be used, and the timing and content of all forms of dissemination, **and that the performance of these tasks is free from any pressures from political or interest groups or from Union or national authorities;**’;

(2) in Article 5, paragraph 1 is replaced by the following:

‘1. The national statistical authority designated by each Member State as the body having the responsibility for coordinating all activities ■ for the development, production and dissemination of European statistics **at national level under this Regulation** (the NSI) shall act in this regard as the sole contact point for the Commission (Eurostat) on statistical matters.

The coordinating responsibility of the NSI shall cover all other national authorities responsible for the development, production and dissemination of European statistics **produced under this Regulation by all other national authorities participating in the ESS**. The NSI shall, in particular, be responsible at **the** national level for coordinating statistical programming and reporting, quality monitoring, **clear** methodology, data transmission and communication on ESS statistical actions. **The NSI and the respective national central bank (NCB), in its capacity as an ESCB member implementing ESCB statistical work programmes, shall cooperate on issues related to European statistics that are common to the ESS and the ESCB, with the view to ensuring production of complete and coherent European statistics through the ESS and the ESCB in their respective fields of competence.**’;

(3) the following article is inserted:

‘Article 5a

Heads of NSIs and statistical heads of other national authorities

1. Within their national statistical system, *Member States shall ensure the professional independence, as defined in Article 2(1), point a, of officials responsible for the tasks set out in this Regulation. █*
2. *To this end, the heads of NSIs shall:*
 - (a) have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for European statistics developed, produced and disseminated by the NSI;*
 - (b) be empowered to decide on all matters regarding the internal management of the NSI;*
 - (c) act in an independent manner while performing their statistical tasks; they shall neither seek nor take instructions from any government or other institution, body, office or entity;*
 - (d) be responsible for the statistical activities and budget execution of the NSI;*
 - (e) publish an annual report and where appropriate express comments on budget allocation issues related to the statistical activities of the NSI;*
 - (f) coordinate the statistical activities of all national authorities that contribute to the development, production and dissemination of European statistics, as set out in Article 5;*
 - (g) produce national guidelines, where necessary, for ensuring quality in the development, production and dissemination of all European statistics within their national statistical system, and shall be responsible for ensuring compliance with these guidelines within the NSI; and*
 - (h) represent their national statistical system within the ESS.*

3. *Member States shall ensure that other national authorities responsible for the development, production and dissemination of European statistics carry out such tasks in accordance with the national guidelines produced by the head of the NSI.*
4. *The procedures for recruitment, transfer and dismissal of heads of NSIs and, where appropriate, statistical heads of other national authorities producing European statistics shall be transparent and based on professional criteria only, and not on political grounds. They shall ensure that there are equal opportunities, notably as regards gender. Detailed reasons shall be given for the dismissal of a head of a NSI. These procedures shall be made public.*
- 4a. *Member States may establish a national body for assuring the professional independence of the producers of European statistics in the Member State. The heads of NSIs and, where appropriate, the statistical heads of other national authorities producing European statistics may take advice from such bodies. The procedures for recruitment, transfer and dismissal of the members of such bodies shall be transparent and based on professional criteria only and not on political grounds.’;*

(4) in Article 6, *paragraphs 2 and 3 are* replaced by the following:

- ‘2. At Union level, the Commission (Eurostat) shall act independently in ensuring the production of European statistics according to established rules and statistical principles, ***through cooperation and coordination with NSIs.*** █
3. *Without prejudice to Article 5 of the Protocol on the Statute of the European System of Central Banks (‘ESCB Statute’) and the European Central Bank, the Commission (Eurostat) shall coordinate the statistical activities of the institutions and bodies of the Community, in particular with a view to ensuring consistency and quality of the data and minimising reporting burden. To that end, the Commission (Eurostat) may invite any institution or body of the Community to consult or cooperate with it for the purpose of developing methods and systems for statistical purposes in their respective field of competence. Any of those institutions or bodies which propose to produce statistics shall consult the Commission (Eurostat) and take into account any recommendation that it may make to this effect.’;*

(4a) the following article is inserted:

‘Article 6a

Director-General of the Commission (Eurostat)

- 1. *The statistical office of the Commission (Eurostat) shall be headed by a Director-General. The Director-General shall be appointed by the Commission, for a non-renewable term of office of seven years, in accordance with the procedure specified in paragraph 2.***
- 2. *The Commission shall publish a call for applications in the Official Journal of the European Union no later than six months before the end of the term of office of the Director-General in office. The procedure for the recruitment, transfer and dismissal of the Director-General shall respect the principle of equal opportunities, notably as regards gender, be transparent and based only on professional criteria and not on political grounds. The Commission shall appoint the Director-General after consulting the European Parliament and the Council.***
- 3. *The Director-General shall have the sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all statistics produced by the Commission (Eurostat). The Director-General shall be empowered to decide on all matters regarding the internal management of the Commission (Eurostat). When carrying out these tasks, the Director-General shall act in an independent manner and shall neither seek nor take instructions from any government or any institution, body, office or agency. If the Director-General considers that a measure taken by the Commission calls his or her independence into question, he or she shall immediately inform the European Parliament.***
- 4. *The Director-General shall be accountable for the statistical activities and budget execution of the Commission (Eurostat). He or she shall appear annually in the framework of Statistical Dialogue before the relevant committee of the European Parliament to discuss matters pertaining to statistical governance, methodology, statistical innovation, and express comments on budget allocation issues related to the statistical activities of the Commission (Eurostat).***

5. *Before imposing any disciplinary penalty on the Director-General, the Commission shall consult the European Parliament. The imposition of any disciplinary penalty on the Director-General shall be the subject of a reasoned decision, which shall be submitted, for information, to the European Parliament, the Council and the European Statistical Governance Advisory Board.*’;

(5) in Article 11, the following *paragraphs are added*:

‘3. Member States *and the Commission* shall take all *the* necessary measures to implement the *statistical principles as set out in Article 2(1) of this Regulation* in order to maintain confidence in *European* statistics. *These principles are further elaborated in the Code of Practice.*

3a. A ‘Commitment on Confidence in Statistics’ *shall further aim at ensuring public trust in European Statistics and progress in the implementation of the statistical principles contained in the Code of Practice by involving Member States and by involving the Commission in establishing, by appropriate means, and publishing on their websites, specific policy commitments moving towards overall confidence in statistics, including a citizen’s summary.*

3b. These commitments shall be regularly monitored by the Commission on the basis of annual reports sent by Member States.

In the absence of the publication of a ‘Commitment on Confidence in Statistics’ by ... [3 years of the entry into force of Regulation (EU) No .../2013 [amending Regulation]], a Member State shall submit to the Commission and make public a progress report on the implementation of the Code of Practice, and, where applicable, efforts undertaken towards the establishment of a ‘Commitment on Confidence in Statistics’.

The Commission shall report to the European Parliament and the Council on the published commitments and, where appropriate, progress reports, within six months of time by ... [after 3 years of the entry into force of Regulation(EU) No .../2013 [amending Regulation]].

3c. *These commitments by the Commission (Eurostat) shall be regularly monitored by ESGAB on the basis of an annual report sent by the Commission. ESGAB shall report to the European Parliament and the Council on the implementation of these commitments by ... [within 3 years of the entry into force of Regulation (EU) No .../2013 [amending Regulation]].’;*

(6) Article 12 is hereby amended as follows:

(a) *paragraphs 2 and 3 are replaced by the following*

‘2. Specific quality requirements, such as target values and minimum standards for the production of statistics, may *also* be laid down in sectoral legislation.

In order to ensure the uniform application of the quality criteria laid down in paragraph 1 of this Article to the data covered by sectoral legislation in specific statistical domains, the Commission shall adopt implementing acts defining the modalities, structure and periodicity of quality reports provided for in sectoral legislation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).’

3. *Member States shall provide the Commission (Eurostat) with reports on the quality of data transmitted, including any concerns they have regarding the accuracy of the data. The Commission shall assess the quality of the data transmitted, on the basis of appropriate analysis, and shall prepare and publish reports and communications on the quality of European Statistics.’;*

(b) *the following paragraphs are added:*

‘3a. *In the interest of transparency, the Commission (Eurostat) shall, where appropriate, disclose publicly its assessment of the quality of national contributions to European statistics.*

3b. Where sectoral legislation provides the possibility for imposing fines on Member States in cases of misrepresentation of statistics, the Commission may, in accordance with the Treaties and the specific sectoral legislation, initiate and conduct investigations as necessary, including where appropriate on-site inspections in order to establish whether a Member State intentionally, or by gross negligence, seriously misrepresents statistical data. The Commission may request that relevant information be provided by the Member state under investigation.

3c. Where the Commission considers that a Member State has failed to fulfill its obligations under this Regulation or under the applicable sectoral legislation as regards the representation of the statistical data, it shall act in accordance with Article 258 TFEU.’;

(7) in Article 13, paragraph 1 is replaced by the following:

‘1. The European statistical programme shall provide the framework for the development, production and dissemination of European statistics, setting out the main fields and the objectives of the actions envisaged for a period corresponding to that of the multiannual financial framework. It shall be decided upon by the European Parliament and the Council. Its impact and cost effectiveness shall be assessed with input from independent experts.’;

(7a) in Article 14, paragraph 2 is replaced by the following:

‘2. ***The Commission may by means of implementing acts decide on a temporary direct statistical action provided that:***

(a) the action does not provide for data collection covering more than three reference years;

(b) the data are already available or accessible within the NSIs and other national authorities responsible, or can be obtained directly, using the appropriate samples for the observation of the statistical population at European level with the adequate coordination with the NSIs and other national authorities; and

- (c) *the Union shall, in accordance with Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council¹ make financial contributions to the NSIs and other national authorities to cover the incremental costs incurred by them.*

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).’;

- (7b) *Article 17 is replaced by the following:*

‘Article 17

Annual work programme

Each year, before the end of April, the Commission shall submit to the ESS Committee its work programme for the following year.

In the preparation of the work programme, the Commission shall ensure effective priority setting. This includes reviewing, reporting on statistical priorities and allocation of financial resources. The Commission shall take the utmost account of the comments of the ESS Committee. That work programme shall be based on the European statistical programme and shall indicate, in particular:

- (a) *the actions which the Commission considers to have priority, bearing in mind Union policy needs and both national and Union financial constraints as well as the response burden;*
- (b) *initiatives regarding the review of priorities, including negative priorities, and the reduction of the burden on both data providers and producers of statistics; and*
- (c) *the procedures and any legal instruments envisaged by the Commission for implementation of the programme.’;*

¹ *Regulation (EU, EURATOM) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).*

(8) the following article is inserted:

‘Article 17a

Access, use and integration of administrative records

1. In order to reduce the burden on respondents, the NSIs, other national authorities as referred to in Article 4 and the Commission (Eurostat) shall have the right to access and use, promptly and free of charge, all administrative records and to integrate these administrative records with statistics, to the extent necessary for the development, production and dissemination of European statistics ***produced under this Regulation.***
2. The NSIs and the Commission (Eurostat) shall be consulted on and involved in the initial design, subsequent development and discontinuation of administrative records built up and maintained by other bodies, thus facilitating the further use of these records for ***the purpose of producing European statistics.*** They shall ***be involved in the*** standardisation activities concerning administrative records ***that are*** relevant for ***the*** production ***of European statistics.***
3. ***Without prejudice to the ESCB Statute and to the independence of central banks,*** access by and involvement of the NSIs, other national authorities and the Commission (Eurostat) pursuant to paragraphs 1 and 2 shall be limited to administrative records within their own respective public administrative system.
4. ***Administrative records made available by their owners to the NSIs, other national authorities and the Commission (Eurostat) in order to be used for the production of European statistics shall be accompanied by relevant metadata.***
5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms.’;

(8a) *in Article 20(4), the second subparagraph is replaced by the following:*

‘The NSIs and other national authorities and the Commission (Eurostat) shall take all necessary measures to ensure the harmonisation of principles and guidelines as regards the physical and logical protection of confidential data. The Commission shall ensure that harmonisation by means of implementing acts. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).’;

(9) in Article 23, the second subparagraph is replaced by the following:

‘The arrangements, rules and conditions for access at Union level shall be established in accordance with the examination procedure referred to in Article 27(2).’;

(10) Article 24 is deleted.

(10a) Article 26 is replaced by the following:

‘Article 26

Violation of statistical confidentiality

Member States and the Commission shall take appropriate measures to prevent and sanction any violations of statistical confidentiality. The penalties provided for must be effective, proportionate and dissuasive.’;

█
(12) Article 27 is replaced by the following:

‘Article 27

Committee

1. The Commission shall be assisted by the European Statistical System Committee. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 of the European Parliament and the Council laying down the rules and general principles concerning mechanisms for control by the Member States of the Commission’s exercise of implementing powers shall apply.’.

Article 2
Entry into force

This Regulation shall enter into force on the twentieth 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.

Done at ...

For the European Parliament
The President

For the Council
The President