



**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 2 April 2012**

**8394/12**

**STATIS 24  
ECOFIN 309  
COMER 77**

**“I/A” ITEM NOTE**

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from: General Secretariat of the Council  
to: COREPER/Council

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Subject: Draft Commission Regulation of [...] amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements and definitions  
- Decision not to oppose the draft measures proposed by the Commission  
(regulatory procedure with scrutiny)

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1. On 6 February 2012, the Commission submitted to the Council the above draft regulation of [...] amending Regulation (EC) No 184/2005 of the European Parliament and of the Council on Community statistics concerning balance of payments, international trade in services and foreign direct investment, as regards the update of data requirements and definitions set out in document 6164/12 STATIS 12 ECOFIN 111 COMER 31, drawn up under the regulatory procedure with scrutiny, introduced by Council Decision 2006/512/EC. The measures provided for in the draft regulation are in accordance with the opinion of the Balance of Payments Committee.

2. Under the procedure in Article 5a(3) of Council Decision 1999/468/EC<sup>1</sup>, such draft measures are submitted for scrutiny by the European Parliament and the Council before being formally adopted by the Commission. Acting by a qualified majority within three months from the date of referral to it, the Council may oppose the adoption of the draft measures by the Commission, if those measures exceed the implementing powers provided for in the basic instrument, are not compatible with the aim or content of the basic instrument or do not comply with the principles of subsidiarity and proportionality.
3. Following an informal written procedure, the Working Party on Statistics agreed not to oppose the draft measures in question. The delegation of the United Kingdom indicated its intention to abstain when the Council adopts its decision.
4. COREPER could therefore:
  - confirm the agreement reached by the Working Party.
  - order the statement in the Addendum to this note to be entered in the minutes of the meeting
  - suggest that the Council decide at a forthcoming meeting not to oppose the draft measures proposed by the Commission, as set out in document 6164/12.

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<sup>1</sup> 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), as amended by Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11).