



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 18 March 2014

7436/14

**Interinstitutional File:
2013/0279 (COD)**

**CODEC 704
STATIS 38
COMPET 162
UD 74
PE 161**

INFORMATION NOTE

from: General Secretariat
to: Permanent Representatives Committee/Council

Subject: Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures – Outcome of the European Parliament's first reading (Strasbourg, 10 to 13 March 2014)

I. INTRODUCTION

The Rapporteur, Mr Vital MOREIRA (S&D, PT), presented a report on the proposal for a Regulation on behalf of the Committee on International Trade. The report contained 9 amendments (amendments 1 - 9) to the proposal.

No other amendments were tabled.

II. VOTE

The vote on the proposal took place on 12 March 2014. The European Parliament adopted the 9 amendments to the proposal (amendments 1 - 9).

The amendments adopted are set out in the Annex together with the legislative resolution.

Statistics relating to external trade with non-member countries (delegated and implementing powers) *I**

European Parliament legislative resolution of 12 March 2014 on the proposal for a regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures (COM(2013)0579 – C7-0243/2013 – 2013/0279(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2013)0579),
 - having regard to Article 294(2) and Article 338(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0243/2013),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Rule 55 of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade (A7-0042/2014),
1. Adopts its position at first reading hereinafter set out;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Amendment 1

Proposal for a regulation Recital 8

Text proposed by the Commission

Amendment

(8) In order to ensure uniform conditions for the implementation of Regulation (EC) No 471/2009, implementing powers should be conferred upon the Commission enabling it to adopt measures relating to the codes to be used for data referred to in Article 5(1) of that Regulation and measures relating to the linking of the data on business characteristics with data recorded in accordance with the same Article. These powers should be exercised in accordance with Regulation (EU) No 182/2011. *deleted*

Amendment 2

Proposal for a regulation Recital 9

Text proposed by the Commission

Amendment

(9) The Committee on statistics relating to the trading of goods with non-member countries (Extrastat Committee) referred to in Article 11 of Regulation (EC) No 471/2009 provides advice to the Commission and assists it in exercising its implementing powers. *deleted*

Amendment 3

Proposal for a regulation Recital 10

Text proposed by the Commission

Amendment

(10) Under the strategy for a new European Statistical System (hereinafter referred to as 'ESS') structure intended to improve coordination and partnership in *deleted*

a clear pyramid structure within the ESS, the European Statistical System Committee (hereinafter referred to as 'ESSC'), established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics⁹, should have an advisory role and assist the Commission in exercising its implementing powers.

⁹ OJ L 87, 31.3.2009, p. 164.

Amendment 4

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Regulation (EC) No 471/2009 should be amended by replacing the reference to the Extrastat Committee with a reference to the ESSC.

Amendment

deleted

Amendment 5

Proposal for a regulation

Article 1 – point 3 – point a

Regulation (EC) No 471/2009

Article 5 – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt, in accordance with Article 10a, delegated acts relating to the further specification of the data referred to in paragraph 1.

The Commission shall adopt, by means of implementing acts, measures relating to the codes to be used for these data.

These implementing acts shall be adopted in accordance with the examination

Amendment

2. The Commission shall be empowered to adopt, in accordance with Article 10a, delegated acts relating to the ***adoption of rules with respect to the*** further specification of the data referred to in paragraph 1 ***and with respect to the measures relating to the codes to be used for those data.***

procedure referred to in Article 11(2).

Amendment 6

Proposal for a regulation

Article 1 – point 4 – point a

Regulation (EC) No 471/2009

Article 6 – paragraph 2 – subparagraph 3

Text proposed by the Commission

The Commission shall adopt, ***by means of implementing acts, measures*** relating to the linking of the data and these statistics to be compiled.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 11(2).

Amendment

The Commission shall ***be empowered*** to adopt, ***in accordance with Article 10a, delegated acts*** relating to ***the adoption of rules on*** the linking of the data and these statistics to be compiled.

Amendment 7

Proposal for a regulation

Article 1 – point 6

Regulation (EC) No 471/2009

Article 10a – paragraph 3

Text proposed by the Commission

3. The power to adopt delegated acts referred to in Articles 3(2), (3) and (4), 4(5), 5(2) and (4), 6(3) and 8(1) and (2), shall be conferred on the Commission for ***an indeterminate period of time from ((Publication office: please insert the exact date of the entry into force of this Regulation)).***

Amendment

3. The power to adopt delegated acts referred to in Articles 3(2), (3) and (4), 4(5), 5(2) and (4), 6(3) and 8(1) and (2), shall be conferred on the Commission for ***a period of five years from ...*. 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 Parliament or the Council opposes such extension not later than three months before the end of each period.***

**** OJ: please insert the date of entry into***

force of this Regulation.

Amendment 8

Proposal for a regulation

Article 1 – point 7

Regulation (EC) No 471/2009

Article 11

Text proposed by the Commission

Amendment

(7) Article 11 is *replaced by the following*:

(7) Article 11 is *deleted*.

"Article 11

Committee

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics () This committee shall be a committee within the meaning of 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 (*).*

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply."

Amendment 9

Proposal for a regulation

Article 3

Text proposed by the Commission

Amendment

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 enter into force on the twentieth day following that of its publication in the Official Journal of the European Union *and shall be consolidated with the Regulation amended by it within*

three months of its entry into force.