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"I" ITEM NOTE

From:	General Secretariat of the Council
dated:	21 May 2015
To:	Permanent Representatives Committee (Part 2)
Subject:	Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures = General approach

I. INTRODUCTION

1. On 26 June 2014, the Commission presented a proposal, based on Article 338 (1) TFEU, for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment¹ as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures.

¹ OJ L 35, 8.2.2005, p.23.

2. The aim of the proposal is to amend regulation (EC) No 184/2005 to align that regulation to the new institutional context laid down in the Treaty. Accordingly, the Commission proposes that the legislators empower the Commission to adopt delegated acts if Annex I on data flows needs to be revised, including the submission deadlines, and if Annex II on definitions requires an update. In addition, it is proposed to confer implementing powers upon the Commission with a view to adopting common quality standards and harmonising the content and periodicity of quality reports.
3. The proposed Regulation is subject to the ordinary legislative procedure. The European Parliament, however, has yet to adopt its position on the proposal².
4. On 5 December 2014, the European Central Bank delivered its opinion³ based on Articles 127(4) and 282(5) TFEU.

II. STATE OF PLAY

5. The Working Party on Statistics has examined the proposal during several meetings. On 17 March 2015, the working party reached provisional agreement on a text. In light of that agreement, and considering the feedback received during a written consultation of delegations, the Presidency presented a final compromise⁴.
6. That compromise stipulates that:
 - the Commission's power to adopt delegated acts in relation to Annex I will be confined to the elimination of certain requirements of data flows as well as the geographical breakdown levels, institutional sectors breakdown levels and economic activity breakdown levels set out in Tables 6, 7 and 8 of the annex provided that such modifications do not affect the reporting burden, change the underlying conceptual framework or reduce the quality of statistics.

² On 15 June 2015, the European Parliament economic and monetary affairs committee (ECON) is expected to adopt its report

³ 16663/14 + ADD1

⁴ 6638/15

- the Commission will consult the the European Central Bank on legal acts in its fields of competence and the Committee on Monetary, Financial and Balance of Payments Statistics⁵ on all matters falling within its competences.
- if the European Statistical System Committee⁶ delivers no opinion, the Commission will not adopt the draft implementing act in question.

III. CONCLUSION

7. On this basis, the Permanent Representatives Committee is invited to approve the general approach as set out in document 6638/15. That general approach will constitute the basis for a further discussions once the European Parliament economic and monetary affairs committee has adopted its draft opinion.

⁵ Established by Decision 2006/856/EC - OJ L 332, 30.11.2006, p 21.

⁶ Established by Regulation (EC) No 223/2009 on European Statistics, OJ 87, 31.3.2009, p.164 - amended by Regulation 2015/759, OJ 123, 19.5.2015, p.90.