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From:	Secretary-General of the European Commission, signed by Ms Martine DEPREZ, Director
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To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union

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Subject:	<b>REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL on the exercise of the power to adopt delegated acts conferred on the Commission under Regulation (EU) No 692/2011 of the European Parliament and of the Council concerning European statistics on tourism</b>

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Delegations will find attached document COM(2021) 86 final.

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**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND  
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Regulation (EU) No 692/2011 of the European Parliament and of the Council concerning  
European statistics on tourism**

# REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

## on the exercise of the power to adopt delegated acts conferred on the Commission under Regulation (EU) No 692/2011 of the European Parliament and of the Council concerning European statistics on tourism

### 1. BACKGROUND

Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism <sup>(1)</sup> established a common framework for the systematic development, production and dissemination of statistics on tourism in the European Union.

Regulation (EU) No 692/2011 empowers the Commission to adopt delegated acts:

- amending the definitions to reflect changes to international definitions (Article 2(2));
- amending the deadlines for data transmission to take account of economic, social and technical developments (Article 9(5)); and
- adapting the Annexes to take account of economic, social and technical developments. However, the Commission may not change provisions in the Annexes that make the required data optional and limit its scope (Article 3(2)).

Furthermore, Regulation (EU) No 692/2011 emphasises the importance of the Commission carrying out appropriate consultations during its preparatory work, including at expert level, before adopting delegated acts.

### 2. LEGAL BASIS

Article 11(2) of Regulation (EU) No 692/2011 confers on the Commission the power to adopt delegated acts for a period of five years from 11 August 2011. This power will be tacitly extended for periods of five years unless the European Parliament or the Council opposes such an extension at least three months before the end of each period.

The Commission is required to draw up a report on the delegation of power at least nine months before the end of the five-year period. This report fulfils this requirement.

The first report, covering the period 2011-2015, was adopted in January 2016 <sup>(2)</sup>.

### 3. EXERCISE OF DELEGATED POWERS UNDER REGULATION (EU) NO 692/2011

Since 2016, the Commission has adopted two delegated acts: Commission Delegated Regulation (EU) 2019/1681 <sup>(3)</sup> and Commission Delegated Regulation (EU) 2020/1569 <sup>(4)</sup>.

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<sup>1</sup> OJ L 192, 22.7.2011, p. 17.

<sup>2</sup> COM (2016) 4 of 20.1.2016.

- **COMMISSION DELEGATED REGULATION (EU) 2019/1681**

Articles 3(2) and 9(5) of Regulation (EU) No 692/2011 empower the Commission to adopt delegated acts adapting the Annexes and amending the transmission deadlines, to take account of economic, social and technical developments.

In the decade following the entry into force of Regulation (EU) No 692/2011, new economic, social and technical developments had brought about a shift in the needs of those who use tourism statistics. Also, efficiency gains in the production process had made it possible to produce data in a more timely, user-relevant way. This delegated act took account of these developments and updated Regulation (EU) No 692/2011 by amending the deadlines for transmitting data and Annexes I and II.

The updates provide for:

- a) a gradual improvement in transmission deadlines for all monthly data, and the transmission of validated data for all monthly and annual datasets (Article 9);
- b) the annual transmission of the following new breakdowns for data on nights spent at tourist accommodation by residents and non-residents, to improve geographical and temporal granularity (Annex I, Section 2):
  - monthly data for NUTS 2 regions;
  - data according to the degree of urbanisation, separately for coastal and non-coastal areas;
  - data for NUTS 3 regions; and
  - data for capital cities and other selected cities;
- c) the transmission, every three years, of demand-side information on digital platforms, based on variables linked to the booking mode for reported trips;
- d) the annual transmission of fine-tuned breakdowns for the main means of transport and accommodation for reported trips; and
- e) the annual transmission of package expenditure where reported trips are package trips.

The delegated act did not add significantly to the burden on Member States and respondents, nor did it affect the underlying conceptual framework.

The Commission carried out appropriate consultations, including at expert level, during its preparatory work on this delegated act. The parties consulted included the Expert Group on Tourism Statistics, the Business Statistics Directors' Group and the Expert Group 'National Statistical Institutes of the European Statistical System'. They were consulted in writing and/or in meetings between June 2018 and June 2019, and the European Parliament and the Council were duly informed about the consultation results.

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<sup>3</sup> Commission Delegated Regulation (EU) 2019/1681 of 1 August 2019 amending Regulation (EU) No 692/2011 of the European Parliament and of the Council concerning European statistics on tourism, as regards the transmission deadlines and adaptation of Annexes I and II (OJ L 258, 9.10.2019, p. 1).

<sup>4</sup> Commission Delegated Regulation (EU) 2020/1569 of 23 July 2020 amending Annex I to Regulation (EU) No 692/2011 of the European Parliament and of the Council, on the classification of countries of residence of guests staying at tourist accommodation establishments in the context of the withdrawal of the United Kingdom from the Union (OJ L 359, 29.10.2020, p. 1).

The Commission adopted the Delegated Regulation on 1 August 2019 and notified the European Parliament and the Council; neither body issued any objection to the Delegated Regulation within the standard two-month period allowed. At the end of the two-month period, the Delegated Regulation was published in the *Official Journal of the European Union*, on 9 October 2019, and entered into force on 29 October 2019.

- **COMMISSION DELEGATED REGULATION (EU) 2020/1569**

The second Commission Delegated Regulation aligned Regulation (EU) No 692/2011 with the United Kingdom being a non-EU country (third country) since 1 February 2020. As of that date, European statistics on tourism needed to reflect the United Kingdom as a non-EU country. The delegated act updated the categories to be used for the country or the geographical area of residence of guests staying at tourist accommodation establishments, as set out in Section 3 ‘E. Countries and geographical areas’ of Annex I to Regulation (EU) No 692/2011, by including the United Kingdom as a separate country.

The Commission exercised the power to adopt this delegated act under Article 3(2) of Regulation (EU) No 692/2011.

The United Kingdom is an important source of tourists to the EU, so the Commission needed to continue receiving reporting countries’ data on inbound tourism flows from the United Kingdom separately, as was the case for major partners such as Russia, the United States, Canada, Brazil, China and the countries of the European Free Trade Association (EFTA). The change placed no additional burden on Member States, as they were already sending these data to Eurostat in the category ‘European Union (the Union); to be reported separately: each Member State’. The change only involved a shift to another line in the reporting template.

The Commission carried out appropriate consultations, including at expert level, during its preparatory work on this delegated act. The parties consulted included the Expert Group on Tourism Statistics, the Business Statistics Directors’ Group and the Expert Group ‘National Statistical Institutes of the European Statistical System’. They were consulted by written procedure between February 2020 and May 2020, and the European Parliament and the Council were duly informed about the consultation results.

The Commission adopted the Delegated Regulation on 23 July 2020 and notified the European Parliament and the Council; neither body issued any objection to the Delegated Regulation within the standard two-month period allowed. At the end of the two-month period, the Delegated Regulation was published in the *Official Journal of the European Union*, on 29 October 2020, and entered into force on 18 November 2020.

## **CONCLUSION**

The Commission has exercised its delegated powers correctly and invites the European Parliament and the Council to take note of this report.

The Commission believes that it should continue to have these powers, as it may need to adopt delegated acts in the future to keep European tourism statistics in line with international definitions, or to take account of economic, social and technical developments.