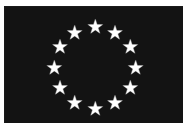


EUROPEAN PARLIAMENT

2004



2009

Committee on Economic and Monetary Affairs

2008/0807(CNS)

18.12.2008

DRAFT REPORT

on the recommendation for a Council Regulation amending Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank
(13411/2008 – C6-0351/2008 – 2008/0807(CNS))

Committee on Economic and Monetary Affairs

Rapporteur: Sirpa Pietikäinen

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- *** Assent procedure
*majority of Parliament's component Members except in cases
covered by Articles 105, 107, 161 and 300 of the EC Treaty and
Article 7 of the EU Treaty*
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
*majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend
the common position*
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the recommendation for a Council regulation amending Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank
(13411/2008 – C6-0351/2008 – 2008/0807(CNS))**

(Consultation procedure)

The European Parliament,

- having regard to the European Central Bank recommendation to the Council (13411/2008),
 - having regard to Article 107(6) of the EC Treaty, pursuant to which the Council consulted Parliament (C6-0351/2008),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A6-0000/2008),
1. Approves the European Central Bank recommendation as amended;
 2. Calls on the European Central Bank to alter its recommendation accordingly, pursuant to Article 250(2) of the EC Treaty;
 3. Calls on the Council to notify Parliament if it intends to depart from the text approved by Parliament;
 4. Asks the Council to consult Parliament again if it intends to amend the European Central Bank recommendation substantially;
 5. Instructs its President to forward its position to the Council and the European Central Bank.

Amendment 1

**Proposal for a regulation – amending act
Recital 7 a (new)**

*Text proposed by the European Central
Bank*

Amendment

(7a) Best practices and the relevant international recommendations should be taken into account in the development, production and dissemination of

Justification

As in the forthcoming regulation on European statistics, best practice and relevant international recommendations should be taken into account.

Amendment 2

Proposal for a regulation – amending act

Article 1 – point 2 – point a

Regulation 2533/98/EC

Article 2 – paragraph 1

*Text proposed by the European Central
Bank*

Amendment

1. For the fulfilment of the ECB's statistical reporting requirements, the ECB, assisted by the national central banks in accordance with Article 5.2 of the Statute, shall have the right to collect statistical information for the development, production and dissemination of European Statistics within the limits of the reference reporting population and of what is necessary to carry out the tasks of the ESCB. In particular, information may be collected to fulfil the ECB's statistical reporting requirements **including** in the area of monetary and financial statistics, payments and payment systems statistics, financial stability statistics, balance of payments and international investment position statistics.

“1. For the fulfilment of the ECB's statistical reporting requirements, the ECB, assisted by the national central banks in accordance with Article 5.2 of the Statute, shall have the right to collect statistical information for the development, production and dissemination of European Statistics within the limits of the reference reporting population and of what is necessary to carry out the tasks of the ESCB. In particular, information may be collected to fulfil the ECB's statistical reporting requirements in the area of monetary and financial statistics, payments and payment systems statistics, financial stability statistics, balance of payments and international investment position statistics.

Or. en

Justification

Clarification of the scope of the ECB's statistical collection rights.

Amendment 3

Proposal for a regulation – amending act

Article 1 – point 2 a (new)

Regulation 2533/98/EC

Article 2 a (new)

*Text proposed by the European Central
Bank*

Amendment

Article 2a

The following Article is inserted:

"In order to minimise the reporting burden and to guarantee a coherent approach to the production of European Statistics, the ESCB and the ESS shall cooperate closely, while complying with the statistical principles laid down in Article 3."

Or. en

Justification

The ESS and the ESCB currently both have their own confidentiality regimes, reflecting their respective institutional governance structures. In order to minimize the reporting burden and to guarantee a coherent, coordinated approach, the ESCB and ESS should cooperate closely.

EXPLANATORY STATEMENT

Your rapporteur welcomes the European Central Bank proposal to amend the Council regulation on the collection of statistical information by the ESCB, which aims at enhancing the effectiveness of the collection of this data. It will also adapt the existing regulation to developments in financial markets.

The ECB proposal updates the framework for the collection of statistical data between the two networks of statistical collection institutions, namely the European Statistical System, composed of national statistical institutions, and the European System of Central Banks, composed of the European Central Bank and the National Central Banks.

Your rapporteur insists that the amended regulation should be in line with the forthcoming regulation on European statistics, thus avoiding contradictions as well as enhancing clarity and the complementarity of both regulations. Setting the two texts in line will in turn result in “better regulation”.

Considering the growing complexity of financial markets and, in particular, the financial crisis, this optimised collection of statistics is needed. Reliability and timeliness of data should be cornerstones of the amended regulation. Your rapporteur takes the view that the timely collection of statistical information is of paramount importance. Therefore, the ESCB and the ESS should, if necessary, collect data on a monthly basis. This might increase the quality of statistics and optimise their usefulness, in particular with regard to monitoring the financial services sector.

Your rapporteur considers that special attention should also be given to the protection of the privacy of the reference reporting population when confidential data is exchanged between the European Statistical System and the European System of Central Banks.

Content of the ECB proposal

The proposal introduces the following changes to the existing regulation:

1. A recommendation for the provision of an indicative list of the statistical purposes for which statistical information may be collected (article 1);
2. The extension of the reference reporting population to the financial corporation sector as a whole, in particular, to insurance corporations and pension funds (article 2);
3. The extension of the exchange of confidential statistical information between the ESCB and the ESS (article 8);

1. List of statistical purposes and scope of the regulation

With the increasing complexity of financial markets, statistical information of high quality is gaining more and more importance in the decision making processes, be them at national, European or international level. As the financial crisis has demonstrated, there is undoubtedly an overall need for more statistical data in the financial services sector which would enable

the timely cross-border and cross-sector identification of potential risks. Therefore, your rapporteur backs the general idea of extending the scope of the reference reporting population, thus enabling the collection of statistical information from all types of financial corporations, including insurance companies and pension funds. The latter represent the second largest financial corporations' sub-sector in the Euro area in terms of financial assets. However, some further clarifications seem still to be necessary to define the scope of this regulation more in detail.

Your rapporteur also emphasises the need for new actors entering the financial market and new financial instruments to be covered by the provisions of the present regulation.

Furthermore, the activities of the respondents should not be unduly affected by requirements concerning the collection of statistics. The frequent collection of statistical information shall thus be done only when it is considered necessary for the statistical purposes stated in the ECB proposal. The speed at which statistical information is gathered and analysed should be increased to a maximum, for example, through the exchange of best practice.

Finally, a good balance will have to be struck between the extension of the reference reporting population and the reduction of the reporting burden.

2. Confidentiality regimes

As with the forthcoming regulation on European Statistics, the protection of confidential data should be at the core of the present regulation. Undoubtedly, confidentiality safeguards are of particular importance when it comes to confidential data in the financial sector. Improper use of data or data leakages could have severe consequences for the stability of financial markets. Therefore, your rapporteur welcomes the introduction of confidentiality provisions for the exchange of information within the ESCB and between the ESCB and the ESS, mirroring the provisions of the forthcoming regulation on European Statistics. In order to strengthen the ESCB confidentiality regime, it could also be envisaged to extend the ECB's *Statistical Quality Framework* to the whole of the ESCB system.

The ESS and the ESCB currently both have their own confidentiality regimes. Your rapporteur has no objections to this situation as it reflects the respective governance structures and the institutional independence of the ECB. However, in order to avoid difficulties in operational management, a clearer distinction should be made between them. Furthermore, in the long run, the ESCB and ESS should strive to align their confidentiality regimes as much as possible.

Finally, the ESCB confidentiality regime should also ensure that exchanged statistical information is only used for statistical purposes. In this context a clear distinction seems desirable between the use of statistics by the ESCB for statistical reporting on the one hand and for purposes of prudential supervision on the other hand.

However, even if confidentiality should remain one of the core principles of the amended proposal, your rapporteur considers that transparency and public availability of data are important issues as well. Your rapporteur considers, therefore, that a good balance needs to be found between confidentiality safeguards and disclosure of data to researchers or to the general public.

3. Cooperation ESS/ESCB

As laid down in the forthcoming regulation on European statistics, which aims at a strengthened cooperation between the systems of the ESS and of the ESCB, this cooperation should ensure cost-efficiency, avoid the duplication of data collection and minimise the overall reporting burden on respondents. Therefore, both the ESS and the ESCB should implement the statistical principles as laid down in the forthcoming regulation on European statistics, adapting them to their respective functions and areas of expertise. Also, both systems should aim at enhanced common programming and the setting of strategic objectives for the production, development and dissemination of European statistics.

Finally, your rapporteur recommends the introduction of a reference to the *Statistical Quality Framework* in the present draft regulation.