



EUROPEAN PARLIAMENT

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Committee on Economic and Monetary Affairs

2014/0194(COD)

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DRAFT REPORT

on the 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 (COM(2014)0379 – C8-0038/2014 – 2014/0194(COD))

Committee on Economic and Monetary Affairs

Rapporteur: Sven Giegold

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

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

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the ¶ symbol or strikeout. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

CONTENTS

	Page
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION.....	5
EXPLANATORY STATEMENT.....	26

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the 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 (COM(2014)0379 – C8-0038/2014 – 2014/0194(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2014)0379),
 - 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 (C8-0038/2014),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to Article 284(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Central Bank of 5 December 2014¹,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the report of the Committee on Economic and Monetary Affairs (A8-0000/2015),
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
Citation 3 a (new)**

¹ OJ C 31, 30.1.2015, p. 3.

Text proposed by the Commission

Amendment

***Having regard to the opinion of the
European Central Bank;***

Or. en

Justification

The consultation of the ECB on all union acts that fall in its competence is a procedural requirement defined in article 4 of the Statute of the European System of Central Banks and of the European Central Bank and Articles 127(4) and 282(5) of the Treaty

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

Amendment

(3) The Commission should have the power to adopt delegated acts under Article 290 of the TFEU to supplement or amend certain non-essential elements of particular legislative acts, notably to take account of economic, social and technical developments. The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on Member States or on the respondent units.

(3) The Commission should have the power to adopt delegated acts under Article 290 of the TFEU to supplement or amend certain non-essential elements of particular legislative acts, notably to take account of economic, social and technical developments. The Commission should ensure that these delegated acts do not impose a significant additional administrative burden on Member States or on the respondent units, ***nor change the applicable underlying conceptual framework.***

Or. en

Amendment 3

Proposal for a regulation

Recital 6

Text proposed by the Commission

Amendment

(6) The power to adopt acts in accordance

(6) The power to adopt acts in accordance

with Article 290 of the Treaty should be delegated to the Commission when, for reasons of economic and technical changes, data **requirements** need to be updated, including submission deadlines **as well as revisions, extensions and eliminations of data flows set out in Annex I**, and when the definitions set out in Annex II need to be updated.

with Article 290 of the Treaty should be delegated to the Commission when, for reasons of economic and technical changes, data **on non-essential elements** need to be updated, including submission deadlines and when the definitions set out in Annex II need to be updated.

Or. en

Amendment 4

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) **To** ensure uniform conditions for the implementation of Regulation (EC) No 184/2005, implementing powers should be conferred on the Commission with a view to **adopting common quality standards and** harmonising the content and periodicity of the quality reports. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Amendment

(8) **In order to** ensure uniform conditions for the implementation of Regulation (EC) No 184/2005, implementing powers should be conferred on the Commission with a view to harmonising the content and periodicity of the quality reports. Those powers should be exercised in accordance with Regulation (EU) No 182/2011.

Or. en

Amendment 5

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Since the adoption of the Regulation, international capital flows have both intensified and gained in complexity. The increased use of special purpose vehicles and legal constructions for channelling capital flows have made it

more difficult to monitor such flows in order to ensure their adequate traceability and to avoid double or multiple accounting. The provisions of Regulation (EC) No 184/2005 should therefore be updated so as to improve transparency and granularity concerning BOP, ITS and FDI by enhancing reporting and publication requirements to take advantage of recent innovations, such as the global legal entity identifier (GLEI), which forms part of the OECD's proposals for improving reporting on financial account information, as well as by using recent legal innovations such as the registries of ultimate beneficial ownership established in the framework of the Anti-Money Laundering Directive.

Or. en

Justification

The reference to the global legal entity identifier (GLEI) in the amendment is based on a contribution by the German Investment Fund Association (BVI).

Amendment 6

**Proposal for a regulation
Recital 13 b (new)**

Text proposed by the Commission

Amendment

(13b) The statistics produced in the context of Regulation (EC) No 184/2005 should also make it possible to distinguish greenfield FDI from FDI resulting in takeovers which for a given period do not increase the gross capital formation in the Member State or do not increase the working capital of the economic unit concerned by the change in ownership.

Or. en

Amendment 7

Proposal for a regulation Recital 13 c (new)

Text proposed by the Commission

Amendment

(13c) The Commission (Eurostat) should strengthen its cooperation with other international organisations, which are major providers of statistics covered by this regulation, such as the OECD and the International Monetary Fund (IMF) in order to promote the exchange of expertise, thereby effectively enhancing the quality of statistics on international economic processes.

Or. en

Amendment 8

Proposal for a regulation Recital 13 d (new)

Text proposed by the Commission

Amendment

(13d) The Commission (Eurostat) is encouraged to make use of the provision allowing it to publicly disclose its opinion on the quality of national statistics, specifically where it has doubts concerning the accuracy of information across all types of statistics as laid out in Article 5 of Regulation 99/2013 of the European Parliament and of the Council on the European statistical programme 2013-17^{1a}.

^{1a} ***Regulation 99/2013 of the European Parliament and of the Council of 15 January 2013 on the European statistical programme 2013-17 (OJ L 039, 9.2.2013, p. 12).***

Amendment 9

Proposal for a regulation Recital 13 e (new)

Text proposed by the Commission

Amendment

(13e) In order to strengthen cooperation between the ESS and the ESCB, the Commission should consult the Committee on Monetary, Financial and Balance of Payments Statistics (CMFB), set up by Council Decision 2006/856/EC of 13 November 2006 establishing a Committee on monetary, financial and balance of payments statistics^{1a}, on all matters falling within its competences as referred to in that Decision.

^{1a} Council Decision 2006/856/EC of 13 November 2006 establishing a Committee on monetary, financial and balance of payments statistics (OJ L 332, 30.11.2006, p. 21)

Or. en

Justification

As the ECB points-out in its opinion, the proposed regulation has the aim of abolishing the Balance of Payments Committee established by Article 11 of Regulation (EC) No 184/2005 of the European Parliament and of the Council and transferring all comitology powers to the European Statistical System Committee, on which the ECB and national central banks (NCBs) are not represented. Close cooperation between the European Statistical System (ESS) and the European System of Central Banks (ESCB) in the field of balance of payments (BOP) and international investment position (IIP) statistics should be ensured through the Committee on Monetary, Financial and Balance of Payments Statistics (CMFB). In particular, the opinion of the CMFB could be requested on proposals for new legal acts, including amending legal acts, on BOP and related statistics.

Amendment 10

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EC) No 184/2005

Article 2 – paragraph 3

Text proposed by the Commission

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 10, when, for reasons of economic and technical changes, data requirements need to be updated, including submission deadlines *as well as revisions, extensions and eliminations of data flows set out in Annex I*, and when the definitions set out in Annex II need to be updated.

Amendment

3. The Commission shall be empowered to adopt delegated acts in accordance with Article 10, when, for reasons of economic and technical changes, data requirements need to be updated, including submission deadlines, *the common quality standards, the content of quality reports*, and when the definitions set out in Annex II need to be updated, *as well as for specifying the requirements for producing the statistics referred to in paragraphs 2 and 3 of Article 5*.

Or. en

Amendment 11

Proposal for a regulation

Article 1 – paragraph 1 – point 1 a (new)

Regulation (EC) No 184/2005

Article 3 – paragraph 1

Present text

1. Member States shall collect the information required pursuant to this Regulation using all the sources they consider relevant and appropriate. These may include administrative data sources such as business registers.

Amendment

(1a) In Article 3, paragraph 1 is replaced by the following:

1. Member States shall collect the information required pursuant to this Regulation using all the sources they consider relevant and appropriate. These may include administrative data sources such as business registers *including the central registers of information on the ultimate beneficial owners of corporate and other legal entities referred to in the Anti-Money Laundering Directive xxx or the GLEI established by the OECD and*

the databases established in the framework of the Coordinated Direct Investment Survey (CDIS) initiative of the IMF.

Or. en

Amendment 12

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EC) No 184/2005

Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall adopt, by means of implementing acts, the ***common quality standards, as well as the content and*** periodicity of the quality reports, taking into account the implications as regards the cost of collecting and compiling the data as well as important changes concerning data collection.

Amendment

3. The Commission shall adopt, by means of implementing acts, the periodicity of the quality reports, taking into account the implications as regards the cost of collecting and compiling the data as well as important changes concerning data collection.

Or. en

Amendment 13

Proposal for a regulation

Article 1 – paragraph 1 – point 2 a (new)

Regulation (EC) No 184/2005

Article 4 – paragraph 4a (new)

Text proposed by the Commission

Amendment

(2a) In Article 4, the following paragraph is added:

4a. The Commission (Eurostat) shall adopt, by means of implementing acts, cooperation arrangements with statistical bodies at international level in order to promote the use of international concepts, classifications, methods and other

standards, in particular with a view to ensuring consistency and better comparability at global level of the statistics produced in the context of this Regulation.

Or. en

Justification

Such provision is inspired from a similar provision of Article 5 of Regulation 99/2013 on the European Statistical Programme 2013-17

Amendment 14

Proposal for a regulation

Article 1 – paragraph 1 – point 2 b (new)

Regulation (EC) No 184/2005

Article 5

Present text

Article 5

Data flows

The statistics to be produced shall be grouped for transmission to the Commission (Eurostat) according to the following data flows:

- (a) balance of payments euro indicators;
- (b) balance of payments quarterly statistics;
- (c) international trade in services;
- (d) foreign direct investment (FDI) flows;
- (e) FDI positions.

Amendment

(2b) Article 5 is replaced by the following

Article 5

Data flows

1. The statistics to be produced shall be grouped for transmission to the Commission (Eurostat) according to the following data flows:

- (a) balance of payments euro indicators;
- (b) balance of payments quarterly statistics;
- (c) international trade in services;
- (d) foreign direct investment (FDI) flows;
- (e) FDI positions.

2. The statistics to be produced shall aggregate FDI outflows on the basis of the country of incorporation of the ultimate beneficial owner of the economic unit controlling the outflow.

3. The statistics to be produced shall differentiate foreign direct investment (FDI) inflows between flows resulting in

greenfield investments by an increase in gross capital formation or an increase in working capital of an economic unit from takeovers which result only in a change in ownership of an economic unit over the yearly reference period.

4. The statistics produced in conformity with paragraphs 1 to 3 shall be transmitted to the Commission (Eurostat).

5. The data flows referred to in paragraph 1 shall be as further specified in Annex I.

The data flows shall be as further specified in Annex I.

Or. en

Amendment 15

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EC) No 184/2005

Article 10 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 2(3), shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *two* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *two* months at the initiative of the European Parliament or the Council.

Amendment

6. A delegated act adopted pursuant to Article 2(3), shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of *three* months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by *three* months at the initiative of the European Parliament or the Council. *When a delegated act is delivered just before or during a public holiday, the time shall be deemed to run from the date of the first plenary session of the European Parliament following the public holiday. In all cases, the period shall be able to be extended to encompass three full plenary sessions.*

Amendment 16**Proposal for a regulation****Article 1 – paragraph 1 – point 4 a (new)**

Regulation (EC) No 184/2005

Article 12

Present text

Article 12

Report on implementation

By 28 February **2010**, the Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation.

In particular, the report shall:

- (a) record the quality of the statistics produced;
- (b) assess the benefits accruing to the Community, the Member States and the providers and users of statistical information of the statistics produced in relation to the costs;
- (c) identify areas for potential improvement and amendments considered necessary in the light of the results obtained;
- (d) review the operation of the Committee and recommend whether the scope of implementing measures should be redefined.

Amendment

(4a) Article 12 is replaced by the following:

Article 12

Report on implementation

By 28 February **2018 and every five years thereafter**, the Commission shall submit a report to the European Parliament and the Council on the implementation of this Regulation.

In particular, the report shall:

- (a) record the quality of the statistics produced;
- (b) assess the benefits accruing to the Community, the Member States and the providers and users of statistical information of the statistics produced in relation to the costs;
- (c) identify areas for potential improvement ***such as fostering the transparency, availability and granularity of the statistics produced, as well as the costs related to the production of statistics referred to in Article 5*** and amendments considered necessary in the light of the results obtained;
- (d) review the operation of the Committee ***referred to in Article 11*** and recommend whether the scope of implementing measures should be redefined.

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 4 b (new)

Regulation (EC) No 184/2005

Article 12a (new)

Text proposed by the Commission

Amendment

(4b) The following Article is added:

Article 12a

Cooperation with other committees

On all matters falling within the competence of the Committee on Monetary, Financial and Balance of Payments Statistics established by Decision 2006/856/EC, the Commission shall request the opinion of that Committee in accordance with that Decision.

Or. en

Justification

As the ECB points-out in its opinion, the proposed regulation has the aim of abolishing the Balance of Payments Committee established by Article 11 of Regulation (EC) No 184/2005 of the European Parliament and of the Council and transferring all comitology powers to the European Statistical System Committee, on which the ECB and national central banks (NCBs) are not represented. Close cooperation between the European Statistical System (ESS) and the European System of Central Banks (ESCB) in the field of balance of payments (BOP) and international investment position (IIP) statistics should be ensured through the Committee on Monetary, Financial and Balance of Payments Statistics (CMFB). In particular, the opinion of the CMFB could be requested on proposals for new legal acts, including amending legal acts, on BOP and related statistics.

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 4 c (new)

Regulation (EC) 184/2005

Article 12b (new)

Text proposed by the Commission

Amendment

(4c) The following Article is added:

Article 12b

Public reporting on foreign direct investment

Eurostat shall publish on its website foreign direct investment statistics for all jurisdictions covered by level 3 of Annex I.

Or. en

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 4 d (new)

Regulation (EC) No 184/2005

Annex I – Table 4.1

Present text

Table 4

Foreign direct investments transactions (including income)

Table 4.1 Direct Investment Financial Transactions

Deadline T+9 months

Periodicity annual

First reference period 2013

	Net		Net acquisition of financial assets		Net incurrence of liabilities	
ALL RESIDENT UNITS						
Direct investment abroad (DIA) - Transactions	Geo	6	Geo	5	Geo	5
DIA Equity other than reinvested earnings	Geo	5	Geo	5	Geo	5
DIA Equity other than reinvested earnings (excluding equity between fellow enterprises)	Geo	5	Geo	5	Geo	5
DIA Equity other than reinvested earnings between fellow enterprises (UCP is resident in the reporting country)	Geo	5	Geo	5	Geo	5
DIA Reinvestment of earnings	Geo	5	Geo	5		
DIA Debt instruments	Geo	5	Geo	5	Geo	5
DIA Debt instruments (excluding debt between fellow enterprises)	Geo	5	Geo	5	Geo	5

DIA Debt instruments between fellows (UCP is resident in the reporting country)	Geo	5	Geo	5	Geo	5
Direct investment in the reporting economy (DIRE) - Transactions	Geo	6	Geo	5	Geo	5
DIRE Equity other than reinvested earnings	Geo	5	Geo	5	Geo	5
DIRE Equity other than reinvested earnings (excluding equity between fellow enterprises)	Geo	5	Geo	5	Geo	5
DIRE Equity other than reinvested earnings between fellow enterprises (UCP is not resident in the reporting country)	Geo	5	Geo	5	Geo	5
Of which: UCP is resident in other euro area country	Geo	5				
UCP is resident in the EU but outside euro area	Geo	5				
UCP is resident outside the EU	Geo	5				
DIRE Reinvestment of earnings	Geo	5			Geo	5
DIRE Debt instruments	Geo	5	Geo	5	Geo	5
DIRE Debt instruments (excluding debt between fellow enterprises)	Geo	5	Geo	5	Geo	5
DIRE Debt instruments between fellows (UCP is not resident in the reporting country)	Geo	5	Geo	5	Geo	5
			Net	Net acquisition of financial assets	Net incurrence of liabilities	
Of which: UCP is resident in other euro area country	Geo	5				
UCP is resident in the EU but outside euro area	Geo	5				
UCP is resident outside the EU	Geo	5				
RESIDENT SPECIAL PURPOSE ENTITIES						
Direct investment abroad (DIA) - Transactions ⁽¹⁾	Geo	5	Geo	5	Geo	5
Direct investment in the reporting economy (DIRE) - Transactions ⁽¹⁾	Geo	5	Geo	5	Geo	5

⁽¹⁾ Mandatory from reference year 2015 onwards

Amendment

(4d) In Annex I, Table 4.1 is amended as follows:

Table 4

Foreign direct investments transactions (including income)

Table 4.1 Direct Investment Financial Transactions

Deadline T+9 months

Periodicity annual

First reference period 2013

	Net	Net acquisition of financial assets	Net incurrence of liabilities
ALL RESIDENT UNITS			

Direct investment abroad (DIA) - Transactions	Geo 6	Geo 6	Geo 6
DIA Equity other than reinvested earnings	Geo 5	Geo 5	Geo 5
DIA Equity other than reinvested earnings (excluding equity between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Equity other than reinvested earnings between fellow enterprises (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
DIA Reinvestment of earnings	Geo 5	Geo 5	
DIA Debt instruments	Geo 5	Geo 5	Geo 5
DIA Debt instruments (excluding debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Debt instruments between fellows (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE) - Transactions	Geo 6	Geo 6	Geo 6
DIRE Equity other than reinvested earnings	Geo 5	Geo 5	Geo 5
DIRE Equity other than reinvested earnings (excluding equity between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Equity other than reinvested earnings between fellow enterprises (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
DIRE Reinvestment of earnings	Geo 5		Geo 5
DIRE Debt instruments	Geo 5	Geo 5	Geo 5
DIRE Debt instruments (excluding debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Debt instruments between fellows (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
	Net	Net acquisition of financial assets	Net incurrence of liabilities
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
RESIDENT SPECIAL PURPOSE ENTITIES			
Direct investment abroad (DIA) - Transactions ⁽¹⁾	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE) - Transactions ⁽¹⁾	Geo 5	Geo 5	Geo 5
<i>Geographical breakdown by ultimate host/investing country (UHC/UIC)</i>			

<i>Direct investment abroad (ultimate host)</i>	<i>Geo 6</i>	<i>Geo 6</i>	<i>Geo 6</i>
<i>Direct investment in the reporting economy (ultimate investor)</i>	<i>Geo 6</i>	<i>Geo 6</i>	<i>Geo 6</i>

⁽¹⁾ Mandatory from reference year 2015 onwards

Or. en

Justification

The amendment proposed aims at providing gross information related to the outward foreign direct investments and inward foreign direct investments, including related investment income flows, between each EU Member State and all other countries in the world. So far this information is only required on a net basis (investment in the country minus investment abroad), which hampers the analytical value of the reported information. Such information is also requested by the International Monetary Fund (IMF) in the context of the Coordinated Direct Investment Survey (CDIS) initiative. Furthermore the amendment aims at enriching inward and outward FDI statistics by compiling the main headings also following the ‘ultimate host/investor country’ approach to identify the host country of the direct investment enterprise for outward FDI and the home country of the direct investor for inward FDI as defined in the OECD Benchmark Definition of FDI. This information would complement the current FDI statistics compiled on the basis of the ‘immediate host/investing country’ (IHC/IIC) approach.

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 4 e (new)

Regulation (EC) No 184/2005

Annex I – Table 4.2

Present text

Table 4.2 Direct Investment Income			
Deadline: T+9 months			
Periodicity: annual			
First reference period: 2013			
	Balance	Credit	Debit
ALL RESIDENT UNITS			
Direct investment abroad (DIA) - Income	Geo 6	Geo 5	Geo 5
DIA Dividends	Geo 5	Geo 5	Geo 5
DIA Dividends (excluding dividends between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Dividends between fellow enterprises (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5

DIA Reinvested earnings	Geo 5	Geo 5	
DIA Income on debt	Geo 5	Geo 5	Geo 5
DIA Income on debt (excluding income on debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Income on debt between fellows (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE) - Income	Geo 6	Geo 5	Geo 5
DIRE Dividends	Geo 5	Geo 5	Geo 5
DIRE Dividends (excluding dividends between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Dividends between fellow enterprises (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
	Balance	Credit	Debit
UCP is resident outside the EU	Geo 5		
DIRE Reinvested earnings	Geo 5		Geo 5
DIRE Income on debt	Geo 5	Geo 5	Geo 5
DIRE Income on debt (excluding income on debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Income on debt between fellows (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which. UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
RESIDENT SPECIAL PURPOSE ENTITIES			
Direct investment abroad (DIA) - Income ⁽¹⁾	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE) - Income ⁽¹⁾	Geo 5	Geo 5	Geo 5

⁽¹⁾ Mandatory from reference year 2015 onwards.

Amendment

(4e) In Annex I, Table 4.2 is amended as follows:

Table 4.2 Direct Investment Income

Deadline: T+9 months

Periodicity: annual

First reference period: 2013

	Balance	Credit	Debit
ALL RESIDENT UNITS			
Direct investment abroad (DIA) - Income	Geo 6	Geo 6	Geo 6

DIA Dividends	Geo 5	Geo 5	Geo 5
DIA Dividends (excluding dividends between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Dividends between fellow enterprises (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
DIA Reinvested earnings	Geo 5	Geo 5	
DIA Income on debt	Geo 5	Geo 5	Geo 5
DIA Income on debt (excluding income on debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Income on debt between fellows (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE) - Income	Geo 6	Geo 6	Geo 6
DIRE Dividends	Geo 5	Geo 5	Geo 5
DIRE Dividends (excluding dividends between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Dividends between fellow enterprises (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
	Balance	Credit	Debit
UCP is resident outside the EU	Geo 5		
DIRE Reinvested earnings	Geo 5		Geo 5
DIRE Income on debt	Geo 5	Geo 5	Geo 5
DIRE Income on debt (excluding income on debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Income on debt between fellows (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which, UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
RESIDENT SPECIAL PURPOSE ENTITIES			
Direct investment abroad (DIA) - Income ⁽¹⁾	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE) - Income ⁽¹⁾	Geo 5	Geo 5	Geo 5
Geographical breakdown by ultimate host/investing country (UHC/UIC)			
Direct investment abroad (ultimate host)	Geo 6	Geo 6	Geo 6
Direct investment in the reporting economy (ultimate investor)	Geo 6	Geo 6	Geo 6

⁽¹⁾ Mandatory from reference year 2015 onwards.

Or. en

Justification

The amendment proposed aims at providing gross information related to the outward foreign direct investments and inward foreign direct investments, including related investment income flows, between each EU Member State and all other countries in the world. So far this information is only required on a net basis (investment in the country minus investment abroad), which hampers the analytical value of the reported information. Such information is also requested by the International Monetary Fund (IMF) in the context of the Coordinated Direct Investment Survey (CDIS) initiative. The amendment also aims at enriching inward and outward FDI statistics by compiling the main headings also following the 'ultimate host/investor country' approach to identify the host country of the direct investment enterprise for outward FDI and the home country of the direct investor for inward FDI as defined in the OECD Benchmark Definition of FDI. This information would complement the current FDI statistics compiled on the basis of the 'immediate host/investing country' (IHC/IIC) approach.

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 4 f (new)

Regulation (EC) No 184/2005

Annex I – Table 5.1

Present text

Table 5

Foreign direct investments positions

Table 5.1 - Direct Investment Positions

Deadline: T+9 months

Periodicity: annual First

reference period: 2013

	Net	Assets	Liabilities
ALL RESIDENT UNITS			
Direct investment abroad (DIA)	Geo 6	Geo 5	Geo 5
DIA Equity	Geo 5	Geo 5	Geo 5
DIA Equity (excluding equity between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Equity between fellow enterprises (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
DIA Debt instruments	Geo 5	Geo 5	Geo 5
DIA Debt instruments (excluding debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Debt instruments between fellows (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE)	Geo 6	Geo 5	Geo 5
DIRE Equity	Geo 5	Geo 5	Geo 5
DIRE Equity (excluding equity between fellow enterprises)	Geo 5	Geo 5	Geo 5

DIRE Equity between fellow enterprises (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
DIRE Debt instruments	Geo 5	Geo 5	Geo 5
DIRE Debt instruments (excluding debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Debt instruments between fellows (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
RESIDENT SPECIAL PURPOSE ENTITIES			
Direct investment abroad (DIA)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE)	Geo 5	Geo 5	Geo 5

Amendment

(4f) In Annex I, Table 5.1 is amended as follows:

Table 5

Foreign direct investments positions

Table 5.1 - Direct Investment Positions

Deadline: T+9 months

Periodicity: annual First

reference period: 2013

	Net	Assets	Liabilities
ALL RESIDENT UNITS			
Direct investment abroad (DIA)	Geo 6	Geo 6	Geo 6
DIA Equity	Geo 5	Geo 5	Geo 5
DIA Equity (excluding equity between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Equity between fellow enterprises (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
DIA Debt instruments	Geo 5	Geo 5	Geo 5
DIA Debt instruments (excluding debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIA Debt instruments between fellows (UCP is resident in the reporting country)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE)	Geo 6	Geo 6	Geo 6
DIRE Equity	Geo 5	Geo 5	Geo 5
DIRE Equity (excluding equity between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Equity between fellow enterprises (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5

Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
DIRE Debt instruments	Geo 5	Geo 5	Geo 5
DIRE Debt instruments (excluding debt between fellow enterprises)	Geo 5	Geo 5	Geo 5
DIRE Debt instruments between fellows (UCP is not resident in the reporting country)	Geo 5	Geo 5	Geo 5
Of which: UCP is resident in other euro area country	Geo 5		
UCP is resident in the EU but outside euro area	Geo 5		
UCP is resident outside the EU	Geo 5		
RESIDENT SPECIAL PURPOSE ENTITIES			
Direct investment abroad (DIA)	Geo 5	Geo 5	Geo 5
Direct investment in the reporting economy (DIRE)	Geo 5	Geo 5	Geo 5
<i>Geographical breakdown by ultimate host/investing country (UHC/UIC)</i>			
<i>Direct investment abroad (ultimate host)</i>	<i>Geo 6</i>	<i>Geo 6</i>	<i>Geo 6</i>
<i>Direct investment in the reporting economy (ultimate investor)</i>	<i>Geo 6</i>	<i>Geo 6</i>	<i>Geo 6</i>

Or. en

Justification

The amendment proposed aims at providing gross information related to the outward foreign direct investments and inward foreign direct investments, including related investment income flows, between each EU Member State and all other countries in the world. So far this information is only required on a net basis (investment in the country minus investment abroad), which hampers the analytical value of the reported information. Such information is also requested by the International Monetary Fund (IMF) in the context of the Coordinated Direct Investment Survey (CDIS) initiative. The amendment also aims at enriching inward and outward FDI statistics by compiling the main headings also following the 'ultimate host/investor country' approach to identify the host country of the direct investment enterprise for outward FDI and the home country of the direct investor for inward FDI as defined in the OECD Benchmark Definition of FDI. This information would complement the current FDI statistics compiled on the basis of the 'immediate host/investing country' (IHC/IIC) approach.

EXPLANATORY STATEMENT

Regulation (EC) No 184/2005 concerning balance of payments (BOP), international trade in services (ITS) and foreign direct investment (FDI) statistics is a part of the overall EU framework aiming at monitoring the economic developments in each Member States and in the Union as a whole. The production of reliable statistics in such fields is in particular instrumental for monitoring key features such as the developments regarding current accounts and financial flows within and beyond the EU. Thus, these statistics help ensuring the consistency of Member States' economic policies with broad EU guidelines as well as with legal requirements derived from the EU economic governance framework. More specifically, reliable statistics are a crucial basis for the monitoring process established in the context of the macroeconomic imbalances procedures.

Since the adoption of the original regulation and the subsequent updates, international capital flows have both intensified and gained in complexity. More specifically, the increased use of special purposes vehicles and legal constructions for channelling capital outflows and inflows have aggravated the difficulties for monitoring these capital flows, ensuring their adequate traceability and avoiding double or multiple accounting and therefore have made more difficult the fight against tax evasion and aggressive tax planning.

In this context the provisions of Regulation (EC) No 184/2005 should be reviewed with a view of fulfilling a twofold objective.

First, the revision of Regulation (EC) No 184/2005 represents a genuine occasion for increasing the transparency and the granularity of the BOP, ITS and FDI related statistics as well as for taking advantage of recent legal innovations to make these statistics a more reliable tool for economic policy decisions.

Secondly, as the Commission has indeed pointed out, Regulation (EC) No 184/2005 needs to be updated so as to ensure its alignment with the rules of the TFEU conferring powers on the Commission to adopt delegated and/or implementing acts.

Against this backdrop, the following key points will be addressed.

1. Increasing transparency and granularity of BOP, ITS and FDI related statistics
The transparency and the granularity concerning BOP, ITS and FDI could be significantly improved by enhancing reporting and publication requirements to have a better view of gross capital flows and to take advantage of recent innovations, such as the global legal entity identifier (GLEI), which forms part of the Organisation for Economic Co-operation and Development (OECD) framework for improving reporting on financial account information. The recently created registries of ultimate beneficial ownership established in the framework of the anti-money laundering Directive and the databases established in the framework of the Coordinated Direct Investment Survey (CDIS) initiative for the IMF are also important innovations that can be used with the purpose of increasing transparency and traceability.

The statistics produced in the context of Regulation (EC) No 184/2005 should also allow distinguishing between greenfield FDI from FDI resulting in takeovers which for a yearly

reference period do not increase the gross capital formation in the Member State or do not increase the working capital of the economic unit concerned by the change of ownership.

The Commission (Eurostat) should also strengthen its cooperation with other international organisations, which are major providers of statistics covered by this Regulation, such as the Organisation for Economic Co-operation and Development's (OECD) and the International Monetary Fund (IMF). Such enhanced cooperation would promote the exchange of expertise effectively enhancing thereby the quality of statistics regarding balance of payments.

Finally, the Commission (Eurostat) should on a one hand improve the quality of disclosed data on BOP, ITS and FDI related statistics. And on the other hand it should also make use of the provision allowing the public disclosure of its opinion on the quality of national statistics, specifically where it has doubts concerning the accuracy of information across all types of statistics as laid out in article 5 of regulation.

2. Aligning the Regulation (EC) No 184/2005 with the provisions of the Lisbon Treaty

The Treaty on the Functioning of the European Union (TFEU) makes a distinction between powers which may be delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a particular legislative act, as laid down in Article 290(1) of the TFEU (delegated acts), and the implementing powers which shall be conferred upon the Commission where uniform conditions for implementing legally binding Union acts are needed, as laid down in Article 291(2) of the TFEU (implementing acts).

Revisions, extensions and eliminations of data flows set out in Annex I cannot be considered as non-essential elements to be supplemented and amended by the Commission, but are features that touch core elements of the subject matter. These elements should be therefore being revised, as appropriate, by means of legislative proposals to be adopted by the co-legislators. In the same order of ideas quality review reports represent non-essential elements of the legislative act in question and powers should therefore be conferred upon the Commission for adopting delegated acts specifying the content of such reports instead of leaving such reports to an adoption by means of implementing acts as originally proposed by the Commission.

Finally, public holidays and other interruptions of parliamentary and Council working periods shall be taken into account appropriately, extending the respective deadlines accordingly so as to ensure a proper scrutiny process within the European Parliament and the Council.