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*****I**
REPORT

on the proposal for a European Parliament and Council regulation on the production of annual Community statistics on steel for the reference years 2003-2009
(COM(2002) 584 – C5-0509/2002 – 2002/0251(COD))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Carlos Westendorp y Cabeza

(Simplified procedure – Rule 158(2) of the Rules of Procedure)

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***. 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). These suggested corrections are subject to the agreement of the departments concerned.

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PROCEDURAL PAGE

By letter of 25 October 2002 the Commission submitted to Parliament, pursuant to Article 251(2) and Article 285(1) of the EC Treaty, the proposal for a European Parliament and Council regulation on the production of annual Community statistics on steel for the reference years 2003-2009 (COM(2002) 584 – 2002/0251 (COD)).

At the sitting of 7 November 2002 the President of Parliament announced that he had referred this proposal to the Committee on Industry, External Trade, Research and Energy as the committee responsible (C5-0509/2002).

At its meeting of 19 March 2003 the committee considered the legislative proposal and authorised the chairman rapporteur under Rule 158(2) to draft a set of amendments reflecting its discussion.

As the chairman did not receive objections from at least one tenth of the committee's members within the time limit laid down by the above Rule, he noted that the report had been adopted.

The report was tabled on 23 April 2003.

DRAFT LEGISLATIVE RESOLUTION

European Parliament legislative resolution on the proposal for a European Parliament and Council regulation on the production of annual Community statistics on steel for the reference years 2003-2009 (COM(2002)584 – C5-0509/2002 – 2002/0251(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2002) 584¹),
 - having regard to Article 251(2) and Article 285(1) of the EC Treaty , pursuant to which the Commission submitted the proposal to Parliament (C5-0509/2002),
 - having regard to Rule 67 and 158(2) of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0121/2003),
1. Approves the Commission proposal as amended;
 2. Asks to the matter to be referred to it again, should the Commission intend to amend its proposal substantially or replace it with another text;
 3. Instructs its President to forward its position to the Council and Commission.

Text proposed by the Commission

Amendments by Parliament

Amendment 1

Recital 1

(1) The statistics on the steel industry were based on the ECSC Treaty which ***will come*** to an end on 23 July 2002. ***A new Regulation is therefore needed on the collection of Community statistics on the steel industry pursuant to the EC Treaty.***

(1) The statistics on the steel industry were based on the ECSC Treaty which ***came*** to an end on 23 July 2002.

Justification

Update on expiry of ECSC Treaty. The second sentence is moved to Recital 2 for logical consistency.

¹ OJ C 45 E, 25.2.2003, p. 154

Amendment 2
Recital 1 a (new)

(1 a) A new Regulation was adopted to ensure the prolongation of ECSC steel statistics system after the expiry of the ECSC Treaty and until 31 December 2002¹.

¹ OJ L 279, 17.10.2002, p.1.

Justification

Update on Regulation (EC) No 1840/2002 adopted on 30 September 2002 for the purpose of extending the ECSC steel statistics system until the end of 2002.

Amendment 3
Recital 2

(2) It is necessary to continue collecting statistics on the steel industry in order to implement future Community policies on the steel industry. No other existing statistical system at a European level is able to satisfy the need for such statistics,

(2) It is necessary to continue collecting statistics on the steel industry in order to implement future Community policies on the steel industry. No other existing statistical system at a European level is able to satisfy the need for such statistics. ***A new Regulation is therefore needed on the collection of Community statistics on the steel industry pursuant to the EC Treaty.***

Justification

Text moved from Recital 1 for logical consistency.

Amendment 4
Recital 2 a (new)

(2 a) Council Regulation (EC) 322 of 17 February 1997 on Community statistics constitutes the reference framework for

the provisions of this Regulation¹,

¹ *OJ L 52, 22.2.1997, p.1.*

Justification

Defining the reference framework for the present Regulation.

Amendment 5

Recital 6

(6) Statistics on the availability of stocks of iron and steel scrap are needed to monitor the use of this important raw material for steel making, ***for which a free and open market is needed internationally.***

(6) Statistics on the availability of stocks of iron and steel scrap are needed to monitor the use of this important raw material for steel making.

Justification

Simplification of the text, focusing it on purely statistical matters.

Amendment 6
Recital 7 a (new)

(7 a) The Statistical Programme Committee has been consulted in accordance with Article 3 of Decision 89/382/EEC, Euratom¹,

¹ *OJ L 181, 28.6.1989, p. 47.*

Justification

Updating on the procedure.

Amendment 7
Article 1, title

Subject-matter

Objective

Justification

Clarifying the purpose of the article.

Amendment 8
Article 1

This Regulation ***establishes*** a common framework for the systematic production of Community statistics on steel for the reference years 2003-2009.

The objective of this Regulation ***is to establish*** a common framework for the systematic production of Community statistics on steel for the reference years 2003-2009.

Justification

Same as for previous amendment.

Amendment 9
Article 3, paragraph 1

Member States shall submit to the Statistical Office of the European Communities (“Eurostat”) data on the steel industry, defined as group 27.1 of the general industrial classification of economic activities in the European Community, (“NACE Rev. 1”) established by Council Regulation (EEC) 3037/90¹.

¹ OJ L 293, 24.10.1990, p.1.

This Regulation shall cover data on the steel industry, defined as group 27.1 of the ***statistical*** classification of economic activities in the European Community, (“NACE Rev. 1”) established by Council Regulation (EEC) 3037/90¹, ***as amended by Commission Regulation (EC) 29/2002².***

¹ OJ L 293, 24.10.1990, p.1.

² ***OJ L 6, 10.1.2002, p. 3.***

Justification

Simplifying the text and updating it to include reference to Commission Regulation (EC)

Amendment 10
Article 4, paragraph 1

The data supplied, which shall conform to the format set out in the Annex, shall relate to kind-of-activity unit characteristics and to enterprises having 50 or more employees.

The data supplied, which shall conform to the format set out in the Annex, shall relate to kind-of-activity unit characteristics **as defined in Council Regulation (EEC) 696/93¹** and to enterprises having 50 or more employees.

¹ *OJ L 76, 30.3.1993, p. 1.*

Justification

Adding information necessary for defining "kind-of-activity unit characteristics".

Amendment 11
Article 5, paragraph 1

Member States shall compile the data specified in this Regulation for the first time for the year 2003 and for each year thereafter until 2009.

Member States shall compile **on an annual basis** the data specified in **the Annex to** this Regulation for the first time for the year 2003 and for each year thereafter until 2009.

Justification

Clarifying the procedure of data collection.

Amendment 12
Article 6, paragraph 1

The competent national authorities shall **send** to Eurostat data and metadata, **supplied** in accordance with **this Regulation, in electronic form.**

1. Member States shall **transmit to the Commission (Eurostat) data and metadata on the steel industry aggregated over the units referred to in Article 4. The transmission shall include confidential**

data in accordance with *the existing Community provisions on transmission of data subject to confidentiality*.

Justification

Clarifying the procedure of data collection.

Amendment 13
Article 6, paragraph 2

Transmission shall conform to an appropriate interchange standard approved in accordance with the procedure referred to in Article 8(2). Eurostat shall make available detailed documentation in relation to approved standards and shall supply guidelines on how to implement these standards according to the requirements of this Regulation.

2. Member States shall transmit the data and metadata in electronic form.

Transmission shall conform to an appropriate interchange standard approved in accordance with the procedure referred to in Article 8(2). Eurostat shall make available detailed documentation in relation to approved standards and shall supply guidelines on how to implement these standards according to the requirements of this Regulation.

Justification

Text moved from previous paragraph for logical consistency.

Amendment 14
Article 6, paragraph 2 a (new)

2 a. Member States shall transmit data and metadata within six months from the end of the reference year. However, the Commission may extend this period to twelve months for the first transmission for those Member States who have difficulties in the implementation of this regulation, in accordance with the procedure laid down in article 8 (2).

Justification

Introducing an explicit maximum period for the transmission of data, in agreement with the regime previously in force. A derogation (extending the period to twelve months for the first year of transmission) will be possible for those Member States that have difficulties in the implementation of the regulation.

Amendment 15

Article 7, paragraph 1, point (a)

(a) ***additions or modifications*** to the list of characteristics, ***or deletions from it***;

(a) ***any alteration*** to the list of characteristics, ***provided that no significant additional burden will be imposed upon the Member States***;

Justification

Simplification and clarification of the text. Members States should be reassured that no significant additional burden (e.g. the obligation to provide additional statistics) will be imposed upon them in the future.

Amendment 16

Article 7, paragraph 1, point (b)

(b) transmission formats.

(b) transmission formats ***and the first transmission period***.

Justification

Provision for the committee procedure to be used in laying down the derogations referred to in the amendment to Article 6 introducing a maximum transmission period

Amendment 17

Article 8, paragraph 1

1. The Commission shall be assisted by the Statistical Programme Committee, instituted by Decision

1. The Commission shall be assisted by the Statistical Programme Committee, instituted by ***Article 1 of the*** Decision

Justification

Clarification.

Amendment 18
ANNEX, point 1

Yearly statistics on the steel and cast iron
scrap balance sheet

Annual statistics on the steel and cast iron
scrap balance sheet

Justification

Modification to make text consistent with following amendments.

Amendment 19
ANNEX, point 2, part A

Fuel and Energy Consumption broken
down by type of plant *)

Annual statistics on the Fuel and Energy
Consumption broken down by type of
plant *)

Justification

Clarification.

Amendment 20
ANNEX, point 2, part B

Balance Sheet for Electrical Energy in the
Steel Industry

Annual statistics on the Balance Sheet for
Electrical Energy in the Steel Industry

Justification

Clarification.

Amendment 21
ANNEX, point 3, part A

Expenditure

Annual statistics on Expenditure

Justification

Clarification.

Amendment 22
ANNEX, point 3, part B

Capacity *Annual statistics on* Capacity

Justification

Clarification.

Amendment 23
ANNEX, point 3, part B, table, title 5

Crude steel (**5041+5042**) Crude steel

Justification

Technical amendment taking into account the broader content (i.e. beyond 5041 and 5042) of crude steel capacity.

Amendment 24
ANNEX, point 3, part B, table, title 7

of which **used in** continuous casting of which continuous casting

Justification

Technical amendment aiming at a better definition of the product.

EXPLANATORY STATEMENT

The Community system for compiling steel statistics rested until recently on the European Coal and Steel Community (ECSC) Treaty, which expired on 23 July 2002. It was then extended until the end of 2002 by means of Regulation (EC) No 1840/2002 pending a longer-term arrangement.

The purpose of the proposed regulation is to allow for the annual compilation of important Community steel statistics to be continued from 2003 onwards. The proposal is for a fixed period (2003 – 2009), with provision for an intermediate report within five years.

In most areas of interest steel statistics will continue to be collected under existing Community legislation. This is the case for statistics on production and sales of steel products (to be absorbed into the Community system for production statistics, Prodcom) or the annual data for employment in the steel industry (to be available in future from Structural Business Statistics).

The proposed regulation covers data previously collected in four ECSC questionnaires (2-50, 2-58, 2-60 and 2-61). This is to be contrasted with 17 monthly, one quarterly and a dozen annual questionnaires used until 2000 – the number was then reduced. The information derived from these four questionnaires is important for developing and monitoring Community policy, but is not collected under existing legislation. The list of variables from these questionnaires has been reduced to cover: iron and steel scrap balance sheets; energy balance sheets; investment by type of plant; and steel-making capacity.

According to the Commission proposal:

- 1) The Member States will submit to Eurostat data on the steel industry. It is worth noting that in the past the data were collected directly either from the steel companies or their national associations. To help national authorities in their new role, Eurostat will make available documentation in relation to approved standards and guidelines on how to implement them.
- 2) There is no obligation to collect the data if the value-added at factor cost of the enterprises in a Member State's steel industry represents less than 1% of the Community total. Data will be supplied for enterprises having 50 or more employees. In fact most of the 300 European enterprises in the steel sector are large enterprises.
- 3) The regulation includes: (i) an annex with a list of the kind of data to be collected, and (ii) a committee procedure for deciding alterations to this list and transmission formats.
- 4) Within five years of the entry into force of the regulation the Commission will report to the European Parliament and the Council on its implementation. In its report it will assess the benefits accruing to the different actors involved and the quality of the statistics produced, verify synergy with other Community activities and propose any necessary changes.

While proceeding to a overall positive assessment of the proposed regulation, the Parliament can contribute to an improvement of the text by introducing a series of mostly technical amendments aiming at updating (Amendments 1, 2, 6 and 9), clarifying (Amendments 3, 7, 8, 11 – 13, 15 and 17 – 24) and simplifying (Amendment 5) the text or supplementing it with necessary information (Amendments 4 and 10). Amendment 14 introduces a maximum period for the transmission of data, which is in agreement with the requirement previously in force, but was missing from the Commission proposal. Provision is made however for Member States, which may have difficulties in the initial stages of the implementation of this regulation, by allowing for the first transmission period to be extended to twelve months in

such cases; corresponding derogations will be laid down by means of the committee procedure (Amendment 16).