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REPORT

on the proposal for a European Parliament and Council regulation on statistics
on the Information Society
(COM(2003) 509 – C5-0401/2003 – 2003/0199(COD))

Committee on Industry, External Trade, Research and Energy

Rapporteur: Luis Berenguer Fuster

(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 August 2003 the Commission submitted to Parliament, pursuant to Article 251(2) of the EC Treaty, the proposal for a European Parliament and Council regulation on statistics on the Information Society (COM(2003) 509 – 2003/0199(COD)).

At the sitting of 4 September 2003 the President of Parliament announced that he had referred the proposal to the Committee on Industry, External Trade, Research and Energy as the committee responsible and the Committee on Budgets and the Committee on Economic and Monetary Affairs for their opinions (C5-0401/2003).

The Committee on Industry, External Trade, Research and Energy appointed Luis Berenguer Fuster rapporteur at its meeting of 2 October 2003.

At its meeting of 3 November 2003 the committee considered the legislative proposal and authorised the 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 Committee on Budgets and the Committee on Economic and Monetary Affairs decided on 7 October 2003 and 22 September 2003 not to deliver an opinion.

The report was tabled on 15 January 2004.

DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a European Parliament and Council regulation on statistics on the Information Society
(COM(2003) 509 – C5-0401/2003 – 2003/0199(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2003) 509)¹,
 - having regard to Articles 251(2) and 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0401/2003),
 - having regard to Rules 67 and 158(2) of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, External Trade, Research and Energy (A5-0005/2004),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the 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 8

(8) The rapidly changing nature of the information society domain requires that the statistics that are produced adapt to new developments, and this can be provided for by having modules with a fixed duration, and by allowing for modification through implementing measures taking into consideration Member States' resources and the burden on respondents;

(8) The rapidly changing nature of the information society domain requires that the statistics that are produced adapt to new developments, and this can be provided for by having modules with a fixed duration, and by allowing for modification through implementing measures taking into consideration Member States' resources and the burden on respondents, ***technical and methodological feasibility and reliability of results***;

¹ OJ C ... / Not yet published in OJ.

Amendment 2
Recital 11

(11) *Since the* measures necessary for the implementation of this Regulation *are measures of general scope within the meaning of Article 2 of* Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission *they* should be adopted *by use of the regulatory procedure provided for in Article 5 of that Decision*;

(11) *The* measures necessary for the implementation of this Regulation should be adopted *in accordance with* Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission.

Amendment 3
Article 1

The purpose of this Regulation *is* to establish a common framework for the systematic production of Community statistics on the information society.

The purpose of this Regulation *shall be* to establish a common framework for the systematic production of Community statistics on the information society.

Amendment 4
Article 3, paragraph 1

1. The statistics to be compiled include information required for the eEurope benchmarking process and *for* the Structural Indicators, and other information necessary to provide a uniform basis to analyse the information society.

1. The statistics to be compiled *shall* include information required for the eEurope benchmarking process, and *useful to* the Structural Indicators, and other information necessary to provide a uniform basis to analyse the information society.

Amendment 5
Article 5

The Commission (Eurostat) in close cooperation with Member States shall draw up, and update as made necessary by new implementing measures, *an advisory* methodological manual which contains *guidance* concerning the Community statistics produced pursuant to this Regulation.

The Commission (Eurostat) in close cooperation with Member States shall draw up, and update as made necessary by new implementing measures, *a* methodological manual which contains *recommended guidelines* concerning the Community statistics produced pursuant to this Regulation.

Amendment 6
Article 6, paragraph 1

1. Member States shall transmit the aggregate data and metadata required by this Regulation and its implementing measures, including confidential data, to the Commission (Eurostat) in accordance with the existing Community provisions on transmission of data subject to statistical confidentiality. These Community provisions shall apply to the treatment of the results, in so far as they include confidential data.

1. Member States shall transmit the aggregate data and metadata required by this Regulation and its implementing measures, including confidential ***aggregate*** data, to the Commission (Eurostat) in accordance with the existing Community provisions on transmission of data subject to statistical confidentiality. These Community provisions shall apply to the treatment of the results, in so far as they include confidential data.

Amendment 7
Article 8

1. The measures for implementing the modules of this Regulation shall concern the specification, adjustment and modification of subjects and their characteristics, the reference periods and breakdowns of characteristics, the periodicity and timing of data provision and the deadlines for transmission of results.

2. Implementing measures, including adjustment and updating measures to take account of economic and technical changes, shall be laid down in accordance with the procedure specified in Article 9(2), taking into consideration Member States' resources and the burden on respondents.

3. Implementing measures shall be drawn up at least 9 months before a data collection period.

1. The measures for implementing the modules of this Regulation shall concern the ***selection and*** specification, adjustment and modification of subjects and their characteristics, the ***coverage***, reference periods and breakdowns of characteristics, the periodicity and timing of data provision and the deadlines for transmission of results.

2. Implementing measures, including adjustment and updating measures to take account of economic and technical changes, shall be laid down in accordance with the procedure specified in Article 9(2), taking into consideration Member States' resources and the burden on respondents, ***technical and methodological feasibility and reliability of results***.

3. Implementing measures shall be drawn up at least 9 months before ***the start of*** a data collection period.

Amendment 8
Article 9

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

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

established by Decision 89/382/EEC, Euratom *composed of representatives of the Member States and chaired by the representative of the Commission.*

2. Where reference is made to this paragraph, *the regulatory procedure* laid down *in Article 5* of Decision 1999/468/EC shall apply, *in compliance with Article 7(3) and Article 8* thereof.

3. The period provided for in Article 5(6) of Decision 1999/468/EC shall be three months.

established by Decision 89/382/EEC, Euratom.

2. Where reference is made to this paragraph *Articles 5 and 7* of Decision 1999/468/EC shall apply, *having regard to the provisions of Article 8* thereof. *The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.*

deleted

Amendment 9 Article 10

1. For at least the first year in which Community statistics provided for in implementing measures to this Regulation are produced by Member States, the Commission shall make a financial contribution to the Member States to help cover the costs incurred by them in producing, processing and transmitting these statistics.

2. Financial contributions shall be in the form of grants. The conditions and procedures for the awarding of grants and for payment and control shall be in accordance with Council Regulation 1605/2002 (EC, Euratom), Articles 108-120, as implemented by Commission Regulation 2342/2002 (EC, Euratom), Articles 160-184.

3. If budgetary conditions permit, the Commission *intends to* continue financial support (*grants*) to Member States to help offset the costs of providing these statistics in subsequent years.

4. The amount of such financial contribution shall be fixed as part of the

1. For at least the first year in which Community statistics provided for in implementing measures to this Regulation are produced by Member States, the Commission shall make a financial contribution to the Member States to help cover the costs incurred by them in producing, processing and transmitting these statistics. *The amount of the financial contribution shall not exceed 90% of such costs.*

2. The conditions and procedures for the awarding of *the financial contribution* and for *its* payment and control shall be in accordance with Council Regulation 1605/2002.

3. If budgetary conditions permit, the Commission *shall* continue *to provide* financial support to Member States *in order* to help offset the costs of providing these statistics in subsequent years.

4. The *budgetary* authority shall *authorise* the appropriations available *for such*

*annual budgetary procedures of the European Communities. The maximum Community contribution shall not exceed 90 % of the total costs of providing these statistics. The **budget** authority shall **determine** the appropriations available.*

financial contribution in the framework of the annual budgetary procedures of the European Communities.

Amendment 10
Annex 1, point a)

(a) Aims

The aim of this module is the timely provision of statistics on ***the availability of, readiness for, usage of, and perceived effects of ICT in*** enterprises

(a) Aims

The aim of this module is the timely provision of statistics on enterprises ***and the information society. This module provides a framework for the requirements in terms of coverage, duration and periodicity, subjects covered, breakdowns of data provision and any necessary pilot studies.***

Amendment 11
Annex 1, point c), d) and e)

(c) Duration and periodicity of data provision

Annual provision of statistics for up to five reference years following the date of entry into force of this Regulation. Not all characteristics will necessarily be provided each year; the periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures.

(d) Subjects covered

The characteristics to be provided will be drawn from the following list of subjects:

- ICT systems and their usage in enterprises
- Use of internet and other electronic networks by enterprises

(c) Duration and periodicity of data provision

Annual provision of statistics for up to five reference years following the date of entry into force of this Regulation. Not all characteristics will necessarily be provided each year; the periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures ***referred to in Article 8.***

(d) Subjects covered

Not alla subjects will necessarily be covered each year; the characteristics to be provided will be drawn from the following list of subjects:

- ICT systems and their usage in enterprises
- Use of internet and other electronic networks by enterprises

- e-Commerce and e-Business processes
- ICT competence in the enterprise unit and the demand for ICT skills
- Barriers to use of ICT, internet and other electronic networks, e-commerce and e-business processes
- ICT expenditure and investment
- ICT security
- Perceived effects of ICT usage on enterprises

(e) Breakdowns

Not all breakdowns will necessarily be provided each year; the breakdowns required will be drawn from the following list and agreed upon as part of the implementing measures.

- By size class
- By NACE heading
- By region.

- e-Commerce and e-Business processes
- ICT competence in the enterprise unit and the demand for ICT skills
- Barriers to use of ICT, internet and other electronic networks, e-commerce and e-business processes
- ICT expenditure and investment
- ICT security
- Perceived effects of ICT usage on enterprises

(e) Breakdowns

Not all breakdowns will necessarily be provided each year; the breakdowns required will be drawn from the following list and agreed upon as part of the implementing measures.

- By size class
- By NACE heading
- By region; ***regional breakdowns will be limited to no more than three groupings.***

Amendment 12
Annex 1, point ea) new

ea) Pilot studies

Whenever significant new data requirements are identified or insufficient quality of data is to be expected, the Commission will institute pilot studies to be completed on a voluntary basis by the Member States before any data collection. Such pilot studies will be carried out in order to assess the feasibility of the relevant data collection, taking into consideration the benefits of the availability of the data in relation with the collection costs and the burden on respondents.

Amendment 13
Annex 2, point a)

(a) Aims

The aim of this module is the timely provision of statistics on *the availability of, readiness for, usage of, and perceived effects of ICT in households and for* individuals.

(a) Aims

The aim of this module is the timely provision of statistics on individuals, households *and the information society. This module provides a framework for the requirements in terms of coverage, duration and periodicity, subjects covered, breakdowns of data provision and any necessary pilot studies.*

Amendment 14
Annex 2, point c) and d)

(c) Duration and periodicity of data provision

Annual provision of statistics for up to five reference years following the date of entry into force of this Regulation. Not all characteristics will necessarily be provided each year; the he periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures.

(c) Duration and periodicity of data provision

Annual provision of statistics for up to five reference years following the date of entry into force of this Regulation. Not all characteristics will necessarily be provided each year; the he periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures *referred to in Article 8.*

(d) Subjects covered

The characteristics to be provided will be drawn from the following list of subjects:

- Access to and use of ICT systems by individuals and/or in households
- Use of internet for different purposes by individuals and/or in households
- ICT security
- ICT competence
- Barriers to use of ICT and the Internet
- Perceived effects of ICT usage

(d) Subjects covered

Not all subjects will necessarily be covered each year; the characteristics to be provided will be drawn from the following list of subjects:

- Access to and use of ICT systems by individuals and/or in households
- Use of internet for different purposes by individuals and/or in households
- ICT security
- ICT competence
- Barriers to use of ICT and the Internet
- Perceived effects of ICT usage

Amendment 15
Annex 2, point ea) (new)

ea) Pilot studies

Whenever significant new data requirements are identified or insufficient quality of data is to be expected, the Commission will institute pilot studies to be completed on a voluntary basis by the Member States before any data collection. Such pilot studies will be carried out in order to assess the feasibility of the relevant data collection, taking into consideration the benefits of the availability of the data in relation with the collection costs and the burden on respondents.