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*****I**

REPORT

on the proposal for a regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 (COM(2007)0653 – C6-0395/2007 – 2007/0233(COD))

Committee on International Trade

Rapporteur: Helmuth Markov

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 proposal for a regulation of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries and repealing Council Regulation (EC) No 1172/95 (COM(2007)0653 – C6-0395/2007 – 2007/0233(COD))

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2007)0653,
 - having regard to Article 251(2) and 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0395/2007),
 - having regard to Rule 51 of its Rules of Procedure,
 - having regard to the report of the Committee on International Trade (A6-0267/2008),
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.

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) External trade statistics are based on **information** obtained from customs declarations as provided for in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code, hereinafter referred to as the 'Customs Code'. Progress in European integration and the resulting changes in customs clearance, including single authorisations for the use of the simplified declaration or the local clearance procedure, as well as centralised clearance, which will emanate from the current

Amendment

(2) External trade statistics are based on **data** obtained from customs declarations as provided for in Council Regulation (EEC) No 2913/92 of 12 October 1992 establishing the Community Customs Code, hereinafter referred to as the 'Customs Code'. Progress in European integration and the resulting changes in customs clearance, including single authorisations for the use of the simplified declaration or the local clearance procedure, as well as centralised clearance, which will emanate from the current

process of modernisation of the Customs Code, make it necessary to adjust the way external trade statistics are compiled, to reconsider the concept of the importing or exporting Member State, and to define more precisely the data source for compiling Community statistics.

process of modernisation of the Customs Code, make it necessary to adjust the way external trade statistics are compiled, to reconsider the concept of the importing or exporting Member State, and to define more precisely the data source for compiling Community statistics.

Amendment 2

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) In order to record the physical trade flow of goods between Member States and non-member countries and to ensure that **information** on imports and exports is available in the Member State concerned, arrangements between Customs and statistical authorities are necessary and have to be specified. This includes rules on the exchange of data between Member States' administrations.

Amendment

(3) In order to record the physical trade flow of goods between Member States and non-member countries and to ensure that **data** on imports and exports is available in the Member State concerned, arrangements between Customs and statistical authorities are necessary and have to be specified. This includes rules on the exchange of data between Member States' administrations.

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In order to allocate EU exports and imports to a given Member State, it is necessary to compile **information** on the 'Member State of final destination', for imports, and the 'Member State of actual export', for exports. In the medium term, those Member States should become the importing and the exporting Member State for external trade statistics purposes.

Amendment

(4) In order to allocate EU exports and imports to a given Member State, it is necessary to compile **data** on the 'Member State of final destination', for imports, and the 'Member State of actual export', for exports. In the medium term, those Member States should become the importing and the exporting Member State for external trade statistics purposes.

Amendment 4

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) For the purposes of trade negotiations and internal market management, the Commission should be provided with detailed **data** on the tariff treatment of goods imported into the European Union, including information on quotas.

Amendment

(7) For the purposes of trade negotiations and internal market management, the Commission should be provided with detailed **information** on the tariff treatment of goods imported into the European Union, including information on quotas.

Amendment 5

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Member States' statistics on customs warehouses and free zones are not subject to harmonised provisions. However, the compilation for national purposes of these statistics remains optional.

Amendment 6

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) Member States should provide Eurostat with annual aggregated data on trade broken down by business characteristics, one of the uses of which is to facilitate analysis of how European companies operate in the context of globalisation. The link between business and trade statistics is established by merging **information** on the importer and the exporter available on the customs declaration with **information**

Amendment

(9) Member States should provide Eurostat with annual aggregated data on trade broken down by business characteristics, one of the uses of which is to facilitate analysis of how European companies operate in the context of globalisation. The link between business and trade statistics is established by merging **data** on the importer and the exporter available on the customs declaration with **data** requested by

requested by *Council Regulation (EEC) No 2186/93 of 22 July 1993 on Community coordination in drawing up business registers for statistical purposes*¹, hereinafter referred to as 'Business Register legislation'.

¹ *OJ L 196, 5.8.1993, p. 1. Regulation as amended by Regulation (EC) No 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).*

*Regulation (EC) No 177/2008 of the European Parliament and of the Council of 20 February 2008 establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93*¹, hereinafter referred to as 'Business Register legislation'.

¹ *OJ L 61, 5.3.2008, p. 6.*

Amendment 7

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) The transmission of data subject to statistical confidentiality is governed by the rules set out in Regulation (EC) No 322/97 and in Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities¹. Measures which are taken in accordance with those Regulations ensure the physical and logical protection of confidential data and ensure that no unlawful disclosure and non-statistical use occurs when Community statistics are produced and disseminated.

¹ *OJ L 151, 15.6.1990, p. 1. Regulation as last amended by Regulation (EC) No. 1882/2003 of the European Parliament and of the Council (OJ L 284, 31.10.2003, p. 1).*

Amendment 8

Proposal for a regulation Recital 12

Text proposed by the Commission

(12) Specific provisions need to be formulated until such time as customs legislation changes yield additional **information** on the customs declaration and until the electronic exchange of customs **information** is required by Community legislation.

Amendment

(12) Specific provisions need to be formulated until such time as customs legislation changes yield additional **data** on the customs declaration and until the electronic exchange of customs **data** is required by Community legislation.

Amendment 9

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) In particular **power should be conferred on the Commission to specify the** customs procedures which determine an export or import for external trade statistics, to adopt different or specific rules for goods or movements which, for methodological reasons, call for specific provisions, to specify the statistical data, **to detail trade by business characteristics and trade broken down by invoicing currency as well as to set out particular rules on dissemination**. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation, *inter alia* by supplementing it **by the addition of** new non-essential elements, they **should** be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.

Amendment

(15) In particular **the Commission should be empowered to adapt the list of** customs procedures **or customs approved treatment or use** which determine an export or import for external trade statistics, to adopt different or specific rules for goods or movements which, for methodological reasons, call for specific provisions, **to adapt the list of goods and movements excluded from external trade statistics, to specify the data sources other than the customs declaration for records on import and exports of specific goods or movements**, to specify the statistical data, **including the codes to be used, to establish requirements for data related to specific goods or movements, to establish requirements on the compilation of statistics, to specify characteristics of samples, establish the reporting period and the level of aggregation for partner countries, commodities and currencies as well as to adapt the deadline for transmitting statistics, content, coverage and revision conditions for statistics**

*already transmitted and to establish the deadline for transmitting statistics on detail trade by business characteristics and statistics on trade broken down by invoicing currency. Since those measures are of general scope and are designed to amend non-essential elements of this Regulation, *inter alia* by supplementing it *with* new non-essential elements, they *must* be adopted in accordance with the regulatory procedure with scrutiny provided for in Article 5a of Decision 1999/468/EC.*

Amendment 10

Proposal for a regulation Article 3 - paragraph 2

Text proposed by the Commission

2. *The lists* of customs procedures or customs-approved treatment or use referred to in paragraph (1) *may be adapted by the Commission in particular* in order to take into account changes in the Customs Code or provisions deriving from international conventions. *Any measures designed to amend non-essential elements of this regulation, inter alia by supplementing it,* shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

2. *The measures designed to amend non-essential elements of this Regulation relating to the adaptation of the list* of customs procedures or customs-approved treatment or use referred to in paragraph 1 in order to take into account changes in the Customs Code or provisions deriving from international conventions shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment 11

Proposal for a regulation Article 3 - paragraph 3

Text proposed by the Commission

3. *For goods or movements which, for methodological reasons,* call for specific provisions ('specific goods or movements'), *different or specific rules may be adopted by the Commission. Any*

Amendment

3. *For methodological reasons, certain goods or movements* call for specific provisions ('specific goods or movements'). *This concerns industrial plants, vessels and aircraft, sea products,*

measures designed to amend non-essential elements of this **regulation**, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

goods delivered to vessels and aircraft, staggered consignments, military goods, goods to or from offshore installations, spacecraft, electricity and gas and waste products.

The measures designed to amend non-essential elements of this **Regulation** *inter alia* by supplementing it, ***relating to specific goods and movements and to different or specific provisions applicable to them***, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Second part of paragraph 3 becomes a new paragraph in the Parliament's amendments

Amendment 12

Proposal for a regulation Article 3 - paragraph 4

Text proposed by the Commission

4. ***Certain*** goods or movements shall be excluded from external trade statistics ***for methodological reasons. A list of them shall be drawn up by the Commission.*** ***Any*** measures designed to amend non-essential elements of this **regulation**, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

4. ***For methodological reasons, certain*** goods or movements shall be excluded from external trade statistics. ***This concerns monetary gold and means of payment which are legal tender, goods because of the diplomatic or similar nature of their intended use, goods movements between the importing and exporting Member State and their national armed forces stationed abroad as well as certain goods acquired and disposed of by foreign armed forces, particular goods which are not the subject of a commercial transaction, movements of satellite launchers before their launching, goods for and after repair, goods for or following temporary use, goods used as carriers of customised information and downloaded information, goods declared orally to customs authorities which are either of a commercial nature provided that their value does not exceed the statistical threshold of EUR 1 000 or 1 000***

kilograms or goods of a non commercial nature. The measures designed to amend non-essential elements of this ***Regulation, inter alia***, by supplementing it, ***relating to the exclusion of goods or movements from external trade statistics***, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Justification

This amendment completely excludes oral customs declarations by private persons and limits the statistical threshold to commercial goods. The 1000 Euro/1000 kg threshold cannot be controlled e.g. in tourist traffic; the same is true for orally declared goods above the threshold for private persons. For commercial goods above the threshold information is available that can be gathered.

Amendment 13

Proposal for a regulation Article 4 - paragraph 2

Text proposed by the Commission

Amendment

2. A statistical threshold expressed in value or quantity below which the customs declaration does not have to serve as data source for records on import and export shall be defined by the Commission in accordance with the procedure referred to in Article 11(2). The statistical threshold may be applied by Member States if estimations are provided for import and export records below the thresholds.

deleted

Amendment 14

Proposal for a regulation Article 4 - paragraph 3

Text proposed by the Commission

3. For **records on imports and exports of** specific goods or movements, data sources other than the customs declaration **may be specified by the Commission**. Any measures designed to amend non-essential elements of this **regulation**, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

3. For specific goods or movements **as referred to in Article 3(3)**, data sources other than the customs declaration **can be used**.

The measures designed to amend non-essential elements of this **Regulation**, *inter alia* by supplementing it, **relating to the specification of these other data sources**, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Second part of paragraph 3 becomes a new paragraph in the Parliament's amendments

Amendment 15

Proposal for a regulation Article 4 - paragraph 3 a (new)

Text proposed by the Commission

Amendment

(3a) Member States may continue to use other data sources for the compilation of national statistics other than those defined in paragraphs 1 and 3 until a mechanism for mutual exchange of the relevant data by electronic means as referred to in Article 7(3) is in place. However, the compilation of Community external trade statistics under Article 6 should not be based on those other data sources.

Amendment 16

Proposal for a regulation

Article 5 - paragraph 1 - introductory part

Text proposed by the Commission

1. Member States shall obtain the following data from records on imports and exports referred to in Article 3(1).

Amendment

1. Member States shall obtain the following **set of** data from records on imports and exports referred to in Article 3(1).

Amendment 17

Proposal for a regulation

Article 5 - paragraph 1 - point j

Text proposed by the Commission

(j) the nature of transaction **when** indicated on the customs declaration;

Amendment

(j) the nature of transaction **where** indicated on the customs declaration;

Amendment 18

Proposal for a regulation

Article 5 - paragraph 1 - point k

Text proposed by the Commission

k) if granted, the tariff treatment on import held by Customs authorities, that is the preferential code **and the order number of the quota**;

Amendment

k) if granted, the tariff treatment on import held by Customs authorities, that is the preferential code;

Justification

The “number of the quota” is not a statistical requirement. Most of the Customs authorities in the Member States provide this information on the quota number via Surveillance 2 in DG TAXUD. The inclusion of the “number of the quota” would result in additional reporting obligations for both Customs authorities and Statistical Institutes.

Amendment 19

Proposal for a regulation

Article 5 - paragraph 1 - point 1

Text proposed by the Commission

(1) the invoicing currency **if** indicated on the customs declaration;

Amendment

(1) the invoicing currency **where** indicated on the customs declaration;

Amendment 20

Proposal for a regulation

Article 5 - paragraph 2

Text proposed by the Commission

2. Further specification of the data referred to in paragraph 1, including the codes to be used, may be determined by the Commission. Any measures designed to amend non-essential elements of this **regulation**, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

2. The measures designed to amend non-essential elements of this **Regulation** by supplementing it, **relating to further specification of the data referred to in paragraph 1, including the codes to be used**, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment 21

Proposal for a regulation

Article 5 - paragraph 4

Text proposed by the Commission

4. Data other than those referred to in paragraph 1 for 'specific goods or movements' may be requested by the Commission. Any measures designed to amend non-essential elements of this **regulation**, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

4. For 'specific goods or movements' as referred to in Article 3(3), limited sets of data may be required.

The measures designed to amend non-

essential elements of this **Regulation** by supplementing it, **relating to these limited sets of data**, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Second part of paragraph 4 becomes a new paragraph in the Parliament's amendments

Amendment 22

Proposal for a regulation Article 6 - paragraph 2

Text proposed by the Commission

2. Member States shall compile annual statistics on trade by business characteristics.

The statistics shall be compiled by linking data on business characteristics recorded according to the Business Register legislation with the data recorded according to Article 5 (1) on import and export.

Implementing provisions for compiling the statistics may be determined by the Commission. Any measures designed to amend non-essential elements of this regulation, inter alia by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

2. Member States shall compile annual statistics on trade by business characteristics, ***namely economic activity carried out by the enterprise according to the section or 2-digit level of the common statistical classification of economic activities in the European Community (NACE) and size class measured in terms of number of employees.***

The statistics shall be compiled by linking data on business characteristics recorded according to the Business Register legislation with the data recorded according to Article 5 (1) on import and export. ***To this end, national Customs authorities shall provide the relevant traders' identification number to national statistical authorities.***

The measures designed to amend non-essential elements of this Regulation by supplementing it, relating to the linking of the data and these statistics to be compiled, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment 23

Proposal for a regulation

Article 6 - paragraph 3 - subparagraph 3

Text proposed by the Commission

The characteristics of the sample, the reporting period, the quality requirements, and the level of aggregation for partner countries, commodities and currencies shall be determined by the Commission. Any measures designed to amend non-essential elements of this regulation, inter alia by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

The measures designed to amend non-essential elements of this regulation inter alia by supplementing it, relating to the characteristics of the sample, the reporting period and the level of aggregation for partner countries, commodities and currencies shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment 24

Proposal for a regulation

Article 6 - paragraph 4

Text proposed by the Commission

4. The compilation by Member States of additional statistics **for Community or** for national purposes may be determined when the data are available on the customs declaration.

Implementing provisions for compiling additional statistics for Community purposes shall be determined by the Commission. Any measures designed to amend non-essential elements of this regulation, inter alia by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

4. The compilation by Member States of additional statistics for national purposes may be determined when the data are available on the customs declaration.

Amendment 25

Proposal for a regulation

Article 6 - paragraph 5 - introductory part

Text proposed by the Commission

5. Member States shall not be obliged to compile and transmit to the Commission (Eurostat) external trade statistics on statistical data which, by virtue of the Customs Code or national instructions, are not yet **available** on the customs declaration lodged at their Customs authorities. The following data are concerned.

Amendment

5. Member States shall not be obliged to compile and transmit to the Commission (Eurostat) external trade statistics on statistical data which, by virtue of the Customs Code or national instructions, are not yet **recorded nor can be straightforwardly deduced from other data** on the customs declaration lodged at their Customs authorities **to the Commission (Eurostat). The transmission of these statistics is optional for Member States.** The following data are concerned.

Amendment 26

Proposal for a regulation

Article 7 - paragraph 2

Text proposed by the Commission

2. Member States shall ensure that records on imports and exports which are based on a customs declaration lodged at their national Customs authority are transmitted to the **national statistical authorities** of the Member State which is indicated on the record as:

- (a) the Member State of final destination, on import
- (b) the Member State of actual export, on export

Amendment

2. Member States shall ensure that records on imports and exports which are based on a customs declaration lodged at their national Customs authority are transmitted **without delay from that Customs authority** to the **Customs authority** of the Member State which is indicated on the record as:

- (a) the Member State of final destination, on import
- (b) the Member State of actual export, on export

Within a Member State, the data received by the national Customs authority shall be transmitted to the national statistical authority as provided for in Article 7(1).

Amendment 27

Proposal for a regulation Article 7 - paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. If the national Customs authority cannot provide all the required data referred to in Article 5 (1) to the national statistical authority as a result of several simplified procedures under the Regulation (EC) No .../... of the European Parliament and of the Council of 23 April 2008 laying down the Community Customs Code (Modernised Customs Code)¹ and the Decision No .../2008/EC of the European Parliament and of the Council of 15 January 2008 on a paperless environment for customs and trade², the national statistical authority shall not be obliged to provide these data which cannot be obtained from the national Customs authority to the Commission (Eurostat).

¹ OJ L ...

² OJ L 23, 26.1.2008, p. 21.

Amendment 28

Proposal for a regulation Article 8 - paragraph 1 - subparagraph 5

Text proposed by the Commission

Amendment

Provisions on the deadline, coverage, revisions and content of the statistics may be specified by the Commission. Any measures designed to amend non-essential elements of this **regulation**, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

The measures designed to amend non-essential elements of this **Regulation**, *inter alia* by supplementing it, **relating to the adaptation of the deadline, content, coverage and revisions** shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment 29

Proposal for a regulation Article 8 - paragraph 2

Text proposed by the Commission

2. **The deadline for transmitting to the Commission (Eurostat) statistics on trade by business characteristics referred to in Article 6(2), statistics on trade broken down by invoicing currency referred to in Article 6(3) and Community statistics referred to in Article 6(4) may be determined by the Commission. Any** measures designed to amend non-essential elements of this regulation, *inter alia* by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

2. **The** measures designed to amend non-essential elements of this Regulation, by supplementing it, **relating to the deadline for transmitting statistics on trade by business characteristics referred to in Article 6(2) and statistics on trade broken down by invoicing currency referred to in Article 6(3)** shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment 30

Proposal for a regulation Article 9 - paragraph 3 - subparagraph 1

Text proposed by the Commission

3. In applying the quality dimensions laid down in paragraph 1 to the statistics covered by this Regulation, the modalities, structure **and periodicity** of the quality reports shall be defined in accordance with the procedure referred to in Article 11(2).

Amendment

3. In applying the quality dimensions laid down in paragraph 1 to the statistics covered by this Regulation, the modalities **and** structure of the quality reports shall be defined in accordance with the procedure referred to in Article 11(2).

Amendment 31

Proposal for a regulation Article 10 - paragraph 1 - subparagraph 1

Text proposed by the Commission

1. **External** trade statistics compiled in accordance with Article 6(1) and transmitted by the Member States shall be disseminated by the Commission by

Amendment

1. **At the Community level, external** trade statistics compiled in accordance with Article 6(1) and transmitted by the Member States shall be disseminated by

Combined Nomenclature subheading at least.

the Commission (**Eurostat**) by Combined Nomenclature subheading at least.

Amendment 32

Proposal for a regulation Article 10 - paragraph 2

Text proposed by the Commission

2. In order to protect essential interests of the European Union the dissemination of sensitive data may be restricted.

Amendment

2. Without prejudice to data dissemination at the national level detailed statistics by Taric subheading, preferences and quota shall not be disseminated by the Commission (Eurostat) if their disclosure would undermine the protection of the public interest as regards the commercial and agricultural policies of the Community.

Amendment 33

Proposal for a regulation Article 10 - paragraph 3

Text proposed by the Commission

3. The implementing measures necessary for the dissemination of external trade statistics shall be determined by the Commission. Any measures designed to amend non-essential elements of this regulation, inter alia by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 11(3).

Amendment

deleted

Amendment 34

Proposal for a regulation Article 12

Text proposed by the Commission

Regulation (EC) No 1172/95 is repealed

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Amendment

Regulation (EC) No 1172/95 is repealed

21/25

PE404.778v02-00

with effect from *1 January 2009*.

It shall continue to apply to data pertaining to reference periods before *1 January 2009*.

with effect from *1 January 2010*.

It shall continue to apply to data pertaining to reference periods before *1 January 2010*.

Amendment 35

Proposal for a regulation Article 13 - subparagraph 2

Text proposed by the Commission

It shall apply as from *1 January 2009*.

Amendment

It shall apply as from *1 January 2010*.

EXPLANATORY STATEMENT

Purpose of the Proposal

The proposed regulation aims at modernising the current external trade statistics by making the statistical system managed by Eurostat more efficient and precise. In particular, the purposes of this proposal are, inter alia, to:

- make the legislation clearer, simpler and more transparent;
- adjust the system of extra-Community trade statistics to the changes to be introduced in the procedures regarding the customs declaration through the introduction of Single Authorisations for use of the simplified declaration or the local clearance procedure as well as through centralised clearance under the modernised Community Customs Code (to replace Council Regulation (EEC) No 2913/92 of 12 October 1992);
- reduce the 'Rotterdam effect' resulting (a) in an over-representation in external trade statistics of Member States having a high level of customs clearance or export but playing only the role of transit countries to the detriment of the Member States of actual destination or dispatch of the goods and (b) in a double reporting of the same goods in Extrastat as non Community goods and then in Intrastat as Community goods coming from another Member States, with a comparable situation at export;
- increase the relevance, accuracy, timeliness and comparability of external trade statistics, and establish a system for quality assessment;
- support the linking of trade statistics with business statistics;
- respond to user needs by compiling additional trade statistics using information available in customs declarations;
- control, in line with the European Statistics Code of Practice, the privileged access to sensitive external trade data.

Assessment of the Proposal

It appears that there was considerable agreement amongst the majority of Member States on the terms of the Commission proposals although there has been some discussion on the way the reform should be carried out. Your rapporteur shares this generally positive assessment. However, he requested further clarification from the Commission on a number of points including in particular:

- better explanation and more comprehensive justification of the changes proposed in Article 5 (statistical data);
- the Comitology system to be applied to the implementation of the regulation as set out in Decision 1999/486/EC and especially with regard to the respect accorded

throughout the regulation for the rights of democratic scrutiny but the European Parliament.

In the light of the explanations received and discussions held during a series of meetings with the Commission, Eurostat and the Council Presidency, the following changes are therefore proposed to the Commission's proposal:

- A detailed list of "specific goods and movements" requiring specific provisions has been included in the regulation. If required by experience or changing situation, later amendments to this list could be enacted by comitology with scrutiny i.e. with the involvement of the EP. Data sources other than the customs declaration can be used.
- A detailed list of "excluded goods and movements" has been included in the regulation. If required by experience or changing situation, later amendments to this list could be enacted by comitology with scrutiny (so with involvement of EP);
- the wording on the comitology procedure has been tightened up throughout the regulation, its scope limited and definitions refined;

The proposed amendments are presented as a compromise with Council and are aimed at achieving both a quality regulation and a rapid agreement and as such should be supported.

PROCEDURE

Title	Community statistics relating to external trade with non-member countries		
References	COM(2007)0653 – C6-0395/2007 – 2007/0233(COD)		
Date submitted to Parliament	30.10.2007		
Committee responsible Date announced in plenary	INTA 13.11.2007		
Committee(s) asked for opinion(s) Date announced in plenary	IMCO 13.11.2007		
Not delivering opinions Date of decision	IMCO 21.11.2007		
Rapporteur(s) Date appointed	Helmuth Markov 21.11.2007		
Discussed in committee	26.3.2008	8.4.2008	27.5.2008
Date adopted	24.6.2008		
Result of final vote	+: 24	–: 1	0: 0
Members present for the final vote	Francisco Assis, Graham Booth, Carlos Carnero González, Daniel Caspary, Françoise Castex, Christofer Fjellner, Béla Glattfelder, Ignasi Guardans Cambó, Jacky Hénin, Syed Kamall, Marusya Ivanova Lyubcheva, Erika Mann, Helmuth Markov, David Martin, Georgios Papastamkos, Godelieve Quisthoudt-Rowohl, Tokia Saïfi, Peter Šťastný, Robert Sturdy, Gianluca Susta, Iuliu Winkler, Corien Wortmann-Kool		
Substitute(s) present for the final vote	Vittorio Agnoletto, Eugenijus Maldeikis, Jan Tadeusz Masiel, Salvador Domingo Sanz Palacio		
Substitute(s) under Rule 178(2) present for the final vote	Małgorzata Handzlik		