

# Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation <a href="#">2003/0126(COD)</a>	Procedure completed
Statistics on the trading of goods between Member States, Intrastat: common framework  Amended by <a href="#">2008/0026(COD)</a> Amended by <a href="#">2013/0278(COD)</a> Repealed by <a href="#">2017/0048(COD)</a>	
Subject 2.10.01 Customs union, tax and duty-free, Community transit 2.80 Cooperation between administrations 8.60 European statistical legislation	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	<b>ECON</b> Economic and Monetary Affairs		01/09/2003
	Committee for opinion	PPE-DE <a href="#">LULLING Astrid</a>	
	<b>JURI</b> Legal Affairs and Internal Market	Rapporteur for opinion	Appointed
		The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	<a href="#">Agriculture and Fisheries</a>	<a href="#">2573</a>	22/03/2004
European Commission	Commission DG	Commissioner	
	<a href="#">Eurostat</a>		

Key events			
30/06/2003	Committee referral announced in Parliament, 1st reading		
24/11/2003	Vote in committee, 1st reading		
24/11/2003	Committee report tabled for plenary, 1st reading	<a href="#">A5-0426/2003</a>	
16/12/2003	Decision by Parliament, 1st reading	<a href="#">T5-0564/2003</a>	Summary
22/03/2004	Act adopted by Council after Parliament's 1st reading		
31/03/2004	Final act signed		
31/03/2004	End of procedure in Parliament		
07/04/2004	Final act published in Official Journal		

Technical information	
Procedure reference	2003/0126(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)

Procedure subtype	Legislation
Legislative instrument	Regulation
	Amended by <a href="#">2008/0026(COD)</a> Amended by <a href="#">2013/0278(COD)</a> Repealed by <a href="#">2017/0048(COD)</a>
Legal basis	EC Treaty (after Amsterdam) EC 285-p1
Stage reached in procedure	Procedure completed

### Documentation gateway

Legislative proposal	<a href="#">COM(2003)0364</a>	20/06/2003	EC	Summary
Economic and Social Committee: opinion, report	<a href="#">CES1402/2003</a> <a href="#">OJ C 032 05.02.2004, p. 0092-0093</a>	29/10/2003	ESC	
Committee report tabled for plenary, 1st reading/single reading	<a href="#">A5-0426/2003</a>	24/11/2003	EP	
Committee draft report	PE333.061	25/11/2003	EP	
Text adopted by Parliament, 1st reading/single reading	<a href="#">T5-0564/2003</a> OJ C 091 15.04.2004, p. 0027-0071 E	16/12/2003	EP	Summary
Modified legislative proposal	<a href="#">COM(2004)0179</a>	30/03/2004	EC	Summary
Implementing legislative act	<a href="#">32004R1982</a> <a href="#">OJ L 343 19.11.2004, p. 0003-0019</a>	18/11/2004	EU	Summary
Follow-up document	<a href="#">COM(2018)0754</a>	20/11/2018	EC	Summary

### Additional information

European Commission	<a href="#">EUR-Lex</a>
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### Final act

<a href="#">Regulation 2004/638</a> <a href="#">OJ L 102 07.04.2004, p. 0001-0008</a> Summary
Final legislative act with provisions for delegated acts

## Statistics on the trading of goods between Member States, Intrastat: common framework

**PURPOSE** : to establish a common framework for the systematic production of Community statistics on the trading of goods between Member States. **CONTENT** : to recall, the system of collecting statistics on the trading of goods between Member States, known as the Intranet system, was introduced by Council Regulation 3330/91/EC and has been applicable since 1993, when the single market was completed and the physical frontiers between Member States were removed. This system has been simplified on two occasions. This proposal, which aims to replace the regulations in force as from 2005, forms part of these efforts to improve and adapt the statistical system in order to take better account of both users' needs and the burden on information providers. The main characteristics of the new Regulation are as follows: - the contents of the basic regulation have been defined and drafted with the aim of making the rules clearer and simpler - and thus easily understood by non-specialists - but still precise so as to avoid any confusion when applying them and defining implementation measures; - the scope of the new regulation is defined more clearly, being strictly limited to Community statistics with the Member States remaining free to compile more detailed national statistics to meet national needs; - in accordance with the principle of subsidiarity, the new regulation gives the Member States more freedom to organise how the data are collected, and makes it possible to take greater account of the specific administrative set-up in each Member State; - the content of the data to be collected, which had already been adapted under the SLIM initiative, remains unchanged; it has been validated following analysis of the results of three studies (an opinion poll of information providers in six Member States, a sample study of users of Community statistics, a study on problems with the product nomenclature in Sweden); - the system of thresholds has been retained, in a simplified form, in order to provide a satisfactory response to users' needs whilst reducing the

burden of response on the parties responsible for providing statistical information, particularly small and medium-sized enterprises; - the new regulation now includes provisions on deadlines for the transmission of data and coverage of the entire trade sector which aim to respond in a more appropriate manner to requirements for the purposes of macroeconomic and short-term policy, particularly those expressed by the European Central Bank; - a link has been retained between the system for collecting statistical information and the fiscal formalities which exist in the context of trade in goods between Member States; this link makes it possible, in particular, to check the quality of the information collected; - provisions have been introduced which relate to the quality of the statistical information; these deal in particular with evaluating the quality of the data using common indicators and regular reports to ensure transparency in this field; - the dispositions regarding confidentiality foresee that data are not disseminated or are hidden at the request of the information providers, in order to take into account the burden caused by the treatment of confidential data by national bodies and in order to guarantee the relevance of data at detailed level ventilated by product; these provisions are in line with those in force in the framework of Extrastat. - 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, the committee set up to assist the Commission in implementing the new regulation is a regulatory committee, whereas the existing committee is a management committee.?

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## Statistics on the trading of goods between Member States, Intrastat: common framework

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The European Parliament adopted the resolution drafted by Astrid LULLING (EPP-ED, L) and made a few amendments to the proposal. In particular for defining thresholds below which parties are exempted from providing any Intrastat information, Member States must ensure that the relevant information is such that at least 97% (rather than 98%) of the Member State's total trade expressed in value is covered.?

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## Statistics on the trading of goods between Member States, Intrastat: common framework

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The Commission accepts the five amendments proposed by the European Parliament. They concern the following: - the list which is to be drawn up by the Commission of goods which shall be excluded must satisfy certain methodological criteria. The Commission will indeed have to take account of international recommendations designed to ensure that trade statistics are comparable at world level; - lowering the requirements in terms of trade coverage at a detailed level, from 98% to 97% will lighten the administrative burden on a large number of enterprises and will have only a marginal impact on the quality of the statistics. The loss of information at detailed level will be compensated for at aggregated level by the new rules on adjustment; - conditions to be defined by the Commission relating to the simplification of information on small transactions must satisfy the quality requirements; - the confidentiality of the data and making it explicit that the ultimate decision rests with the national authorities, after they have examined requests from enterprises. This amendment is important for certain Member States where the issue of data confidentiality is highly sensitive; - supplementing a provision which makes the Commission competent to define the content of the aggregated results to be transmitted by the Member States. Like other, similar provisions, it stipulates that the Commission will be assisted in that task by a Committee set up under the Regulation. In this way, it avoids confusion by defining the framework in which the Commission is required to present its draft.?

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## Statistics on the trading of goods between Member States, Intrastat: common framework

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PURPOSE : to establish a common framework for the systematic production of Community statistics on the trading of goods between Member States. LEGISLATIVE ACT : Regulation 638/2004/EC of the European Parliament and of the Council on Community statistics relating to the trading of goods between Member States and repealing Council Regulation 3330/91/EEC. CONTENT : the Council, approving the European Parliament's amendments to the Commission's proposal, adopted the Regulation on Community statistics relating to the trading of goods between Member States and repealing Council regulation 3330/91/EEC. ENTRY INTO FORCE : 27/04/2004. The Regulation shall apply from 01/01/2005.?

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## Statistics on the trading of goods between Member States, Intrastat: common framework

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LEGISLATIVE ACT : Commission Regulation 1982/2004/EC implementing Regulation 638/2004/EC of the European Parliament and of the Council on Community statistics relating to the trading of goods between Member States and repealing Commission Regulations 1901/2000/EC and 3590/92/EEC.

CONTENT : this Regulation has been set up in order to present the necessary measures for implementing Council Regulation 638/2004/EC. For methodological reasons, it has been necessary to exempt a number of goods and movements from the provisions of this Regulation. They are listed in an Annex to the Regulation and include sensitive goods such as, for example, monetary gold and goods benefiting from diplomatic consular or similar immunity. For the rest the implementing Regulation lists the following measures and provisions:

- A period of reference regarding VAT and Customs declarations.
- Communication of information by the tax administration, which includes an obligation to the correctness of the statistical information provided as well as specifics regarding information relating to the person declaring goods for fiscal purposes (name, address, taxable amount of intra-Community acquisitions etc.)
- Collection of Intrastat information. This provision includes detailed measures relating to the value of goods (i.e. products subject to duties and the amount of duties to be excluded); information regarding the quantity of goods, information regarding the nature of transactions; delivery terms and mode of transport.
- Simplification within Intrastate. Provisions have been made in the Regulation to allow for a simplification of data collection. Thus, for example, Member States may calculate their thresholds for the year following the current calendar year on the basis of the latest available results for their trade with other Member States over a period of at least 12 months.
- Rules concerning specific goods and movements. Data relating to certain specific goods and movements are to be subject to the provisions

of the Regulation and any information on them must be forwarded to Eurostat. They refer largely to goods from industrial plants; staggered consignments; vessels and aircraft; motor vehicles and aircraft parts; goods delivered to vessels and aircraft; offshore installations; sea products; spacecraft; electricity and military goods.

- Data transmission to Eurostat. This Chapter details the measures Member States must take regarding the transmission of data. For example, Member States belonging to the euro area must provide a breakdown of their trade outside the euro area by products. Further, Member States must take all necessary measures to ensure that the collection of trade data from companies above the threshold of 97% is exhaustive.

- Quality Report: Member States must supply Eurostat with a quality report, at least every ten months, containing all the information that it requests to assess the quality of the data transmitted. References must be made to issues such as the relevance of statistical concepts, accuracy of estimates, timeliness in transmission of results to Eurostat, accessibility and clarity of the information, comparability of statistics, coherence and completeness.

## Statistics on the trading of goods between Member States, Intrastat: common framework

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The Commission presents a report on the exercise of the power to adopt delegated acts conferred on the Commission under Regulation (EC) No 638/2004 of the European Parliament and of the Council on Community statistics relating to the trading of goods between Member States. The Commission is required to draw up a report on the delegation of power not later than nine months before the end of the five-year period of the empowerment, which began on 17 July 2014. This power may be tacitly extended for periods of five years unless the European Parliament or the Council objects.

To recall, the Regulation confers on the Commission the power to adopt delegated acts:

- relating to rules applying to specific goods or movements;
- to adapt the Intrastat coverage rates to technical and economic developments whenever it is possible to reduce them, while maintaining statistics which meet the quality indicators and standards in force;
- to specify the conditions for defining other thresholds below which parties may benefit from certain simplifications;
- to specify the conditions, which meet quality requirements, under which the Member States may simplify the information to be provided for small individual transactions, provided that such simplification has no detrimental effects on the quality of the statistics;
- to define the aggregated data of the monthly results of statistics relating to the trading of goods between Member States.

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EC) No 638/2004, since there has been no need to do so under any of the Articles empowering the Commission to adopt delegated acts.

The Commission is, however, of the view that it should continue to have the delegated powers conferred by the Regulation, since in the future it might be necessary to exercise these delegated powers.