

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	2005/0032(COD) Procedure completed
Common framework for business registers for statistical purposes Repealed by 2017/0048(COD)	
Subject 3.45.20 Business statistics	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	ECON Economic and Monetary Affairs		10/05/2005
		NI MARTIN Hans-Peter	
	Former committee responsible		
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		NI MARTIN Hans-Peter	
	Former committee for opinion		
	ITRE Industry, Research and Energy	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Agriculture and Fisheries	2843	21/01/2008
	Competitiveness (Internal Market, Industry, Research and Space)	2801	21/05/2007
European Commission	Commission DG	Commissioner	
	Eurostat	ALMUNIA Joaquín	

Key events			
05/04/2005	Legislative proposal published	COM(2005)0112	Summary
14/04/2005	Committee referral announced in Parliament, 1st reading		
04/05/2006	Vote in committee, 1st reading		Summary
10/05/2006	Committee report tabled for plenary, 1st reading	A6-0177/2006	
01/06/2006	Results of vote in Parliament		
	Decision by Parliament, 1st reading		Summary

01/06/2006		T6-0229/2006	
21/05/2007	Council position published	07656/5/2007	Summary
12/07/2007	Committee referral announced in Parliament, 2nd reading		
03/10/2007	Vote in committee, 2nd reading		Summary
04/10/2007	Committee recommendation tabled for plenary, 2nd reading	A6-0353/2007	
24/10/2007	Debate in Parliament		
25/10/2007	Decision by Parliament, 2nd reading	T6-0479/2007	Summary
21/01/2008	Act approved by Council, 2nd reading		
20/02/2008	Final act signed		
20/02/2008	End of procedure in Parliament		
05/03/2008	Final act published in Official Journal		

Technical information

Procedure reference	2005/0032(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealed by 2017/0048(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 043-p2; Treaty on the Functioning of the EU TFEU 042-p1; EC Treaty (after Amsterdam) EC 285-p1
Stage reached in procedure	Procedure completed
Committee dossier	ECON/6/51519

Documentation gateway

Legislative proposal	COM(2005)0112	05/04/2005	EC	Summary
Committee draft report	PE371.951	07/04/2006	EP	
Committee report tabled for plenary, 1st reading/single reading	A6-0177/2006	10/05/2006	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0229/2006	01/06/2006	EP	Summary
Commission response to text adopted in plenary	SP(2006)2902	22/06/2006	EC	
Council statement on its position	09011/2007	04/05/2007	CSL	
Council position	07656/5/2007	21/05/2007	CSL	Summary
Commission communication on Council's position	COM(2007)0389	10/07/2007	EC	Summary
Committee draft report	PE393.944	18/09/2007	EP	
Committee recommendation tabled for plenary, 2nd reading	A6-0353/2007	04/10/2007	EP	

Text adopted by Parliament, 2nd reading	T6-0479/2007	25/10/2007	EP	Summary
Commission opinion on Parliament's position at 2nd reading	COM(2007)0820	13/12/2007	EC	Summary
Draft final act	03665/2007/LEX	20/02/2008	CSL	
Follow-up document	COM(2015)0090	05/03/2015	EC	Summary

Additional information

National parliaments	IPEX
European Commission	EUR-Lex

Final act

[Regulation 2008/177](#)
[OJ L 061 05.03.2008, p. 0006](#) Summary

Common framework for business registers for statistical purposes

PURPOSE : to improve and update the existing Business Registers Regulation (BR) in order to take account of new requirements which have progressively emerged as a result of globalization of the economy, the integration of activities of the different sectors and the Single Market which requires improved statistical comparability.

PROPOSED ACT : Regulation of the European Parliament and of the Council.

CONTENT : given the new data requirements, two major changes are introduced in the proposed draft Regulation:

- all the enterprises carrying out economic activities contributing to gross domestic product, their local units and the corresponding legal units should be registered on a mandatory basis (some sectors of activity are optional in the current version of the Regulation);
- financial links and enterprise groups will have to be covered and data on multinational groups and their constituent units will have to be exchanged between countries and Eurostat.

The draft Regulation is the product of extensive consultations with the Member States and has been discussed at length by the various interested parties, several times in the Business Registers?Statistical Units Working Group and in the meetings of Directors of Business Statistics and of the Statistical Programme Committee. The views of major users in the Member States, EFTA, Candidate Countries and in the Commission and of other stakeholders have been considered. The present proposal is a balanced position between the level of detail needed by the main users and the workload in the National Statistical Institutes.

Common framework for business registers for statistical purposes

The committee adopted the report by Hans-Peter MARTIN (NI, AT) broadly approving the proposed regulation establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No. 2186/93. It adopted a number of mainly technical amendments under the 1st reading of the codecision procedure. These sought to:

- tighten up the text and provide legal clarification at certain points, including precise definitions;
- clarify the terms and conditions under which confidential data can be transmitted, including access by the European Central Bank and national central banks to confidential data on multinational enterprise groups;
- grant a longer transitional period than originally proposed (5 years rather than 3 years) to allow national statistics institutes to adapt their systems to include agriculture and enterprise groups in business registers;
- amend the annex so as to distinguish between items marked as "optional", which are recommended for inclusion, and items marked as "conditional", which are compulsory, where the information is available in the Member State.

Lastly, the committee introduced a new clause requiring the Commission to report to Parliament and Council on the implementation of the regulation, addressing in particular the cost for the statistical system, the burden on business and the benefits.

Common framework for business registers for statistical purposes

The European Parliament adopted a resolution drafted by Hans-Peter MARTIN (NI, AT) and made some amendments to the Commission's proposal. (Please see the summary of 04/05/2006/)

Common framework for business registers for statistical purposes

The Council unanimously adopted a common position with a view to adopting a Regulation of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93. An agreement at first reading was reached on this dossier in June 2006.

On 17 July 2006, the Council adopted Decision 2006/512/EC amending Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission and introducing a new procedure named "regulatory procedure with scrutiny" (Article 5a).

The new Committee procedure has to be followed to adopt measures of general scope which seek to amend non-essential elements of a basic instrument adopted in accordance with the procedure referred to in Article 251 of the Treaty, inter alia by deleting some of those elements or by supplementing the instrument by the addition of new non-essential elements.

New provisions introduced by the Council refer to the implementing powers conferred to the Commission when the new procedure has to apply.

Common framework for business registers for statistical purposes

The Commission expressed a favourable opinion as regards the common position. At first reading, the European Parliament approved the Commission's proposal subject to 22 amendments. The great majority of these amendments were of an editorial or minor technical nature that did not affect the substance of the proposal. The Commission agreed to the amendments proposed by the Parliament. The European Parliament's resolution adopts a positive approach to this proposal with the great majority of the 22 amendments being in the nature of technical and editorial clarifications. The Council has endorsed these amendments within its common position.

Common framework for business registers for statistical purposes

By adopting the recommendation for second reading contained in a codecision report by Hans-Peter MARTIN (NI, AT), the Committee on Economic and Monetary Affairs proposed to approve, subject to two amendments, the Council common position for adopting a regulation of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93.

According to the common position, the powers concerning the transmission of data would be covered by the regulatory procedure without scrutiny. Parliament could accept this, if only the Council had not included in its common position the two words "purpose" and "scope" in Articles 11(2) and 12(3).

The inclusion of the two words would allow the Commission to determine the "purpose" and "scope" of the transmission of data provided for in these articles and in the annex. It would thus permit the Commission to modify the obligations of the Member states, the authorities and central banks concerned as well as the Commission under Articles 11 and 12 and the annex. These obligations are elements of the basic act. Modifying them in one direction or another would affect political choices made in the basic act.

The report therefore suggests deleting the two words in the draft regulation.

Common framework for business registers for statistical purposes

On the basis of a report by Hans-Peter MARTIN (NI, AT), the European Parliament adopted at 2nd reading of the codecision procedure, its position on the adoption of the regulation establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93.

The update was needed to take account of changes in the business world in the light of ongoing globalisation and the further development of the internal market.

At the 1st reading stage in June 2006, Parliament adopted a number of amendments, mostly aimed at reducing the administrative burden on businesses from the collection of data for statistics. All of these were accepted by the Council, but the reform of provisions to do with the Commission's implementing powers under EU legislation (so-called "comitology") led to a disagreement about the breadth of these powers in this case.

In its report at 2nd reading, the Economic and Monetary Affairs Committee proposed to remove the "purpose" and "scope" of the transmission of data from the area covered by the implementing powers since these are better left for primary legislation. The plenary session has now backed these amendments.

Common framework for business registers for statistical purposes

Given that the two amendments adopted by the European Parliament add legal clarification to the proposal, the Commission has decided to accept both.

Common framework for business registers for statistical purposes

PURPOSE: to improve and update the existing Business Registers Regulation (BR).

LEGISLATIVE ACT: Regulation (EC) No 177/2008 of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93.

BACKGROUND: in 1993, the EU adopted legislation concerning the setting up of business registers for statistical purposes with harmonised definitions characteristics, scope and updating procedures (see Regulation (EEC) No 2186/93). Business registers are one method by which to reconcile the conflicting requirements for collating increased information on enterprises with lightening their administrative burden. Statistics thus gathered are the main source for business demography given that they keep track of business creations/closures, as well as any economic structural changes brought about by mergers, takeovers, break ups, split offs and restructuring. They also provide the basic information needed to develop rural development policies. However, in order to maintain the development of business registers in a harmonised framework it is necessary to update and modernise the basic provisions relating to business registers for statistical purposes (BR).

CONTENT: the purpose of this Regulation, therefore, is the establishment of a common framework for business registers for statistical purposes in the Community. Member States will be expected to set up one or more harmonised registers for statistical purposes, as a tool for the preparation and coordination of surveys. The scope of the Regulation extends to:

- all enterprises carrying on economic activities and that contribute to the gross domestic product (GDP) and their local units;
- the legal units of which those enterprises consist;
- truncated enterprise groups and multinational enterprise groups; and
- all-resident enterprise groups.

The Regulation also provides for measures relating to quality standards and reports; deadlines for the submission of data; transmission reports; the exchange of confidential data between the Member States, the Commission and central banks; and confidentiality and access to data.

Following Parliamentary amendments, the implementing powers as set out in the Regulation states that any non-essential elements of the Regulation ? including supplementing it will done in accordance with the regulatory procedure with scrutiny. This includes: coverage of the smallest enterprises and all-resident enterprise groups; updating the list of register characteristics in the Annex; the establishment of common quality standards and the content of reports; and rules for updating registers.

Any other measures will be adopted according to the regulatory procedure. This includes: the transmission of information arising from the statistical analyses of registers; the transmission of data on individual units for multi-national enterprise groups between the Commission and the Member States; and the transmission of multinational enterprise group data between the Commission and central banks.

ENTRY INTO FORCE: 25 March 2008.

Common framework for business registers for statistical purposes

In accordance with Regulation (EC) No 177/2008 (BR Regulation), the Commission presents a report on the implementation of the Regulation addressing in particular the cost of the statistical system, the burden on business and the benefits.

To recall, all Member States of the EU maintain business registers for statistical purposes. The BR Regulation establishes a common framework for these registers. It also allowed the creation of the EuroGroups Register (EGR) as a useful statistical tool to provide information on all control relationships within multinational enterprise groups.

The report examines the most important aspects of the implementation of the BR Regulation with regard to the measures taken by the Commission (Eurostat) and the impact of the BR Regulation on:

- the cost for the National Statistical Institutes and Eurostat (the statistical system);
- the administrative burden on the respondents;
- the benefits in terms of quality of the statistical business registers and improved statistical measurement of globalisation phenomena.

The timing of the report is related to the preparation of a streamlined Framework Regulation Integrating Business Statistics and the plans to repeal several Regulations, including the BR Regulation.

Costs incurred by the National Statistical Institutes of responding countries: in qualitative terms, the overall results showed that in about 75% of the cases the cost of implementing the BR Regulation was estimated none, negligible or moderate, and that only in about a quarter of the cases the impact was described as substantial. Some Member States indicated that the implementation of the BR Regulation did not result in any additional costs as they had already met the requirements prior to this implementation.

Financial support granted by Eurostat: taking into consideration the different stages of development of statistical business registers in Member States and the costs implied by the implementation of the BR Regulation, the Commission provided funds to support the Member States. These have to be taken into account when evaluating the overall cost of the statistical system. The total amount paid was EUR 2 192 290.

Burden on businesses: the great majority of the answering National Statistical Institutes were only able to provide qualitative assessments. For roughly 70% of the legal units covered by the inquiry, National Statistical Institutes reported no increase of the burden on businesses. For 2 countries the BR Regulation meant a reduction of burden. For roughly 30% of the legal units the National Statistical Institutes felt that the implementation of the BR Regulation increased moderately the burden on businesses.

Benefits of the BR Regulation (national and ESS level): the balance between relevant benefits on one hand and moderate costs for the system and burden on business on the other hand leads in general to a positive assessment of the implementation of the BR Regulation. The report states that the main benefits at national level reported by National Statistical Institutes can be summarised as follows:

- increased data accuracy in individual statistical domains (9 countries)
- coordination among different statistical domains (13 countries)

- a more complete picture on public enterprises (7 countries)
- input for the national enterprise group register (19 countries)
- harmonisation in the area of enterprise groups (15 countries)
- improved tools for analytical purposes (7 countries)
- improved tools for data dissemination (2 countries).

It goes on to assert that the most relevant benefit of the BR Regulation was at the level of the whole European Statistical System. The development of the EGR is a crucial step for the development of accurate and comparable European enterprise statistics and for the production of statistics on globalisation. The BR Regulation and the inclusion of information about the control of legal units in business registers have permitted to achieve a situation where the structure of multinational enterprise groups operating in the EU and their national parts are currently mapped either in the national business registers or in the EuroGroups Registers, and Member States have established procedures to cooperate for improving data quality.

Definition of enterprise: the report considers that problems in this area have affected the implementation of the BR Regulation. When defining an enterprise (the statistical unit most business statistics refer to), most Member States focus on the legal unit only. However, the report notes that this practice has a negative impact on the relevance, accuracy and comparability of European business statistics as it is translated into an increasing gap between the economic reality and its statistical description (e.g. the number of enterprises is overestimated).

The Commission concludes that the balance between relevant benefits on one hand and moderate costs for the system on the other hand leads in general to a positive assessment of the implementation of the BR Regulation. However, the difficulties encountered with regard to the implementation of the definition of the enterprise according to the Statistical Units Regulation affect the implementation of the BR Regulation.