

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed 2007/0233(COD)
Community statistics relating to external trade with non-member countries Repealed by 2017/0048(COD)	
Subject 6.20 Common commercial policy in general 6.20.04 Union Customs Code, tariffs, preferential arrangements, rules of origin 8.60 European statistical legislation	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 International Trade		
	Former committee responsible		
	 International Trade		
	Former committee for opinion		
	 Internal Market and Consumer Protection	The committee decided not to give an opinion.	
Council of the European Union	Council configuration	Meeting	Date
	Education, Youth, Culture and Sport	2923	16/02/2009
	Economic and Financial Affairs ECOFIN	2891	04/11/2008
European Commission	Commission DG	Commissioner	
	Eurostat	ALMUNIA Joaquín	

Key events			
30/10/2007	Legislative proposal published	COM(2007)0653	Summary
13/11/2007	Committee referral announced in Parliament, 1st reading		
24/06/2008	Vote in committee, 1st reading		Summary
26/06/2008	Committee report tabled for plenary, 1st reading	A6-0267/2008	
23/09/2008	Results of vote in Parliament		
23/09/2008	Decision by Parliament, 1st reading	T6-0414/2008	Summary
16/02/2009	Council position published	15248/2/2008	Summary

19/02/2009	Committee referral announced in Parliament, 2nd reading		
05/03/2009	Vote in committee, 2nd reading		Summary
11/03/2009	Committee recommendation tabled for plenary, 2nd reading	A6-0126/2009	
02/04/2009	Decision by Parliament, 2nd reading	T6-0205/2009	Summary
06/05/2009	Final act signed		
06/05/2009	End of procedure in Parliament		
16/06/2009	Final act published in Official Journal		

Technical information

Procedure reference	2007/0233(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
	Repealed by 2017/0048(COD)
Legal basis	EC Treaty (after Amsterdam) EC 285-p1
Stage reached in procedure	Procedure completed
Committee dossier	INTA/6/72655

Documentation gateway

Legislative proposal	COM(2007)0653	30/10/2007	EC	Summary
European Central Bank: opinion, guideline, report	CON/2008/0012 OJ C 070 15.03.2008, p. 0001	03/03/2008	ECB	Summary
Committee draft report	PE404.778	15/05/2008	EP	
Amendments tabled in committee	PE407.707	02/06/2008	EP	
Committee report tabled for plenary, 1st reading/single reading	A6-0267/2008	26/06/2008	EP	
Text adopted by Parliament, 1st reading/single reading	T6-0414/2008	23/09/2008	EP	Summary
Commission response to text adopted in plenary	SP(2008)6073	17/10/2008	EC	
Council statement on its position	05904/2009	06/02/2009	CSL	
Council position	15248/2/2008	16/02/2009	CSL	Summary
Commission communication on Council's position	COM(2009)0075	17/02/2009	EC	Summary
Committee recommendation tabled for plenary, 2nd reading	A6-0126/2009	11/03/2009	EP	
Text adopted by Parliament, 2nd reading	T6-0205/2009	02/04/2009	EP	Summary
Draft final act	03638/2009/LEX	06/05/2009	CSL	
Follow-up document	COM(2020)0683	03/11/2020	EC	

Additional information	
National parliaments	IPEX
European Commission	EUR-Lex
Final act	
Regulation 2009/471 OJ L 152 16.06.2009, p. 0023 Summary	

Community statistics relating to external trade with non-member countries

PURPOSE: to revise the current statistical system of trade in goods with non-member countries (Extrastat).

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

CONTENT: external trade statistics (Extrastat) record Member States' imports and exports of goods with non-member countries. This information is of essential importance for European economic and trade policies and for analysing market developments for individual commodities. Apart from certain specific movements, Extrastat is based on data collected from customs declarations.

The purpose of this proposal is to revise the current statistical system of trade in goods with non-member countries (Extrastat) in order 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 MS, 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.

Single Authorisation for use of the simplified declaration or the local clearance procedure in the context of release for free circulation, to be introduced in 2008, as well as 'Centralised Customs Clearance', which will be introduced by the modernized Customs Code, will allow a person to lodge a customs declaration at the place where he is established for goods which are presented at another place. Under these procedures, the lodging of the customs declaration may be dissociated both from the place of entry or exit and examination of the goods and from the place of final destination of imported goods or the place of actual dispatch of goods to be exported. As a result, customs data required for statistics may not be available in the Member State of final destination for imports or the Member State of actual dispatch for exports, but only in the Member State where the declaration is lodged. This is the reason why it is necessary to reconsider the concept of the 'importing' or 'exporting' Member State from a statistical point of view, to define more precisely the customs data source for compiling Community statistics and the data to be reported, and to ensure information exchange between national administrations of the different Member States involved.

Adjusting the definition of the importing and exporting Member State will also reduce the 'Rotterdam effect', which appears when goods, either before leaving the EU or after entry into the EU, move between Member States, but customs formalities are carried out in the Member State of entry in or exit from the EU. As a result, for imports, the trade flows are reported once as non-Community goods in the Extrastat system and a second time as Community goods within the Intrastat system (i.e. statistics relating to the trading of goods between Member States). For exports, the statistics imply that export is from the Member State of exit, rather than that where the actual exporter is established. This makes the interpretation of Community Statistics complicated.

Improvements in accuracy and timeliness are feasible. The proposal calls for import and export figures to be continuously updated, taking into account the most recent data available, including changes made at Customs after the declaration was accepted. The prescribed time for transmitting data to Eurostat will be shortened to 40 days after the reference month, with the possibility of shortening it even further in the future.

The Commission (Eurostat) received additional user requests which have been taken into account in the draft legal framework:

- information is required for monitoring the share of the Euro in international merchandise trade. Therefore, the invoicing currency for exports and imports will be reported at an aggregated level;
- more reliable data is needed on the tariff treatment of goods imported into the EU, including information on quotas;
- external trade statistics provide data for the Balance of Payments and National Accounts. The characteristics which enable external trade statistics to be adapted for Balance of Payments purposes will be included in the mandatory and standard data set;
- in order to allocate EU exports and imports to Member States under 'Centralised Customs Clearance', users need data on the 'Member State of final destination', for imports, and the 'Member State of actual export', for exports?;
- within the new Extrastat framework, Member States' trade data will be broken down by business characteristics such that it is possible to see, for instance, how European companies are operating in the context of globalisation. The link between business and trade statistics can be established by using information on the importer and exporter available in the customs declaration.

Community statistics relating to external trade with non-member countries

OPINION OF THE EUROPEAN CENTRAL BANK at the request of the Council of the European Union on a 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.

On 7 February 2008, the European Central Bank (ECB) received a request from the Council of the European Union for an opinion on a 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.

The ECB welcomes the proposed Regulation, which should improve the quality, comparability and timeliness of European trade statistics and provide a better link between them and business statistics.

The ECB notes that under the proposed Regulation, Member States will only have to compile and transmit data on the following to the Commission of the European Communities if they are available on a customs declaration lodged with their Customs authorities:

- the Member State of final destination, for imports;
- the Member State of actual export, for exports;
- the nature of the transaction.

Similarly, one Member State will only be obliged to transmit records on exports or imports to another Member State once the Customs authorities in both Member States have established a mechanism for mutual exchange of the relevant data by electronic means. The ECB notes that the abovementioned data are important to ensure the high quality of the euro area statistics and recommends that steps to implement the appropriate changes in the Community Customs Code and in the mechanism for data exchange among Customs authorities throughout the EU should be taken without delay, in order to avoid the risk of a deterioration in data quality.

As expressed in a previous opinion, the ECB shares the interest expressed by the European Parliament in monitoring the international role of the euro. In this context, the ECB particularly welcomes Article 6(3) of the proposed Regulation, which requires the compilation of statistics on trade broken down by invoicing currency of exports and imports of goods to and from countries outside the EU. The ECB monitors the use of the euro outside the euro area and publishes an annual review on the international role of the euro, including a specific section on the use of the euro in international trade. The international role of the euro has a strong regional dimension and is most pronounced in the EU. Data on the currency breakdown of external trade is also a key source used in the ECB's macroeconomic projections, which are used to analyse price stability, as they provide information on the extent to which exchange rate changes influence movements in the price of imports and domestically produced goods.

Moreover, the ECB welcomes the envisaged reduction of the statistical reporting burden on economic agents and the improved use of administrative data that should be brought about by the proposed Regulation.

Lastly, the ECB understands that the proposed Regulation may imply amendments to Intrastat reporting, as established by Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States and repealing Council Regulation (EEC) No 3330/91, and recommends that these amendments be considered without delay.

Community statistics relating to external trade with non-member countries

The Committee on International Trade adopted a report drafted by Helmuth MARKOV (GUE/NGL, DE) and made some amendments to 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.

The principal amendments are as follows :

- a detailed list of "specific goods and movements" requiring specific provisions has been included in the scope of the regulation. Updates to the list will be made through the regulatory procedure with scrutiny. Data sources other than the customs declaration can be used ;
- a detailed list of "excluded goods and movements" has also been included in the scope of the regulation. Measures to update the list may be made through the regulatory procedure with scrutiny ;
- the wording on the comitology procedure has been tightened up throughout the regulation, its scope limited and definitions refined.

Community statistics relating to external trade with non-member countries

The European Parliament adopted, by 563 votes to 9 with 16 abstentions, legislative resolution amending 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. The report had been tabled for consideration in plenary by Helmuth MARKOV (GUE/NGL, DE) on behalf of the Committee on International Trade.

The main amendments - adopted under the 1st reading of the codecision procedure - were as follows:

- a detailed list of "specific goods and movements" requiring specific provisions has been included in the scope of the regulation. This concerns industrial plants, vessels and aircraft, sea products, goods delivered to vessels and aircraft, staggered consignments, military goods, goods to or from offshore installations, spacecraft, electricity and gas and waste products. Updates to the list will be made through the regulatory procedure with scrutiny. For specific goods or movements, data sources other than the customs declaration may be used;

- a detailed list of "excluded goods and movements" has also been included in the scope of the regulation. This concerns monetary gold and means of payment which are legal tender, goods by virtue 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 of a non commercial nature. Measures to update the list may be made through the regulatory procedure with scrutiny;

- Member States may continue to use other data sources for the compilation of national statistics other than those defined in the text until a mechanism for mutual exchange of the relevant data by electronic means is in place. However, the compilation of Community external trade statistics should not be based on those other data sources;

- the wording on the comitology procedure has been tightened up throughout the regulation, its scope limited and definitions refined;

- the legislation will apply from 1 January 2010 (rather than 1 January 2009.)

Community statistics relating to external trade with non-member countries

In its common position, the Council has taken on board, totally or in part, 24 of the 27 amendments adopted by the European Parliament at first reading. Regarding the amendments taken on board in part in the common position, it is worth mentioning the following points:

- the Council has opted for more precise wording concerning the description of the exemption regarding oral declarations of goods;

- with regard to the provision on implementing measures, the Council considers that the implementing powers should concern the collection of the following data: the specification of data sources other than the customs declaration, and also statistical data provided by the economic operator benefiting from further simplification of customs formalities and control. In addition, the Council has underlined the necessity of setting up an efficient system minimising the administrative burden;

- other data sources may continue to be used by Member States for the compilation of their national statistics until the date of implementation of a mechanism for mutual data exchange.

There are also new elements introduced by the Council in its common position, in addition to the EP amendments taken on board:

- a recital explains that, following the introduction in the Modernised Customs Code of facilitations for operators, in the form of simplifications of formalities and controls, customs declarations might not be available; where such declarations are the source of statistical data on external trade, the Regulation must lay down measures that will ensure that data will be provided by operators which are granted facilitations;

- another recital makes a reference to the "e-customs" Decision, on the basis of which an electronic customs system for the exchange of customs declaration data is being set-up;

- Source of data: a new paragraph lays down the principle that operators granted facilitations which might lead to the non availability of customs declarations and the pertaining statistical data should provide these statistical data. The Council has added a sentence in view of making sure that the administrative burden on trade and administrations, arising from the data collection process, would be minimised;

- Exchange of data: the Council in its common position has not taken on board the European Parliament amendment, as it considers that, from the date of implementation of the exchange data mechanism by electronic means, data should be transmitted by the customs authorities to the national statistical authority of the Member State (of destination or of actual export). In addition, the Council considers that the above mechanism should be implemented at the latest when the relevant section of the Modernised Customs Code will be applicable.

Community statistics relating to external trade with non-member countries

The Commission accepted in full or in principle 24 of the 27 amendments adopted by the European Parliament in its first reading. These amendments reinforce the Comitology system or concern the terminology, the legal references and the intention (recitals) of the Commission proposal without changing the basic reform objectives. They constitute no major obstacle for the Commission.

As regards the three remaining amendments one is partly accepted by the Commission and the Council (on data exchange), another one is incorporated in the Common Position (on the deletion of collecting "import quotas"), but the 'Commission position on EP amendments at 1st reading' of 23 September 2008 recommended not to accept it. The third amendment (on the exclusion of collecting statistics if customs applies self assessment) is refused by both institutions: the Council and the Commission.

The changes introduced by the Council's Common Position are acceptable to the Commission, except the removal of "import quotas". The Commission supports the Common Position as it stands

Community statistics relating to external trade with non-member countries

The Committee on International Trade adopted the recommendation for second reading by Helmut MARKOV (GUE/NGL, DE) approving, unamended, the Council's common position for adopting 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.

Community statistics relating to external trade with non-member countries

The European Parliament adopted a legislative resolution approving unamended, under the second reading of the codecision procedure, the common position adopted by the Council with a view to the adoption of 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.

Community statistics relating to external trade with non-member countries

PURPOSE: to improve the transparency of the statistical system relating to external trade with non-member countries to enable it to react to the changing administrative environment and to satisfy new user requirements.

LEGISLATIVE ACT: Regulation (EC) No 471/2009 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.

CONTENT: external trade statistics (Extrastat) record Member States' imports and exports of goods with non-member countries. This information is of essential importance for European economic and trade policies and for analysing market developments of individual commodities.

The purpose of this Regulation is to revise the current statistical system of trade in goods with non-member countries (Extrastat) in order 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;
- 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 State, 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.

In order to do so, the new Regulation:

- provides more precise information on the data sources when different Customs simplifications are implemented;
- foresees a data exchange system between Member States, which is required under the modernised customs system;
- enables to compile and disseminate statistics according to the Member State of destination and of actual export. This will avoid the misallocation of trade affected by Centralised Customs Clearance and the so-called 'Rotterdam effect';
- compiles additional statistics on trade according to business characteristics and provides trade broken down by invoicing currency and by nature of transaction;
- establishes a better system of quality assessment for external trade statistics.

Regulation (EC) No 1172/95 shall be repealed with effect from 1 January 2010. It shall continue to apply to data pertaining to reference periods before 1 January 2010.

ENTRY INTO FORCE: 06/07/2009.

APPLICATION: from 01/01/2010.