

Final Report of Legislative Files under the Lithuanian Presidency

Updated on 22 January 2014

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Overview

<i>Adopted and published</i>		
1. Proposal for a Regulation of the European Parliament and of the Council on European statistics on demography	COM(2011) 903	<ul style="list-style-type: none"> • Commission adoption: 20.12.2011 • Published: 10.12.2013 <p><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 19.07.2013 • Coreper: 11.09.2013, 13.11.2013 • Trilogues: 08.07.2013
2. Proposal for a Regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics	COM(2012) 724	<ul style="list-style-type: none"> • Commission adoption: 05.12.2012 • Published: 21.12.2013 <p><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Coreper: 04.07.2013, 06.09.2013
3. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EU) No 99/2013 on the European statistical programme 2013-17	COM (2013) 525	<ul style="list-style-type: none"> • Commission adoption: 17.07.2013 • Published: 28.12.2013 <p><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 13.09.2013, 10.10.2013 (AOB), 08.11.2013 (AOB), 11.12.2013 (AOB) • Coreper: 02.10.2013, 27.11.2013

<i>Agreement in CWPS – Political agreement reached</i>		
4. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1166/2008 on farm structure surveys and the survey on agricultural production methods, as regards the financial framework for the period 2014-2018	COM (2013)757	<ul style="list-style-type: none"> • Commission adoption: 04.11.2013 • EP Plenary: 12.03.2014 <p><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 11.12.2013 • Coreper: 18.12.2013

<i>Agreement in CWPS – Informal trilogue phase</i>		
5. Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community	COM(2013) 155	<ul style="list-style-type: none"> • Commission adoption: 27.03.2013 • EP Plenary: 12.03.2014 <p><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 10.10.2013 (AOB), 08.11.2013, 11.12.2013 (AOB) • Coreper: 20.11.2013, 20.12.2013 • Trilogues: 27.11.2013, 17.12.2013

Agreement in CWPS – Coreper endorsed the mandate for the informal trilogue

6. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 691/2011 on European environmental economic accounts	COM(2013) 247	<ul style="list-style-type: none"> • Commission adoption: 02.05.2013 • EP Plenary: 13.03.2014 <p align="center"><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 19.07.2013, 13.09.2013, 10.10.2013, 08.11.2013 (AOB), 11.12.2013 • Coreper: 18.12.2013
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Further discussion in CWPS under Greek Presidency

7. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European statistics	COM(2013) 167	<ul style="list-style-type: none"> • Commission adoption: 17.04.2012 <p align="center"><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 19.07.2013, 13.09.2013, 10.10.2013, 08.11.2013 (AOB), 11.12.2013 (AOB) • Coreper: 07.11.2013
8. Proposal for a Regulation of the European Parliament and of the Council on the provision and quality of statistics for the macroeconomic imbalances procedure	COM (2013) 342	<ul style="list-style-type: none"> • Commission adoption: 07.06.2013 <p align="center"><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 13.09.2013, 10.10.2013, 08.11.2013, 11.12.2013 (AOB)
9. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures	COM (2013) 579	<ul style="list-style-type: none"> • Commission adoption: 08.08.2013 <p align="center"><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 08.11.2013
10. Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to trading of goods between Member States as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures, the communication of information by the customs administration, the exchange of confidential data between Member States and the definition of statistical value	COM (2013) 578	<ul style="list-style-type: none"> • Commission adoption: 08.08.2013 <p align="center"><u>Under LT Presidency</u></p> <ul style="list-style-type: none"> • Council Working Party Meetings: 08.11.2013, 11.12.2013

1. European statistics on demography, COM(2011) 903

Proposal for a Regulation of the European Parliament and of the Council on the European statistics on demography		
Procedure		<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 20.12.2011
	Council	<ul style="list-style-type: none"> • Proposal Received 20.12.2011 • Council Working Party Meetings: 10.05.2012, 30.05.2012, 20.06.2012, 19.07.2013 • Coreper: 07.05.2013, 11.09.2013, 13.11.2013 • Council of the EU: 15.11.2013
	European Parliament	<ul style="list-style-type: none"> • Proposal Received 20.12.2011 • Committee responsible: Employment and Social Affairs (EMPL) <ul style="list-style-type: none"> ○ Rapporteur: Mr. Csaba Sógor (EPP) ○ Committee draft report: 01.10.2012, PE496.419 ○ Amendments tabled in Committee: 24.10.2012, PE498.061 and 15.11.2012, PE500.524 ○ Vote in EMPL Committee: 18.09.2013 • EP Plenary: 22.10.2013 • Trilogues: 13.05.2013, 19.06.2013, 08.07.2013

Summary

The aim of this proposal is to develop a Regulation on statistics on demography, which would regulate the harmonization and provision of data on population and on vital events linked to the population.

A written consultation on the proposal was launched by the Danish Presidency on 20 February 2012, where Member States were invited to express their opinion. The outcome of the consultation is reflected in a Presidency note (doc. 9261/12) providing a summary of all proposed amendments, questions and comments received from the Member States.

The proposal was discussed during three meetings of the Council Working Party on Statistics (CWPS) under the Danish Presidency. On the basis of these discussions, the Presidency compromise proposal of 29 June 2012 was produced (doc. 11864/1/12). One Member State entered a general scrutiny reservation on the draft Regulation. The agreed text served as the point for departure for initiating negotiations with the European Parliament.

The Committee on Constitutional Affairs (AFCO) of the European Parliament voted on a number of draft amendments, on 22 January 2013. The EMPL Committee adopted its report on the proposal on 21 February 2013. The EP Plenary session approved a report from the EMPL committee on 18 April and gave a mandate for trilogue negotiations. Coreper approved the Council mandate on 7 May 2013.

Three trilogue meetings took place: on 13 May, 19 June (under the Irish Presidency) and 8 July (under the Lithuanian Presidency). A provisional agreement on the compromise proposal on Regulation on European Statistics on Demography has been reached in the 3rd trilogue meeting.

During the first Council Working Party on Statistics under the Lithuanian Presidency on 19 July 2013 the Presidency briefed on the final trilogue outcome. The CWPS was informed about the new Article 7a on Feasibility studies which made Article 8a on Derogations unnecessary as this was seen as reasonable equivalent substitution. The vast majority of Member States supported the proposed compromised text. The Presidency was approached by some Member States to introduce the additional text on the (co-)financing of feasibility studies.

The compromise text was discussed with the Commission and EP, a statement on financial support to the NSIs and other national authorities to facilitate carrying out feasibility studies was introduced in the new Article 7a and it was welcomed by both the Commission and the EP. On 11 September Coreper II approved the modified compromise package and the offer letter signed by the Coreper Chair was sent to the Chair of the EP's EMPL Committee.

The EP EMPL voted 18 September 2013. The text has undergone legal/linguistic finalisation in all official languages. The EP plenary vote took place in its 2nd session on 22 October 2013. Approval of the dossier in Coreper was received on 13 November, adoption by the Council - on 15 November and it was signed on 20 November. This Regulation shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

On 10 December 2013 Regulation (EU) No 1260/2013 of the European Parliament and of the Council of 20 November 2013 on European demographic statistics was published in the Official Journal.

2. Amending certain legislative acts in the domain of agricultural and fishery statistics, COM(2012) 724

Proposal for a Regulation of the European Parliament and of the Council amending certain legislative acts in the domain of agricultural and fishery statistics		
Procedure	<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP 	
Stages in the procedure	Commission	Commission adoption: 05.12.2012
	Council	<ul style="list-style-type: none"> • Proposal Received: 06.12.2012 • Council Working Party Meetings: 24.01.2013, 21.02.2013, 22.03.2013 • Coreper: 04.07.2013, 06.09.2013
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 06.12.2012 • Committee responsible: Agriculture and Rural Development (AGRI) <ul style="list-style-type: none"> ○ Rapporteur: Mr Paolo DE CASTRO ○ Committee draft report: 26.02.2013 ○ Committee report adopted (vote in Committee): 25.04.2013 ○ Committee report tabled for plenary: 29.04.2013 • EP Plenary: 19.11.2013

Summary

The aim of this proposal is to modify nine legislative acts in the domain of agricultural and fishery statistics in order to align them to the new institutional context brought about by the Treaty on the Functioning of the European Union. In particular, the objective is to identify what powers the Commission has and establish the appropriate procedure for adopting measures on the basis of these powers. Another aspect is the suggestion to modify the nine legislative acts in order to replace the reference to the Standing Committee for Agricultural Statistics by a reference to the European Statistical System Committee as the committee assisting the Commission in exercising its implementing powers.

The responsible committee in the European Parliament is the Committee on Agriculture and Rural Development (AGRI).

In December 2012, the Cyprus Presidency and incoming Irish Presidency launched a joint written consultation, inviting delegations to give their opinion on the text of the proposal. Discussions in the Council Working Party on Statistics took place on 24 January 2013, 21 February 2013 and 22 March 2013. At the March meeting, discussion was completed and the Council position on the proposal was agreed. A number of Member States entered scrutiny reservations.

Coreper approved the Council negotiating mandate in April and, following technical negotiations with the European Parliament, a compromise text has been agreed. This was discussed at the 20 June meeting of the CWPS, where some Member States took reservations. The matter has been referred to Coreper for decision.

On 4 July 2013 the compromise text was discussed in the Coreper I meeting under the Lithuanian presidency. The aim of the discussion was to reach agreement on the final compromise text agreed by representatives of the Council, European Parliament and Commission and thereby to secure a

first-reading agreement. As a result of discussions the agreement was not reached and the final compromise text was not approved, but as a possible compromise the introduction of the "no opinion" clause for Directive 96/16/EC on statistical surveys of milk and milk products only was identified.

Presidency subsequently conducted informal contacts with the Commission and the EP and for the spirit of the compromise and in view of reaching the agreement at 1st reading they could accept such a compromise.

The modified final compromise package was prepared and circulated to the delegations 18 July, also as a *Room document* at the 19 July Council Working Party on Statistics meeting. It reflects the outcome of the discussion in Coreper I on 4 July 2013 and would permit a first-reading agreement on the file.

The Presidency invited Member States to provide written comments by close of business on 2 August 2013. The Presidency intended to seek approval from Coreper I in early September.

On 6 September Coreper I approved the modified compromise package for the Omnibus I proposal and authorised its Chair to write to the Chair of the European Parliament's AGRI Committee to secure a first-reading agreement on that basis.

EP Plenary took place on 19 November 2013. On 5 December 2013 the legal act was adopted by the Council after Parliament's 1st reading. On 11 December 2013 the procedure in EP was finished.

The Regulation (EU) No 1350/2013 of the European Parliament and of the Council of 11 December 2013 amending certain legislative acts in the field of agricultural and fishery statistics was published in the Official Journal on 21 December 2013.

3. Amending of Regulation (EU) No 99/2013 on the European statistical programme 2013-17, COM(2013) 525

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EU) No 99/2013 on the European statistical programme 2013-17		
Procedure	<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP 	
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 17.07.2013
	Council	<ul style="list-style-type: none"> • Proposal Received: 17.07.2013 • Council Working Party Meetings: 13.09.2013, 10.10.2013 (AOB), 08.11.2013 (AOB), 11.12.2013 (AOB) • Coreper: 2.10.2013, 27.11.2013
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 17.07.2013 • Committee responsible: Economic and Monetary Affairs (ECON) <ul style="list-style-type: none"> ○ Rapporteur: Zalba Bidegain Pablo, European People's Party (EPP) ○ Shadow rapporteurs: Mr. L. Hoang Ngoc, Mr. S. Giegold ○ Committee draft report: 08.10.2013 (PE 521.453) ○ Vote in ECON: 18.11.2013 • EP Plenary: 11.12.2013 • Trilogues: –

Summary

Regulation (EU) No 99/2013 on the European statistical programme 2013-17 was adopted on 15 January 2013 to provide an overall framework for the development, production and dissemination of European statistics over the period from 2013 to 2017. This Regulation included a financial envelope for the five years of the programme. However, in its resolution of 13 June 2012 on the Multiannual Financial Framework (MFF) and own resources, the European Parliament stressed that the negotiations on the legislative proposals relating to the multiannual programmes would be finalised once an agreement on their financial envelopes had been reached. This is why Regulation (EU) No 99/2013 only sets the financial envelope for 2013, covered by the programming period 2007–2013. By this proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EU) No 99/2013 on the European statistical programme 2013–17, the Commission introduces the financial allocation for the period 2014–2017.

The Lithuanian Presidency launched the first written consultation, inviting Member States to give their opinion on the text of the proposal on 25 July 2013 with the deadline for replies by 23 August 2013 (at 12.00 CET).

The first discussion on the proposal started and finished in the Council Working Party on Statistics (CWPS) on 13 September 2013. A very large majority of Member States supported the Commission proposal contained in the doc. ST 12663/13. On 2 October Coreper II by means of an I-item (no discussion) approved the text as agreed in the CWPS and provided the Presidency mandate for negotiations with the EP.

On 10 September 2013 Mr Zalba Bidegain from EPP was appointed as Rapporteur for this dossier. The Draft Committee report (PE 521.453) was published on 8 October; the Vote in ECON Committee on the Report took place on 18 November 2013 with no amendments tabled.

Coreper II on 27 November approved the Council position as an I-item (no discussion). The EP ECON chair was informed by the letter on 27 November about this position.

On 11 December 2013 the EP adopted its position at first reading on the Commission proposal. This position reflected the compromise reached between the three institutions. The Act was adopted by the Council on 16 December 2013 after the EP 1st reading. The final act was signed on 17 December 2013.

On 28 December 2013 Regulation (EU) No 1383/2013 of the European Parliament and of the Council of 17 December 2013 amending Regulation (EU) No 99/2013 on the European statistical programme 2013-17 was published in the Official Journal.

4. Amendment of Regulation (EC) No 1166/2008 on farm structure surveys and the survey on agricultural production methods, as regards the financial framework for the period 2014-2018, COM (20132) 757

Regulation of the European Parliament and of the Council amending Regulation (EC) No 1166/2008 on farm structure surveys and the survey on agricultural production methods, as regards the financial framework for the period 2014-2018		
Procedure		<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 04.11.2013
	Council	<ul style="list-style-type: none"> • Council Working Party Meetings: 11.12.2013 • Coreper: 18.12.2013
	European Parliament	<ul style="list-style-type: none"> • Committee responsible: Agriculture and Rural Development (AGRI) • Committee for opinion: BUDG <ul style="list-style-type: none"> ○ Rapporteur: Mr Paolo DE CASTRO ○ Committee referral announced in Parliament, 1st reading/ single reading: 18.11.2013 • EP Plenary: 13.03.2014

Summary

The main objective of this proposal - to secure financing for the 2016 Farm Structure Survey and related projects. Regulation (EC) No 1166/2008 on farm structure surveys and the survey on agricultural production methods requires Farm Structure Surveys (FSS) to be carried out in the form of an agricultural census in 2010 and as sample surveys in 2013 and 2016. It also requires a survey on agricultural production methods to be carried out in 2010 or 2011. The Member States and the Commission need considerable funding to carry out these surveys. According to the Regulation, the EU can cover a maximum of 75 % of a Member State's costs of carrying them out. The maximum amounts that the reimbursements are capped at are defined per country. Since the surveys are spread out over two multi-annual financial framework periods, it was not possible to fix their entire financing at the same time. Under Article 14 of Regulation 1166/2008, the budgetary and legislative authority must fix the financial framework for FSS 2016 on a proposal from the Commission and based on the new financial framework for the period starting in 2014.

Moreover, the accession of Croatia to the European Union must be taken into account. This means that the Regulation needs to be amended also to include the maximum contribution to Croatia.

The European Statistical System (ESS) strategy states that, the European Statistical System Committee (ESSC) should have an advisory role and assist the Commission in exercising its implementing powers. This means that the Standing Committee for Agricultural Statistics should be replaced by the ESSC for comitology procedures.

This proposal updates Regulation 1166/2008 as follows: (i) establishes the financial framework 2014-18; (ii) sets out the EU's maximum financial contribution to Croatia's costs of carrying out the FSS; and (iii) changes the committee that assists the Commission.

Written hearing for MS positions was launched on 12 November with the deadline of 25 November 2013.

The CWPS examined the proposal at its meeting on 11 December 2013. Following the Commission's presentation of the file, examination of the proposal followed and was completed. The Presidency concluded that a qualified majority of delegations could accept the Commission's proposal without any amendments. PL reserved its position. DK/AT/PL/PT/SI made a joint statement for the minutes. The Presidency addressed the proposal to the Coreper I on 18 December 2013 seeking permission to run a simplified procedure. The permission has been obtained.

Since the European Parliament has decided to subject the proposal to the simplified procedure, with a view to approving the Commission's proposal without any amendments, adoption of the Regulation should be able to take place during the first semester of 2014.

5. Amendment of Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community, COM(2013) 115

Proposal for a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 577/98 on the organisation of a labour force sample survey in the Community		
Procedure	<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP 	
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 27.03.2013 • Corrigendum: 09.04.2013
	Council	<ul style="list-style-type: none"> • Proposal Received: 27.03.2013 • Council Working Party Meetings: 23.04.2013, 20.06.2013, 10.10.2013 (AOB), 08.11.2013, 11.12.2013 (AOB) • Coreper: 20.11.2013, 20.12.2013
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 27.03.2013 • Committee responsible: Employment and Social Affairs (EMPL) <ul style="list-style-type: none"> ○ Rapporteur: Mrs. Tatjana Ždanoka (Greens/European Free Alliance) ○ Shadow rapporteur: Costello Emer (Progressive Alliance of Socialists and Democrats) ○ Committee draft report: 21.06.2013 ○ Amendments tabled in Committee: 28.08.2013 ○ Vote in EMPL Committee: 22.10.2013 • EP Plenary: 12.03.2014 • Trilogues: 27.11.2013, 17.12.2013

Summary

The proposal aligns Regulation No 577/98 on Labour Force Surveys with the TFEU (Commission delegated and implementing powers and establish the appropriate procedure for adopting measures on the basis of these powers) and introduces a financing framework for ad-hoc modules of the Labour Force Survey.

The Irish Presidency launched the first written consultation, inviting delegations to give their opinion on the text of the proposal with the deadline 12 April 2013.

The first discussion took place at the Council Working Party on Statistics (CWPS) on 23 April 2013. The second discussion at CWPS on 20 June 2013 arrived at a Council position on the dossier.

On 21 June 2013 the EMPL Committee draft report was issued (PE513.078). Discussions on the draft report in the EMPL Committee were held on 9 July 2013. On 28 August 2013 Amendments to the report were tabled by the Committee (PE516.828).

The vote on the draft report in EMPL Committee took place on 20 October 2013. The Report PE513.078v02-00 is available as of 22 October 2013. As it has been agreed under IE Presidency, the Lithuanian Presidency has prepared an update of the comparative table with a view to analysing the EP EMPL report and consulting the delegations on their positions concerning the EP amendments and also launched consultations on amendments with the deadline of 31 October 2013. The

examination of the European Parliament's report and preparation for the first trilogue took place at the 8 November CWPS meeting. The Working Party scrutinized the EP amendments and finalised its position. On this basis, Coreper endorsed on 20 November the negotiating mandate for the trilogue phase.

The 1st informal trilogue meeting took place on 27 November. The provisional agreement was reached on the majority of EP amendments. However, the issue of delegated acts / implementing acts in relation to the ad hoc modules not agreed.

The Presidency has prepared 2 alternatives for the Article 7a para 1 concerning ad hoc modules and organised consultations on the preference as well as on keeping the “no opinion clause”. The prevailing priority was alternative 2 with the list of variables under the implementing acts procedure. However, majority of MS were flexible on keeping the “no opinion clause” depending on further outcome of negotiations.

At the second informal trilogue on 17 December 2013, the representatives of the three institutions reached a compromise. The main elements of the compromise can be resumed as follows: A distinction is made between items under delegated acts and items under implementing acts. The delegated acts are to encompass the programme, subject, reference period, sample size and variables of the ad hoc modules; the implementing acts are to specify the filters and the codes of the variables to be used for data transmission, as well as the deadline for transmission of the results.

On 20 December Coreper was approached to approve the compromise reached under items “II”, i.e. with discussions. However, the compromise was not approved, the work on this legislative dossier is to be continued by the next presidency.

6. Amendment of Regulation (EU) No 691/2011 on European environmental economic accounts, COM(2013) 247

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EU) No 691/2011 on European environmental economic accounts		
Procedure	<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the EU TFEU 338 • Ordinary Legislative Procedure: Council and EP 	
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 02.05.2013
	Council	<ul style="list-style-type: none"> • Proposal Received: 06.05.2013 • Council Working Party Meetings: 24.05.2013, 19.07.2013, 13.09.2013, 10.10.2013, 08.11.2013 (AOB), 11.12.2013 • Coreper: 18.12.2013
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 06.05.2013 • Committee responsible: Environment, Public Health and Food Safety (ENVI) <ul style="list-style-type: none"> ○ Rapporteur: ANTONESCU Elena Oana ○ Committee referral announced in Parliament, 1st reading/single reading: 21.05.2013 ○ Vote scheduled in ENVI Committee: 27.11.2013 ○ Committee draft report: 11.10.2013 ○ Amendments tabled in Committee: 06.11.2013 • EP Plenary: 13.03.2014

Summary

Article 10 of Regulation 691/2011 contains a list of possible new modules to be introduced later based on Commission proposals. The first three of the new modules listed in that article are proposed in this draft amending Regulation. Those modules are: Environmental Protection Expenditure Accounts; Environmental Goods and Services Sector; and Energy Flow Accounts.

Thus, the Commission proposal was prepared and adopted on 2 May 2013. Proposal was transmitted to the Council and European Parliament on 6 May 2013.

The aim of this proposal is to modify Regulation (EC) No 691/2011 by extending its coverage in order to ensure international comparability of environmental economic accounts to further modules as listed in Article 10 of that Regulation.

Commission proposed to partly amend the regulation with new points describing ‘environment protection expenditure’, ‘environmental goods and services sector’ and ‘physical energy flow accounts’; and with new annexes accordingly extending and supplementing the mentioned descriptions.

The Irish Presidency launched the first written consultation, inviting delegations to give their opinion on the text of the proposal hearing on 16 05 2013. The first discussion in the Council Working Party on Statistics (CWPS) took place on 24 May 2013. Most of Member States expressed their general support to the proposal. However, some of them expressed their concern about timeliness of amending the proposal. Besides, a number of Member States have entered general or scrutiny

reservations on the proposal (or on some of its articles/parts). During this meeting Annexes IV and V were discussed. Some items were closed and some left for future discussion.

The second discussion in the Council Working Party on Statistics was held on 19 July 2013 during the Lithuanian Presidency of the Council Working Party on Statistics and it continued examination of the Proposal starting with issues in Annex V, Section 2, continuing with Annex VI on Physical Energy flow accounts.

The third discussion in the Council Working Party on statistics was held on 13 September 2013. Discussions basically concentrated on procedure of adopting the lists of Environmental goods and services and Energy products to be used for the purpose of Annexes V and VI (Member States supported the Implementing acts approach), aggregation level for data reporting and division of 'consumption' activities for private households' final consumption (Annex VI, Section 5, point 3)). Finalisation of examination starting from Annex VI, Section 5, point 5 and moving to Recitals and remaining open issues was expected at the Council Working Party on Statistics meeting in October.

The fourth and final discussion on the dossier took place at the 10 October CWPS meeting. The CWPS continued examination of the dossier and succeeded in finalisation of examination. Presentation of the draft EP report took place on 11 October. On 6 November Amendments to the report were tabled by the Committee (PE522.911).

Adoption of the report took place on 27 November 2013. Following this, the Presidency prepared and circulated the outcome paper. Written hearing for MS positions on EP Amendments was launched on 2 December 2013 with the deadline of 5 December 2013.

Analysis of the results of the EP ENVI Committee's vote and preparation for the first informal trilogue took place at the CWPS meeting on 11 December 2013. Acceptable EP Amendments have been agreed and Coreper I on 18 December was addressed for a mandate to negotiate with EP.

On 18 December Coreper I has granted the mandate for negotiations with EP. The first informal trilogue under the Greek presidency is tentatively scheduled for 22 January 2014.

7. Amendment of Regulation (EC) No 223/2009 on European Statistics, COM(2012) 167

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European statistics		
Procedure		<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 17.04.2012
	Council	<ul style="list-style-type: none"> • Proposal Received: 17.04.2012 • Council Working Party Meetings: 20.06.2012, 11.07.2012, 18.09.2012, 10.10.2012, 30.10.2012, 19.11.2012, 12.12.2012, 24.01.2013, 21.02.2013, 22.03.2013, 20.06.2013, 19.07.2013, 13.09.2013, 10.10.2013, 08.11.2013 (AOB), 11.12.2013 (AOB) • Coreper: 10.04.2013, 07.11.2013
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 17.04.2012 • Committee responsible: Economic and Monetary Affairs (ECON) <ul style="list-style-type: none"> ○ Rapporteur: Mr. Edward Scicluna (S & D). ○ Committee draft report: 15.10.2012, PE497.894 ○ New Rapp. appointed Mr. L. Hoang Ngoc. ○ Amendments tabled in Committee: 19.11.2012, PE500.544 ○ Vote in ECON Committee: 18.12.2012 • EP Plenary: 20.11.2013 (debate), 21.11.2013 (vote on text adopted by EP T7-0505/2013) • Trilogues: 06.05.2013, 03.06.2013
	European Central Bank	<ul style="list-style-type: none"> • ECB opinion: 06.11.2012, CON/2012/84

Summary

The aim of this proposal is to amend Regulation (EC) 223/2009 on European statistics. The amendments focus on strengthening the governance of the European Statistical System (ESS) by securing unconditional application of the principle of professional independence of National Statistical Institutes (NSIs) and by clarifying the coordinating role of the NSIs in the national statistical systems. Furthermore, it is proposed that “Commitments on Confidence in Statistics” are established in order to make national governments aware of their role in, and co-responsibility for, ensuring the credibility of official statistics by respecting the independence of NSIs. Finally, it is proposed to enhance the use of administrative data for statistical purposes.

The Danish Presidency launched a hearing on the proposal on 18 April 2012. The initial general discussion on the proposal took place in the Council Working Party on Statistics on 20 June 2012 on the basis of the Presidency note summarizing the outcome of the hearing that had been conducted (doc. 11053/1/12).

In the first meeting under the Cyprus Presidency, on 11 July 2012, the first reading of the text began with a discussion on the amendments to articles 2.1.a (Professional independence) and 5.1 (Coordinating role of national statistical institutes) while a first round of comments was also made

with regard to the proposed new Article 5a (Heads of NSIs). The Commission provided clarifications on the substance behind each proposed amendment to the original Regulation.

At the meeting of the Council Working Party on Statistics, held on 18 September 2012, the reading of the text was continued. The discussion focused on the newly introduced Article 5a, which refers to the heads of NSIs. Two alternative options were favored: either the head of the NSI has the sole responsibility for all European statistics produced nationally or the responsibility is shared among the head of the NSI and the heads of other national authorities that produce European statistics.

Based on the views expressed and proposals made by the Member States during the discussion in the two previous Working Party meetings, the Cyprus Presidency produced a compromise proposal for the amendments to articles 2.1.a, 5.1 and 5a (doc. 14517/12). This formed the basis for the discussion in the meeting of the Working Party, held on 10 October 2012. The Presidency proposal earned the support of the grand majority of Member States; in this respect, a number of drafting suggestions were made.

In the meeting of the Working Party, which took place on 30 October 2012, the discussion focused on the proposed new Paragraph 3 of Article 11 (European Statistics Code of Practice) and, in particular, the provisions relating to the signing of a Commitment on Confidence in Statistics. A number of Member States questioned the legal nature of such provision and requested both an oral and a written opinion of the Council Legal Service on the issue. The proposed amendments to articles 6.2 (Eurostat) and 12.2 (Statistical quality) were also discussed, while the open issues relating to the Presidency proposal for the new Article 5a were revisited.

The reading of the remaining articles proposed to be amended and of the recitals was completed in the next meeting of the Council Working Party on Statistics, which was held on 19 November 2012. The opinion of the European Central Bank on the proposal was also presented (doc. 15976/12).

In the last meeting of the Working Party under the Cyprus Presidency, which took place on 12 December 2012, the provisions relating to the “Commitments on Confidence in Statistics” were revisited on the basis of the legal consequences outlined in the contribution of the Council Legal Service (doc. 17163/12). The Presidency also presented doc. 17206/12 which summarized the outcome of the discussion so far and included Presidency proposals on the open issues. By the end of the meeting, agreement was reached at the Council Working Party on the whole text, with the exception of the provisions relating to the “Commitments on Confidence in Statistics” (Article 11, Paragraph 3 and Recital 13).

Following this last meeting of the Working Party, the Cyprus Presidency produced a new document outlining the agreed text (doc. 17933/12) and also citing the four Member States that have entered a scrutiny reservation on specific paragraphs of the text. Furthermore, a joint hearing of the Cyprus Presidency and the incoming Irish Presidency was launched, inviting delegations to give their opinion specifically on the open issue of the “Commitments on Confidence in Statistics”.

On 18 December 2012, the ECON Committee of the European Parliament voted its report on their proposed amendments. The Presidency conducted an informal hearing with Member States in respect of those amendments, in preparation for the negotiations with the Parliament.

The first meeting of the Council Working Party on Statistics under the Irish Presidency took place on 24 January 2013. The discussion at this meeting concentrated on the outstanding issue of “Commitments on Confidence in Statistics”, drawing on the response by Member States to the joint hearing initiated in December and on a Presidency compromise proposal. The meeting agreed on the

first paragraph of the compromise proposal (Article 11, Paragraph 3, concerning the European Statistics Code of Practice) and had an advanced discussion on the second paragraph (Article 11, Paragraph 4, concerning “Commitments on Confidence in Statistics”).

At the meeting of the Working Party, held on 21 February 2013, a compromise text for Article 11, Paragraph 4, together with Recital 13, was agreed.

The agreed Council position is contained in Document 8034/13, which was submitted to Coreper on 10 April 2013, in advance of opening negotiations with the European Parliament.

The first trilogue was held on 6 May 2013, the second trilogue – on 3 June 2013. The Member States were informed about the outcome on 20 June 2013 at the meeting of the Council Working Party on Statistics. On 27 June 2013, a joint IE/LT hearing (written consultation) on the outcome of trilogue negotiations was launched, asking Member States to indicate their position on the final compromise text of the Regulation on European statistics (a stable text) as negotiated with the ECON negotiating team (as an overall package) with the deadline of 15 July. As approached by several MS with the need for more information and majority of MS keeping reservations on the document the deadline of the hearing was postponed until 23 July.

On 19 July 2013 in the first Council Working Party on Statistics under the Lithuanian Presidency exchange of views on the outcome of the trilogue negotiations was organized to facilitate MS take a more based decision when indicating their support to the final compromise text by the 23 July deadline.

On 25 July 2013 Member States were informed about the outcome of joint hearing (written consultation) and further steps to be taken. Also the hearing for indication of critical Articles in the current compromise text which are red lines for Member States was launched with the deadline of 2 September.

In analysing the responses, the Presidency takes the view that any consideration should be based on the mandate agreed by COREPER on 10 of April 2013 (doc. 8034/13 of 27 March 2013), a view that was stressed by a large number of delegations. The opinions expressed by MS on red lines and possible changes appeared to be very controversial.

The Presidency examined the responses received to the written consultations and provided a written report of the hearing with proposals on Art. 6a, Art. 5a para 2 and 5a para 4 and para 4 (new) for the 10 October CWPS. The Council Legal Service provided the legal opinion on Art. 6a on 30 September 2013. The CWPS approved slightly amended proposal on Art. 6a and Art. 5a para 4 with a view of possible renegotiations with EP, but Art. 5a para 2 was not supported by MS. The Chair of CWPS after the 10 October CWPS meeting informed the EP about the outcome of this meeting. The bilateral meeting with EP Rapporteur on how to best approach the file and identify EP’s calendar and possible frame of further negotiations took place. On 25 October, written consultation with MS on EP Rapporteur’s Compromise Proposal on Art. 6a and Art. 5a para 4, was launched.

Taking into account that this file has been approached by four Presidencies and still there are difficulties in reaching a compromise satisfying all parties involved, the fact that on 18 September a bilateral meeting between the Commissioner and EP ECON Committee chair took place, also that the 5th ESGAB report on 2013 states that situation on this file steps over the administrative communication and should be solved at a political level.

The COREPER was approached on 7 November for finalisation of the preparation for the trilogue. However, the blocking minority formed at the COREPER, the approval was not received. The Presidency informed the EP about the outcome. The EP debated on the 20th and voted on the 21st November at the EP Plenary on the text adopted at the 1st reading (doc. T7-0505/2013) and following this vote the Presidency was considering further steps to be taken.

During the period in-between the November and December CWPS, Presidency developed several proposals with the view to go to 11 December Coreper for a renewed mandate; however, after consultations with different parties and with blocking minority still remaining, also taking into account the time limits, the possibility to agree at the Coreper under the Lithuanian Presidency was unrealistic, so the new proposal was not submitted to the delegations. Therefore, further steps in approaching this file are not foreseen under the Lithuanian Presidency.

8. The provision and quality of statistics for the macroeconomic imbalances procedure, COM (2013) 342

Proposal for a Regulation of the European Parliament and of the Council on the provision and quality of statistics for the macroeconomic imbalances procedure		
Procedure		<ul style="list-style-type: none"> • Legal Basis: Treaty on the Functioning of the European Union Article 338 • Ordinary Legislative Procedure: Council and EP
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 07.06.2013
	Council	<ul style="list-style-type: none"> • Proposal Received: 07.06.2013 • Council Working Party Meetings: 13.09.2013, 10.10.2013, 08.11.2013, 11.12.2013 (AOB) • Coreper:
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 07.06.2013 <p>Committee responsible: Economic and Monetary Affairs (ECON)</p> <ul style="list-style-type: none"> ○ Rapporteur: EPPINK Derk JAN (ECR) ○ Committee draft report: 07.11.2013 (PE522.929) ○ Amendments tabled in Committee: 13.12.2013 (PE523.047) ○ Vote scheduled in ECON Committee: 13.02.2014 ○ Committee for opinion: Employment and Social Affairs (EMPL) ○ Rapporteur for opinion: MANESCU Ramona Nicole (ALDE) ○ Regional Development (REGI) <ul style="list-style-type: none"> • EP Plenary: 02.04.2014 (indicative)

Summary

The aim of this proposal is to develop a robust quality monitoring procedure in order to ensure the highest quality of the MIP relevant data. The approach set out in the draft Regulation is largely modeled on the well-functioning statistical procedures already used for Excessive Deficit Procedure (EDP). Member States would be required to provide Eurostat with the relevant macroeconomic statistics in line with common quality criteria set down in the Regulation on European Statistics. They should also inform Eurostat of the sources and methods used to compile this data. Eurostat would examine Member States' statistics, ensure that they are reported in a timely manner, and communicate them for the purposes of the MIP.

LT Presidency opened the written hearing on 3 July with the deadline of 25 July and started general discussions at the September 13 CWPS meeting. Having the summary of responses the Presidency has to state that the majority of the MS support the intentions of the Proposal; however, a number of MS consider other effective ways to achieve this objective exist. A significant number of the opinions show that a substantial overall redrafting of the text is necessary.

During the 10 October CWPS, the CLS presented the written opinion on legality of certain aspects, the ECB made an oral intervention and the Commission presented its Non-paper on MIP. An article-by-article examination was started from Chapter I at the 8 November CWPS meeting. Examination concentrated on the terminology and the scope, so the Commission was invited to table

a redraft of Art.1 par. 1. MS also expressed their support for the inclusion of the annex as regards MIP relevant data in the regulation.

The Presidency was waiting for the additional suggestions on the scope or new modified draft from the Commission by mid-December, as agreed at the 8 November 2013 CWPS, to develop it into a new joint Presidency proposal and joint consultations with Member States to continue examination of the dossier. However, the Commission has not provided any inputs for the LT Presidency to proceed with examination of the file, so the work on this legislative dossier is to be continued by the next Presidency.

9. Amendment of Regulation (EC) No 471/2009 on Extrastat, COM (2013) 579

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures (Text with EEA relevance)		
Procedure		<ul style="list-style-type: none"> • Legal Basis: Treaty of the Functioning of the EU TFEU 338-p1 • Ordinary Legislative Procedure: Commission and EP
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 08.08.2013
	Council	<ul style="list-style-type: none"> • Proposal Received: 08.08.2013 • Council Working Party Meetings: 08.11.2013 • Coreper:
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 08.08.2013 • Committee responsible: International Trade (INTA) • Rapporteur: Mr Vital Moreira (S&D) • Committee referral announced in Parliament, 1st reading/ single reading: 10.09.2013 • Vote scheduled in INTA Committee: 21.01.2014 • Committee draft report: 04.11.2013 (PE 522.763) • Amendments tabled in Committee: 09.12.2013 (PE 524.808) • EP Plenary: 11.03.2014

Summary

The proposal is to amend Regulation (EC) No 471/2009 on Community statistics relating to external trade with non-member countries to align it with the new institutional context brought about by the Treaty on the Functioning of the European Union. In particular, the objective is to identify the powers conferred on the Commission and put in place the appropriate procedure for the adoption of measures on the basis of these powers.

Another aspect is the suggestion to modify the legislative act in order to replace the reference to the Committee on statistics relating to the trading of goods with non-member countries with a reference to the European Statistical System Committee as the committee assisting the Commission in exercising its implementing powers.

Proposal by the Council was received on 8 August 2013. The EP rapporteur Mr Vital Moreira for the file by the EP was appointed 16 September. The Lithuanian Presidency launched written consultation on the Proposal on 24 September 2013 with the deadline for comments as of 14 October.

An introduction of the Proposal was made by the Commission and the initial exchange of views took place in the November 8 CWPS meeting, and an agreement was reached that both dossiers (Intrastat and Extrastat) are similar in nature and should follow the experience of recently adopted legislation wording and approach (e.g. Omnibus I on Agriculture).

10. Amendment of Regulation (EC) No 638/2004 on Intrastat, COM (2013) 578

Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 638/2004 on Community statistics relating to trading of goods between Member States as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures, the communication of information by the customs administration, the exchange of confidential data between Member States and the definition of statistical value		
Procedure	<ul style="list-style-type: none"> • Legal Basis: Treaty of the Functioning of the EU TFEU 338-p1 • Ordinary Legislative Procedure: Commission and EP 	
Stages in the procedure	Commission	<ul style="list-style-type: none"> • Commission adoption: 08.08.2013
	Council	<ul style="list-style-type: none"> • Proposal Received: 08.08.2013 • Council Working Party Meetings: 08.11.2013, 11.12.2013 • Coreper:
	European Parliament	<ul style="list-style-type: none"> • Proposal Received: 08.08.2013 • Committee responsible: Economic and Monetary Affairs (ECON) • Rapporteur: Mr Hans-Peter Martin (NI) (10.09.2013) • Committee referral announced in Parliament, 1st reading/single reading: 10/09/2013 • Vote in ECON Committee: 02.12.2013 • Committee draft report: 23.10.2013 (PE 521.716) • Amendments tabled in Committee: 13.11.2013 (PE 523.048) • Committee report tabled for plenary, 1st reading/single reading: 10.12.2013 (A7-0457/2013) • EP Plenary: 14.01.2014 (debate), Text adopted by EP, partial vote at 1st reading/single reading: 15.01.2014 (T7-0030/2014)

Summary

The proposal is to amend Regulation (EC) No 638/2004 on Community statistics relating to trading of goods between Member States to align it with the new institutional context brought about by the Treaty on the Functioning of the European Union. In particular, the objective is to identify the powers conferred on the Commission and put in place the appropriate procedure for the adoption of measures on the basis of these powers.

Another aspect is the suggestion to modify the legislative act in order to replace the reference to the Committee for the statistics on the trading of goods between Member States with a reference to the European Statistical System Committee as the committee assisting the Commission in exercising its implementing powers.

Furthermore, three additional changes are introduced. It is proposed to collect information on certain movements of non-Community goods through the Intrastat system, to allow the exchange of confidential data relating to intra-EU trade statistics, and to clarify the definition of statistical value and to align it with the definition used in extra-EU trade statistics.

The Proposal by the Council was received on 8 August 2013. The EP rapporteur Mr Hans-Peter Martin for the file was appointed on 10 September. The Lithuanian Presidency launched written consultation on the Proposal on 15 October 2013 with the deadline for comments as of 24 October.

At the 8 November CWPS an introduction of the INTRASTAT issue was made by the Commission, and the initial exchange of views took place, most of which in general complied with the Commission position.

Given the political importance attributed to the dossier, examination based on presidency alternatives article-by-article was started and finished at the 11 December CWPS meeting. The outcome document on the agreed issues was circulated to the delegations on 19 December 2013. The CLS has expressed certain concerns about Art. 12, paragraph 1, point a (and the corresponding Recital 8). The issue is to be once again approached when discussing EP amendments under the next presidency.

11. PRAC alignment Omnibus I (statistical legal acts), COM(2013) 451

Proposal for a regulation of the European Parliament and of the Council adapting to Article 290 of the Treaty on the Functioning of the European Union a number of legal acts providing for the use of the regulatory procedure with scrutiny, 23 June 2013 (hereinafter referred to as “Proposal”)

The Lithuanian presidency was approached by some delegations and was encouraged, on behalf of the delegations of the Member States, as a Chair of the EU Council Working Party on Statistics to inform the Chair of Friends of Presidency (FoP) Group on concerns of statistical files being discussed under the PRAC alignment Omnibus I (statistical package). On 19 November an exchange of letters Chair-to-Chair on this issue took place. The FoP Group in a meeting on 27 November arrived to a wide agreement to consult the CWPS on the statistical package of 19 legal acts. After the meeting we have been informed by the Chair of FoP Group that concerning Omnibus the handover to consult CWPS will take the form of Note to COREPER/delegations document, to be approved by Coreper as no-discussion item. The formal mandate for consultation of the Council Working Party on Statistics was expected to be given by COREPER on 18 December, which will allow the incoming Presidency to examine this PRAC alignment file in greater detail in order to identify a constructive way forward. However, to expedite the process, in advance of the COREPER note asking the Council Working Party on Statistics to be consulted with respect to the 19 files in the field of Statistics currently being handled by the Friends of Presidency group, an informal consultation was held with Member States as a first indication of the views of the Statistics Working Party with respect to the alignment of these files. The contribution from the Council Legal Service on the PRAC alignment to delegated acts was issued on 10 December 2013. Brief information on the hearing outcome together with the Room document produced by the Presidency was circulated at the 11 December CWPS. The Chair of the FoP Group was informed afterwards of this preliminary consultation, most of the legal acts in the package should be separately examined in the CWPS, and only very limited number of these 19 regulations could be attributed for the automatic alignment to delegated acts.“