

# Statistics relating to trading of goods between Member States, Intrastat: Commission delegated and implementing powers

2013/0278(COD) - 15/04/2014 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 442 votes to 21 with 63 abstentions, a legislative resolution on the 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.

The matter was **referred back to the committee responsible** during the plenary session of 15 January 2014

Parliament adopted its position at first reading under the ordinary legislative procedure. The amendments adopted in plenary were the result of a compromise between Parliament and Council. They amend the Commission's proposal as follows:

**Clarification of the definition of statistical value:** it was stressed, in a recital, that uniform definitions were essential for the proper and frictionless functioning of cross-border trade and are especially important as a prerequisite for different national authorities to be able to make concordant interpretations of rules having an impact on the cross-border activities of businesses.

The amended text noted that **improving coordination between national authorities and the Commission (Eurostat)** was key to producing higher quality statistics in the Union.

**Data sources:** the statistical information on dispatches and arrivals of goods which were the subject of a single administrative document for customs or fiscal purposes shall be provided directly by customs to the national authorities once a month.

The customs administration responsible in each Member State should, on its own initiative or at the request of the national authority, provide the national authority with any available information to **identify the person** who carried out dispatches and arrivals of goods covered by the customs procedures of inward processing or processing under customs control.

**Reference period:** Parliament and Council amended Regulation (EC) No 638/2004 so that the reference period for the information to be provided should be:

- the calendar month of dispatch or arrival of the goods;
- the calendar month during which the chargeable event occurs for the Community goods on which VAT becomes chargeable on intra-Community acquisitions and supplies; or
- the calendar month during which the declaration is accepted by customs where the customs declaration is used as data sources.

Member States might simplify the information to be provided for small individual transactions provided that such simplification had no detrimental effects on the quality of the statistics.

**Exchange of confidential data:** this exchange should be voluntary, be treated carefully and not per se entail an increased administrative burden on undertakings.

Data transmission by the national authorities should be free of charge for the Member States and for the Union institutions and agencies.

It was important to guarantee the security of the modes of transmission of sensitive statistical data, including economic data.

**Delegated acts:** the power to adopt delegated acts was conferred on the Commission for a period of **five years**, which may be tacitly extended for an identical period. The time limits for objections would be three months, which might be extended by three months.

The Commission should also ensure that the delegated acts provided for in the legislative acts **do not impose a significant additional burden** on the Member States or on the respondents and that they remain as economical as possible. It should carry out consultations with experts, including Member States' experts, before adopting those delegated acts.