

Statistics concerning balance of payments, international trade in services and foreign direct investment

2014/0194(COD) - 26/06/2014 - Legislative proposal

PURPOSE: to amend Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures.

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

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Treaty on the Functioning of the European Union (TFEU) makes a distinction between:

- powers which may be delegated to the Commission to adopt non-legislative acts of general application to supplement or amend certain non-essential elements of a particular legislative act, as laid down in Article 290(1) of the TFEU (**delegated acts**),
- and the implementing powers which shall be conferred upon the Commission where uniform conditions for implementing legally binding Union acts are needed, as laid down in Article 291(2) of the TFEU (**implementing acts**).

In the context of the alignment of Regulation (EC) No 184/2005 of the European Parliament and of the Council, implementing powers currently conferred upon the Commission by that Regulation should be provided for by conferring powers on the Commission to adopt delegated and/or implementing acts.

CONTENT: the objective of this proposal is to **amend Regulation (EC) No 184/2005 so as to align it to the new institutional context**. In particular, the aim is to identify the powers conferred upon the Commission and put in place the appropriate procedure for adopting measures on the basis of these powers.

It is proposed to:

- empower the Commission to adopt **delegated acts** when, for reasons of economic and technical changes, data requirements need to be updated, including submission deadlines and revisions, extensions and eliminations of data flows set out in Annex I, and when the definitions set out in Annex II need to be updated;
- confer **implementing powers** upon the Commission, in accordance with the examination procedure laid down in Article 5 of Regulation (EU) No 182/2011, with a view to adopting common quality standards and harmonising the content and periodicity of the quality reports.

The European Statistical System Committee (ESSC) shall assist the Commission in exercising its implementing powers in certain statistical domains. These exclude the balance of payments, international trade in services and foreign direct investment. In these domains, according to Regulation (EC) No 184/2005, the Balance of Payments Committee (BOP Committee) assists the Commission.

The Commission is proposing a new ESS structure to improve coordination and partnership in a clear pyramid structure within the ESS, with **the European Statistical System Committee (ESSC) as the highest strategic body**. One aspect of this streamlining is to concentrate comitology powers in the hands of the ESSC established by Regulation (EC) No 223/2009, which is regarded as the umbrella committee within the ESS.

Therefore, it is also proposed to amend Regulation (EC) No 184/2005 by replacing the references to the BOP committee by a reference to the ESSC.