

| Basic information | |
|---|---------------------|
| 2005/0032(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation | 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| Common framework for business registers for statistical purposes Repealed by 2017/0048(COD) Subject 3.45.20 Business statistics | |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 | | MARTIN Hans-Peter (NI) | 10/05/2005 |
| | Former committee responsible | | Former rapporteur | Appointed |
| | ECON Economic and Monetary Affairs | | | |
| | ECON Economic and Monetary Affairs | | MARTIN Hans-Peter (NI) | 10/05/2005 |
| | Former committee for opinion | | Former rapporteur for opinion | Appointed |
| | ITRE Industry, Research and Energy | | The committee decided not to give an opinion. | |
| Council of the European Union | Council configuration | | Meetings | Date |
| | Competitiveness (Internal Market, Industry, Research and Space) | | 2801 | 2007-05-21 |
| | Agriculture and Fisheries | | 2843 | 2008-01-21 |
| European Commission | Commission DG | | Commissioner | |
| | Eurostat - European statistics | | ALMUNIA Joaquín | |

| Key events | | | |
|------------|-------|-----------|---------|
| Date | Event | Reference | Summary |

| | | | |
|------------|--|--|---------|
| 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 | Decision by Parliament, 1st reading | T6-0229/2006 | Summary |
| 01/06/2006 | Results of vote in Parliament |  | |
| 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 |
| 25/10/2007 | Results of vote in Parliament |  | |
| 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

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| Amendments and repeals | Repealed by 2017/0048(COD) |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

Documentation gateway

European Parliament

| Document type | Committee | Reference | Date | Summary |
|---|-----------|------------------------------|------------|---------|
| Committee draft report | | PE371.951 | 07/04/2006 | |
| Committee report tabled for plenary, 1st reading/single reading | | A6-0177/2006 | 10/05/2006 | |

| | | | |
|--|------------------------------|------------|-------------------------|
| Text adopted by Parliament, 1st reading/single reading | T6-0229/2006 | 01/06/2006 | Summary |
| Committee draft report | PE393.944 | 18/09/2007 | |
| Committee recommendation tabled for plenary, 2nd reading | A6-0353/2007 | 04/10/2007 | |
| Text adopted by Parliament, 2nd reading | T6-0479/2007 | 25/10/2007 | Summary |

Council of the EU

| Document type | Reference | Date | Summary |
|-----------------------------------|--------------------------------|------------|-------------------------|
| Council statement on its position | 09011/2007 | 04/05/2007 | |
| Council position | 07656/5/2007 | 21/05/2007 | Summary |
| Draft final act | 03665/2007/LEX | 20/02/2008 | |

European Commission

| Document type | Reference | Date | Summary |
|--|--|------------|-------------------------|
| Legislative proposal | COM(2005)0112  | 05/04/2005 | Summary |
| Commission response to text adopted in plenary | SP(2006)2902 | 22/06/2006 | |
| Commission communication on Council's position | COM(2007)0389  | 10/07/2007 | Summary |
| Commission opinion on Parliament's position at 2nd reading | COM(2007)0820  | 13/12/2007 | Summary |
| Follow-up document | COM(2015)0090  | 05/03/2015 | Summary |

Additional information

| Source | Document | Date |
|----------------------|-------------------------|------|
| National parliaments | IPEX | |
| European Commission | EUR-Lex | |

Final act

| | |
|--|-------------------------|
| Regulation 2008/0177 OJ L 061 05.03.2008, p. 0006 | Summary |
|--|-------------------------|

Common framework for business registers for statistical purposes

2005/0032(COD) - 10/07/2007 - Commission communication on Council's position

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

2005/0032(COD) - 21/05/2007 - Council position

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

2005/0032(COD) - 01/06/2006 - Text adopted by Parliament, 1st reading/single reading

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

2005/0032(COD) - 25/10/2007 - Text adopted by Parliament, 2nd reading

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

2005/0032(COD) - 13/12/2007 - Commission opinion on Parliament's position at 2nd reading

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

2005/0032(COD) - 20/02/2008 - Final act

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

2005/0032(COD) - 05/04/2005 - Legislative proposal

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

2005/0032(COD) - 05/03/2015 - Follow-up document

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.