



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 30.05.1997
COM(97)252 final

97/0155 (COD)

Proposal for a

EUROPEAN PARLIAMENT AND COUNCIL REGULATION (EC)
**amending Council Regulation (EEC) No 3330/91 on the statistics relating to the
trading of goods between Member States**

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. Intrastat is the system which lays down the rules for the collection and compilation of statistics on the trading of goods between Member States. It was introduced on 1 January 1993 following the abolition of customs formalities within the Community

The system is based on the principle of direct data collection from intra-Community operators, who are obliged to submit a monthly declaration of their dispatches and arrivals of goods. This declaration has replaced the copy of the customs declaration which previously served as a statistical medium.

2. The Intrastat declaration contains various items of information, including data on transport (mode of transport, port or airport of loading or unloading and port or airport of transshipment) and delivery terms.

3. After three years of system application, it has emerged from data analysis, from the results of a survey of statistical-information suppliers and users, and from the conclusions of a seminar attended by all system participants that the task of supplying this information is often difficult and restricting, and that data are sometimes of inadequate quality and limited relevance.

4. In February 1996, the ministers responsible for the internal market decided to take steps to simplify legislation relating to the internal market, and the Intrastat system was one of the projects chosen.

5. In this context, the Commission considers it appropriate to present this proposal, the purpose of which is to remove the above-mentioned information from the list of data referred to in Article 23 of Regulation (EEC) No 3330/91. Bearing in mind, however, that information on the mode of transport is regarded as indispensable, its removal will be applicable from 1 January 2000, the expiry date for the derogations granted to Member States in connection with transport statistics; in Member States which are able to provide this information by other means, removal may take place before that date.

6. This proposal is also intended to endow national administrations with competence to fix transmission deadlines for declarations by PSIs.

7. Finally, in the interests of transparency, the Commission undertakes to publicly disseminate the data required by each Member State.

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European Parliament and Council Regulation (EC) No/....
of**
**amending Council Regulation (EEC) No 3330/91 on the statistics relating to the
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THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION

Having regard to the Treaty establishing the European Community, and in particular Article 100A thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion delivered by the Economic and Social Committee,

Acting in accordance with the procedure laid down in Article 189b of the Treaty,

Whereas, pursuant to Council Regulation (EEC) No 3330/91 of 7 November 1991 on the statistics relating to the trading of goods between Member States¹, as amended by Commission Regulation (EEC) No 3046/92², the Community and the Member States compile statistics relating to the trading of goods between Member States (Intrastat) during the transitional period beginning on 1 January 1993 and ending on the date of changeover to a unified system of taxation in the Member State of origin;

Whereas the simplification of legislation for the internal market, as formulated in the SLIM (Simpler Legislation for the Internal Market) initiative, aims to improve enterprises' competitiveness and job creation potential;

Whereas the simplification of the Intrastat system was chosen as a SLIM pilot project, and specific proposals formulated by the SLIM-Intrastat Working Party with a view to reducing the burden on providers of statistical information contained in a communication to the European Parliament and to the Council have been endorsed;

Whereas limiting the information on declarations while maintaining an acceptable level of information for users is a prime means of reducing the burden on providers of statistical information;

Whereas deleting the mode of transport and the terms of delivery is one of these simplification measures; whereas a transition period is nevertheless necessary for certain Member States to adapt their national statistical systems;

Whereas optional data should be abolished in order to limit the burden on providers of statistical information and to guarantee equal treatment of these; whereas the reporting of the country of origin is nevertheless of particular benefit to numerous users and should therefore be retained;

¹ OJ No L 316, 16.11.1991, p.1

² OJ No L 307, 23.10.1992, p.27

Whereas, in order to meet to the expectations of the providers of statistical information and take account of the Member States' differing administrative set-ups, national administrations are afforded greater flexibility in laying down the deadlines for the transmission of declarations,

HAVE ADOPTED THIS REGULATION:

Article 1

Regulation (EEC) No 3330/91 is hereby amended as follows:

1. In Article 13 (1), the words "deadlines and" are deleted.
2. In Article 23 (1), paragraph f) is deleted.
3. In Article 23 (1), paragraph g) is deleted.
4. Article 23 (2) is replaced by the following:

" Member States may not require the statistical data medium to mention data other than those provided for in paragraph 1, with the exception of the following:

- a) in the Member State of arrival, the country of origin;
- b) the terms of delivery until 31 December 1999."

5. The following paragraph 4 is added to Article 23:

“4. The Commission shall ensure the publication of the data required of providers of statistical information by the Member States in the *Official Journal of the European Communities*, C series.”

Article 2

1. This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Communities*.
2. Article 1(1), (2), (4) and (5) shall apply from 1 January 1998.
3. Article 1(3) shall apply from 1 January 2000. However, for Member States which apply Council Directives 78/546/EEC(1), 80/1119/EEC (2), 80/1177/EEC (3) and 95/64/EC (4) in full, or which can provide by other means the statistical information provided for by these Directives, this paragraph shall apply before 1 January 2000, as of the dates decided by the Commission on the basis of the information transmitted by the Member State concerned.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the European Parliament For the Council

(1) OJ No L 168, 26.6.1978, p.29

(2) OJ No L 339, 15.12.1980, p.30

(3) OJ No L 350, 23.12.1980, p.23

(4) OJ No L 320, 30.12.1995, p.25

IMPACT ASSESSMENT STATEMENT

IMPACT OF THE PROPOSAL ON ENTERPRISES, ESPECIALLY SMALL AND MEDIUM-SIZED ENTERPRISES (SMEs)

Title of proposal: Regulation (EC) of the European Parliament and of the Council amending Regulation (EEC) No 3330/91 on the statistics relating to the trading of goods between Member States.

The proposal

1. TAKING ACCOUNT OF THE PRINCIPLE OF SUBSIDIARITY, WHY IS COMMUNITY LEGISLATION NECESSARY IN THIS AREA AND WHAT ARE ITS MAIN AIMS?

The purpose of this proposal is to make the statistical declaration on trade between Member States (Intrastat declaration) more straightforward for providers of statistical information (PSIs). It is part of the SLIM initiative and is in accordance with the recommendations of the SLIM/Intrastat group and with the Commission report approved by the Council on 26 November 1996.

The aim is to remove information relating to the "mode of transport" and to "delivery terms", whose usefulness does not justify the burden imposed by their collection and whose quality is not considered to be entirely satisfactory. Bearing in mind, however, that information on the mode of transport is regarded as indispensable, its removal will be applicable from 1 January 2000, the expiry date for the derogations granted to Member States in connection with transport statistics: in Member States able to provide this information by other means, removal may take place before that date.

Data designated as optional will also be removed, except for country of origin - as this item of information is of vital importance in establishing the link between intra- and extra-Community trade.

The proposal is supplemented by other measures relating to the transparency of the system and to administrative organisation in Member States.

This amendment to Community legislation is necessary to ensure harmonised application at Member State level so that PSIs are fairly treated. A new Regulation is thus essential so that the simplification may be applied by all Member States.

The impact on businesses

2. WHO WILL BE AFFECTED BY THE PROPOSAL?

- which sectors of business
- which sizes of business (what is the concentration of small and medium-sized firms)

- are there particular geographical areas of the Community where these businesses are found

This simplification will benefit all enterprises which are required to provide statistical information, and as a result the statistical burden will be reduced; logically, this alleviation will be felt most by SMEs, on which the Intrastat declaration imposes a proportionally greater burden.

3. WHAT WILL BUSINESS HAVE TO DO TO COMPLY WITH THE PROPOSAL?

Enterprises are not required to take any special measures in order to comply with this proposal. The only adjustment necessary consists of complying with a less burdensome request for statistical information.

4. WHAT ECONOMIC EFFECTS IS THE PROPOSAL LIKELY TO HAVE?

- on employment
- on investment and the creation of new businesses
- on the competitive position of businesses

The measures envisaged by this proposal are, like all simplification measures, likely to contribute towards enhancing the competitiveness of enterprises.

5. DOES THE PROPOSAL CONTAIN MEASURES TO TAKE ACCOUNT OF THE SPECIFIC SITUATION OF SMALL AND MEDIUM-SIZED FIRMS (REDUCED OR DIFFERENT REQUIREMENTS, ETC.)?

The chief beneficiaries of the simplification measures will be SMEs, which have difficulty in coping with the burden imposed by statistical returns,

Consultation

6. LIST THE ORGANISATIONS WHICH HAVE BEEN CONSULTED ABOUT THE PROPOSAL AND OUTLINE THEIR MAIN VIEWS.

The professional associations and simplification bodies, at European level, were consulted as part of the survey and seminar organised in 1996 to assess the operation of the Intrastat system; they also participated in the working party set up under the SLIM initiative.

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