

EUROPEAN PARLIAMENT

2004



2009

Session document

A6-0128/2009

12.3.2009

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REPORT

on the proposal for a regulation of the European Parliament and of the Council
amending Regulation (EC) No 808/2004 concerning Community statistics on
the information society
(COM(2008)0677 – C6-0381/2008 – 2008/0201(COD))

Committee on Industry, Research and Energy

Rapporteur: Angelika Niebler

(Simplified procedure – Rule 43(2) of the Rules of Procedure)

Symbols for procedures

- * Consultation procedure
majority of the votes cast
- **I Cooperation procedure (first reading)
majority of the votes cast
- **II Cooperation procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- *** Assent procedure
majority of Parliament's component Members except in cases covered by Articles 105, 107, 161 and 300 of the EC Treaty and Article 7 of the EU Treaty
- ***I Codecision procedure (first reading)
majority of the votes cast
- ***II Codecision procedure (second reading)
majority of the votes cast, to approve the common position
majority of Parliament's component Members, to reject or amend the common position
- ***III Codecision procedure (third reading)
majority of the votes cast, to approve the joint text

(The type of procedure depends on the legal basis proposed by the Commission.)

Amendments to a legislative text

In amendments by Parliament, amended text is highlighted in ***bold italics***. In the case of amending acts, passages in an existing provision that the Commission has left unchanged, but that Parliament wishes to amend, are highlighted in **bold**. Any deletions that Parliament wishes to make in passages of this kind are indicated thus: [...]. Highlighting in *normal italics* is an indication for the relevant departments showing parts of the legislative text for which a correction is proposed, to assist preparation of the final text (for instance, obvious errors or omissions in a given language version). Suggested corrections of this kind are subject to the agreement of the departments concerned.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the proposal for a regulation of the European Parliament and of the Council on amending Regulation (EC) No 808/2004 concerning Community statistics on the information society
(COM(2008)0677 – C6-0381/2008 – 2008/0201(COD))**

(Codecision procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to the European Parliament and the Council (COM(2008)0677),
 - having regard to Article 251(2) and Article 285(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0381/2008),
 - having regard to the opinion of the Statistical Programme Committee, established by Council Decision 89/382/EEC, Euratom¹
 - having regard to Rule 51 and 43(2) of its Rules of Procedure,
 - having regard to the report of the Committee on Industry, Research and Energy (A6-0128/2009),
1. Approves the Commission proposal as amended;
 2. Calls on the Commission to refer the matter to Parliament again if it intends to amend the proposal substantially or replace it with another text
 3. Instructs its President to forward its position to the Council and Commission.

Amendment 1

Proposal for a regulation – amending act Recital 1

Text proposed by the Commission

(1) The annual provision of statistics on the Information society as laid down in Regulation (EC) 808/2004 of the European Parliament and of the Council of 21 April 2004 is restricted to up to five reference years after the date of entry into force of the Regulation and will end in 2009.

Amendment

(1) The annual provision of statistics on the Information society as laid down in Regulation (EC) 808/2004 of the European Parliament and of the Council of 21 April 2004 is restricted to up to five reference years after the date of entry into force of the Regulation and will end in 2009.

¹ OJ L 181, 28.6.1989, p. 47

However, there is a continuing need at European level for the annual provision of coherent statistical information *from* the information society domain.

However, there is a continuing need at European level for the annual provision of coherent statistical information *on* the information society domain.

Justification

Technical amendment.

Amendment 2

**Proposal for a regulation – amending act
Recital 5**

Text proposed by the Commission

(5) Decision 1639/2006/EC of the European Parliament and the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007 to 2013) helps to enhance competitiveness and innovation capacity in the Community, to promote the advancement of the knowledge society, and to foster sustainable development based on balanced economic growth. *The* decision requires the Community to equip itself with sound analytical basis *in the respective areas* to support policy making. The programme supports actions for policy analyses based on official statistics.

Amendment

(5) Decision 1639/2006/EC of the European Parliament and the Council of 24 October 2006 establishing a Competitiveness and Innovation Framework Programme (2007 to 2013) helps to enhance competitiveness and innovation capacity in the Community, to promote the advancement of the knowledge society, and to foster sustainable development based on balanced economic growth. *That* decision requires the Community to equip itself with *a* sound analytical basis to support policy making *in a number of areas*. The *framework* programme *established by that Decision* supports actions for policy analyses based on official statistics.

Justification

Technical amendment.

Amendment 3

**Proposal for a regulation – amending act
Recital 6**

Text proposed by the Commission

(6) *At the ministerial debate on e-*

Amendment

(6) *The ministerial declaration on e-*

inclusion in December 2007, the Communication of the Commission on a European Initiative on e-inclusion – “To be part of the Information Society” was welcomed in the conclusions of the presidency. The importance of promoting e-inclusion as major European objective was recognised. The Commission and ministers were in particular called upon to integrate e-inclusion as new dimension of social policies. e-Inclusion policies should address e-accessibility barriers, bridge digital competence gaps and encourage effective participation of individuals lagging behind in the information society.

Inclusion, which was adopted in Riga on 11 November 2006 calls for an inclusive information society. It sets the framework for a comprehensive policy on e-Inclusion, addressing issues in the fields of the ageing society, geographical digital divide, accessibility, digital literacy and competences, cultural diversity and inclusive online public services. It invites the European Commission to support evidence gathering and benchmarking within and outside Europe.

Justification

The amendment proposed a more precise reference to the Riga meeting and the outcome of the ministerial declaration.

Amendment 4

**Proposal for a regulation – amending act
Recital 7 a (new)**

Text proposed by the Commission

Amendment

(7a) The amendment of Regulation 808/2004 should take into account Regulation (EC) .../2009 on European Statistics.

Justification

The horizontal regulation on European statistics will be the framework for all sectoral legislation. As the European Parliament and the Council had already reached a political agreement on the substance of that text, the current regulation on information society statistics should resort to the horizontal regulation. Several other amendments support this approach and the general principle is stated here in the recitals as well.

Amendment 5

Proposal for a regulation – amending act Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) This Regulation should not increase the burden on respondents and national statistical authorities, measured by the number of mandatory variables or interview duration, in respect of the collection and transmission of harmonised statistics as compared to the existing situation before its entry into force.

Justification

Though the importance of data collection for statistical purposes and benchmarking is not questioned, the administrative burden on respondents (on national statistical institutes/authorities, enterprises, individuals, households) should not increase. Several other amendments support this approach and the general principle is stated here in the recitals as well.

Amendment 6

Proposal for a regulation – amending act Article 1 – point 1 a (new) Regulation (EC) No 808/2004 Article 6 – title

Text proposed by the Commission

Amendment

1a. The title of Article 6 shall be replaced by the following:

"Treatment, transmission and dissemination of data"

Justification

The amendment is to adjust the title in order to reflect the proposed changes in Article 6 of the Regulation.

Amendment 7

Proposal for a regulation – amending act

Article 1 – point 2

Regulation (EC) No 808/2004

Article 6 – paragraph 1

Text proposed by the Commission

"1. Member States shall transmit the data and the metadata required by this Regulation and its implementing measures, **including confidential data**, to the Commission (Eurostat) in accordance with **the existing Community provisions** on the transmission of **data subject to statistical confidentiality**. Those Community provisions shall apply to the treatment of the results, in so far as they include confidential data."

Amendment

"1. Member States shall transmit the data and the metadata required by this Regulation and its implementing measures to the Commission (Eurostat) in accordance with **Article 21 of Regulation (EC) No.../2009 of the European Parliament and of the Council of ... on European Statistics** on the transmission of **confidential data**. Those Community provisions shall apply to the treatment of the results, in so far as they include confidential data."

Justification

Confidential data (its treatment, transmission and dissemination), with special regard to protection of individuals and enterprises, is also addressed by the horizontal regulation on European statistics. Referring to the horizontal regulation therefore ensures the necessary level of protection.

Amendment 8

Proposal for a regulation – amending act

Article 1 – point 2 a (new)

Regulation (EC) No 808/2004

Article 6 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The following paragraph shall be added to Article 6:

"2a. Chapter V of Regulation (EC) No .../2009 on European Statistics shall apply to the treatment and dissemination of confidential data."

Justification

Confidential data (its treatment, transmission and dissemination), with special regard to protection of individuals and enterprises, is also addressed by the horizontal regulation on European statistics. Referring to the horizontal regulation therefore ensures the necessary level of protection.

Amendment 9

Proposal for a regulation – amending act

Article 1 – point 2 b (new)

Regulation (EC) No 808/2004

Article 7 – title

Text proposed by the Commission

Amendment

2b. The title of Article 7 shall be replaced by the following:

"Quality assessment and reports

Justification

The horizontal regulation on European statistics will be the framework for all sectoral legislation. The amendment proposes to adapt the quality regime of the current sectoral regulation to the one of the horizontal regulation. As the current sectoral regulation does not cover the issues of specific quality requirements, those are to be adopted via comitology (regulatory procedure with scrutiny).

Amendment 10

Proposal for a regulation – amending act

Article 1 – point 2 c (new)

Regulation (EC) No 808/2004

Article 7 – paragraph 1

Text proposed by the Commission

Amendment

2c. Article 7(1) shall be replaced by the following:

"1. Member States shall ensure the quality of the data transmitted."

Justification

The horizontal regulation on European statistics will be the framework for all sectoral legislation. The amendment proposes to adapt the quality regime of the current sectoral

regulation to the one of the horizontal regulation. As the current sectoral regulation does not cover the issues of specific quality requirements, those are to be adopted via comitology (regulatory procedure with scrutiny).

Amendment 11

Proposal for a regulation – amending act

Article 1 – point 3

Regulation (EC) No 808/2004

Article 7 – paragraph 2

Text proposed by the Commission

"2. For the purpose of this Regulation, the **following** quality **assessment dimensions** shall apply **to the data transmitted**:

(a) 'Relevance', which refers to the degree to which statistics meet current and potential needs of the users;

(b) 'Accuracy', which refers to the closeness of estimates to the unknown true values;

(c) 'Timeliness', which refers to the time lag between the availability of the information and the event or phenomenon it describes;

(d) 'Punctuality', which refers to the time lag between the date of the release of the data and the target date when it should have been delivered;

(e) 'Accessibility' and 'Clarity', which refer to the conditions and modalities by which users can obtain, use and interpret data;

(f) 'Comparability', which refers to the measurement of the impact of differences in applied statistical concepts and measurement tools and procedures when statistics are compared between geographical areas, sectoral domains or over time;

(g) 'Coherence', which refers to the adequacy to be reliably combined in

Amendment

"2. For the purpose of this Regulation, the quality **criteria as laid down in Article 12 (1) of Regulation (EC) No .../2009 on European Statistics** shall apply.

different ways and for various uses.

In applying the quality assessment dimensions, the Commission (Eurostat), in close cooperation with Member States, shall develop detailed quality assessment criteria and common standards designed to ensure the quality of the data provided. These standards shall be published in the methodological manual."

Justification

The horizontal regulation on European statistics will be the framework for all sectoral legislation. The amendment proposes to adapt the quality regime of the current sectoral regulation to the one of the horizontal regulation. As the current sectoral regulation does not cover the issues of specific quality requirements, those are to be adopted via comitology (regulatory procedure with scrutiny).

Amendment 12

Proposal for a regulation – amending act

Article 1 – point 3 a (new)

Regulation (EC) No 808/2004

Article 7 – paragraph 3

Text proposed by the Commission

Amendment

3a. Paragraph 3 of Article 7 shall be deleted.

Amendment 13

Proposal for a regulation – amending act

Article 1 – point 3 b (new)

Regulation (EC) No 808/2004

Article 7 – paragraph 4

Text proposed by the Commission

Amendment

3b. Article 7(4) shall be replaced by the following:

"4. Every year, Member States shall provide the Commission (Eurostat) with a report on the quality of the data transmitted as well as on any

methodological changes that have been made. The report shall be provided one month after the transmission of the data."

Justification

The horizontal regulation on European statistics will be the framework for all sectoral legislation. The amendment proposes to adapt the quality regime of the current sectoral regulation to the one of the horizontal regulation. As the current sectoral regulation does not cover the issues of specific quality requirements, those are to be adopted via comitology (regulatory procedure with scrutiny).

Amendment 14

Proposal for a regulation – amending act Annex I – point 1

Text proposed by the Commission

The aim of this module is the timely provision of statistics on enterprises and the information society. It provides a framework for the requirements in terms of coverage and periodicity, subjects covered, breakdowns of data provision, type of data provision and any necessary pilot studies.

Amendment

The aim of this module is the timely provision of statistics on enterprises and the information society. It provides a framework for the requirements in terms of coverage, **duration** and periodicity, subjects covered, breakdowns of data provision, type of data provision and any necessary pilot **or feasibility** studies.

Justification

The amendment is to set out temporally limitation so as to provide for certainty and transparency on the period for which data-collection/provision can be requested and to reduce administrative burden. The amendment also seeks to provide with the possibility to draw up feasibility studies before a pilot is undertaken.

Amendment 15

Proposal for a regulation – amending act Annex I – point 3

Text proposed by the Commission

Periodicity of data provision

Statistics will be provided annually following the date of entry into force of this Regulation. Not all characteristics will

Amendment

Duration and periodicity of data provision

Statistics will be provided annually **for up to 15 reference years** following the date of entry into force of this Regulation. Not all

necessarily be provided each year; the periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures referred to in Article 8.

characteristics will necessarily be provided each year; the periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures referred to in Article 8.

Justification

The amendment is to set out temporally limitation so as to provide for certainty and transparency on the period for which data-collection/provision can be requested (up to an additional ten years) and to reduce administrative burden. Given that the time limit of the current regulation is five years which is counted from the date of entry into force, in case an extension of an additional ten years is given, the extended time span is also to be calculated from the same starting point (and not from the entry into force of the current amending act).

Amendment 16

Proposal for a regulation – amending act Annex I – point 4 – indent 10

Text proposed by the Commission

Amendment

– ICT *and sustainable development*

– *use of ICT and its impact on the environment (Green ICT),*

Justification

The Commission proposes to include new subjects for data collection. In order to reduce administrative burden, some of the proposed additional subjects are to be deleted. For the sake of clarity the definition of green ICT is also proposed to be changed.

Amendment 17

Proposal for a regulation – amending act Annex I – point 4 – indent 11

Text proposed by the Commission

Amendment

– *impact of ICT on productivity, economic growth, employment, business organisation and the environment,* ***deleted***

Justification

The Commission proposes to include new subjects for data collection. In order to reduce administrative burden, some of the proposed additional subjects are to be deleted.

Amendment 18

Proposal for a regulation – amending act Annex I – point 4 – indent 12

Text proposed by the Commission

Amendment

– use of ICT to facilitate national and international economic integration,

deleted

Justification

The Commission proposes to include new subjects for data collection. In order to reduce administrative burden, some of the proposed additional subjects are to be deleted. For the sake of clarity the definition of green ICT is also proposed to be changed.

Amendment 19

Proposal for a regulation – amending act Annex I – point 4 – last subparagraph

Text proposed by the Commission

Amendment

Not all subjects will **necessarily** be covered each year.

Not all subjects will be covered each year.

Justification

The proposed amendment is to limit the scope of annual data collection in order to reduce administrative burden.

Amendment 20

Proposal for a regulation – amending act Annex I – point 5 – introductory part

Text proposed by the Commission

Amendment

Not all breakdowns will necessarily be provided each year; the breakdowns required will be drawn from the following list **and** agreed upon as part of the implementing measures:

Not all breakdowns will necessarily be provided each year; the breakdowns required will be drawn from the following list, **taking into account the nature of the statistical units, the expected quality of the statistical data and the overall sampling size. The breakdowns will be** agreed upon

as part of the implementing measures:

Justification

The amendment clarifies the aspects that need to be considered when deciding about which (data) breakdown is to be provided in a given year in order to reduce administrative burden. The proposed amendment also endorses existing (and well-performing) practice.

Amendment 21

**Proposal for a regulation – amending act
Annex I – point 7**

Text proposed by the Commission

Pilot studies

Whenever significant new data requirements are identified, ***insufficient quality of data is to be expected*** or new indicators of a complex nature are required, the Commission will institute pilot studies ***or testing measures*** to be completed on a voluntary basis by the Member States before any data collection. These ***pilot*** studies will assess the feasibility of the respective data collection, taking into consideration the benefits of the availability of the data in relation to the collection costs and the burden on respondents. The results of ***the*** pilot studies or testing measures shall contribute to the definition of new indicators.

Amendment

Feasibility and pilot studies

Whenever significant new data requirements are identified or new indicators of a complex nature are required, the Commission will institute ***feasibility or*** pilot studies to be completed on a voluntary basis by the Member States before any data collection. These studies will assess the feasibility of the respective data collection, taking into consideration the benefits of the availability of the data in relation to the collection costs and the burden on respondents. The results of ***these feasibility or*** pilot studies or testing measures shall contribute to the definition of new indicators.

Justification

The amendment takes into account the rapidly changing nature of the ISTs and therefore introduces the possibility to conduct feasibility studies.

Amendment 22

**Proposal for a regulation – amending act
Annex II – point 1**

Text proposed by the Commission

The aim of this module is the timely

Amendment

The aim of this module is the timely

provision of statistics on individuals, households and the information society. It provides a framework for the requirements in terms of coverage and periodicity, subjects covered, **breakdowns** of data provision, type of data provision and any necessary pilot studies.

provision of statistics on individuals, households and the information society. It provides a framework for the requirements in terms of coverage, **duration** and periodicity, subjects covered, **socio-economic background characteristics** of data provision, type of data provision and any necessary pilot **or feasibility** studies.

Justification

The amendment is to set out temporally limitation so as to provide for certainty and transparency on the period for which data-collection/provision can be requested and to reduce administrative burden. The amendment also seeks to provide with the possibility to draw up feasibility studies before a pilot is undertaken.

Amendment 23

Proposal for a regulation – amending act Annex II – point 3

Text proposed by the Commission

Periodicity of data provision

Statistics will be provided annually following the date of entry into force of this Regulation. Not all characteristics will necessarily be provided each year; the periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures referred to in Article 8.

Amendment

Duration and periodicity of data provision

Statistics will be provided annually **for up to 15 reference years** following the date of entry into force of this Regulation. Not all characteristics will necessarily be provided each year; the periodicity of provision for each characteristic will be specified and agreed upon as part of the implementing measures referred to in Article 8.

Justification

To set out temporally limitation so as to provide for certainty and transparency on the period for which data-collection/provision can be requested (up to an additional ten years) and to reduce administrative burden. Given that the time limit of the current regulation is five years which is counted from the date of entry into force, in case an extension of an additional ten years is given, the extended time span is also to be calculated from the same starting point (and not from the entry into force of the current amending act).

Amendment 24

Proposal for a regulation – amending act Annex II – point 4 – last subparagraph

Text proposed by the Commission

Amendment

Not all subjects will ***necessarily*** be covered each year.

Not all subjects will be covered each year.

Justification

The amendment is to limit the scope of annual data collection in order to reduce administrative burden.

Amendment 25

Proposal for a regulation – amending act Annex II – point 7

Text proposed by the Commission

Amendment

Pilot studies

Whenever significant new data requirements are identified, ***insufficient quality of data is to be expected*** or new indicators of a complex nature are required, the Commission will institute pilot studies ***or testing measures*** to be completed on a voluntary basis by the Member States before any data collection. These ***pilot*** studies will assess the feasibility of the respective data collection, taking into consideration the benefits of the availability of the data in relation to the collection costs and the burden on respondents. The results of ***the*** pilot studies or testing measures shall contribute to the definition of new indicators.

Feasibility and pilot studies

Whenever significant new data requirements are identified or new indicators of a complex nature are required, the Commission will institute ***feasibility or*** pilot studies to be completed on a voluntary basis by the Member States before any data collection. These studies will assess the feasibility of the respective data collection, taking into consideration the benefits of the availability of the data in relation to the collection costs and the burden on respondents. The results of ***these feasibility or*** pilot studies or testing measures shall contribute to the definition of new indicators.

Justification

The amendment takes into account the rapidly changing nature of the ISTs and therefore introduces the possibility to conduct feasibility studies.

PROCEDURE

Title	Community statistics on the information society
References	COM(2008)0677 – C6-0381/2008 – 2008/0201(COD)
Date submitted to Parliament	30.10.2008
Committee responsible Date announced in plenary	ITRE 17.11.2008
Rapporteur(s) Date appointed	Angelika Niebler 2.12.2008
Simplified procedure - date of decision	2.12.2008
Discussed in committee	19.1.2009
Date adopted	9.3.2009