



EUROPEAN CENTRAL BANK
EUROSYSTEM

EN

ECB-PUBLIC

OPINION OF THE EUROPEAN CENTRAL BANK

of 2 January 2018

on a proposal for a regulation of the European Parliament and of the Council on European business statistics amending Regulation (EC) No 184/2005 and repealing 10 legal acts in the field of business statistics

(CON/2018/1)

Introduction and legal basis

On 24 March 2017, the European Central Bank (ECB) received a request from the Council of the European Union for an opinion on a proposal for a regulation of the European Parliament and of the Council on European business statistics, amending Regulation (EC) No 184/2005 and repealing 10 legal acts in the field of business statistics¹ (hereinafter the 'proposed regulation').

The ECB's competence to deliver an opinion is based on Articles 127(4) and 282(5) of the Treaty on the Functioning of the European Union since the proposed regulation concerns the collection of balance of payments (BOP) statistics, which is a European System of Central Banks (ESCB) task in line with Article 5 of the Statute of the European System of Central Banks and of the European Central Bank (hereinafter the 'Statute of the ESCB') and Article 2 of Council Regulation (EC) No 2533/98², relevant to the basic tasks of the ESCB to define and implement monetary policy, conduct foreign exchange operations and hold and manage the official foreign reserves of the Member States pursuant to the first, second and third indents of Article 127(2) of the Treaty. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, the Governing Council has adopted this opinion.

1. General observations

- 1.1 The ECB welcomes the Commission's aim of further improving the consistency, quality and harmonisation of European business statistics, in particular by providing fit-for-purpose statistics to formulate and monitor Union policies that affect businesses, while keeping the reporting burden on these businesses to a minimum.
- 1.2 The envisaged response to outstanding data requirements is also very much welcome. The ECB is pleased to note the proposed improvements, in the overall availability of information for the services sector in the context of 'short term statistics', particularly as the frequency of the provision of such data is to increase from a quarterly to a monthly basis. This improvement reflects the

¹ COM (2017)114,final. The measures set out in the proposed regulation are intended to replace those contained in the 10 legal acts to be repealed, which are listed in recital 36 of the proposed regulation.

² Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank (OJ L 318, 27.11.1998, p. 8).

increased relevance of services industries, which now account for more than two-thirds of euro area gross domestic product. It also responds well to the ECB's requirements³, which have been expressed over recent years, and to the conclusions of the Economic and Financial Affairs Council⁴.

- 1.3 The ECB proposes that Recommendation ESRB/2016/14 of the European Systemic Risk Board⁵, which concerns the closure of real estate data gaps, should be reflected in the construction data required and their breakdowns. In particular, data on construction starts and completions as well as vacancy rates should be considered for inclusion in the proposed regulation.
- 1.4 Article 2 of Regulation (EC) No 2533/98 allocates to the ECB, assisted by the national central banks (NCBs), the task of collecting information on, inter alia, BOP and international investment position (IIP) statistics, either from the competent national authorities or directly from economic agents. The ECB's statistical reporting requirements are set out in Guideline ECB/2011/23 of the European Central Bank⁶.
- 1.5 BOP and IIP statistics are crucial for the performance of the ESCB's basic tasks under the Treaty of defining and implementing the monetary policy of the Union, conducting foreign exchange operations, and holding and managing the official foreign reserves of the Member States. They also support the assessment of external vulnerabilities and interconnectedness for financial stability purposes and are used in the indicators of the 'risk dashboard' of the European Systemic Risk Board (ESRB) pursuant to the ESRB tasks under Article 3 of Regulation (EU) No 1092/2010 of the European Parliament and of the Council⁷ and of the 'scoreboard' of the macroeconomic imbalances procedure pursuant to Article 4 of Regulation (EU) No 1176/2011 of the European Parliament and of the Council⁸. BOP and IIP statistics are part of the 'Special Data Dissemination Standard Plus' of the International Monetary Fund (IMF) and are required for the 'Article IV consultations' undertaken by the euro area and the euro area Member States under Article IV of the Articles of Agreement of the International Monetary Fund.
- 1.6 The ECB notes that some of the requirements to be included in the proposed regulation, in particular quarterly international trade in services (ITS) statistics, are currently defined in Table 2 of Annex 1 to Regulation (EC) No 184/2005 and that identical requirements are defined in Table 2 of Annex II to Guideline ECB/2011/23. It is in the interest of the overall quality of European BOP and IIP statistics produced by the European Statistical System (ESS) and the ESCB that such

³ Review of the requirements in the field of General Economic Statistics, European Central Bank, 2004, available on the ECB's website at www.ecb.europa.eu.

⁴ ECOFIN Council Conclusions on EU Statistics, 2972nd Council meeting Economic and Financial Affairs, Brussels, 10 November 2009, available at www.consilium.europa.eu.

⁵ Recommendation ESRB/2016/14 of the European Systemic Risk Board of 31 October 2016 on closing real estate data gaps (OJ C 31, 31.1.2017, p. 1).

⁶ Guideline ECB/2011/23 of the European Central Bank of 9 December 2011 on the statistical reporting requirements of the European Central Bank in the field of external statistics (OJ L 65, 3.3.2012, p. 1).

⁷ Regulation (EU) No 1092/2010 of the European Parliament and of the Council of 24 November 2010 on European Union macro-prudential oversight of the financial system and establishing a European Systemic Risk Board (OJ L 331, 15.12.2010, p. 1).

⁸ Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances (OJ L 306, 23.11.2011, p. 25).

consistency is preserved. It is also of the utmost importance that BOP and IIP statistics remain internally coherent and comprehensive.

1.7 Moreover, as these requirements are partly satisfied at national level by data collection initiatives developed by NCBs, the ECB very much welcomes Article 23 of the proposed regulation and the role assigned to the Committee on Monetary, Financial and Balance of Payments Statistics established by Council Decision 2006/856/EC⁹. More generally, close cooperation between the ESCB and the ESS must be ensured when defining, amending or updating such requirements, as well as all other business statistics requirements (e.g. to address data needs in the field of “globalization”) that would directly or indirectly affect the compilation of BOP and IIP statistics.

1.8 *Implementing powers for the precise definition of the data requirements*

Article 7 of the proposed regulation empowers the Commission to adopt implementing acts for the purpose of further specifying certain elements of the data to be transmitted. These include fundamental methodological aspects, such as the definition of the relevant statistical unit and other applicable statistical classifications. In this context, from the perspective of both users and compilers of statistics, it will be important to ensure coherence between the ITS requirements defined in the proposed regulation and those defined in Regulation (EC) No 184/2005. Hence, the ECB wishes to highlight the importance of methodological closeness and coherence between the two data sets.

1.9 Finally, the ECB wishes to stress the importance of the ECB being consulted on all delegated and implementing legal acts that fall in its field of competence, and in a timely manner, pursuant to Article 127 (4) first indent and Article 282 (5) of the Treaty on the functioning of the European Union¹⁰.

2. Technical observations and drafting proposals

Where the ECB recommends that the proposed regulation is amended, specific drafting proposals are set out in a separate technical working document accompanied by an explanatory text to this effect. The technical working document is available in English on the ECB’s website.

Done at Frankfurt am Main, 2 January 2018.

[signed]

The President of the ECB

Mario DRAGHI

⁹ Council Decision 2006/856/EC of 13 November 2006 establishing a Committee on monetary, financial and balance of payments statistics (OJ L 332, 30.11.2006, p. 21).

¹⁰ See further e.g. para. 4 of ECB Opinion CON/2012/5, OJ C 105, 11.4.2012, p. 1; para. 8 of ECB Opinion CON/2011/44, OJ C 203, 9.7.2011, p. 3; and para. 4 of ECB Opinion CON/2011/42, OJ C 159, 28.5.2011, p. 10.



Technical working document

produced in connection with ECB Opinion (CON/2018/1)¹

Drafting proposals in relation to a proposal for a regulation of the European Parliament and of the Council on European business statistics amending Regulation (EC) No 184/2005 and repealing 10 legal acts in the field of business statistics

Text proposed by the Commission	Amendments proposed by the ECB ²
Amendment 1 Recital 26a (new)	
<u>None</u>	<u>‘(26a) Coherence of related statistics is a key quality feature of European statistics. Therefore, international trade in services statistics and the related items in the balance of payments collected in the context of Regulation (EC) No 184/2005 need to be aligned to the extent possible while keeping the multi-purpose objective of international trade in services statistics. The statistical principles and methods specified in the current edition of the International Monetary Fund’s Manual on Balance of Payments and International Investment Position and of the Manual on Statistics of International Trade in Services should be closely followed and the respective output should be coherent.</u>

¹ This technical working document is produced in English only and communicated to the consulting Union institution(s) after adoption of the opinion. It is also published in the Legal framework section of the ECB’s website alongside the opinion itself.

² Bold in the body of the text indicates where the ECB proposes inserting new text. Strikethrough in the body of the text indicates where the ECB proposes deleting text.

Text proposed by the Commission	Amendments proposed by the ECB ²
<p style="text-align: center;"><u>Explanation</u></p> <p><i>It is important that elements specified in implementing acts adopted by the Commission under Article 7 of the proposed regulation follow closely the internationally recognised statistical standards for BOP and IIP statistics to ensure coherence between the two data sets.</i></p>	
<p style="text-align: center;">Amendment 2 Recital 26ab (new)</p>	
None	<p>‘(26ab) Pursuant to Articles 127(4) and 282(5) of the Treaty, the ECB should be consulted on any proposed Union act in its fields of competence.</p>
<p style="text-align: center;"><u>Explanation</u></p> <p><i>Delegated and implementing acts of the Commission qualify as proposed Union acts within the meaning of the first indent of Articles 127(4) and 282(5) of the Treaty. The ECB therefore needs to be consulted on any draft delegated and implementing act that falls within its fields of competence. This consultation process will enable the ECB to contribute with the full benefit of its longstanding experience and expertise, particularly in the field of BOP statistics.³</i></p>	
<p style="text-align: center;">Amendment 3 Recital 26c (new)</p>	
None	<p>‘(26c) The Committee on Monetary, Financial and Balance of Payments Statistics, established by Council Decision 2006/856/EC, should ensure close cooperation between the European Statistical System and the European System of Central Banks to define, amend and update the requirements on international trade in services and all other business statistics requirements (e.g. to address data needs in the field of “globalization”) that directly or indirectly have an impact in the compilation of balance of payments and international investment positions statistics.’</p>

³ See also recital 12 of the Regulation (EU) 2016/1013 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 8 June 2016 amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment.

Text proposed by the Commission	Amendments proposed by the ECB ²												
<p><u>Explanation</u></p> <p>See paragraph 1.7 of the opinion. As already recognised in Article 23 of the proposed regulation, the Committee on Monetary, Financial and Balance of Payments Statistics should be consulted on all matters that fall within its sphere of competence. This is important also as regards phenomena, such as globalization, that may indirectly impact the compilation of balance of payments and international investment positions statistics.</p>													
<p>Amendment 4</p> <p>Annex I – Subject area 1. Short term business statistics</p>													
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⁴ Recommendation ESRB/2016/14 of the European Systemic Risk Board of 31 October 2016 on closing real estate data gaps (OJ C 31, 31.1.2017, p. 1).

Text proposed by the Commission	Amendments proposed by the ECB ²
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<p style="text-align: center;"><u>Explanation</u></p> <p><i>See the explanation for amendment 4.</i></p>	