



EUROPEAN CENTRAL BANK

OPINION OF THE EUROPEAN CENTRAL BANK

of 4 January 2002

at the request of the German Ministry of Economy and Technology
on a draft 56th regulation amending the Foreign Trade and Payments Regulation

(CON/2002/2)

1. On 3 December 2001 the European Central Bank (ECB) received a request from the Federal Ministry of Economy and Technology for an opinion on a draft 56th regulation amending the Foreign Trade and Payments Regulation (*Sechsfundfünfzigste Verordnung zur Änderung der Ausenwirtschaftsverordnung*) –(hereinafter referred to as the “draft Regulation”).
2. The ECB’s competence to deliver an opinion is based on Article 105(4) of the Treaty establishing the European Community, and the third and sixth indents of Article 2(1) of Council Decision 98/415/EC of 29 June 1998 on the consultation of the European Central Bank by national authorities regarding draft legislative provisions¹, as the draft Regulation contains provisions concerning the collection, compilation and distribution of monetary, financial, banking, payment systems and balance of payments statistics. In accordance with the first sentence of Article 17.5 of the Rules of Procedure of the European Central Bank, this opinion has been adopted by the Governing Council of the ECB.
3. The objective of the draft Regulation is to change certain provisions concerning statistical reporting requirements for balance of payments and the international investment position. In particular, thresholds are raised: for the exemption of national residents from having to report on foreign direct investment stocks inwards as well as outwards from EUR 500 000 to EUR 3 000 000 for the balance sheet total of the direct investment enterprise, and from having to report on claims and obligations vis-à-vis non-residents from EUR 1 500 000 to EUR 5 000 000. Moreover, the introduction of the euro has made it necessary to introduce changes in respect of the reporting obligations of credit institutions in respect of transactions resulting from cross-border travel.
4. The ECB notes that Article 1(1) and (2) of the draft Regulation is intended to ease the reporting obligations of German businesses. The ECB considers that the fulfilment of its reporting requirements by the Deutsche Bundesbank in relation to balance of payments statistics and the international investment position are unaffected, as stated in the explanatory letter. The ECB

¹ OJ L 189, 3.7.1998, p. 42.

supports any attempts to reduce the reporting burden in the area of statistics. The ECB acknowledges that an increase in thresholds may contribute to a reduction in the statistical burden. However, it assumes that qualitative or, where relevant, quantitative investigations of the impact of such increased thresholds on coverage and other quality aspects of the data that will be collected in the future have been or will be launched.

5. Article 1(5) of the draft Regulation proposes an amendment to the valuation of direct investment stocks in order to comply with the new presentation of the euro area statistics from end-2002 positions i.e. using market value (in addition to the current recording of book value). This amendment is highly welcomed by the ECB.
6. The ECB confirms that it has no objection to the competent national authorities making this opinion publicly available at their discretion.

Done at Frankfurt am Main on 4 January 2002.

The President of the ECB

[signed]

Willem F. DUISENBERG