



Proposal for a Regulation of the European parliament and of the Council amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures, COM (2014) 379, 2014/0194(COD)

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<b>Procedure</b>	<ul style="list-style-type: none"><li>Legal Basis: Treaty of the Functioning of the EU TFEU 338-p1</li><li>Ordinary Legislative Procedure: Council and EP</li></ul>		
<b>Stages in the procedure</b>	Commission	Commission adoption:	26.06.2014
	Council	Proposal received:	26.06.2014
		Council WP meetings:	16.10.2014 10.12.2014 22.01.2015 18.02.2015 17.03.2015
		COREPER:	27.05.2015 (general approach)
	Council of the EU:	<i>To be announced</i>	
European Parliament	Proposal received:	26.06.2014	
	Committee responsible:	Economic and monetary affairs (ECON)	
	Rapporteur:	Sven Giegold (Greens/DE)	
	Amendments tabled in Committee:	21.04.2015. PE 554.881v01-00 20.05.2015., PE 557.198v01-00	
	Vote in ECON Committee:	25.06.2015	
European Central Bank	ECB opinion: 05.12.2014, CON/2014/0084		

### Summary

The objective of this proposal is to amend Regulation (EC) No 184/2005 so as to align it to the new rules of the TFEU as regards powers, which may be delegated to the Commission to update data requirements (Annex I) and definitions (Annex II), and the implementing powers which shall be conferred on the Commission, where uniform conditions for implementing legally binding Union acts are needed (Article 291(2)), in particular to adopt common quality standards and harmonise the content and periodicity of the quality reports.

The amendment also concerns the reference to the BOP committee, which is proposed to be replaced by that to the ESSC, as being the only body with comitology powers to assist the Commission in the statistical domains of the balance of payments, international trade in services and foreign direct investment. This is to streamline the ESS governance and to improve coordination within the system.

At the CWPS meeting of 10 December 2014, some Member States along with the Commission and the ECB invited the Council Legal Service (CLS) to provide a written opinion on the CMFB consultative role. The formal opinion of the CLS was issued on 2 February 2015 (document No 5818/15). That document provided a legal analysis of the Commission obligation to consult the CMFB.

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During the Latvian Presidency the BoP file was discussed in three CWPS meetings. On 22 January 2015 in the interests of efficiency and in the spirit of compromise the Latvian Presidency invited Member States to seek for common ground between the Commission and the Member States. Therefore the Latvian Presidency presented three alternatives on Commission power to adopt delegated acts. Accordingly discussions on separating essential elements from non essential elements were also initialized. On 18 February 2015 the Latvian Presidency continued discussions on all open issues (including the CMFB role) and discussed all articles and recitals of the proposal.

Discussions on the file were finalised and provisional agreement was reached during the CWPS on 17 March 2015. After that the written procedure was launched with deadline of 17 April 2015. The vast majority of the Member States supported the Latvian Presidency's proposal. Nevertheless, several Member States still proposed changes in the wording with an aim to stress the necessity for cooperation with the CMFB (Recital 12). The Latvian Presidency consulted the CLS on the necessity for further provisions, besides the Recital 12b very clearly indicates areas for cooperation with the CMFB. After consultations with the CLS, the Latvian Presidency informed the Member States that the text in the document remains as proposed in the written consultation.

On 27 May 2015 proposal for the Regulation of the European Parliament and of the Council amending Regulation (EC) No 184/2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment as regards conferring of delegated and implementing powers upon the Commission for the adoption of certain measures (doc.6638/15) was endorsed unanimously by the COREPER II as a general approach.

Meanwhile, the ECON Committee due to its high priority given to the EFSI (European fund for strategic investments) had tabled its amendments to the Commission proposal only in April – May 2015. The Latvian Presidency has made first general discussions (telephone conferences) with the ECON Committee rapporteur explaining the position of the Council and other open issues. The ECON Committee has voted on its amendments on 25 June 2015. Further discussions will take place during the LUX PRES.