

## EXPLANATORY MEMORANDUM TO

### THE UK STATISTICS (AMENDMENT ETC.) (EU EXIT) REGULATIONS 2019

2019 No. [XXXX]

#### 1. Introduction

- 1.1 This explanatory memorandum has been prepared by the Statistics Board, known as the UK Statistics Authority, and is laid before Parliament by the Cabinet Office by Act.
- 1.2 This memorandum contains information for the Sifting Committees.

#### 2. Purpose of the instrument

- 2.1 This instrument addresses deficiencies in retained EU law relating to statistics arising from the withdrawal of the United Kingdom from the European Union. It is made under section 8 of the European Union (Withdrawal) Act 2018 (“the 2018 Act”), the majority of the law it addresses having been retained under section 3 of the same Act. In particular, this instrument:
- Amends the Statistics and Registration Service Act 2007 to replace references to EU law with references to the appropriate equivalent retained EU law;
  - Amends one Act and four statutory instruments so that their references to certain European standards continue to refer to the EU, rather than the retained EU law, version of those standards; and
  - Revokes the majority of the retained direct EU legislation that (a) sets out the EU architecture for the production by Member States, and transmission to Eurostat of statistical data and (b) establishes standards and technical classifications with respect to certain statistical data (together, “EU statistics law”), together with relevant equivalent law in the retained EEA agreement.

#### *Explanations*

##### *What did any relevant EU law do before exit day?*

- 2.2 Three sets of law are affected by this instrument.
- 2.3 First, the Statistics and Registration Service Act 2007 (“the 2007 Act”) sets out the overall framework for the production and supervision of UK statistics, including by establishing the Statistics Board (known as the UK Statistics Authority (“UKSA”). A number of provisions include references to EU law. In particular, s.29(5) of the 2007 Act allows the Minister for the Cabinet Office to give directions to the Statistics Board for the purpose of implementing any EU obligation; s.39(4)(b) dis-applies the bar on disclosure of the UKSA’s information where disclosure is required by an EU obligation; and ss.45A(12)(c) and (13), 45B(3)(c) and (4), and 45C(13)(d) and (14) provides that information may not be shared with the UKSA pursuant to those sections where disclosure would breach certain EU or EU-derived law.
- 2.4 Second, one Act (the Data Protection Act 2018) and four statutory instruments (the Public Contracts Regulations 2015, Concession Contracts Regulations 2016, Utilities

Contracts Regulations 2016 and Electricity Supplier Obligations (Amendment & Excluded Electricity) Regulations 2015) establish frameworks relating to various areas of law. The provisions concerned by this instrument are ones that anchor certain non-statistical classifications set out in that law to certain EU statistics law. For instance, Schedule 2 to the Public Contracts Regulations 2015 sets out what activities constitute ‘works’ for the purpose of that procurement law, and establishes the link between these definitions and EU classifications of those activities. Similarly, paragraph 1(3) of Schedule 1 to the Data Protection Act 2018 provides for the processing of certain data in certain circumstances relating to “social protection”, and provides that “social protection” is defined as set out in an EU law (Regulation (EC) 458/2007).

- 2.5 The third set consists of EU statistics law. This law does not currently form part of the domestic legal framework: it consists of a framework of EU Regulations and Decisions which apply in the UK via the European Communities Act 1972. However, on exit day, s.3 of the 2018 Act will preserve this law as part of domestic law. It will also preserve relevant versions of such law contained in Annex XXI to the EEA agreement. In this section, we briefly summarise what this law currently does at EU level. (The system described below also extends to the EEA states and Switzerland. However, for simplicity, the following text is confined to the system’s operation within the EU).
- 2.6 These laws set out an overarching framework and specific measures for the production of European statistics. European statistics are those “necessary for the performance of the activities of the Union” (Article 1 of Regulation (EC) 223/2009 and Article 338 TFEU).
- 2.7 European statistics are produced through a federalised system: the European Statistical System (“ESS”). The central authority is Eurostat, the independent statistical office of the European Commission. The decentralised bodies are the “national statistical institutes”, and other national authorities for the development, production and dissemination of European statistics, in each Member State. The UKSA is the UK’s national statistics institute. The overarching framework of both the ESS and of Eurostat is set out in two laws (Regulation (EC) 223/2009, as notably amended by Regulation (EU) 2015/759; and Commission Decision 2012/504/EU). Under that framework is a wide range of specific laws, many of which are sector-specific (“the specific law”).
- 2.8 Within this system, the UKSA is responsible for coordinating all activities within the UK for the development, production and dissemination of European statistics, including in particular coordinating statistical programming and reporting, quality monitoring, methodology, data transmission and communication on the ESS’s actions.
- 2.9 In this respect, the first key effect of this law within the UK concerns production, coordination and transmission. In particular, the specific law requires Member States to produce and send certain data to Eurostat so that Eurostat can produce European statistics. The law varies, with some requiring the information to be produced under particular classifications, in particular ways and at particular times (e.g. Regulation (EC) 1165/2008) and others imposing looser, broader requirements (e.g. Regulation (EC) 1221/2002). Those laws are in turn typically supplemented by implementing and delegated acts, made by the Commission, setting out technical detail (as to particular data requirements and the associated methodology) or amending the base law (to reflect changing standards and needs).

- 2.10 This law spans a wide range of topics across the span of EU competence, including statistics on agriculture and fisheries; trade; economy and finance; energy; environment; industry, services and tourism; population and social conditions; transport; research and development and information society.
- 2.11 The second key effect concerns quality, coding systems and classification. In particular, some of the specific law sets classifications and standards that certain European statistics must meet: for instance, standard classifications on territorial units (Regulation (EC) 1059/2003) or economic activities (Regulation (EC) 1893/2006). Those classifications and standards often reflect international standards.
- 2.12 Annexed to this EM is a table setting out in more detail what the principal instruments did before exit day, including a note as to which of the two aforementioned categories of effect the instrument falls within (Annex 2). The instruments not listed in the Annex are all either implementing or delegated acts made under the listed instruments (see paragraph 2.9 above) or legislation amending those listed instruments (e.g. Regulation (EC) 2257/2003). A complete list is included in the information paper that accompanies this EM.
- 2.13 It is important to emphasise (and see further below) that this third set of law exists independently of, and does not override, the UK's independent domestic statistical system. European statistics are only those necessary for the performance of the EU's activities, and Member States retain sole competence to produce statistics as they see fit for national purposes, including where those statistics overlap with EU statistics law. The production, dissemination and regulation of UK statistics operates under the UK's existing statistical framework, the basis of which lies in the Statistics and Registration Service Act 2007. As noted above, this Act established the UKSA, whose objective is to promote and safeguard the production and publication of official statistics that serve the public good. That law includes provision for the UKSA to establish and monitor proper statistical practices (ss.8, 10-16), standards and classifications (s.9) and to publish statistics (ss.20-22). It does so in accordance with international guidance as appropriate (see EN 56 to the 2007 Act, and Q2.1 of the Code of Practice for Statistics, edition 2.0, February 2018). In addition to this overarching framework, a small number of specific statutory obligations exist for the Secretary of State and other bodies to collect and publish certain statistics (see e.g. the Marine and Coastal Access Act 2009, s.175; see also the Statistics of Trade Act 1947, Census Act 1920, Population Statistics Act 1960 and the Agricultural Statistics Act 1979).

*Why is it being changed?*

- 2.14 The **first** change is straightforward. As of exit day, no EU obligations or EU legislation will have effect in UK law. This will make the 2007 Act's references to those concepts deficient. These references are being amended to refer to their retained EU law equivalents. This ensures that the provisions continue to operate effectively and avoids a conflict between retained EU law and the 2007 Act.
- 2.15 The **second** change is similarly straightforward. As of exit day, the references in this law to EU standards will refer to those standards' retained EU law versions: see paragraph 1 of Schedule 8 to the 2018 Act in the case of the ambulatory reference, and regulation 2 of the European Union (Withdrawal) Act 2018 (Consequential Modifications and Repeals and Revocations) (EU Exit) Regulations, laid in draft on 20 December 2018 in the case of non-ambulatory ones. However, this instrument will

revoke those retained EU law versions (see below). This second set of law will therefore be deficient. It is appropriate to amend these references so that they refer to the EU law versions of those standards. It is moreover appropriate that these references do not track future changes to those standards, so the references are amended to refer to EU law as it stood immediately before exit day.

- 2.16 The **third** change is more complex. All of the EU statistics law that becomes retained EU law will be deficient. The overarching law – namely the law establishing the European Statistical System (see paragraph 2.7 above) – is plainly redundant within the UK and should be revoked. The specific law is deficient because, amongst other things, it makes provision for, or in connection with, arrangements which involve the EU and which are no longer appropriate (s.8(2)(d) of the 2018 Act). In particular, this law will not operate effectively because the great majority of its obligations attach to Member States (which will no longer include the UK).
- 2.17 There are four reasons why the Minister considers that the arrangements set out in this law are no longer appropriate, and that revocation is the appropriate approach.
- 2.17.1 First, the great majority of this law requires transmission of statistics by the UKSA to Eurostat. Should the UK leave the EU without a deal to include the UK in European Statistics it would no longer form a part of the European Statistics System. It would clearly be inappropriate and redundant for the UKSA to continue to be obliged to send information to Eurostat, even assuming that it remained technically and legally possible for Eurostat to receive it.
- 2.17.2 Second, where this law expressly or implicitly requires the UK to collect or produce certain statistics to certain standards and classifications, this requirement is inextricable from those transmission requirements. Eurostat operates under a federal system: it relies on the national statistical institutes to coordinate collection of data on its behalf so that it may produce statistics relevant to the EU. That in turn requires harmonised standards as to what, when and how national statistical institutes collect the data they send to Eurostat. Only in this way can Eurostat obtain consistent data that it can compile to produce meaningful, comparable results. These standards are therefore rooted in the nature of the European Statistical System; they are the only way that twenty-eight diverse statistical systems can work together. Once the UK leaves that European system, and is no longer obliged to send data to Eurostat, it is appropriate to remove them.
- 2.17.3 Third, this approach is the most consistent with our domestic statutory framework for statistics. Parliament established the framework set out at paragraph 2.13 above for the production, dissemination and regulation of UK statistics. This provides for relevant standards and classifications to be set and monitored by the UKSA. In particular, the Code of Practice sets practices that are binding with respect to the producers of National Statistics. It also places an overarching duty on the UKSA to ensure that official statistics are sufficiently comprehensive (s.7(3)(c) of the 2007 Act), rather than imposing the highly specific, prescriptive requirements needed under EU law for the European Statistical System to function. It is notable and consistent with this that domestic law rarely places specific obligations on public authorities as to what, when and how to collect statistics. Revoking the EU statistics law therefore leaves in place that domestic framework, ensuring that the appropriate statistics are still collected, regulated and published under domestic powers.

2.17.4 Fourth, this is more appropriate than alternative options. In particular, in principle it would be possible to revoke the transmission obligations; retain the obligations concerning collection, standards and classification; and amend the law to sub-delegate to Ministers the power currently exercised by the Commission (to amend those laws in light of changes in the context or international standards). However, three objections make this an inappropriate course to follow. First, this is not consistent with the domestic statistics framework established by Parliament. As noted above, that framework consists of specific powers for the UKSA independently to establish and monitor standards and classifications, together with monitoring of the what, when and how. That power lies with that independent body and is not done by law. Second, retaining and amending EU statistics law in this way would be extremely onerous and risk harming the independence of statistics. Amending the law to impose the right obligations on the right bodies would be highly burdensome, and requiring this law to be amended whenever standards change would – in addition to being incompatible with the principle-based statistics system Parliament established in domestic law – be highly onerous and risk standards becoming out-of-date pending legislative amendment. In requiring such legislation, it would also risk undermining the independent, de-politicised status of the standards currently set by the UKSA. Third, this would not further the substantive aim of the retained EU law in question. As set out above at paragraph 2.17.2, these standards are set out in law because this is the way a federal system must function and because these statistics served the particular needs of the EU bodies. The substantive aim of those statistics (to ensure policy-makers and the public are informed) is robustly protected by the existing UK framework. Even if the law were preserved, it would in any event need to be amendable by Ministers as noted above. For these reasons, fossilising the EU statistics standards in law is significantly less appropriate than the approach taken in this instrument.

*What will it now do?*

- 2.18 The first change means that the 2007 Act’s references to EU law will continue to operate effectively, referring instead to equivalent retained EU law concepts. For instance, where release of information to the UKSA would have been prohibited by an EU law that is now contained in retained EU law, that bar will continue to be effective. In particular, regulations 2(4)(b), (5)(b) and (6)(b) amend references to “any enactment to the extent that it implements EU legislation” so it refers to the first two paragraphs (but not the second two paragraphs) of s.2(2) of the 2018 Act. This approach is considered to provide the closest approximation to the current effect of the law, where including the second two paragraphs would have risked inappropriately widening this bar to disclosure.
- 2.19 The second change means that these domestic law references to EU law statistical definitions will continue to operate effectively despite the revocation of the relevant retained EU law. They will refer to the version of the relevant EU law as it existed on the day before exit day.
- 2.20 The third change means that the retained EU statistics law in question will be revoked in its entirety. The UKSA and other public authorities will continue to collect, regulate and disseminate statistics under the UK’s domestic statistics framework as described above. Where appropriate, this will include continuing to collect statistics precisely as currently required for sending to Eurostat; where this is inappropriate and as circumstances or international obligations change, it will mean changing this. It

should be noted that the Code of Practice for Official Statistics safeguards the continuity of statistics by requiring producers to consider the impact of changes in the circumstances and context of a data source and ensure that any change should be clearly explained to users (see in particular Q2.5, V1, V4.5 and V5.6). Moreover, alongside the laying of this instrument for sifting, the National Statistician will publish a commitment to the continued alignment between UK official statistics and international standards, emphasising the importance of comparability to users of statistics, both over time and internationally.

- 2.21 Two further contextual points should be made. First, this instrument does not revoke the entirety of retained EU statistics law. In particular, there are a small number of retained regulations concerning trade, aviation and fisheries which include data collection powers or standards not replicated in domestic law and which it is appropriate to retain and amend. Separate Exit SIs, laid and to be laid by the relevant departments, address this law: see, for instance, the Statistics of Trade (Amendment etc.) (EU Exit) Regulations 2019. Similarly, some retained EU law which primarily concerns substantive policy also includes ancillary obligations relating to statistics. This law is not dealt with by this instrument: again, separate Exit SIs will address these. The UKSA has worked carefully with departments across government to ensure a consistent approach is taken in this respect.
- 2.22 Second, the Cabinet Office has laid this instrument, prepared by the UK Statistics Authority, on behalf of all government departments, in preference to each department laying an instrument for the statistical obligations for which it is responsible. This approach ensures consistency and saves considerable Parliamentary time.

### **3. Matters of special interest to Parliament**

#### *Matters of special interest to the Sifting Committees*

- 3.1 This instrument is being laid for sifting under the 2018 Act.

#### *Matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business (English Votes for English Laws)*

- 3.2 As the instrument is subject to the negative resolution procedure there are no matters relevant to Standing Orders Nos. 83P and 83T of the Standing Orders of the House of Commons relating to Public Business at this stage.

### **4. Extent and Territorial Application**

- 4.1 The territorial extent of this instrument is the United Kingdom.
- 4.2 The territorial application of this instrument is the United Kingdom.

### **5. European Convention on Human Rights**

- 5.1 The Minister for the Constitution has made the following statement regarding Human Rights:

*“In my view the provisions of the UK Statistics (Amendment etc.) (EU Exit) Regulations 2019 are compatible with the Convention rights.”*

## **6. Legislative Context**

- 6.1 The legislative context with respect to UK and EU statistics law is set out in paragraph 2, above.
- 6.2 The legislative context with respect to retained EU law, and the power under which this instrument is made, may be found in the 2018 Act. In particular, section 2 of the Act provides that legislation made under section 2(2) of the European Communities Act 1972, and certain law relating to the EU, is “EU-derived domestic legislation”; section 3 incorporates certain EU regulations and decisions, including all those included in the Schedule to this instrument, into domestic law as “direct EU legislation”; section 6(7) defines “retained EU law” to include both EU-derived domestic legislation and direct EU legislation; and section 8 provides that a Minister of the Crown may by regulations make such provision as the Minister considers appropriate to prevent, remedy or mitigate any failure of retained EU law to operate effectively or any other deficiency in retained EU law arising from the withdrawal of the United Kingdom from the EU.

## **7. Policy background**

### *What is being done and why?*

- 7.1 The policy background, together with what is being done and why, is set out in full above in paragraph 2.

## **8. European Union (Withdrawal) Act/Withdrawal of the United Kingdom from the European Union**

- 8.1 This instrument is being made using the power in section 8 of the European Union (Withdrawal) Act 2018 in order to address failures of retained EU law to operate effectively or other deficiencies arising from the withdrawal of the United Kingdom from the European Union. In accordance with the requirements of that Act the Minister has made the relevant statements as detailed in Part 2 of Annex 1.

## **9. Consolidation**

- 9.1 As this instrument makes targeted amendments to particular domestic laws and revokes relevant retained EU law, consolidation is not appropriate.

## **10. Consultation outcome**

- 10.1 For the reasons set out in paragraph 12 below, this instrument will not materially affect business, charity or voluntary bodies, nor public authorities’ powers to collect statistics. As a result, a full public consultation has not been undertaken.
- 10.2 The UK Statistics Authority has consulted government departments on the scope of this instrument and how the repeal of these retained EU laws will affect the Government Statistical Service, the cross-government network led by the National Statistician that seeks to provide high quality statistics, analysis and advice to help Britain make better decisions. As outlined above, in the vast majority of cases departments agreed that existing powers under statute and common law, and supervision and standard-setting by the UKSA under the 2007 Act, would ensure the same statistical service could continue to be provided. In a small number of cases, amendments to domestic and retained EU law were necessary (see paragraphs 2.15

and 2.21 above), and UKSA have worked closely with departments to support them in bringing forward their own legislation in this respect.

- 10.3 This instrument partly falls within Welsh, Scottish and Northern Ireland devolved competence. Throughout the planning and drafting of this instrument, officials from the UKSA have maintained a regular dialogue with the Chief Statisticians in the devolved administrations to consult them on the instrument. As part of this consultation, complete lists of the retained EU law to be revoked were shared with officials in each devolved administration, along with policy advice regarding the scope of the proposed changes. The Minister for the Constitution has written to the devolved administrations. Northern Irish officials have confirmed their agreement with this instrument. The Welsh Minister for Finance and trefnydd and the Scottish Cabinet Secretary for Finance, Economy and Fair Work have confirmed the Welsh and Scottish Government's consent to this SI respectively.

## **11. Guidance**

- 11.1 There is no guidance associated with this instrument. UKSA publish extensive guidance on statistical standards and classifications in accordance with their statutory role.

## **12. Impact**

- 12.1 There is no, or no significant, impact on business, charities or voluntary bodies. The first and second parts of this instrument (see above, paragraphs 2.2 and onward) maintain the status quo as far as possible. The third only affects the technical framework within which public authorities operate and has no direct impact on business, charities or voluntary bodies. In this respect, it is the domestic statistics framework (paragraphs 2.13 above) that grants public authorities power to require information from persons, including businesses, in certain circumstances (subject to certain exceptions outside the scope of this instrument: paragraph 2.21 above). That domestic framework is unaffected by this instrument. The information public authorities decide to require (and therefore the burden on businesses) is determined by a number of factors with respect to use, demand and statistical and legal requirements. It is true that one of those factors is whether information is required for sending to Eurostat, and so it is theoretically possible that removing such obligations could indirectly impact on certain businesses (by leading to a reduction in certain burdens). However, any such effects would arise from those public authorities' decisions, not from this instrument. Moreover, for the reasons set out at paragraph 2.20 above, a high degree of continuity is expected such that any change in burden would be negligible.
- 12.2 There is no, or no significant, impact on the public sector. Such impact as can be expected from the third part of the instrument is the removal of now redundant burdens (notably the need to collect and prepare data for transmission to Eurostat, together with the transmission itself). For the reasons set out in the previous paragraph, we assess the change in burden for collection and preparation to be indirect and minimal. We assess the change resulting from ceasing to transmit data to Eurostat to be minimal, partly for the same reasons and partly because the increased need for public authorities to send data to certain international organisations (which Eurostat presently does on the EU's behalf) is expected to balance out any burden reduction.
- 12.3 An impact assessment has accordingly not been prepared for this instrument.



### **13. Regulating small business**

13.1 The instrument does not apply to activities that are undertaken by small businesses.

### **14. Monitoring & review**

14.1 No specific monitoring arrangements are needed,

14.2 As this instrument is made under the 2018 Act, no review clause is required.

### **15. Contact**

15.1 Matt McKeown at the UK Statistics Authority, telephone: 01329 44 7668 or email: [matt.mckeown@statistics.gov.uk](mailto:matt.mckeown@statistics.gov.uk) can be contacted with any queries regarding the instrument.

15.2 Robert Bumpstead at the UK Statistics Authority can confirm that this Explanatory Memorandum meets the required standard.

15.3 The Minister for the Constitution can confirm that this Explanatory Memorandum meets the required standard.

# Annex 1

## Statements under the European Union (Withdrawal) Act 2018

### Part 1

#### Table of Statements under the 2018 Act

This table sets out the statements that may be required under the 2018 Act.

Statement	Where the requirement sits	To whom it applies	What it requires
Sifting	Paragraphs 3(3), 3(7) and 17(3) and 17(7) of Schedule 7	Ministers of the Crown exercising sections 8(1), 9 and 23(1) to make a Negative SI	Explain why the instrument should be subject to the negative procedure and, if applicable, why they disagree with the recommendation(s) of the SLSC/Sifting Committees
Appropriate-ness	Sub-paragraph (2) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1), 9 and 23(1) or jointly exercising powers in Schedule 2	A statement that the SI does no more than is appropriate.
Good Reasons	Sub-paragraph (3) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1), 9 and 23(1) or jointly exercising powers in Schedule 2	Explain the good reasons for making the instrument and that what is being done is a reasonable course of action.
Equalities	Sub-paragraphs (4) and (5) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1), 9 and 23(1) or jointly exercising powers in Schedule 2	Explain what, if any, amendment, repeals or revocations are being made to the Equalities Acts 2006 and 2010 and legislation made under them.  State that the Minister has had due regard to the need to eliminate discrimination and other conduct prohibited under the Equality Act 2010.
Explanations	Sub-paragraph (6) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1), 9 and 23(1) or jointly exercising powers in Schedule 2 In addition to the statutory obligation the Government has made a political commitment to include these statements alongside all EUWA SIs	Explain the instrument, identify the relevant law before exit day, explain the instrument's effect on retained EU law and give information about the purpose of the instrument, e.g., whether minor or technical changes only are intended to the EU retained law.
Criminal offences	Sub-paragraphs (3) and (7) of paragraph 28, Schedule 7	Ministers of the Crown exercising sections 8(1), 9, and	Set out the 'good reasons' for creating a criminal offence, and the penalty attached.

		23(1) or jointly exercising powers in Schedule 2 to create a criminal offence	
Sub-delegation	Paragraph 30, Schedule 7	Ministers of the Crown exercising sections 10(1), 12 and part 1 of Schedule 4 to create a legislative power exercisable not by a Minister of the Crown or a Devolved Authority by Statutory Instrument.	State why it is appropriate to create such a sub-delegated power.
Urgency	Paragraph 34, Schedule 7	Ministers of the Crown using the urgent procedure in paragraphs 4 or 14, Schedule 7.	Statement of the reasons for the Minister's opinion that the SI is urgent.
Explanations where amending regulations under 2(2) ECA 1972	Paragraph 13, Schedule 8	Anybody making an SI after exit day under powers outside the European Union (Withdrawal) Act 2018 which modifies subordinate legislation made under s. 2(2) ECA	Statement explaining the good reasons for modifying the instrument made under s. 2(2) ECA, identifying the relevant law before exit day, and explaining the instrument's effect on retained EU law.
Scrutiny statement where amending regulations under 2(2) ECA 1972	Paragraph 16, Schedule 8	Anybody making an SI after exit day under powers outside the European Union (Withdrawal) Act 2018 which modifies subordinate legislation made under s. 2(2) ECA	Statement setting out: a) the steps which the relevant authority has taken to make the draft instrument published in accordance with paragraph 16(2), Schedule 8 available to each House of Parliament, b) containing information about the relevant authority's response to— (i) any recommendations made by a committee of either House of Parliament about the published draft instrument, and (ii) any other representations made to the relevant authority about the published draft instrument, and, c) containing any other information that the relevant authority considers appropriate in relation to the scrutiny of the instrument or draft instrument which is to be laid.

## Part 2

### Statements required when using enabling powers under the European Union (Withdrawal) 2018 Act

#### 1. Sifting statement(s)

- 1.1 The Minister for the Constitution has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In my view the UK Statistics (Amendment etc.) (EU Exit) Regulations 2019 should be subject to annulment in pursuance of a resolution of either House of Parliament (i.e. the negative procedure)”.

- 1.2 This is the case because the instrument consists of (1) minimal textual amendments to one piece of primary legislation, seeking to maintain the status quo; (2) minimal textual amendments to one further Act and four statutory instruments which again maintain the status quo; and (3) the revocation of deficient retained EU law that fundamentally – including in its provisions on standards and production – concerns transmission of data to Eurostat. This third category is essentially a removal of redundant EU institutional law that it is clearly inappropriate to retain post-Exit and, accordingly, the negative procedure is appropriate.

#### 2. Appropriateness statement

- 2.1 The Minister for the Constitution has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In my view the UK Statistics (Amendment etc.) (EU Exit) Regulations 2019 does no more than is appropriate”.

- 2.2 With respect to the changes to domestic law, this is the case because it consists of technical changes that seek to maintain the status quo. With respect to the revocation of retained EU law, this is the case because it revokes law that provides for, or is inextricably linked to, the transmission of data to Eurostat; because this is the approach most consistent with the domestic UK statistics framework; and because it is more appropriate than retention and correction of that law, something that would entail a highly onerous process for maintaining the law, risk undermining the role of the UKSA, and not substantially serve any public interest.

#### 3. Good reasons

- 3.1 The Minister for the Constitution has made the following statement regarding use of legislative powers in the European Union (Withdrawal) Act 2018:

“In my view there are good reasons for the provisions in this instrument, and I have concluded they are a reasonable course of action”.

- 3.2 With respect to the changes to domestic law, this is the case because it consists of technical changes that seek to maintain the status quo. With respect to the revocation of retained EU law, the reasons are that in the event that the UK leaves the EU without an agreement to continue to participate in the European Statistical System, it is reasonable to revoke retained EU legislation which would impose unnecessary and

deficient obligations on the UK to transmit statistics to Eurostat, together with the collection, standard and classification obligations entailed by those transmission obligations. Revocation would remove these obligations, maintaining the integrity of the UK's domestic statistics collection framework and the position of the UKSA.

#### **4. Equalities**

4.1 The Minister for the Constitution has made the following statement:

“The draft instrument does not amend, repeal or revoke a provision or provisions in the Equality Act 2006 or the Equality Act 2010 or subordinate legislation made under those Acts.”

4.2 The Minister for the Cabinet Office has made the following statement regarding the use of legislative powers in the European Union (Withdrawal) Act 2018:

“In relation to the draft instrument, I have had due regard to the need to eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under the Equality Act 2010.”

4.3 Little or no impact on equalities is expected.

#### **5. Explanations**

5.1 The explanations statement has been made in paragraph 2 of the main body of this explanatory memorandum.

## Annex 2

### Table on the main retained EU law this instrument revokes

SI Ref.	Title of EU Regulation	Summary of base legislation
2	Council Regulation (EEC) No 3037/90 of 9 October 1990 on the statistical classification of economic activities in the European Community	<p>Sets out a classification of economic activities to be used across the EU to ensure that statistics gathered are comparable. It has been amended several times. The main amendment was Regulation (EC) No 1893/2006 establishing NACE Revision 2, which currently applies.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
3	Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community	<p>Defines statistical units used for collecting, transmitting, publishing and analysing data on the production system in the EU. These definitions of statistical units are necessary so that Eurostat can provide reliable, detailed harmonised statistics with the necessary speed and flexibility to businesses, financial institutions, governments and others across the EU. The choice of statistical unit to be used for particular enquiries or analyses is determined in specific texts.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
4	93/704/EC: Council Decision of 30 November 1993 on the creation of a Community database on road accidents	<p>This decision obliges Member States to compile statistics on road accidents that result in injury or death and then to transmit these to the EU via a computer database which is also established by this decision.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
5	Council Regulation (EC) No 2744/95 of 27 November 1995 on statistics on the structure and distribution of earnings	<p>Regulation 2744/95 places an obligation on Member States to provide statistical data on the structure and distribution of all employees' earnings across a series of economic activities. It defines quality criteria that these data will meet and a timetable for when such data shall be transmitted to the EU.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
6	Council Regulation 577/98 on the organisation of a labour force sample survey in the Community	<p>It sets up a harmonised methodology for collecting national statistics on labour participation of people aged 15 and over, as well as on persons outside the labour force. It lays down rules and guidelines on various aspects, such as the survey's design, characteristics, methods and decision-making, so as to ensure comparable results.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
7	Council Regulation 1165/98 concerning Short-Term Statistics	<p>Establishes a common framework for the production of short-term Community statistics on the business cycle.</p> <p>The overall aim is to provide a uniform basis for the analysis of short-term evolution supply and demand, production factors and prices.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>

8	Council Regulation (EC) No 2533/98 of 23 November 1998 concerning the collection of statistical information by the European Central Bank	<p>Regulation 2533/98 provides powers to the European Central Bank to collect statistical data from various institutions within Member States.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
9	Council Regulation 530/1999 concerning the structural statistics on earnings and on labour costs	<p>It aims to help the EU to formulate its policies, on the basis of reliable and comparable statistics from across the EU, in all regions and for all social and economic fields. To this end, Regulation (EC) No 530/1999 sets out what type of data statistical authorities across the EU should collect, and how they should do it.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
13	Commission Regulation 1618/1999 concerning the criteria for the evaluation of quality of structural business statistics	<p>Establishes a common framework for measuring yearly, at European Community level, the quality of structural business statistics compiled in the framework of Regulation (EC) No 58/97 concerning structural business statistics.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
25	Commission Regulation (EC) No 2163/2001 of 7 November 2001 concerning the technical arrangements for data transmission for statistics on the carriage of goods by road	<p>Specifies the format in which the data is to be transmitted to Eurostat in sufficient detail to ensure that the data can be processed rapidly and in a cost-effective way.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
27	Regulation 1221/2002 on quarterly non-financial accounts for general government	<p>It defines the main categories of public non-financial accounts, as set out in ESA 95, whose details EU countries' statistical offices must communicate to the European Commission (Eurostat) every 3 months.</p> <p>It sets out the categories of general government expenditure and revenue to be transmitted to the Commission on a quarterly basis.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
31	Regulation (EC) No 2150/2002 of the European Parliament and of the Council of 25 November 2002 on waste statistics	<p>This regulation permits the gathering of regular and comparable data on waste in EU countries and their transmission to Eurostat, the EU's statistics office. The statistics collected allow EU waste policy implementation to be monitored and evaluated.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
32	Commission Regulation (EC) No 6/2003 of 30 December 2002 concerning the dissemination of statistics on the carriage of goods by road	<p>Dissemination of statistics on the carriage of goods by road.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
33	Regulation 450/2003 concerning the labour cost index	<p>Establishes common rules for the production, transmission and evaluation of comparable labour cost indices (LCIs) in the EU. LCIs measure the cost of labour as a factor in production.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
34	Regulation (EC) No 1059/2003 of the European Parliament and of the Council of 26 May 2003 on the establishment of a common classification of territorial units for statistics (NUTS)	<p>It sets out the rules for the Nomenclature of Territorial Units for Statistics (NUTS), a system used mainly to assess levels of eligibility for European Union (EU) Structural Funds and gives NUTS legal status. It also contains rules for future amendments to the classification. This is to ensure that the data refers to the same regional unit for a certain period of time. This is important especially for statistical time series.</p>

		This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.
35	Regulation 1177/2003 concerning Community statistics on income and living conditions (EU-SILC)	<p>It sets up a system for the gathering and compilation of statistics on income and living conditions in the EU, known as EU-SILC. This data serves to monitor the progress of the Europe 2020 strategy and more particularly its target of poverty reduction, hence the importance of ensuring that data collected is comparable by ensuring the rules on their collection and compilation are harmonised.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
37	Council Regulation 1287/2003 on the harmonisation of gross national income at market prices	<p>Harmonisation of gross national income at market prices (GNI) for purposes of sharing with Commission.</p> <p>Each year, Member States are required to provide Eurostat with figures for aggregate GNI and its components.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
38	Decision No 1608/2003/EC of the European Parliament and of the Council of 22 July 2003 concerning the production and development of Community statistics on science and technology (Text with EEA relevance)	<p>It sets up a statistical information system to support the management of science and technology policies in the EU. This allows the research and development (R&amp;D), as well as innovation capability, of the EU's regions to be assessed, taking into account support from the Structural Funds.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
47	Regulation (EC) No 48/2004 of the European Parliament and of the Council of 5 December 2003 on the production of annual Community statistics on the steel industry for the reference years 2003-2009	<p>Regulation 48/2004 obliges Member States to provide statistical data on the production of steel between 2003 and 2009. It provides definitions for steel production and the wider industry, sets quality criteria and a timeline for transmission of these data to the EU.</p> <p>This instrument relates to the production, coordination and transmission of statistics and also to the quality, coding systems and classification of statistics. Please see paragraphs 2.9, 2.10 and 2.11 above.</p>
48	Regulation (EC) No 138/2004 of the European Parliament and of the Council of 5 December 2003 on the economic accounts for agriculture in the Community (Text with EEA relevance)	<p>Regulation 138/2004 sets up the economic accounts for agriculture in the EU by providing common standards, definitions, classifications and accounting rules for compiling accounts and for the transmission of data including time limits to provide data.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
51	Regulation 501/2004 on quarterly financial accounts for general government	<p>It lists and defines the main categories of public sector financial transactions and financial assets and liabilities whose details EU countries must communicate to the European Commission (Eurostat) every 3 months.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>



54	Regulation (EC) No 808/2004 of the European Parliament and of the Council of 21 April 2004 concerning Community statistics on the information society	<p>It seeks to establish a common EU-wide system for the collection of statistics on the digital economy and society. The statistics collected serve as a basis for EU policy and strategy on the development of the European information society.</p> <p>This instrument relates to the production, coordination and transmission of statistics and also to the quality, coding systems and classification of statistics. Please see paragraphs 2.9, 2.10 and 2.11 above.</p>
55	Council Regulation 1222/2004 concerning the compilation and transmission of data on the quarterly government debt	<p>Sets out Member State obligation to compile and transmit to the European Commission data on quarterly government debt by certain time periods.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
60	Regulation (EC) No 184/2005 of the European Parliament and of the Council of 12 January 2005 on Community statistics concerning balance of payments, international trade in services and foreign direct investment	<p>It establishes a common framework for regularly producing European Union statistics on balance of payments, international trade in services and foreign direct investment (FDI).</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
66	Commission Regulation (EC) No 782/2005 of 24 May 2005 setting out the format for the transmission of results on waste statistics	<p>Transmission of results on waste statistics to the Commission.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
71	Regulation (EC) No 1161/2005 of the European Parliament and of the Council of 6 July 2005 on the compilation of quarterly non-financial accounts by institutional sector	<p>This Regulation provides a common framework for the contributions of the Member States to the compilation of quarterly European non-financial accounts by institutional sector.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
74	Regulation 1552/2005 on statistics relating to vocational training in enterprises	<p>It lays down the rules and methods for collecting European statistics on vocational training in enterprises.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
92	Regulation 1893/2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) 3037/90 as well as certain EC Regulations on specific statistical domains	<p>Establishes a common statistical classification, covering all economic activities in the EU. This is known as NACE Rev. 2 and ensures compatibility between global, EU and national systems, and statistics.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
93	Regulation 1921/2006 on the submission of statistical data on landings of fishery products in Member States and repealing the Council Regulation	<p>This regulation requires Member States to submit to the Commission statistical data in respect of the fishery products landed on its territory by Community and European Free Trade Agreement (EFTA) fishing vessels.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
97	Commission Regulation (EC) No 332/2007 of 27 March 2007 on the technical arrangements for the transmission of railway transport statistics	<p>Sets out the technical format for the transmission of data to the Commission (Eurostat) regarding railway transport.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
100	Regulation 458/2007 on the European system of integrated social protection statistics (ESSPROS)	<p>Establishes the European system of integrated social protection statistics (ESSPROS). This system provides a legal framework intended to improve the usefulness of current data collections in terms of timeliness, coverage and comparability.</p> <p>This instrument relates to the quality, coding systems and classification</p>

		of statistics. Please see paragraph 2.11 above.
104	Regulation 716/2007 on Community Statistics on the structure and activity of foreign affiliates	<p>Aims to create common statistical standards for the systematic production of comparable statistics on the structure and activity of foreign affiliates.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
107	Regulation 862/2007 on Community statistics on migration and international protection and repealing Council Regulation 311/76 on compilation of statistics on foreign workers	<p>Sets out EU rules for the collection and compilation of statistics on migration (emigration and immigration), international protection (asylum), regular and irregular migration and returns by EU and EFTA countries.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
111	Regulation (EC) No 1445/2007 of the European Parliament and of the Council of 11 December 2007 establishing common rules for the provision of basic information on Purchasing Power Parities and for their calculation and dissemination	<p>Establishes common rules for the provision of basic information on purchasing power parities and for their calculation and dissemination. Purchasing Power Parities (PPPs) are a way of measuring price differences between countries. The EU has agreed on rules for their calculation within the national statistical institutes and Eurostat, the EU's statistical office. These rules aim to improve the quality and comparability of the data collected and calculated.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
120	Regulation 295/2008 concerning structural business statistics (recast)	<p>It seeks to ensure that high-quality structural business statistics (SBSs) are collected, compiled and transmitted by EU countries to Eurostat according to agreed standards and formats.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
126	Regulation (EC) No 451/2008 of the European Parliament and of the Council of 23 April 2008 establishing a new statistical classification of products by activity (CPA) and repealing Council Regulation (EEC) No 3696/93	<p>Introduces a new statistical classification of products (both goods and services) by activity (CPA) in the EU, replacing and repealing a previous classification from 1993.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
127	Regulation 452/2008 concerning the production and development of statistics on education and lifelong learning	<p>Establishes a common framework on statistical standards for the production of harmonised data in the area of education and lifelong learning.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
128	Regulation 453/2008 on quarterly statistics on Community job vacancies	<p>Lays down the requirements for the regular quarterly production of statistics on job vacancies in the EU.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
132	Regulation 762/2008 on the submission by Member States of statistics on aquaculture and repealing Council Regulation 788/96	<p>Member States shall submit to the Commission statistics on all the aquaculture activities conducted in freshwater and saltwater on their territory.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>

133	Regulation 763/2008 on population and housing censuses	<p>It sets out common rules for the provision of census statistics on population and housing in the EU. It aims to achieve comprehensive and flexible dissemination of census data as well as transparency regarding their quality.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
138	Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics	<p>It sets up a system to produce EU-wide statistics on energy products and their aggregates. It covers the entire process of collecting, transmitting, evaluating and disseminating the data.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
139	Regulation 1165/2008 concerning livestock and meat statistics and repealing directives 93/23/EEC and 93/25/EEC	<p>Sets up a system for the compilation and production of statistics on livestock and meat in the EU. These statistics are used to manage and evaluate the EU's common agricultural policy.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
141	Decision No 1297/2008/EC of the European Parliament and of the Council of 16 December 2008 on a Programme for the Modernisation of European Enterprise and Trade Statistics (MEETS) (Text with EEA relevance)	<p>A decision that relates to things that are no longer of concern to the UK after EU exit</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
142	Regulation 1338/2008 on Community statistics on public health and safety at work	<p>It sets rules for how statistics on public health and health &amp; safety at work should be collected and presented - to provide comparable data across all EU countries. This helps the EU produce effective public health policy and support national strategies in this field.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
146	Regulation 216/2009 on the submission of nominal catch statistics by member states fishing in certain areas other than those of the North Atlantic	<p>Establishes that Member States shall submit to the Commission data on the nominal catches by vessels registered in or flying the flag of that Member State fishing in certain areas other than those of the North Atlantic.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
147	Regulation 217/2009 on the submission of catch and activity statistics by Member States fishing in the North-West Atlantic	<p>Concerns the submission by EU countries to the European Commission (Eurostat) of accurate and timely statistics on fishing vessel catches.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
149	Regulation (EC) No 223/2009 of the European Parliament and of the Council - European statistics - New legal framework	<p>Aims to establish a legal framework for the development, production and dissemination of European statistics.</p> <p>This instrument establishes the overarching framework for the ESS and Eurostat also relates to the quality, coding systems and classification of statistics. Please see paragraphs 2.7 and 2.11 above.</p>
154	Council Regulation 479/2009 on the application of the Protocol on the excessive deficit procedure annexed to the treaty establishing the European Community (codified version)	<p>It sets out the procedures under which EU governments provide the European Commission with information on their national deficit and debt.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>

155	Regulation 543/2009 concerning crop statistics and repealing Council Regulations 837/90 and 959/93	<p>Establishes a common framework for the systematic production of Community statistics on agricultural land use and crop production.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
162	Regulation 1185/2009 concerning statistics on pesticides	<p>It sets up rules and procedures for the collection and dissemination of statistics on the sale and use of pesticides. These statistics, together with other relevant data, will allow the EU countries to draw up the national action plans with quantitative objectives, targets, measures and timetables, envisaged in Directive 2009/128/EC and aimed at reducing the risks and impacts of pesticide use on human health and the environment. They are also necessary for assessing EU policies on sustainable development and for calculating relevant indicators on the risks for health and the environment related to pesticide use.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
165	Council Regulation (EC) No 1217/2009 of 30 November 2009 setting up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community	<p>The Farm Accountancy Data Network (FADN) enables the European Commission to collect data on the incomes and economic activities of agricultural holdings in the EU in order to take informed decisions to shape the future common agricultural policy. It sets up a network for the collection of accountancy data on the incomes and business operation of agricultural holdings in the European Community.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
193	Regulation (EU) No 691/2011 of the European Parliament and of the Council of 6 July 2011 on European environmental economic accounts	<p>The objective of this regulation is to make it easier to compare environmental economic accounts across EU countries, calling on environment-related data that is understandable and accessible.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
194	Regulation 692/2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC	<p>Establishes EU rules and methods for the development, production and dissemination of statistics on tourism. It is closely related to Regulation (EC) No 223/2009 on European statistics.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
198	Regulation 1337/2011 concerning European statistics on permanent crops and repealing council Regulation 357/79 and Directive 2001/109/EC	<p>It introduces rules on the production of European statistics on permanent crops. Examples of these include vines, olives and fruits grown on trees or shrubs. It repeals Regulation (EEC) No 357/79 on statistical surveys of vines and Directive 2001/109/EC on statistics relating to the production potential of fruit trees — both sectors whose production and market conditions have evolved significantly since these acts came into force.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
201	Regulation (EU) No 70/2012 of the European Parliament and of the Council of 18 January 2012 on statistical returns in respect of the carriage of goods by road (Recast)	<p>It sets out the rules for the production of comparable EU-wide statistics on goods transport by road. It revises and repeals Regulation (EC) No 1172/98, which had been amended several times, and aligns the regulation with the Lisbon treaty with regard to the delegation of powers to the European Commission to adopt supplementary legislation.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>

211	Regulation (EU) No 99/2013 of the European Parliament and of the Council of 15 January 2013 on the European statistical programme 2013-17	<p>Regulation (EU) No 99/2013 establishes a European statistical programme for the period 2013 to 2017. It was amended by Regulation (EU) 2017/1951 which extends the programme until 2020, when the current multiannual financial framework comes to an end.</p> <p>This instrument relates to the quality, coding systems and classification of statistics. Please see paragraph 2.11 above.</p>
222	Regulation 1260/2013 on European demographic statistics	<p>It seeks to regulate the harmonisation and provision of data on population and on vital events (i.e. births and deaths) linked to the population. It lays down common definitions, subjects covered and characteristics of the required information, coverage, quality criteria and reporting deadlines and results although EU countries will compile the data using their own national sources and practices.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
268	Regulation (EU) 2016/1952 of the European Parliament and of the Council of 26 October 2016 on European statistics on natural gas and electricity prices and repealing Directive 2008/92/EC	<p>Establishes a common framework for the development, production and dissemination of comparable European statistics on natural gas and electricity prices for household and final non-household customers in the Union.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>
289	Regulation (EU) 2018/643 of the European Parliament and of the Council of 18 April 2018 on rail transport statistics	<p>Regulation (EU) No 2018/643 establishes a European statistical programme related to rail transport statistics and compels member states to provide related statistical data sets to Eurostat.</p> <p>This instrument relates to the production, coordination and transmission of statistics. Please see paragraphs 2.9 and 2.10 above.</p>