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COVER NOTE

From:	Secretary-General of the European Commission, signed by Mr Jordi AYET PUIGARNAU, Director
date of receipt:	21 August 2020
To:	Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of the European Union
No. Cion doc.:	C(2020) 4847 final
Subject:	COMMISSION DELEGATED REGULATION (EU) .../... of 23.7.2020 amending Annex I to Regulation (EU) No 692/2011 of the European Parliament and of the Council, on the classification of countries of residence of guests staying at tourist accommodation establishments in the context of the withdrawal of the United Kingdom from the Union

Delegations will find attached document C(2020) 4847 final.

Encl.: C(2020) 4847 final

Brussels, 23.7.2020
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COMMISSION DELEGATED REGULATION (EU) .../...

of 23.7.2020

amending Annex I to Regulation (EU) No 692/2011 of the European Parliament and of the Council, on the classification of countries of residence of guests staying at tourist accommodation establishments in the context of the withdrawal of the United Kingdom from the Union

(Text with EEA relevance)

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

The United Kingdom withdrew from the European Union (EU) on 1 February 2020. As of that date, European statistics on tourism need to reflect the United Kingdom as a non-EU country (third country).

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

The Commission carried out appropriate consultations, including at expert level, during its preparatory work on this delegated act.

The parties consulted include the Expert Group on Tourism Statistics, the Business Statistics Directors' Group and the Expert Group 'National Statistical Institutes of the European Statistical System'. They were consulted by written procedure between February 2020 and June 2020.

The European Parliament and the Council have been duly informed.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The basis for this delegated act is the empowerment granted to the Commission in Article 3(2) of Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism¹. The Commission is empowered to adopt delegated acts concerning adaptation of the Annexes in order to take account of economic, social or technical developments.

To align the Regulation with the United Kingdom being a non-EU country (third country) since 1 February 2020, this delegated act updates the categories to be used for the country or the geographical area of residence of guests staying at tourist accommodation establishments, as set out in Section 3 'E. Countries and geographical areas' of Annex I to Regulation (EU) No 692/2011, by including the United Kingdom as a separate country.

The rationale for the proposed update is as follows:

Given the importance of the United Kingdom as a market for generating tourism in the EU, the Commission would need to continue receiving reporting countries' data on inbound tourism flows from the United Kingdom separately. This is currently the case for major partners such as Russia, United States, Canada, Brazil, China and the European Free Trade Association (EFTA) countries. The change would not increase the burden on Member States as they already transmit these data to the EU's statistical office Eurostat in the category 'European Union (the Union); to be reported separately: each Member State'. It only involves a shift to another line in the transmission format template.

It is not advisable to move a country or geographical area – in this case the United Kingdom – from one subcategory to another within a given reference year. The Commission therefore proposes applying the adapted classification for the entire reference year of 2020 and onwards (data to be transmitted to Eurostat by 30 June 2021, as laid down in Article 9(4)(a) of Regulation (EU) No 692/2011).

This update does not increase the burden on the Member States and respondents, nor does it modify the applicable underlying conceptual framework.

¹ OJ L 192, 22.7.2011, p. 17.

The delegated act has no implications for the EU budget.

It concerns a matter relating to the European Economic Area, and its application should therefore extend to this area.

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(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism², and in particular Article 3(2) thereof,

Whereas:

- (1) On 1 February 2020, the United Kingdom withdrew from the European Union.
- (2) Pursuant to Regulation (EU) No 692/2011 of the European Parliament and of the Council, Member States are to submit to the Commission (Eurostat) data on capacity and occupancy of tourist accommodation establishments in accordance with Annex I to Regulation (EU) No 692/2011. That Annex defines, amongst other things, the required categories of countries and geographical areas of residence of guests staying at tourist accommodation establishments.
- (3) Regulation (EU) No 692/2011 contains an implicit reference to the United Kingdom in category “European Union (the Union); to be reported separately: each Member State” under the classification to be applied for Section 2 of Annex I, as listed in Section 3 of Annex I.
- (4) Following the withdrawal of the United Kingdom from the Union, the United Kingdom is no longer part of that category. Member States are therefore no longer obliged to submit, separately, data regarding the United Kingdom under Regulation (EU) No 692/2011.
- (5) The Union's tourism industry occupies an important place in the economy of the Member States with tourist activities representing a large source of employment. European statistics on tourism are essential to provide an appraisal of the industry's competitiveness and the volume and flows of tourism.
- (6) Taking into account the importance of the United Kingdom as a generating market for tourism in the Union, it is essential to ensure continuity in the submission of data by the Member States with counterpart the United Kingdom after its withdrawal from the Union.

² OJ L 192, 22.7.2011, p. 17.

- (7) As a result of the United Kingdom becoming a third country, its positioning in the classification of countries and geographical areas of residence of guests staying at tourist accommodation establishments needs to be modified accordingly.
- (8) Section 3 ‘E. Countries and geographical areas’ of Annex I to Regulation (EU) No 692/2011 should therefore be amended to include the United Kingdom as a separate country of residence of guests staying at tourist accommodation establishments. Such update only moves the United Kingdom from one category to another and therefore neither affects the reporting burden nor modifies the applicable underlying conceptual framework.
- (9) It is not advisable to move a country or geographical area from one category to another within a given reference year. It is preferable to apply the amended classification for the entire reference year of 2020 onwards,

HAS ADOPTED THIS REGULATION:

Article 1

Annex I to Regulation (EU) No 692/2011 is amended as follows:

In Section 3, point ‘E. Countries and geographical areas’, is amended as follows:

- (1) the third indent is replaced as follows:
‘— other European countries (apart from EU or EFTA; not including the United Kingdom, Russia, Turkey, Ukraine),’;
- (2) the following indent is inserted before ‘— Russia,’:
‘— the United Kingdom,’.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union* and shall apply from the reference year 2020 and onwards.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23.7.2020

For the Commission
The President
Ursula VON DER LEYEN