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**NOTE**

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From: General Secretariat of the Council  
To: Permanent Representatives Committee

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Subject: Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND  
OF THE COUNCIL on European statistics on population and housing,  
amending Regulation (EC) No 862/2007 and repealing Regulations (EC)  
No 763/2008 and (EU) No 1260/2013  
- Presidency compromise text

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Delegations will find attached the compromise text on the Proposal for a Regulation on European statistics on population and housing, as agreed at the meeting of the Working Party on Statistics, on 7 June 2023.

2023/0008 (COD)

Proposal for a

**REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL**

**on European statistics on population and housing, amending Regulation (EC) No 862/2007  
and repealing Regulations (EC) No 763/2008 and (EU) No 1260/2013**

(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee<sup>1</sup>,

Having regard to the opinion of the Committee of the Regions<sup>2</sup>,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) European statistics on population and housing are required for the design, implementation and evaluation of Union policies, in particular those addressing the demographic change, the green and digital transformations, ~~the promotion of energy efficiency~~, economic, social and territorial cohesion, and achieving the Sustainable Development Goals of the United Nations (UN) 2030 Agenda **as far as they fall within the scope of this regulation.**

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<sup>1</sup> OJ C , , p. .

<sup>2</sup> OJ C , , p. .

- (2) Statistics on population are an important denominator for a wide range of policy indicators and used as reference across European statistics, particularly for providing sampling frames for conducting representative surveys of persons and households, under Regulation (EU) 2019/1700 of the European Parliament and of the Council<sup>3</sup>.
- (3) The Economic and Financial Affairs Council regularly gives a mandate to the Economic Policy Committee to assess the long-term sustainability and quality of public finances based on population projections produced by Eurostat. The population projections are also used for policy analysis in the context of the European semester. The Commission (Eurostat) should have at disposal all the necessary statistics to produce and publish population projections according to the information needs of the Union.
- (4) In accordance with Article 175(2) of the Treaty on the Functioning of the European Union (TFEU), every three years the Commission should report on the progress made towards achieving economic, social and territorial cohesion to the European Parliament, the Council, the Economic and Social Committee and the Committee of the Regions. Regional and local data including for different territorial types such as border regions, cities and their functional urban areas, metropolitan regions, rural regions, mountain and island regions are necessary for the preparation of those reports and for the regular monitoring of demographic developments and of possible future demographic challenges in the Union territories.

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<sup>3</sup> Regulation (EU) 2019/1700 of the European Parliament and of the Council of 10 October 2019 establishing a common framework for European statistics relating to persons and households, based on data at individual level collected from samples, amending Regulations (EC) No 808/2004, (EC) No 452/2008 and (EC) No 1338/2008 of the European Parliament and of the Council, and repealing Regulation (EC) No 1177/2003 of the European Parliament and of the Council and Council Regulation (EC) No 577/98 (OJ L 261I, 14.10.2019, p. 1).

- (5) According to Article 16(4) of the Treaty on European Union (TEU), a qualified majority of the members of the Council is defined, inter alia, based on the population of the Member States. For this purpose, pursuant to Article 4(1) of Regulation (EU) No 1260/2013 of the European Parliament and of the Council<sup>4</sup> Member States are currently obliged to provide the Commission (Eurostat) with **data statistics** on the total population at national level.
- (6) In 2017, the European Statistical System Committee (ESSC) endorsed the Budapest Memorandum, which stated the need for annual statistics on the size and on certain social, economic and demographic characteristics of the population and improved statistics on migration. **The Memorandum also called for the development and implementation of common population and migration-related definitions, taking into account the need to establish concepts and definitions that are statistically sound, relevant and applicable in the face of new emerging types of migration and the growing use of administrative data sources. For the observance of the principles of equality and non-discrimination of its citizens in all activities and the individual citizens' rights as enshrined in the Charter of Fundamental Rights of the European Union<sup>5</sup> and Articles 10 and 19 TFEU, the Union needs reliable and comparable statistics. Regulation (EU) 2019/1700 provides a framework for data collections from samples that allow to collect data on equality and non-discrimination in so far as this is feasible on samples and to analyse some aspects of equality and discrimination by producing socio-economic indicators and information on experience of discrimination. In addition, the Fundamental Rights Agency (FRA) and the European Institute for Gender Equality (EIGE) carry out specific studies and dedicated surveys that can further extend the availability of equality statistics at EU level. Future cooperation and coordination between Member States, Eurostat and these agencies should be enhanced to meet growing user demands for reliable and comprehensive data on equality and diversity in the Union.**

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<sup>4</sup> Regulation (EU) No 1260/2013 of the European Parliament and of the Council of 20 November 2013 on European demographic statistics (OJ L 330, 10.12.2013, p. 39).

<sup>5</sup> OJ C 202, 7.6.2016, p. 389.

- (7) To achieve the targets of the European Green Deal, the development and evaluation of effective policies require enhanced **core population and housing statistics and relating to the energy use and efficiency of housing**, detailed geographical data on the distribution of the population as well as deeper studies of the relationship between population and housing. **With the COVID-19 pandemic the need for reliable, high frequency and timely statistics on deaths in the Union was manifested. While data needs were met with a voluntary data collection from Member States to the Commission (Eurostat), the Union needs an adequate mechanism for mandatory collection of such data within the European Statistical System (ESS) with the necessary frequency, timeliness and detail.**
- (8) United Nations Economic and Social Council, on the proposal of the United Nations Statistical Commission, every ten years adopts resolutions regarding the World population and housing census and invites UN Member States to conduct population and housing censuses in line with international and regional recommendations and by upholding the integrity, reliability, accuracy and value of the population and housing census results. European statistics on population and housing should take into account these recommendations.
- (9) Regulation (EC) No 223/2009 of the European Parliament and of the Council<sup>6</sup> established a legal framework for the development, production and dissemination of European statistics, based on common statistical principles. That Regulation sets out the quality criteria and refers to the need to minimise the response burden on survey respondents and to contribute to the more general objective of reducing the administrative burden. A new legal framework for European statistics on population and housing should implement the quality criteria set out in that Regulation and facilitate burden reduction by embracing effective and efficient reuse of available data sources including administrative data.

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<sup>6</sup> Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

- (10) The evaluation of existing statistics<sup>7</sup> on the population and housing censuses in the Union, statistics on international migration flows, migrant stocks and acquisitions of citizenship and demography statistics has shown that the current legal framework comprising Regulations (EC) No 862/2007<sup>8</sup>, (EC) No 763/2008<sup>9</sup> and (EU) No 1260/2013 of the European Parliament and the Council has led to significant overall improvements of statistics compared to the 2005 situation without the current legal framework in force. That framework, however, has potential for a lack of coherence and comparability, which should be addressed.
- (11) The evolving demographic situation and recent migration trends have created demands for timelier, more frequent, and more detailed European statistics on population, vital events and housing including details of topics or groups that have become politically and societally relevant during the past decade. In addition, the existing legal framework is not flexible enough to adapt to evolving policy needs and to enable the use of new sources at national and Union level. **Furthermore, the structure of the existing legal framework in the form of three separate regulations, adopted at different times, has led to intrinsic inconsistencies of the statistics.** Finally, as Regulation (EU) No 1260/2013 will cease to apply on 31 August 2028, a new legal basis is required for the demographic statistics collected under that Regulation. It is therefore necessary to replace the current legal framework by a new, more coherent and flexible one that should amend relevant parts of Regulation (EC) No 862/2007 and repeal Regulations (EC) No 763/2008 and (EU) No 1260/2013.

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<sup>7</sup> SWD(2023)13.

<sup>8</sup> Regulation (EC) No 862/2007 of the European Parliament and of the Council of 11 July 2007 on Community statistics on migration and international protection and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers (OJ L 199, 31.7.2007, p. 23).

<sup>9</sup> Regulation (EC) No 763/2008 of the European Parliament and of the Council of 9 July 2008 on population and housing censuses (OJ L 218, 13.8.2008, p. 14).

- (12) Article 3 of Regulation (EC) No 862/2007 covers statistics on the country of citizenship and place of birth of the resident population (migrant stocks), on changes of residence between countries (international migration flows) and on acquisitions of citizenship of the resident population, whereas the other statistics under that Regulation concern administrative and judicial procedures relating to immigration legislation and international protection. Statistics under Article 3 are therefore closely linked and should be consistent with the statistics on the resident population and its demographic changes provided under Regulations (EC) No 763/2008 and (EU) No 1260/2013. To ensure intrinsic consistency, these statistics should therefore be integrated into a single legal basis while deleting Article 3 from Regulation (EC) No 862/2007.
- (13) The rapidly changing nature of some population and housing characteristics, in particular in relation to demographic and migration phenomena, and the corresponding need for a prompt targeting and adaptation of policies means that there is a need for statistics to be available on a timely basis soon after the reference period. The periodicity and timeliness of statistics should be therefore **tangibly advanced of high importance**.
- (14) Regulation (EC) No 1059/2003 of the European Parliament and of the Council<sup>10</sup> establishes a grid-based methodology for the definition of territorial typologies based on the population distribution by one kilometre square grid cells. Commission Implementing Regulation (EU) 2018/1799<sup>11</sup> as a temporary direct statistical action accompanying the 2021 population and housing censuses provides for key census outputs on a pan-European one kilometre square grid. A legal framework should ensure the continued dissemination of georeferenced population statistics based on grids and its extension to housing statistics.
- (15) Territorial units and statistical grids should be defined in accordance with Regulation (EC) No 1059/2003.

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<sup>10</sup> 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) (OJ L 154, 21.6.2003, p. 1).

<sup>11</sup> Commission Implementing Regulation (EU) 2018/1799 of 21 November 2018 on the establishment of a temporary direct statistical action for the dissemination of selected topics of the 2021 population and housing census geocoded to a 1 km<sup>2</sup> grid (OJ L 296, 22.11.2018, p. 19).

- (16) For geocoding of location, the Statistical Units theme in accordance with Annex III to Directive 2007/2/EC of the European Parliament and of the Council<sup>12</sup> should be used.
- (17) The current legal framework for European statistics on population and housing needs to be updated to ensure that the presently separate statistical processes are adequately integrated in a common framework which allows the ESS to respond effectively to new information needs of the Union and encourage statistical innovations. Statistical output must enhance to remain relevant in the face of demographic, migratory, social and economic changes in society.
- (18) The enhanced regular (annual and infra-annual) statistics on population and housing **based on administrative sources** should be complemented with information from coordinated population and housing censuses in the Union conducted every ten years in accordance with the UN Principles and Recommendations. **Equally important, p**Population and housing censuses provide a unique opportunity for official statistics to be visible, both in terms of operations and results.
- (19) The Union censuses should become more cost-effective through making full use of the rich set of administrative data available across the Member States or a combination of **innovative methodologies or sources different sources including sources related to the Internet of Things (IoT) and provision of digital services**. They should be also used to re-establish the demographic baseline **and include surveys of the coverage of administrative data sources**.

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<sup>12</sup> Directive 2007/2/EC of the European Parliament and of the Council of 14 March 2007 establishing an Infrastructure for Spatial Information in the European Community (INSPIRE) (OJ L 108, 25.4.2007, p. 1).



(20) Member States and the Commission (Eurostat) should have sustainable access to the widest possible range of **appropriate** data sources to produce European statistics on population and housing of high quality and in a cost-effective manner. In this regard, it is crucial that national statistical authorities get timely access and are able to use promptly the administrative data owned by public administrations at national, regional and local level, in accordance with Article 17a of Regulation (EC) No 223/2009. **For example, statistics on energy efficiency of buildings can be based on administrative data relating to the issuance of energy certificates of buildings under Directive 2010/31/EU of the European Parliament and of the Council<sup>13</sup>.** The national statistical **institutes** authorities also need to be involved in decisions concerning the design and redevelopment of relevant administrative data sources to ensure that they can be further reused for compilation of official statistics.

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<sup>13</sup> Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).

- (21) In recent years, comprehensive Union level databases and interoperability systems related to residence, vital events, citizenship and migratory and cross-border movements of population such as those established under Regulations (EU) 910/2014<sup>14</sup>, (EU) 2018/1724<sup>15</sup>, (EU) 2019/817<sup>16</sup> and (EU) 2019/818<sup>17</sup> of the European Parliament and of the Council have been developed. They provide valuable information that can be re-used for the compilation and quality assurance of European statistics on population and housing. **In that respect, it is essential to enable the Commission (Eurostat) to re-use these data for statistical purposes only while strictly applying rules of data protection and data privacy, as laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>18</sup>.**

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<sup>14</sup> Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC (OJ L 257, 28.8.2014, p. 73).

<sup>15</sup> Regulation (EU) 2018/1724 of the European Parliament and of the Council of 2 October 2018 establishing a single digital gateway to provide access to information, to procedures and to assistance and problem-solving services and amending Regulation (EU) No 1024/2012 (OJ L 295, 21.11.2018, p. 1).

<sup>16</sup> Regulation (EU) 2019/817 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of borders and visa and amending Regulations (EC) No 767/2008, (EU) 2016/399, (EU) 2017/2226, (EU) 2018/1240, (EU) 2018/1726 and (EU) 2018/1861 of the European Parliament and of the Council and Council Decisions 2004/512/EC and 2008/633/JHA (OJ L 135, 22.5.2019, p. 27).

<sup>17</sup> Regulation (EU) 2019/818 of the European Parliament and of the Council of 20 May 2019 on establishing a framework for interoperability between EU information systems in the field of police and judicial cooperation, asylum and migration and amending Regulations (EU) 2018/1726, (EU) 2018/1862 and (EU) 2019/816 (OJ L 135, 22.5.2019, p. 85).

<sup>18</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

- (22) In that respect, it is essential to enable the Commission (Eurostat) to re-use these data for statistical purposes only while strictly applying rules of data protection and data privacy, as laid down in Regulation (EU) 2018/1725 of the European Parliament and of the Council<sup>19</sup>. This should apply in particular to the statistical data stored in the central repository for reporting and statistics (CRRS) in accordance with the purpose of the CRRS set out in Article 39(1) of Regulation (EU) 2019/817 as well as in Article 39(1) of Regulation (EU) 2019/818 and in accordance with the Regulations establishing the systems whose statistical data is stored in the CRRS. In particular, considering that the CRRS is to provide cross-system statistical data and analytical reporting for policy, operational and data quality purposes, the Commission (Eurostat) should cooperate with the European Union Agency for the Operational Management of Large-Scale IT Systems in the Area of Freedom, Security and Justice (eu-LISA), to the extent possible, with a view of providing the required European statistics.
- (23) Privately held data can improve the coverage, timeliness and crisis response capacities of European statistics on population and housing or to enable statistical innovation. Such data have the potential to complement existing demography and migration statistics, bring statistical innovation and even serve for production of early estimates. The national statistical institutes and other ~~competent~~ national authorities of different Member States as referred to in Article 5(2) of Regulation (EC) No 223/2009 and the Commission (Eurostat) should have access to and use such data.
- (24) To ensure the comparability of European statistics on population and housing at Union level, it is essential that common population definitions are used and implemented in a harmonised way. To implement the single harmonised population base consistently, robustly and cost-effectively while ensuring timely results, statistical methods and scientifically-based modelling techniques such as ‘signs of life’ and ‘rate of stay’ need to may be applied where appropriate.

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<sup>19</sup> Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39).

- (25) Member States should provide their data and metadata in electronic form in an appropriate technical format to be provided by the Commission. International standards, such as the Statistical Data and Metadata Exchange (SDMX) initiative, and statistical or technical standards elaborated within the Union, such as metadata and validation standards or European Interoperable Framework principles, should be used to the extent relevant for European statistics on population and housing. The ESSC has endorsed ESS standards for metadata and quality reports, in accordance with Article 12 of Regulation (EC) No 223/2009. Those standards are to contribute to the harmonisation of quality assurance and reporting under this Regulation and should be therefore introduced.
- (26) European statistics on population and housing should meet the quality criteria on relevance, accuracy, timeliness and punctuality, accessibility and clarity, comparability and coherence specified in Regulation (EC) No 223/2009. Their quality should be enhanced as far as the needs of the Union evolve. Appropriate results from the quality assessment carried out by the Commission (Eurostat) should be publicly available to statistics users. Access to these statistics should be free and easy through Commission (Eurostat) databases on its website and in its publications.
- (27) Regulation (EC) No 223/2009 includes rules on the provision of data from the Member States to the Commission (Eurostat) and on the use thereof, including on the transmission and protection of confidential data. Measures taken in accordance with this Regulation should ensure that confidential data are provided and used exclusively for statistical purposes in accordance with Articles 21 and 22 of that Regulation.
- (28) The Commission (Eurostat) is to respect the statistical confidentiality of the data provided by Member States pursuant to Regulation (EC) No 223/2009. With regard to the population statistics collected under this Regulation, a harmonised approach to ensuring high quality of European aggregates and avoiding the disclosure of confidential data in statistical outputs should be developed, avoiding as far as possible the suppression of data.

- (29) Data sources available at national level are not always able to capture accurately phenomena related to the free movement of persons in the Union, the access of persons to cross-border services on demographic vital events and the exercise of persons rights to buy and own housing property used as primary, holiday and secondary accommodation across the Union. There are also asymmetries in the bilateral migration flows and difficulties to measure population groups, for instance among the migrant, homeless or stateless population. Therefore, **voluntary** data sharing for the purposes of compiling statistics on population and migration and ensuring their quality should be **reinforced and** considered as yet another data source. Such **reinforced** data sharing may cover a wide range of relevant data, from data that clearly do not allow for the identification of statistical units, either directly or indirectly, to data potentially subject to statistical confidentiality requirements. Member States **may should** in their own interest and in the interest of the other Member States, participate in data sharing activities, including in pilot projects assessing innovative secure solutions. The Commission (Eurostat) should also establish a secure infrastructure to facilitate such data sharing while ensuring all necessary safeguards.
- (30) When data sharing entails processing of personal data according to Regulation (EU) 2016/679 of the European Parliament and of the Council<sup>20</sup> or Regulation (EU) 2018/1725, the principles of purpose limitation, data minimisation, storage limitation and integrity and confidentiality should be fully applied. In particular, data sharing mechanisms based on privacy enhancing technologies that are specifically designed to implement these principles should be preferred over direct data transmission. **In addition and more specifically, for the potential further processing of personal data for statistical purposes, Article 89(1) of Regulation (EU) 2016/679 of the European Parliament and of the Council and Article 13 of Regulation (EU) 2018/1725 should be fully applied.**

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<sup>20</sup> Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation) (OJ L 119, 4.5.2016, p. 1).

- (31) The sharing of confidential data should take place only on the basis of a request justifying the necessity to share these data in accordance with Chapter V of Regulation (EC) No 223/2009.
- (32) In the longer term, the collaborative efforts in the European Statistical System to mitigate cross-border statistical quality issues, such as double counting of Union residents enjoying freedom of movement, should profit as much as possible from single digital identifiers established at Union level by Regulation (EU) No 910/2014
- (33) This Regulation is without prejudice to Regulations (EU) 2016/679 and (EU) 2018/1725 and Directive 2002/58/EC of the European Parliament and of the Council.<sup>21</sup> Within their respective scope of application, the latter Regulations are to apply to the processing of personal data under this Regulation.
- (34) European statistics on population and housing should evolve to take into account emerging data needs stemming from changing policy priorities, as well as changes in the demographic, migratory, social or economic situation in the Union. The Commission (Eurostat) should undertake pilot studies assessing the feasibility of the adaptations concerned as appropriate and should take into account aspects such as costs and administrative burdens on Member States and the availability of appropriate data sources. **The results of such pilot and feasibility studies should be evaluated in cooperation with Member States.**

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<sup>21</sup> Directive 2002/58/EC of the European Parliament and of the Council of 12 July 2002 concerning the processing of personal data and the protection of privacy in the electronic communications sector (Directive on privacy and electronic communications) (OJ L 201, 31.7.2002, p. 37).

(35) In order to take account of demographic, economic and social trends as well as technological developments, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in order to amend the list, **description, periodicities and reference times** of detailed topics covered by European statistics on population and housing; **to update the periodicities and reference times in the Annex to this Regulation and to specify the information to be provided by Member States on an ad hoc basis.** It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making<sup>22</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. **New requirements should not significantly increase the burden or cost for respondents or Member States.**

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<sup>22</sup> OJ L 123, 12.5.2016, p. 1.

(36) In accordance with the Financial Regulation, Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council<sup>23</sup> and Council Regulations (EC, Euratom) No 2988/95<sup>24</sup>, (Euratom, EC) No 2185/96<sup>25</sup> and (EU) 2017/1939<sup>26</sup>, the financial interests of the Union are to be protected by means of proportionate measures, including measures relating to the prevention, detection, correction and investigation of irregularities, including fraud, to the recovery of funds lost, wrongly paid or incorrectly used, and, where appropriate, to the imposition of administrative penalties. In particular, in accordance with Regulations (Euratom, EC) No 2185/96 and (EU, Euratom) No 883/2013, the European Anti-Fraud Office (OLAF) has the power to carry out administrative investigations, including on-the-spot checks and inspections, with a view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union. The European Public Prosecutor's Office (EPPO) is empowered, in accordance with Regulation (EU) 2017/1939, to investigate and prosecute criminal offences affecting the financial interests of the Union as provided for in Directive (EU) 2017/1371 of the European Parliament and of the Council<sup>27</sup>. In accordance with the Financial Regulation, any person or entity receiving Union funds is to fully cooperate in the protection of the financial interests of the Union, grant the necessary rights and access to the Commission, OLAF, the Court of Auditors and, in respect of those Member States participating in enhanced cooperation pursuant to Regulation (EU) 2017/1939, the EPPO, and ensure that any third parties involved in the implementation of Union funds grant equivalent rights.

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<sup>23</sup> Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

<sup>24</sup> Council Regulation (EC, Euratom) No 2988/95 of 18 December 1995 on the protection of the European Communities financial interests (OJ L 312, 23.12.1995, p. 1).

<sup>25</sup> Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2).

<sup>26</sup> Council Regulation (EU) 2017/1939 of 12 October 2017 implementing enhanced cooperation on the establishment of the European Public Prosecutor's Office ('the EPPO') (OJ L 283, 31.10.2017, p. 1).

<sup>27</sup> Directive (EU) 2017/1371 of the European Parliament and of the Council of 5 July 2017 on the fight against fraud to the Union's financial interests by means of criminal law (OJ L 198, 28.7.2017, p. 29).



- (37) In order to ensure uniform conditions for the implementation of this Regulation with regard to the specification of data and metadata requirements, technical formats and procedures for data and metadata provision, content and structure of quality reports, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and the Council<sup>28</sup>.
- (38) Where the implementation of this Regulation, or of delegated and implementing acts adopted pursuant thereto, would require major adaptations to the national statistical system of a Member State ~~for data provision with periodicity of less than 10 years~~, the Commission should be able, in duly justified cases and for a limited period of time, to grant derogations to the Member States concerned.
- (39) Since the objective of this Regulation, namely the systematic production of European statistics on population and housing, cannot be sufficiently achieved by the Member States but can rather, for reasons of consistency and comparability, be better achieved at Union level, the Union may adopt measures to achieve that objective, in accordance with the principle of subsidiarity as set out in Article 5 TEU. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (40) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 and delivered an opinion on ~~16 March 2023~~.
- (41) The European Statistical System Committee has been consulted,

HAVE ADOPTED THIS REGULATION:

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<sup>28</sup> Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

*Article 1*  
*Subject matter*

This Regulation establishes a common legal framework for the development, production and dissemination of European statistics on population and housing.

*Article 2*  
*Definitions*

For the purpose of this Regulation, the following definitions shall apply:

- (1) 'citizenship' means the particular legal bond between a natural person and his or her State, acquired by birth or naturalisation, whether by declaration, choice, marriage, adoption or other means according to national legislation;
- (2) 'usual residence' means the place where a person normally spends the daily period of rest, regardless of temporary absences for purposes of recreation, holidays, visits to friends and relatives, business, medical treatment or religious pilgrimage. Only the following persons shall be considered to be usual residents of a specific geographical area:
  - (a) those who have lived in their place of usual residence most of the time in the 12 months prior to and including the reference date; or
  - (b) those who arrived at their place of usual residence during the 12 months prior to and including the reference date and for whom there is an intention or expectation of staying there most of the time for at least 12 months after arrival;
- (3) **'signs of life' means any information indicative of the actual presence and usual residence of a person on the territory of interest. They can be obtained from any appropriate source or combination of them, including digital traces that relate to the person;**

- (4) **'rate of stay' means the proportion of the number of persons arrived in the place of interest during a selected period of time who have remained in the same place for at least 12 months over the total number of persons arrived in the same place during the same period of time;**
- (5) 'international migration' means the event by which a person establishes his or her usual residence in the territory of a Member State or third country, having previously been usually resident in another Member State or a third country;
- (6) 'immigrant' means a person who underwent international migration during the reference period to establish his or her new usual residence inside the reporting country;
- (7) 'emigrant' means a person who underwent international migration during the reference period to establish his or her new usual residence outside the reporting country, having previously been usually resident within the reporting country;
- (8) 'internal migration' means the event by which a person changes his or her place of usual residence within the territory of the reporting country;
- (9) 'living **quarter-quarters**' means a temporary or permanent structure, shelter or lodging place at which one or more persons reside, irrespective of whether it is designed or intended for human habitation;
- (10) 'conventional dwelling' means a premise at a fixed location that is designed for permanent human habitation but that is not intended for institutional or collective housing;
- (11) 'building intended for habitation' means a permanent structure comprised of one or more conventional dwellings or which is intended for institutional or collective housing.
- (12) 'household' means a group of two or more persons who share living quarters **or other specific resources**; or an individual person who does not form part of any other household;
- (13) 'family' means a group of two or more persons who live in the same household and who are related through parenthood or through marital, registered or consensual union partnership;

- (14) ‘administrative records’ mean data generated by a non- statistical source, usually a register **held held** by a public body, the main aim of which is not the provision of statistics;
- (14a) ‘privately held data’ means data held by private entities, the main aim of which is not the provision of statistics;**
- (15) ‘domain’ means one or several data sets that covers particular topics;
- (16) ‘topic’ means the content of the information to be collected about the statistical units, with each topic covering several detailed topics;
- (17) ‘detailed topic’ means the detailed content of the information to be collected about the statistical units related to a topic, each detailed topic covering one or several variables;
- (18) ‘data set’ means **statistics in the form of** one or several variables organised in a structured form;
- (19) ‘population and housing census’ means the detailed decennial data sets and metadata to be provided under this Regulation;
- (20) ‘statistical unit’ means one member of a universe of entities, namely persons, objects or events about which data are collected and statistics are **ultimately** compiled;
- (21) ‘variable’ means a characteristic of a statistical unit that can assume more than one set of values;
- (22) ‘breakdown’ means a predefined discrete, exhaustive and mutually exclusive set of values which can be assigned to a variables characterising statistical units;
- (23) ‘national level’ means the territory of a Member State;
- (24) ‘regional level’ means the NUTS3 level as set out in Regulation (EC) No 1059/2003;
- (25) ‘local level’ means the local administrative unit (LAU) level as set out in Regulation (EC) No 1059/2003;

- (26) ‘grid level’ means statistical grid as set out in Regulation (EC) No 1059/2003;
- (27) ‘frames’ means any list, **or** material **or device** that delimits and identifies the elements of the target population. Depending on the use, a frame may allow access to, and/ or provide additional characteristics of the elements;
- (28) ‘reference date’ means the moment in time to which statistics refer;
- (29) ‘reference period’ means the time interval to which statistics on events refer;
- (30) ‘reference time’ means either reference date or reference period, depending whether the statistics are on events or on other statistical units;
- (31) ‘metadata’ means information that is needed to use and interpret statistics and that describes data sets in a structured way;
- (32) ‘pre-checked data sets’ means data sets verified by the Member States, based on agreed common validation rules;
- (33) ‘quality report’ means a report conveying information about the quality of a statistical product or process.

### *Article 3*

#### *Population base*

1. For the purpose of this Regulation, the population base consists of all persons having their usual residence within the Union in a specified territorial unit of a Member State at national, regional, local or grid level, at the reference date.
2. The population base shall include all usually resident persons, regardless of citizenship or whether the person is or was formerly stateless, **and regardless of whether the person’s residence or stay is authorised or permitted by the relevant authorities.**

3. The population base shall exclude persons having their usual residence outside the territory of the Member State regardless of place of birth or citizenship, and regardless of any family, social, economic or property links that the person may have with the Member State.
4. Persons with no usual residence shall be attributed, as place of usual residence, the place at which they are at the reference date.
5. Member States shall apply the definition of usual residence set out in this Regulation to all data sets provided to the Commission (Eurostat) under this Regulation and for national, regional, local and grid level, **as set out in Annex 2.**
6. When applying the definition of usual residence, Member States **shall use**:
- (a) **shall use** one or a combination of the data sources listed in Article 9(1);
  - (b) **shall use scientifically based, well-documented and publicly available statistical estimation methods such as ‘signs of life’** to correct for actual presence at the presumed place of usual residence during most of the time in the 12 months ending with the reference date, and **‘rate of stay’** to estimate the number of persons who intend or are expected to stay during most of the time in the 12 months after arrival.
  - (c) **may use the population covered according to paragraph 6(a) for all data sets provided to the Commission (Eurostat), if estimation methods according to paragraph 6(b) can duly justify that the difference between the population covered according to paragraph 6(a) and the base as set out in this Regulation is less than 1.5 % at national level. This does not apply for the purposes in paragraph 7.**

**7. For the specific Union purposes of qualified majority voting in the Council, Member States shall provide the Commission (Eurostat) with data on the total population at national level at 31 December of each year, in accordance with paragraph 1. Data shall be transmitted within 8 months of the end of the reference year.**

**When estimating the total population on the basis of the population covered according to paragraph 6(a) at national level, Member States shall apply scientifically based, well-documented and publicly available statistical estimation methods as set out in paragraph 6(b).**

*Article 4*

*Statistical units*

Statistics under this Regulation shall be compiled for the following statistical units:

- (a) persons;
- (b) vital events;
- (c) families;
- (d) households;
- (e) buildings intended for habitation, living quarters and conventional dwellings.

*Article 5*

*Statistics requirements*

1. European statistics on population and housing shall cover the following domains:
  - (a) demography;
  - (b) housing;
  - (c) families and households.

2. Statistics in the domains listed in paragraph 1 shall be organised into data sets following the topics and detailed topics as set out in ~~the~~ Annex 1.
3. The Commission is empowered to adopt delegated acts in accordance with Article 17 to amend the list of the detailed topics as set out in ~~the~~ Annex 1. The delegated acts shall be adopted at least ~~12~~ 24 months before the beginning of the relevant reference time.
4. When exercising the power to adopt delegated acts pursuant to paragraph 3 of this Article, the Commission shall ensure that: ~~those acts do not impose significant and disproportionate burden on the Member States and survey respondents. Any new detailed topic shall be assessed with respect to its feasibility by means of pilot studies carried out by the Commission (Eurostat) and the Member States in accordance with Article 14.~~
- (a) the delegated acts aim to achieve cost and burden neutrality or reduction and do not, in any case, impose a significant additional cost or burden on the Member States or on the respondents;
- (b) a maximum of two detailed topics for the domain ‘demography’, one detailed topic for the domain ‘housing’ and one detailed topic for the domain ‘families and households’ listed in Annex 1 are replaced by another detailed topic and a maximum of one detailed topic in total for all domains is added over a period of ten consecutive years;
- (c) detailed topics which are voluntary as set out in Annex 1 shall not be amended to become obligatory by means of delegated acts;
- (d) any new detailed topic shall be assessed with respect to its feasibility by means of pilot studies carried out by the Commission (Eurostat) and the Member States in accordance with Article 14.



5. The Commission shall adopt implementing acts to specify ~~the technical properties of~~ the data sets and metadata to be provided to the Commission (Eurostat). Those implementing acts shall specify the following technical elements, ~~where appropriate~~:

(a) ~~titles the list~~ of variables, ~~and~~ their technical specifications, ~~taking into account that a variable shall be counted as a combination of characteristics of an observation unit with the corresponding measurement unit and geographical breakdown counting as one and breakdowns~~;

~~(aa) breakdowns other than geographical breakdowns;~~

~~(ab) geographical breakdowns, with the exception of those set out in Annex 2;~~

(b) detailed specifications of the statistical units and metadata;

(c) statistical classifications to be used;

~~(d) provision deadlines;~~

(e) technical formats of data sets and metadata provision;

~~(f) the content, structure, periodicity, modalities and provision deadlines of the quality reports as well as further specifications when needed and justified.~~

**6. When adopting implementing acts, pursuant to paragraph 5, for the first time for annual and decennial periodicities, the Commission shall ensure that the total overall number of variables as defined in paragraph 5(a) within the respective periodicity shall not exceed by more than 5% the number of variables already required for each domain on a mandatory basis by the Commission (Eurostat) on the date of entry into force of this Regulation.**

- 7. When adopting implementing acts for the first time for multi-annual periodicities, the Commission shall ensure that the required variables as defined in paragraph 5(a) shall be a subset of 50% or less of the set of variables already required for each domain for decennial periodicities as laid down in paragraph 6.**
- 8. When adopting implementing acts for the first time for quarterly periodicities, the Commission shall ensure that the required variables as defined in paragraph 5(a) shall be a subset of 25% or less of the set of variables already required for each domain for annual periodicities as laid down in paragraph 6.**
- 9. When a new detailed topic is added in accordance with paragraph 4(b) of this Article, the overall number of variables for the domains referred to in paragraph 1 of this Article shall not be increased by more than the average number of variables within the existing detailed topics of this domain.**
- 10. Where new data are required, the Commission may only change a maximum of 5% of the variables required in accordance with the implementing acts referred to in paragraphs 6, 7 and 8 of this Article, for each domain listed in paragraph 1, every 5 years.**
- 11. When adopting implementing acts to specify the variables, pursuant to paragraph 5, the Commission shall ensure that these variables and their breakdowns do not foresee the inclusion of statistics relating to persons and households which fall under the scope of Article 1 of Regulation (EU) 2019/1700.**
- 12. The implementing acts shall aim to achieve cost and burden neutrality or reduction and shall not, in any case, impose a significant additional cost or burden on the Member States or on the respondents, such as requiring data that can only be obtained via data collection directly from individuals.**

- 13.** Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2) at least **12 24** months before the beginning of the relevant reference time. ~~except F~~ for the population and housing census ~~for which~~ the implementing acts shall be adopted at least 24 months before the beginning of the year in which the reference date falls.

#### *Article 6*

##### *Periodicity and reference times*

1. Member States shall produce European statistics on population and housing quarterly, ~~every six months~~, annually and multi-annually, and in a decennial population and housing census.
2. The years ending with “1” shall be the reference years for the decennial population and housing census.
3. The years ending with “1”, “5” and “8” shall be the reference years for multi-annual statistics.
4. The periodicity and reference time (~~reference period or reference date~~) for each detailed topic shall be as set out in ~~the~~ Annex **1**.
5. The first reference date for which annual statistics on the topic ‘population stocks’ are to be provided shall be 31 December 2025. The first reference time for which any other statistics under this Regulation are to be provided shall be in 2026.
6. ~~**The Commission is empowered to adopt delegated acts in accordance with Article 17 to amend the Annex by updating the periodicities and reference times. When adopting new detailed topics in accordance with Article 5, paragraph 4, the Commission is empowered to adopt in parallel to ensure uniform application of the new detailed topics, implementing acts to specify the periodicities and reference times for these new detailed topics. The Commission shall ensure that these implementing acts do not impose significant and disproportionate burden or costs on the Member States.**~~

Article 7

Ad hoc statistics requirements

1. Member States shall provide the Commission (Eurostat) with ad hoc data sets and metadata.
2. The Commission is empowered to adopt delegated acts to supplement this Regulation in accordance with Article 17 by specifying the data sets and metadata to be provided by Member States on an ad hoc basis, where the collection of additional statistics is deemed necessary for the purpose of addressing additional statistical needs under this Regulation.
3. Those delegated acts shall specify:
  - (a) the detailed topics to be provided in the ad hoc data sets and the reasons for such additional statistical needs;
  - (b) the reference times.
4. The Commission is empowered to adopt delegated acts referred to in paragraph 2 starting with reference year 2027 and with a minimum of two years between each ad hoc collection.
5. The Commission shall adopt implementing acts to specify the technical properties of the ad hoc data sets and metadata referred to in paragraph 2. Those implementing acts shall specify the following technical elements, where appropriate:
  - (a) titles of variables, their technical specifications and breakdowns;
  - (b) detailed specifications of the statistical units and metadata;
  - (c) statistical classifications to be used;
  - (d) provision deadlines.

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2) no later than 12 months before the beginning of the reference time.

## Article 8

### *Data sets and metadata to be provided to the Commission*

1. Member States shall provide **to the Commission (Eurostat)** pre-checked data sets and metadata **referred to in Article 1, in accordance with Annex 1 and Annex 2** using a technical format specified by the Commission (Eurostat). The single entry point services shall be used to provide the data sets and metadata to the Commission (Eurostat).
2. When Member States publish **statistics data sets** required by this Regulation at national level ahead of the **provision** transmission deadlines established in accordance with **Annex 2 Articles 5(5) and 7(5)**, they shall provide them to the Commission (Eurostat) **without undue delay after the national publication.**
  - ~~(a) — statistics of quarterly and six-monthly periodicity at the latest by up to one working day after the national publication;~~
  - ~~(b) — statistics of annual periodicity at the latest by up to three working days after the national publication;~~
  - ~~(c) — statistics of multi-annual and decennial periodicity at latest by up to seven working days after the national publication.~~
3. Member States shall provide to the Commission (Eurostat):
  - (a) revised data sets and metadata if a revision is conducted after the data sets required under this Regulation were initially provided;
  - (b) revised data sets and metadata for relevant time series if a revision is conducted on data sets that had been provided to the Commission (Eurostat) before the application of this Regulation.

The revised data sets and metadata shall be provided within **the deadlines specified in paragraph 2 of this Article 10 working days of the revision** and be complemented by quality reporting in accordance with Article 12.

## Article 9

### Data sources and methods

1. Member States and the Commission (Eurostat) shall use one or a combination of the following data sources, provided that they allow for producing statistics that meet the quality requirements laid down in Article 12:
  - (a) administrative data sources;
  - (b) statistical surveys or other statistical data collections;
  - (c) other sources including privately held data;
  - (d) reuse of data derived from **voluntary** data sharing between national statistical authorities and the Commission (Eurostat) within the European Statistical System.
2. ~~**Member States shall assess and monitor the quality of their data sources, including of administrative records and other appropriate sources used.**~~
3. Member States shall ~~continuously develop~~ **endeavour to use** innovative sources and methods ~~and use them~~ to improve statistics compiled under this Regulation provided that they allow for producing statistics that meet the quality requirements laid down in Article 12.
4. The statistics compiled under this Regulation shall be based on statistically sound and well-documented methods taking into account international recommendations, ~~and~~ best practice ~~such as ‘signs of life’, ‘rate of stay’ and other~~ scientifically-based statistical estimation methods used for compiling usually resident population in the Member States.
5. ~~**When requested for reasons of assessment of statistical quality, Member States shall provide the Commission (Eurostat) with the assessment results of the data sources, the documentation of methods and necessary clarifications.**~~

## Article 10

### *Timely access and reuse of administrative data*

1. **In accordance with Article 17a of Regulation (EC) No 223/2009, national authorities in charge of administrative data sources relevant for the purposes of this Regulation shall allow reuse of these data in time and frequency sufficient to produce and submit statistics within the deadlines and compliant with the specific quality requirements according to this Regulation. The national statistical authorities and the national authorities in charge of the administrative records shall establish the necessary cooperation mechanisms for the timely and free of charge access to those records. The timely access to administrative records, as well as its operational modalities, shall be included in cooperation agreements to be established between those national authorities and the national statistical authorities.**
2. For the purpose of this Regulation, the Commission (Eurostat) shall be allowed, upon request, to access and reuse in a timely manner relevant data and metadata from databases and interoperability systems maintained by Union bodies and agencies, including under Regulations (EU) No 910/2014, (EU) 2018/1724 and statistical data stored in the central repository for reporting and statistics (CRRS). **In particular, data from the interoperable Large Scale IT Systems (LSITs) in the area of freedom, security and justice shall be accessed by the Commission (Eurostat) from the CRRS,** in accordance with Regulations (EU) 2019/817 and (EU) 2019/818 and the Regulations establishing the systems whose statistical data are **exclusively** stored in CRRS. For that purpose, the Commission (Eurostat) shall further cooperate with the relevant Union bodies and agencies with a view to specifying the customised statistical data and metadata required, where possible under Union law, for European statistics on population and housing, the operational modalities for their provision and the necessary accompanying physical and logical safeguards.

## Article 11

### *Lists of countries and territories*

1. Where data sets include information by countries or territories, Member States shall use specific breakdowns for the purposes of this Regulation and of Regulation (EC) No 862/2007.
2. The Commission shall adopt implementing acts specifying or updating the lists of countries and territories ~~csal units~~ that shall apply to breakdowns of statistics compiled under this Regulation. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2) of this Regulation. These lists shall be specified in accordance with criteria set out in Regulation (EC) No 1059/2003.
3. Implementing acts amending more than one ~~third~~ **fifth** of the breakdown categories of countries or territories shall apply at the earliest ~~12~~ **18** months after their entry into force.

## Article 12

### *Quality requirements and quality reporting*

1. Member States shall take the necessary measures to: ~~ensure the quality of the data sets and metadata provided.~~
  - (a) assess and monitor the quality of the data sources;**
  - (b) achieve the best possible quality of the data sets and metadata provided;**
  - (c) assess and monitor the exhaustiveness and accuracy of the population covered in accordance with Article 3.6 of this Regulation.**
2. ~~Member States shall take appropriate and effective measures to:~~ **For the purpose of this Regulation the quality criteria referred to in Article 12(1) of Regulation (EC) No 223/2009 shall apply.**
  - (a) implement the rules related to the population base as laid down in Article 3 of this Regulation, uniformly and independently of the data sources used;**



- ~~(b) capture or estimate hard-to-reach population groups;~~
- ~~(c) control the exhaustiveness and accuracy of the population covered in accordance with Article 3 of this Regulation;~~
- ~~(d) establish frames that are fit for the purposes of this Regulation and of Article 12 of Regulation (EU) 2019/1700;~~
- ~~(e) avoid possible risks of undercounting or double counting related to the free movement of persons in the Union, the access of persons to cross-border services linked to vital events and the person rights to buy cross-border, own and use housing property across the Union;~~
- ~~(f) reduce asymmetries of migration flows;~~
- ~~(g) provide all data to the Commission (Eurostat) that are needed to ensure the completeness of published European statistics.~~

3. Member States shall transmit to the Commission (Eurostat), for the first time by 31 March 2027 and every year thereafter ending with ‘0’, ‘3’ or ‘7’, a quality report describing the quality of the statistics provided and the statistical processes for the data sets provided during the period~~;~~ **This shall include including in particular information** on the data sources and methods used, the application of the concepts and definitions and related possible effects on quality of the selected data sources, data revisions and their reasons and impacts~~;~~ **and** the statistical disclosure control methods~~;~~ **and detailing how the quality criteria referred to in paragraph 2 are met and if the measures referred to in paragraph 3 were effective.** **The quality report shall also detail how Member States have applied the measures referred to in paragraph 1 and how the quality criteria referred to in paragraph 2 have been met.**
4. The Commission shall adopt implementing acts setting out the practical arrangements for the quality reports and their contents. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2) **and shall not impose a significant additional burden and costs on the Member States.**

5. Member States shall inform the Commission (Eurostat) as soon as possible of any relevant information or changes with regard to the implementation of this Regulation that would influence the quality of the statistics provided.
6. ~~At the request of the Commission (Eurostat), Member States shall provide necessary additional clarifications to evaluate the quality of the statistics.~~ On a duly justified request from the Commission (Eurostat), Member States shall provide necessary additional clarifications to evaluate the quality of the statistical information, such as the assessment results of the data sources and the documentation of methods.

*Article 13*

*Data sharing*

1. Data ~~shall~~ may be shared between ~~the competent~~ national statistical institutes and other national authorities of different Member States as referred to in Article 5(2) of Regulation (EC) No 223/2009, hereafter referred to in this article as “national statistical authorities”, and between these ~~competent~~ national statistical authorities and the Commission (Eurostat), exclusively for the purpose of developing and producing European statistics governed by this Regulation and of improving their quality. The data used and shared for statistical purposes under this Regulation shall be anonymised or pseudonymised.

2. In the interest of secure data sharing within the ESS, all necessary safeguards **including a secure data sharing infrastructure** with regard to the physical and logical protection of data shall be taken. The Commission (Eurostat) shall set up a secure infrastructure to facilitate data sharing referred to in paragraph 1. ~~Competent national~~ **National statistical authorities for statistics under this Regulation** may use this secure data sharing infrastructure for the purpose specified in paragraph 1. **The Commission (Eurostat) and the national statistical authorities shall be joint controllers for the processing of personal data in the secure data sharing infrastructure. In the event that the national statistical authorities use another data sharing infrastructure, they shall ensure that such infrastructure provides for at least equivalent security than the one set up by the Commission (Eurostat).**
3. When the data concerned are confidential data within the meaning of Article 3, point 7, of Regulation (EC) No 223/2009 or personal data according to Regulations (EU) 2016/679 and (EU) 2018/1725, the sharing of such data ~~shall be allowed and~~ may take place on a voluntary basis provided it is:
- (a) based on a request justifying the necessity to share the data in each individual case, in particular with regard to the quality issues to be specifically addressed;
  - (b) based **preferably** on privacy enhancing technologies that are specifically designed to implement the principles of Regulations (EU) 2016/679 and (EU) 2018/1725, with particular regard to purpose limitation, data minimisation, storage limitation, integrity and confidentiality;
  - (c) without prejudice to Chapter V of Regulation (EC) No 223/2009.
4. The Commission (Eurostat) and the Member States shall test and assess by means of pilot studies the **infrastructure for and** fitness of relevant privacy enhancing technologies for data sharing.

5. ~~**Where the pilot studies under paragraph 4 of this Article identify effective and secure data sharing solutions for the purposes referred to in paragraph 1, the Commission may adopt implementing acts laying down technical specifications for the data sharing and measures for the confidentiality and security of information. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 18(2).**~~

*Article 14*

*Pilot and feasibility studies*

1. The Commission (Eurostat) shall, where necessary and appropriate for the purposes of this Regulation, launch pilot and feasibility studies that aim at:
  - (a) assessing the availability of data sources and their quality, including of publicly and privately held data in Member States and at Union level;
  - (b) developing and assessing the feasibility of implementing new ~~topics,~~ detailed topics, statistical units, variables and their breakdowns;
  - (c) developing new methodologies and statistical techniques to reinforce quality **and enhance coverage of hard-to-reach populations;**
  - (d) reducing asymmetries of migration flows;
  - (e) testing and assessing the **infrastructure for and** fitness of relevant privacy enhancing technologies for secure data sharing within the ESS in accordance with Article 13(4);
2. Member States may participate in those studies but shall, together with the Commission (Eurostat), ensure the representativeness of those studies at Union level.
3. The results of those studies shall be evaluated by the Commission (Eurostat) in cooperation with Member States. The Commission (Eurostat) shall prepare in cooperation with the Member States reports on the findings of those studies.

*Article 15*

*Financing*

1. **As regards the implementation of this Regulation, financial contribution ~~may~~ shall** be provided from **the Single Market Programme established by Regulation (EU) No 2021/690 of the European Parliament and of the Council and in accordance with Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council the general budget of the Union** to the national statistical institutes and other national authorities referred to in Article 5(2) of Regulation (EC) No 223/2009, for:
  - (a) the development and implementation of new or enhanced data sources, methodologies, data sharing, statistical units, topics, detailed topics, variables and their breakdowns;
  - (b) the participation of the Member States in representative pilot and feasibility studies referred to in Article 14 of this Regulation.
- 1a. The amount of the Union financial contribution under this Article shall be established in accordance with the rules of the Single Market Programme as part of the annual budgetary procedure, subject to the availability of funding. The budgetary authority shall determine the appropriation available each year.**
2. The Union financial contribution shall not exceed 90% of the eligible costs.

## Article 16

### *Protection of the financial interests of the Union*

Where a third country participates in the actions financed under this Regulation by means of a decision adopted pursuant to an international agreement or on the basis of any other legal instrument, the third country shall grant the necessary rights and access required for the authorising officer responsible, the European Anti-Fraud Office (OLAF), the Court of Auditors and the EPPO to comprehensively exercise their respective competences. In the case of OLAF, such rights shall include the right to carry out investigations, including on-the-spot checks and inspections, as provided for in Regulation (EU, Euratom) No 883/2013.

## Article 17

### *Exercise of the delegation*

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.
2. The power to adopt delegated acts referred to in Articles 5(3), ~~6(6) and 7(2)~~ shall be conferred on the Commission for ~~an indeterminate period of time~~ **a period of five years** from [Publications Office: please insert exact date of entry into force of the Regulation]. **The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five- year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.**
3. The delegation of power referred to in Articles 5(3), ~~6(6) and 7(2)~~ may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
6. A delegated act adopted pursuant to Articles 5(3), ~~6(6) and 7(2)~~ shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

#### *Article 18*

##### *Committee procedure*

1. The Commission shall be assisted by the European Statistical System Committee established by Article 7 of Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

#### *Article 19*

##### *Derogations*

1. Where the application of this Regulation, or the delegated or implementing acts adopted pursuant thereto, requires major adaptations to be made to a Member State's national statistical system, the Commission may grant, by means of implementing acts, derogations to Member State, for a maximum duration of ~~two~~ **three** years.

- (1a) **Where a derogation as referred to in paragraph 1 remains justified by sufficient evidence at the end of the period for which it was granted, the Commission may grant a subsequent derogation for a maximum period of three years in accordance with the procedure set out in paragraphs 3 and 4.**
2. When granting the derogations, the Commission shall take into account the comparability of Member States' statistics and the timely calculation of the required representative and reliable European aggregates. When granting the derogations, the Commission shall also ensure that the requirements related to statistics, metadata and quality covered by this Regulation and previously covered by Regulation (EU) No 1260/2013 or by Article 3 of Regulation (EC) No 862/2007 are continued without interruption.
3. **The Member State shall submit a duly justified request for derogation to the Commission within two months of the date of the entry into force of the act concerned. The Member State shall submit a duly justified request for derogation to the Commission within three months of the date of the entry into force of the act concerned, or, in case of request for an extension in line with the second subparagraph of paragraph 1, six months before the end of the period for which the existing derogation has been granted.**
4. The Commission shall adopt the implementing acts referred to in paragraph 1 of this Article in accordance with the examination procedure referred to in Article 18(2).



*Article 20*  
*Amendments to Regulation (EC) No 862/2007*

Regulation (EC) No 862/2007 is amended as follows:

- (1) the title is replaced by the following: ‘Regulation (EC) No 862/2007 of 11 July 2007 on European statistics on asylum and administrative and judicial procedures related to immigration legislation and repealing Council Regulation (EEC) No 311/76 on the compilation of statistics on foreign workers’;
- (2) In Article 1, points (a) and (b) are deleted;
- (3) in Article 2(1), points (a), (b), (c), (f) and (g) are deleted;
- (4) Article 3 is deleted;
- (5) the following Article 9c is inserted:

*“Article 9c*  
*Timely access and reuse of administrative data*

1. **In accordance with Article 17a of Regulation (EC) No 223/2009, national authorities in charge of administrative data sources relevant for the purposes of this Regulation shall allow reuse of these data in time and frequency sufficient to produce and submit statistics within the deadlines and compliant with the specific quality requirements according to this Regulation. The national statistical authorities and the national authorities in charge of the administrative records shall establish the necessary cooperation mechanisms for the timely and free of charge access to those records. ~~The timely access to administrative records, as well as its operational modalities, shall be included in cooperation agreements to be established between those national authorities and the national statistical authorities.~~**

2. For the purpose of this Regulation, the Commission (Eurostat) shall be allowed, upon request, to access and reuse in a timely manner relevant data and metadata from databases and interoperability systems maintained by Union bodies and agencies, including under Regulations (EU) No 910/2014, (EU) 2018/1724 and statistical data stored in the central repository for reporting and statistics (CRRS). **In particular, data from the interoperable Large Scale IT Systems (LSITs) in the area of freedom, security and justice shall be accessed by the Commission (Eurostat) from the CRRS** in accordance with Regulations (EU) 2019/817 and (EU) 2019/818 and the Regulations establishing the systems whose statistical data are **exclusively** stored in CRRS. For that purpose, the Commission (Eurostat) shall further cooperate with the relevant Union bodies and agencies with a view to specifying the customised statistical data and metadata required, where possible under Union law, for European statistics on population and housing, the operational modalities for their provision and the necessary accompanying physical and logical safeguards.”

(6) the following Article 10a is inserted:

*“Article 10a*

*Lists of countries and territories*

The lists of countries and territories referred to in Article 11 of [Publications Office: please insert correct reference to this Regulation] shall be applied for the compilation of statistics under this Regulation to ensure comparability of country and territories specific details across European statistics. Member States shall apply these lists for the first time to compile statistics due under this Regulation starting with data transmissions for the reference year 2026.”

*Article 21*

*Repeal*

Regulations (EC) No 763/2008 and (EU) No 1260/2013 are repealed with effect from 1 January 2026 without prejudice to the obligations set out in those legal acts with regard to reference periods that fall, in whole or in part, before that date.

References to the repealed Regulations shall be construed as references to this Regulation.

*Article 22*

*Entry into force and application*

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 1 January 2026.

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

Done at Brussels,

*For the European Parliament*

*For the Council*

*The President*

*The President*

**ANNEX 1** - Domains, topics and detailed topics with periodicity and reference time per detailed topic

Domain	Topic	Detailed topic	Periodicity	Reference time (date or period)
Demography	Population stocks	The person's basic characteristics	<del>6M</del>	<del>30.06.YY</del> <del>and</del> <del>31.12.YY</del>
			A	31.12.YY
			MA	31.12.YY
			D	31.12.YY
		The person's socio-economic characteristics	A	31.12.YY
			MA	31.12.YY
	D		31.12.YY	
	Fertility	Births	Q	Month
			A	Year
		Legally induced abortions*	A	Year
	Mortality	Deaths	Q	Month <sub>2</sub> <del>Week</del>
			A	Year
		Infant deaths	A	Year
		Late foetal deaths*	A	Year
	Partnerships	Marriages and registered partnerships	A	Year
		Characteristics of persons entering a marriage or registered partnership	A	Year
		Divorces and terminated registered partnerships	A	Year
	Migration	Immigrants	<del>Q</del>	<del>Month</del>
			A	Year
		Emigrants	A	Year
Acquisition <del>and</del> <del>loss</del> of citizenship of EU MS and the Union	Persons who acquired citizenship	A	Year	
	<del>Persons who lost / gave up citizenship</del>	<del>A</del>	<del>Year</del>	
Housing	Living quarters	Living quarters characteristics	D	31.12.YY

\* To be provided on a voluntary basis

Domain	Topic	Detailed topic	Periodicity	Reference time (date or period)
	Conventional dwellings	Basic building characteristics	MA	31.12.YY
			D	31.12.YY
		<u>Energy related building characteristics</u>	<del>MA</del> (A from 2031 onwards)	<u>31.12.YY</u>
			<del>D</del>	<u>31.12.YY</u>
	Occupied conventional dwellings	Characteristics of occupied conventional dwellings	D	31.12.YY
		Usage of occupied conventional dwellings	D	31.12.YY
Families and households	Families	Family characteristics	D	31.12.YY
	Households	Household characteristics	A	31.12.YY
			MA	31.12.YY
		The person's household situation	A	31.12.YY
			D	31.12.YY

**(1) Legend**

<b>(2) Periodicity</b>	
Quarterly	Q
<u>Every 6 months</u>	<del>6M</del>
Annual	A
Multi-annual (years ending with '1', '5', '8')	MA
Decennial (years ending with '1')	D

**ANNEX 2 – Transmission deadlines**

<b><u>Transmission deadlines for periodicities and the required geographical breakdowns</u></b>				
<b><u>Geographical breakdown</u></b>	<b><u>Periodicity</u></b>			
	<b><u>Quarterly</u></b>	<b><u>Annual</u></b>	<b><u>Multi-Annual</u></b>	<b><u>Decennial</u></b>
<b><u>National</u></b>	<b><u>t+60 d</u></b>	<b><u>t+12 m/t+24 m**</u></b>	<b><u>t+24 m</u></b>	<b><u>t+24 m</u></b>
<b><u>NUTS3*</u></b>	<b><u>=</u></b>	<b><u>t+12 m/t+24 m**</u></b>	<b><u>t+24 m</u></b>	<b><u>t+24 m</u></b>
<b><u>LAU*</u></b>	<b><u>=</u></b>	<b><u>=</u></b>	<b><u>t+24 m</u></b>	<b><u>t+24 m</u></b>
<b><u>Grid</u></b>	<b><u>=</u></b>	<b><u>=</u></b>	<b><u>=</u></b>	<b><u>t+24 m</u></b>

**‘no transmissions by this periodicity or geographical breakdown**  
**‘t’=reference time according to Annex 1**  
**‘d’=days**  
**‘m’=months**  
**\* NUTS3 and Local Administrative Unit (LAU) in accordance with Regulation (EC) No 1059/2003**  
**\*\* t+12 m for the detailed topics The person’s basic characteristics, Births, Deaths, Marriages and registered partnerships, Divorces and terminated registered partnerships, Immigrants, Emigrants, Internal migration, Persons who acquired citizenship; t+24 m for other detailed topics**