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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 223/2009 on European statistics (Text with EEA relevance) - 4-Column Table

Delegations will find attached the initial 4-column table in view of the forthcoming interinstitutional negotiations of the Proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 223/2009 on European statistics.

**Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
amending Regulation (EC) No 223/2009 on European statistics (Text with EEA relevance)**

2023/0237(COD)

[Version for Trilogue on January 10, 2024]

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Formula				
1	2023/0237 (COD)	2023/0237 (COD)	2023/0237 (COD)	
Proposal Title				
2	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 223/2009 on European statistics (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 223/2009 on European statistics (Text with EEA relevance)	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Regulation (EC) No 223/2009 on European statistics (Text with EEA relevance)	
Formula				
3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article	Having regard to the Treaty on the Functioning of the European Union, and in particular Article	Having regard to the Treaty on the Functioning of the European Union, and in particular Article	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	338(1) thereof,	338(1) thereof,	338(1) thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 2a				
5a		<u><i>Having regard to the opinion of the European Central Bank of 28 September 2023¹,</i></u> <u><i>1. OJ C, C/2023/1032, 20.11.2023, ELI : http://data.europa.eu/eli/C/2023/1032/oj</i></u>		
Citation 2a				
5b			Having regard to the opinion of the European Central Bank,	
Citation 3				
6	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,	
Citation 4				
7	Acting in accordance with the	Acting in accordance with the	Acting in accordance with the	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ordinary legislative procedure,	ordinary legislative procedure,	ordinary legislative procedure,	
Formula				
8	Whereas:	Whereas:	Whereas:	
Recital 1				
9	<p>(1) Regulation (EC) No 223/2009 of the European Parliament and of the Council¹ establishes the legal framework at Union level for the development, production and dissemination of European statistics.</p> <p>1. 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 Programme of the European Communities (OJ L 87, 31.3.2009, p. 164).</p>	<p>(1) Regulation (EC) No 223/2009 of the European Parliament and of the Council¹ establishes the legal framework at Union level for the development, production and dissemination of European statistics.</p> <p>1. 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 Programme of the European Communities (OJ L 87, 31.3.2009, p. 164).</p>	<p>(1) Regulation (EC) No 223/2009 of the European Parliament and of the Council¹ establishes the legal framework at Union level for the development, production and dissemination of European statistics.</p> <p>1. 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 Programme of the European Communities (OJ L 87, 31.3.2009, p. 164).</p>	
Recital 2				
10	(2) Regulation (EC) No 223/2009	(2) Regulation (EC) No 223/2009	(2) Regulation (EC) No 223/2009	

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	was amended in 2015 to further strengthen the governance in the European Statistical System (ESS) in particular its professional independence, and since then the strengthened governance has proven to be effective.	was amended in 2015 to further strengthen the governance in the European Statistical System (ESS) in particular its professional independence, and since then the strengthened governance has proven to be effective.	was amended in 2015 to further strengthen the governance in the European Statistical System (ESS) in particular its professional independence, and since then the strengthened governance has proven to be effective.	
Recital 2a				
10a		<u><i>(2a) On 6 March 2023, the European Statistical Governance Advisory Board (ESGAB) published its Annual Report 2022. That report puts forward recommendations to improve the legal framework on European statistics, including by further strengthening the independence of the heads of national statistical institutes (NSIs) and the Director-General of the Commission (Eurostat).</i></u>		
Recital 3				
11	(3) Digital transformation has ushered in radically different realities and created a new environment with new needs for European statistics. Moreover, the recent Covid-19 crisis and the	(3) Digital transformation has ushered in radically different realities and created a new environment with new needs for European statistics. Moreover, the recent Covid-19 crisis and the	(3) Digital transformation has ushered in radically different realities and created a new environment with new needs for European statistics. Moreover, the recent Covid-19 crisis and the	

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	energy crisis triggered by the Russian military aggression against Ukraine have amplified the demands and expectations for timelier, more frequent and more detailed European statistics needed to inform EU decision-making and ensure the best possible Union response to crises.	energy <u>and cost-of-living</u> crisis triggered by the Russian military aggression against Ukraine have amplified the demands and expectations for timelier, more frequent and more detailed European statistics needed to inform EU decision-making and ensure the best possible Union response to crises.	energy crisis triggered by the Russian military aggression against Ukraine humanitarian and political events have amplified the demands and expectations for timelier, more frequent and more detailed European statistics needed to inform support EU decision-making and ensure the best possible Union response to crises.	
Recital 3a				
11a		<u><i>(3a) Situations can occur in which timely and innovative European statistics are necessary in order to respond to urgent policy needs. An example is the lack of timely data on unit profits and business profits, which hampers policy makers in their effort to comprehensively assess the issue of price surges at a time where research by the European Central Bank and the International Monetary Fund (IMF) suggests that corporate profits have been important temporary drivers of inflation. It is therefore crucial to establish procedures to respond to urgent policy needs for European statistics.</i></u>		

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Recital 4				
12	(4) To address growing expectations for timelier, more frequent and more detailed European statistics as well as for a faster and more coordinated ESS response to urgent statistical demands in times of crisis, it is necessary to amend Regulation (EC) No 223/2009. The purpose of this Regulation is to ensure that European statistics stay relevant by taking into account those changing and more demanding user needs, notably by tapping the full potential of digital data sources and technologies, by enabling their re-use for European statistics, by making the ESS more agile and able to respond effectively and swiftly to crises, and by promoting data sharing and strengthening coordination among ESS partners.	(4) To address growing expectations for timelier, more frequent and more detailed European statistics as well as for a faster and more coordinated ESS response to urgent statistical demands in times of crisis, it is necessary to amend Regulation (EC) No 223/2009. The purpose of this Regulation is to ensure that European statistics stay relevant by taking into account those changing and more demanding user needs, notably by tapping the full potential of digital data sources and technologies, by enabling their re-use for European statistics, by making the ESS more agile and able to respond effectively and swiftly to crises, and by promoting data sharing and strengthening coordination among ESS partners.	(4) To address growing expectations for timelier, more frequent and more detailed European statistics as well as for a faster and more coordinated ESS response to urgent statistical demands in times of crisis, it is necessary to amend Regulation (EC) No 223/2009. The purpose of this Regulation is to ensure that European statistics stay relevant by taking into account those changing and more demanding user needs, notably by tapping the full potential of digital data sources and technologies, by enabling their re-use use for European statistics, by making the ESS more agile and able to respond effectively and swiftly to crises, and by promoting allowing data sharing and strengthening coordination among ESS partners.	
Recital 5				
13	(5) To reflect today's realities and the digital age in which the ESS operates, new or updated	(5) To reflect today's realities and the digital age in which the ESS operates, new or updated	(5) To reflect today's realities and the digital age in which the ESS operates, new or updated	

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	definitions should be introduced into Regulation (EC) No 223/2009 to clarify the concepts of ‘data’, ‘metadata’, ‘data holders’, ‘reuse of data’, ‘data sharing’, ‘data source’, ‘multi-source statistics’, ‘use for statistical purposes’, and ‘crisis’.	definitions should be introduced into Regulation (EC) No 223/2009 to clarify the concepts of ‘data’, ‘metadata’, ‘data holders’, ‘reuse of data’, ‘data sharing’, ‘data source’, ‘multi-source statistics’, ‘use for statistical purposes’, and ‘crisis’.	definitions should be introduced into Regulation (EC) No 223/2009 to clarify the concepts of ‘data’, ‘metadata’, ‘data holders’, ‘reuse of data’ holder , ‘data sharing’, ‘data source’, ‘ multi-source statistics’, ‘ data access ’, ‘, and ‘use for statistical purposes’, and ‘crisis’.	
Recital 6				
14	(6) The recent Covid pandemic demonstrated that timely, reliable and comparable European statistics are vital to the effectiveness of public authorities’ response to emergency situations. Therefore, the ESS should be given the possibility to swiftly initiate coordinated actions if urgent data and statistics needs arise outside the regular planning framework, especially in times of crisis. In such situation, a data holder should make, upon request, data available to a national statistical institute (NSI) or the Commission (Eurostat) that demonstrates an exceptional need to use the data requested, in accordance with the rules laid down in the Data Act ¹ .	(6) The Recent <u>developments such as the Covid pandemic, the Russian military aggression against Ukraine and the cost-of-living crisis</u> demonstrated that timely, reliable and comparable European statistics are vital to the effectiveness of public authorities’ response to emergency situations. Therefore, the ESS should be given the possibility to swiftly initiate coordinated actions if urgent data and statistics needs arise outside the regular planning framework, especially in times of crisis. In such situation, a data holder should make, upon request, data available to a national statistical institute (NSI) or the Commission (Eurostat) that demonstrates an exceptional need to use the data	(6) The recent Covid pandemic demonstrated that the availability of timely, reliable and comparable European statistics are is vital to the effectiveness of public authorities’ response to emergency situations. Therefore, the ESS should be given the possibility to swiftly initiate coordinated actions if urgent data and statistics needs arise outside the regular planning framework, especially in times of crisis recognised by Union legal acts, such the Council implementing decision (EU 2018/1993) on the EU Integrated Political Crisis Response Arrangements (IPCRA); the Decision No 1313/2013/EU of the European Parliament and of the Council on a Union Civil	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>1. Proposal for a Regulation of the European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act), (COM/2022/68 final).</p>	<p>requested, in accordance with the rules laid down in the Data Act¹.</p> <hr/> <p>1. Proposal for a Regulation of the European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act), (COM/2022/68 final).</p>	<p>Protection Mechanism; the Council Regulation (EU) 2016/369 on the provision of emergency support within the Union; the emergency framework under; the Council Regulation (EU) 2022/2372 on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level; the Regulation of the European Parliament and of the Council (EU) [xxx/xxx] on the emergency mode. The Commission (Eurostat) should be able to undertake urgent statistical actions in close cooperation with the ESS Committee, where NSIs and other statistical authorities should be able to join on a voluntary basis. In such situation, a data holder should make, upon request, data available to a national statistical institute (NSI) or the Commission (Eurostat) that demonstrates an exceptional need to use the data requested, in accordance with the rules laid down in the Data Act¹.</p> <hr/> <p>1. Proposal for a Regulation of the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European Parliament and of the Council on harmonised rules on fair access to and use of data (Data Act), (COM/2022/68 final).	
Recital 7				
15	(7) Accessing and re-using new data sources, which emerge as by-products of digital services and the Internet of Things (IoT), is becoming vital for producing timely, suitably frequent and sufficiently detailed European statistics in a more efficient and less costly way. Therefore, access to new data sources in general and particularly to privately held data for the development and production of European official statistics on a sustainable basis and according to fair, clear and predictable rules should be ensured.	(7) Accessing and re-using new data sources, which emerge as by-products of digital services and the Internet of Things (IoT), is becoming vital for producing timely, suitably frequent and sufficiently detailed European statistics in a more efficient and less costly way. Therefore, access to new data sources in general and particularly to privately held data for the development and production of European official statistics on a sustainable basis and according to fair, clear, <u>predictable and proportionate</u> and predictable rules, <u>in line with the Union's fundamental rights framework</u> , should be ensured. <u>Access to privately held data should be ensured in conformity with the principle of cost-effectiveness and should not entail excessive burdens on economic operators as laid down in Article 338(2) of the Treaty on the Functioning of the European Union (TFEU).</u>	(7) Accessing and re-using using new data sources, including big data , which emerge as by-products offrom digital services and the Internet of Things (IoT), is becoming vital for producing timely, suitably frequent and sufficiently detailed European statistics in a more efficient and less costly way. Such new data sources are also an important contribution to building statistical sampling frames for ESS purposes. Therefore, access to new data sources in general and particularly to privately held data for the development and production of European official statistics on a sustainable basis and according to fair, clear and predictable rules should be ensured.	

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Recital 7a				
15a			<p>(7a) Privately held data refers to the vast amount of data held by private entities obtained as a result of their activity, which could be used by statistical authorities to produce official statistics. It may include data held by Civil Society Organisations (CSOs), among others. This data can be key to complement official statistics and monitor economic, social, and environmental progress and in particular on the Sustainable Development Goals. Such use should therefore be strongly promoted.</p>	
Recital 8				
16	<p>(8) Access to new data sources, including particularly to privately held data, has been a longstanding request by the ESS as demonstrated by the ESS Position Paper on access to privately held data which are of public interest from November 2017, and the ESS Position Paper on the future Data</p>	<p>(8) Access to new data sources, including particularly to privately held data, has been a longstanding request by the ESS as demonstrated by the ESS Position Paper on access to privately held data which are of public interest from November 2017, and the ESS Position Paper on the future Data</p>	<p>(8) Access to new data sources, including particularly to privately held data, has been a longstanding request by the ESS as demonstrated by the ESS Position Paper on access to privately held data which are of public interest from November 2017, and the ESS Position Paper on the future Data</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Act proposal from June 2021.	Act proposal from June 2021.	Act proposal from June 2021.	
Recital 9				
17	<p>(9) The reuse of privately held data and other new data sources should be subject to strict legal, technical and procedural safeguards and guarantees, including applying a high level of security, confidentiality and respect for privacy, as already enshrined in Regulation (EC) No 223/2009. The possibility to request access to privately held data should be limited to the national statistical institutes (NSIs), acting on their own or on behalf of another national authority of the ESS, and the Commission (Eurostat) only and should, as a pre-requisite, be established in an annual work programme and restricted to cases where, on the one hand, the data requested is necessary for the development and production of European statistics and, on the other hand, the data cannot be readily obtained otherwise or the data reuse would result in a considerable reduction in the response burden on data holders and other businesses.</p>	<p>(9) The reuse of privately held data and other new data sources should be subject to strict legal, technical and procedural safeguards and guarantees, including applying a high level of security, confidentiality and respect for privacy, as already enshrined in Regulation (EC) No 223/2009. The possibility to request access to privately held data should be limited to the national statistical institutes (NSIs), acting on their own or on behalf of another national authority of the ESS, and the Commission (Eurostat) only and should, as a pre-requisite, be established in an annual work programme and restricted to cases where, on the one hand, the data requested is <i>strictly</i> necessary for the development and production of European statistics and, on the other hand, the data cannot be <i>readily</i> obtained otherwise or the data reuse would result in a considerable reduction in the response burden on data holders and other businesses. <i>Such</i></p>	<p>(9) The reuse reuse of privately held data and other new data sources should be subject to strict legal, technical and procedural safeguards and guarantees, including applying a high level of security, confidentiality and respect for privacy, as already enshrined in Regulation (EC) No 223/2009. The possibility to request Access to privately held data should be limited to the national statistical institutes (NSIs), acting on their own or on behalf of another other national authorities (ONAs) authority of the ESS, and the Commission (Eurostat) only and should, as a pre-requisite, be established in an annual work programme and restricted to cases where, on the one hand, the data requested is necessary for the development and production of European statistics and, on the other hand, the data cannot be readily obtained otherwise or the data reuse would result in a considerable reduction in the response burden on data holders</p>	

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		<u><i>privately held data should be made anonymous in accordance with Article 89 of Regulation (EU) 2016/679 and Article 13 of Regulation (EU) 2018/1725.</i></u>	and other businesses..	
Recital 10				
18	(10) Data requests by the NSIs or the Commission (Eurostat) should be transparent and proportionate in terms of their scope and level of detail. In that connection, it is necessary to specify and explain the purpose of the request, the intended use of the data requested, the frequency with which and deadlines by which the data should be made available as well as the operational arrangements for making them available.	(10) Data requests by the NSIs or the Commission (Eurostat) should be <u>clear</u> , transparent and proportionate in terms of their scope and level of detail. In that connection, it is necessary to specify and explain <u>at least</u> the purpose of the request, the intended use of the data requested, the frequency with which and deadlines by which the data should be made available as well as the operational arrangements for making them available.	(10) Data requests for privately held data by the NSIs or the Commission (Eurostat) should be transparent and proportionate in terms of their scope and level of detail. In that connection, it is necessary to specify and explain the purpose of the request, the intended use of the data requested, the frequency with which and deadlines by which the data should be made available as well as the operational arrangements for making them available. As official statistics are a public good, the data should free of charge. In duly justified cases, Member States or the Commission should have the possibility to provide a compensation limited to the processing service according to the specifications requested, except where national legislation does not allow the statistical authorities to do so. As a guide,	

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			the Commission (Eurostat) in close consultation with the ESS Committee should publish a description of the main categories of data processing and the methodology for calculating the compensation.	
Recital 11				
19	(11) With the data requests, the NSI or the Commission (Eurostat) should invite the data holder to a dialogue to specify the concrete parameters of data requests, arrangements, measures to offset potential costs incurred to make data available as well as any organisational and technical measures to protect data confidentiality and trade secrets, with a view to concluding an agreement on those aspects. If no agreement is concluded within three months, the NSI or the Commission should have the possibility to adopt a decision requiring the private data holder to make data available. If the data holder intentionally or negligently fails to transmit the requested data within the set period or transmits incorrect, incomplete or misleading	(11) With the data requests, the NSI or the Commission (Eurostat) should invite the data holder to a dialogue to specify the concrete parameters of data requests, <i>specific</i> arrangements, measures to offset potential costs incurred to make data available as well as any organisational and technical measures to protect data confidentiality and trade secrets, with a view to concluding an agreement on those aspects. If no agreement is concluded within three months, the NSI or the Commission should have the possibility to adopt a <i>justified</i> decision requiring the private data holder to make data available. If the data holder intentionally or negligently fails to transmit the requested data within the set period or transmits incorrect, incomplete	(11) With the data requests, the NSI or the Commission (Eurostat) should, respectively , invite the private data holder to a dialogue to specify the concrete parameters of data- requests; and other arrangements, including how measures to offset potential costs incurred to make data available as well as any organisational and technical measures to protect data confidentiality and trade secrets, with a view to concluding an agreement on those aspects. If no agreement is concluded within three months, or if the private data holder does not comply with the agreement , the NSI or the Commission, respectively , should have the possibility to issue a second request to adopt a decision requiring the private data holder to make data available. If the data	

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	<p>data, the NSI or the Commission should have the possibility to adopt penalties that should be effective, proportionate and dissuasive, taking into account the nature, gravity, recurrence and duration of the violation, in view of the public interest pursued. The penalties adopted by the NSIs should be equivalent to penalties regarding infringements of similar national rules. All decisions taken by the Commission under this Regulation are subject to review by the Court of Justice of the European Union in accordance with the Treaty on the Functioning of the European Union. The Court of Justice of the European Union should have unlimited jurisdiction in respect of fines adopted by the Commission in accordance with Article 261 of the Treaty on the Functioning of the European Union.</p>	<p>or misleading data, the NSI or the Commission should have the possibility to adopt penalties that should be effective, proportionate and dissuasive, taking into account the nature, gravity, recurrence and duration of the violation, in view of the public interest pursued. The penalties adopted by the NSIs should be equivalent to penalties regarding infringements of similar national rules. – All decisions taken by the Commission under this Regulation are subject to review by the Court of Justice of the European Union in accordance with the Treaty on the Functioning of the European Union. The Court of Justice of the European Union should have unlimited jurisdiction in respect of fines adopted by the Commission in accordance with Article 261 of the Treaty on the Functioning of the European Union.</p>	<p>holder intentionally or negligently fails to transmit the requested data within the set period deadline or transmits incorrect, incomplete or misleading data, the Member State NSI or the Commission should have, respectively, adopt enforcement measures, including the possibility to adopt impose penalties, that should be effective, proportionate and dissuasive, taking into account the nature, gravity, recurrence and duration of the violation, in view of the public interest pursued. Maximum amounts for The penalties adopted by the NSIs Commission should be equivalent to penalties regarding infringements of similar national rules established. The Commission should have the possibility to issue guidelines on the calculation of the fines. – All decisions taken by the Commission under this Regulation are subject to review by the Court of Justice of the European Union in accordance with the Treaty on the Functioning of the European Union. The Court of Justice of the European Union should have unlimited jurisdiction in respect of fines adopted by the Commission in accordance with Article 261 of the Treaty on the</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			Functioning of the European Union.	
Recital 12				
20	(12) The further integration of statistics and geospatial information should also be encouraged to enable a more efficient use of resources and improved integration of data by different public organisations and to produce new statistical outputs, such as spatial analysis, and visualisation and dissemination of data. These will support decision-making and the monitoring of policy goals at both Union and national level.	(12) The further integration of statistics and geospatial information should also be encouraged to enable a more efficient use of resources and improved integration of data by different public organisations and to produce new statistical outputs, such as spatial analysis, and visualisation and dissemination of data. These will support decision-making and the monitoring of policy goals at both Union and national level.	(12) The further integration of statistics and geospatial information should also be encouraged to enable a more efficient use of resources and improved integration of data by different public organisations and to produce new statistical outputs, such as spatial analysis, and visualisation and dissemination of data. These will support decision-making and the monitoring of policy goals at both Union and national level.	
Recital 12a				
20a		<u><i>(12a) The Commission (Eurostat), NSIs and other national authorities responsible for the production of European statistics should strive to provide access to their databases and supporting metadata and other documentation relevant for quality assessment using up-to-date and easy-to-use technologies.</i></u>		

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Recital 12b				
20b		<p><u><i>(12b) European statistics are also developed, produced and disseminated by the European System of Central Banks (ESCB) yet under a separate legal framework, reflecting the ESCB's governance structure. Close cooperation and appropriate coordination is required between the ESS and ESCB, in particular to foster the exchange of confidential data between the two systems exclusively for statistical purposes, in line with Article 338(1) TFEU and Article 5 of Protocol No 4 on the Statute of the European System of Central Banks and of the European Central Bank. Furthermore, this Regulation should apply without prejudice to Council Regulation (EC) No 2533/98.</i></u></p>		
Recital 13				
21	<p>(13) It is necessary to ensure that national public bodies in charge of administrative data sources relevant for development,</p>	<p>(13) It is necessary to ensure that national public bodies in charge of administrative data sources relevant for development,</p>	<p>(13) It is necessary to ensure that national public and semi-public bodies in charge of administrative data sources, databases,</p>	

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	production and dissemination of European statistics allow national statistical authorities to access, reuse and integrate this data free of charge in time and with sufficient frequency for the purposes of producing and transmitting statistics to the Commission (Eurostat) within the deadlines and in accordance with quality requirements defined in Union statistical legislation.	production and dissemination of European statistics allow national statistical authorities to access, reuse and integrate this data free of charge in time and with sufficient frequency for the purposes of developing, producing and transmitting <u>disseminating</u> <u>European</u> statistics to the Commission (Eurostat) within the deadlines and in accordance with quality requirements defined in Union statistical legislation.	interoperability systems or any data relevant for development, production and dissemination of European statistics allow national statistical institutes and other national authorities to access, reuse reuse and integrate this data free of charge in time and with sufficient frequency for the purpose of purpose of developing, producing and transmitting disseminating European statistics to the Commission (Eurostat) within the deadlines and in accordance with quality requirements defined in Union statistical legislation. The possibility of building statistical sampling frames based on relevant administrative data by the NSIs and ONAs should be ensured by the Member States.	
Recital 13a				
21a			(13a) The use of multi-source statistics should be further encouraged, with statistics developed or produced on the basis of a variety of data sources, including by means of modelling techniques and other statistical methods or innovative	

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			approaches.	
Recital 13b				
21b			(13b) European statistics are developed, produced and disseminated by the ESS and the ESCB but under separate legal frameworks reflecting their respective governance structures. Therefore, close cooperation and appropriate coordination is required between the ESS and the ESCB, notably on the exchange of data between both systems exclusively for statistical purposes.	
Recital 14				
22	(14) Where the activities to be carried out under this Regulation involve the processing of personal data, such processing should comply with the relevant EU legislation on personal data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council ¹ and Regulation (EU) 2016/679 of the European Parliament and of the Council ² . In accordance with the	(14) Where the activities to be carried out under this Regulation involve the processing of personal data, such processing should comply with the relevant EU legislation on personal data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council ¹ and Regulation (EU) 2016/679 of the European Parliament and of the Council ² . In accordance with the	(14) Where The activities to be carried out under this Regulation involve the processing of personal data, such as statistical authorities are mandated to request personal data for official statistical purposes pursuant to specific methodological descriptions of each statistical product. This processing should comply with this subject to the relevant EU legislation on personal	

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	<p>data minimisation principle set out in these regulations, data provided under this Regulation should normally be aggregated to such a degree that individuals cannot be identified.</p> <p>1. 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). 2. 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).</p>	<p>data minimisation principle set out in these regulations, data provided normally be aggregated to such a degree that individuals cannot be identified.</p> <p>1. 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). 2. 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).</p>	<p>data protection, namely Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and Regulation (EU) 2016/679 of the European Parliament and of the Council². In accordance with the data minimisation principle set out in these regulations, data provided under this Regulation should normally be aggregated to such a degree that individuals cannot be identified.</p> <p>1. 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). 2. 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).</p>	
	Recital 15			
23	(15) Processing of personal data for the purposes of official	(15) Processing of personal data for the purposes of official	(15) Processing of Personal data processed for statistical for the	

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	<p>statistics by national statistical authorities, which is considered to be in the public interest, should be covered by derogations and subject to appropriate safeguards, in accordance with Regulation (EU) 2016/679. For instance, further processing of personal data for statistical purposes should not be considered to be incompatible with the initial purposes for which they were collected. In that context, the particular safeguards which should be applied when data sharing according to this Regulation requires personal data to be processed, include the principles of purpose limitation, data minimisation, storage limitation and integrity and confidentiality as set out in Regulation (EU) 2016/679. In that regard, the use of privacy enhancing technologies that are specifically designed to implement these principles should be the way to share data.</p>	<p>statistics by national statistical authorities, which is considered to be in the public interest, should be covered by derogations and subject to appropriate safeguards, in accordance with Regulation (EU) 2016/679. For instance, further processing of personal data for statistical purposes should not be considered to be incompatible with the initial purposes for which they were collected. In that context, the particular safeguards which should be applied when data sharing according to this Regulation requires personal data to be processed, include the principles of purpose limitation, data minimisation, storage limitation and integrity and confidentiality as set out in Regulation (EU) 2016/679. In that regard, the use of privacy enhancing technologies that are specifically designed to implement these principles should be the way to share data.</p>	<p>purposes of official statistics by national statistical authorities, which is considered to be in the public interest, confidential data, subject to the statistical confidentiality principle. Therefore, such data should only be used for statistical purposes and should never be used for supporting measures or decisions regarding any particular natural person. be covered by derogations and subject to appropriate safeguards, in accordance with Regulation (EU) 2016/679. For instance, Further processing of personal data for official statistical purposes is compatible should not be considered to be incompatible with the initial purposes for which they were collected. In that context, the particular safeguards which should be applied when data sharing according to this set out in Article 89(1) of Regulation (EU) 2016/679 and Article 13 of Regulation (EU) 2018/1725 are always applied when personal data are to be processed. These safeguards, including technical and organisational measures such as privacy-enhancing technologies</p>	

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			<p>and the respect of, include the principles of purpose limitation, data minimisation, storage limitation and integrity and confidentiality as set out in Regulation (EU) 2016/679. In that regard, the use of privacy enhancing technologies that are specifically designed to implement these principles, are already ensured by the statistical principles set out in Article 2 and further elaborated in the European Statistics Code of Practices. . Pursuant to Article 89(2) of Regulation (EU) 2016/679 derogations should be the way to share data granted by national legislation to the development, production and dissemination of European statistics by national statistical authorities, under the safeguards laid down in these provisions.</p>	
Recital 16				
24	(16) To be on the forefront of integrating new technologies and new insights progressively, and thereby to ensure that European statistics continuously stay relevant, rules should be	(16) To be on the forefront of integrating new technologies and new insights progressively, and thereby to ensure that European statistics continuously stay relevant, rules should be	(16) To be on the forefront of integrating new technologies and new insights progressively, and thereby to ensure that European statistics continuously stay relevant; rules should be	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>established under which, as part of a collective effort by the ESS, statistics can be developed in specific areas with the aim of integrating them in the regular production of European Statistics. Although not necessarily fulfilling all quality criteria laid down in Article 12(1) of Regulation (EC) No 223/2009, those statistics should be treated as European statistics.</p>	<p>established under which, as part of a collective effort by the ESS, statistics can be developed in specific areas with the aim of integrating them in the regular production of European Statistics. Although not necessarily fulfilling all quality criteria laid down in Article 12(1) of Regulation (EC) No 223/2009, those statistics should be treated as European statistics.</p>	<p>established under which, as part of a collective effort by the ESS, statistics can be developed, in accordance with user’s needs, in specific areas in the form of statistics under development or experimental statistics with the aim of integrating them in the regular production of European Statistics. Although not necessarily fulfilling all quality criteria laid down in Article 12(1) of Regulation (EC) No 223/2009, those statistics should be treated as European statistics. Transparent information on the quality of statistics under development or experimental statistics should accompany their publication.</p>	
Recital 17				
25	<p>(17) While striving to continuously innovate and develop new statistical outputs, national statistical authorities should take the utmost account of users’ needs as expressed notably by national statistical user councils. At Union level, the European Statistical Advisory Committee (ESAC), established by Decision No 234/2008/EC of the European</p>	<p>(17) While striving to continuously innovate and develop new statistical outputs, national statistical authorities should take the utmost account of users’ needs as expressed notably by national statistical user councils. At Union level, the European Statistical Advisory Committee (ESAC), established by Decision No 234/2008/EC of the European</p>	<p>(17) While striving to econtinuously innovate and develop new statistical outputs, national statistical authorities should take the utmost account of users’ needs as expressed notably by national statistical user councils or other appropriate bodies. At Union level, the European Statistical Advisory Committee (ESAC), established by Decision</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>Parliament and of the Council¹ as the main Union body representing users, respondents and producers of European statistics, should be informed by the Commission on how it has taken into account the ESAC's opinions, particularly with regard to developing new European statistics.</p> <p>1. Decision No 234/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Advisory Committee and repealing Council Decision 91/116/EEC (OJ L 73, 15.3.2008, p. 13).</p>	<p>Parliament and of the Council¹ as the main Union body representing users, respondents and producers of European statistics, should be informed by the Commission on how it has taken into account the ESAC's opinions, particularly with regard to developing new European statistics.</p> <p>1. Decision No 234/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Advisory Committee and repealing Council Decision 91/116/EEC (OJ L 73, 15.3.2008, p. 13).</p>	<p>No 234/2008/EC of the European Parliament and of the Council¹ as the main Union body representing users, respondents and producers of European statistics, should be informed by the Commission on how it has taken into account the ESAC's opinions, particularly with regard to developing new European statistics.</p> <p>1. Decision No 234/2008/EC of the European Parliament and of the Council of 11 March 2008 establishing the European Statistical Advisory Committee and repealing Council Decision 91/116/EEC (OJ L 73, 15.3.2008, p. 13).</p>	
Recital 18				
26	<p>(18) Statistical authorities should also promote, at both national and European level, a strong, structured and sustained interdisciplinary cooperation with academic and research institutions, especially when developing new statistics, testing new methods and technologies and promoting innovation and experimentation.</p>	<p>(18) <u><i>In order to keep up with the most recent academic trends and to improve the quality of statistical data and methods,</i></u> statistical authorities should also promote, at both national and European level, a strong, structured and sustained interdisciplinary cooperation with academic and research institutions, especially when developing new statistics, testing new methods and technologies and promoting innovation and experimentation.</p>	<p>(18) Statistical authorities should also promote, at both national and European level, a strong, structured and sustained interdisciplinary cooperation with academic and research institutions, especially when developing new statistics, testing new methods and technologies and promoting innovation and experimentation. For the purpose of this Regulation, scientific purposes cover research activities such as technological development and</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			demonstration, fundamental research or applied research.	
Recital 19				
27	(19) Given the trust granted to NSIs and their high technical expertise in data management, data quality and data protection, Member States should be encouraged, in accordance with the principle of subsidiarity, to assign to the NSIs certain functions in the national data governance frameworks including those foreseen in the Data Governance Act, with the objective of promoting data integration and inter-operability, metadata description, quality assurance and standard setting. In that regard, the involvement of NSIs in the initial design, subsequent development and discontinuation of administrative records should be recalled and reinforced when appropriate, with a view to ensuring, among other things, consistency and data quality and to minimising the reporting burden.	(19) Given the trust granted to NSIs and their high technical expertise in data management, data quality and data protection, Member States should be encouraged, in accordance with the principle of subsidiarity, to assign to the NSIs certain functions in the national data governance frameworks including those foreseen in the Data Governance Act, with the objective of promoting data integration and inter-operability, metadata description, quality assurance and standard setting. In that regard, the involvement of NSIs in the initial design, subsequent development and discontinuation of administrative records should be recalled and reinforced when appropriate, with a view to ensuring, among other things, consistency and data quality and to minimising the reporting burden.	(19) Given the trust granted to NSIs and their high technical expertise in data and metadata management, data quality and data protection, Member States should be encouraged, in accordance with the principle of subsidiarity, to assign to the NSIs certain functions an important role in the national data governance frameworks including those foreseen in the Regulation (EU) 2022/868 (Data Governance Act), with the objective of promoting data sharing, data integration and inter-operability, metadata description, quality assurance and standard setting. In that regard, the involvement of NSIs and ONAs in the initial design, subsequent development and discontinuation of administrative records data should be recalled and reinforced when appropriate, with a view to ensuring, among other things, consistency and data quality and to minimising the reporting burden.	

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Recital 20				
28	(20) Data that is lawfully available to the public should not be considered confidential when used for statistical purposes.	(20) Data that is lawfully available to the public should not be considered confidential <u>data or confidential statistical information or for the dissemination of statistics obtained from those data.</u>	(20) Data that is lawfully available to the public and that remain available according to Union or national legislation , should not be considered confidential when used for statistical purposes.	
Recital 21				
29	(21) In the interest of increased timeliness at Union level, the Commission (Eurostat) should be allowed to disseminate Member States' European statistics as soon as they have been published nationally, even if this was done ahead of the deadlines for providing the statistics that are set out in the relevant sectoral Union legislation.	(21) In the interest of increased timeliness at Union level, the Commission (Eurostat) should be allowed to disseminate Member States' European statistics as soon as they have been published nationally, even if this was done ahead of the deadlines for providing the statistics that are set out in the relevant sectoral Union legislation.	(21) In the interest of increased timeliness at Union level, the Commission (Eurostat) should be allowed to disseminate Member States' European statistics as soon as they have been published nationally, even if this was done ahead of the deadlines for providing the statistics that are set out in the relevant sectoral sectorial Union legislation.	
Recital 21a				
29a		<u>(21a) Lack of coordination may lead to inefficiencies and inconsistencies and raise issues of quality of European statistics. Union bodies and agencies should systematically consult the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>Commission (Eurostat) on statistical methodologies and data quality when developing new statistics in their fields of competence. Coordination should also extend to 'other statistics' that are key to informing policy-makers and citizens, in particular because the quality of such statistics could affect the reputation of European statistics.</i></u>		
Recital 22				
30	(22) Since the objective of this Regulation, namely the amendment of the legal framework for developing, producing and disseminating European statistics, 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 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order	(22) Since the objective of this Regulation, namely the amendment of the legal framework for developing, producing and disseminating European statistics, 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 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order	(22) Since the objective of this Regulation, namely the amendment of the legal framework for developing, producing and disseminating European statistics, 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 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	to achieve that objective.	to achieve that objective.	to achieve that objective.	
Recital 23				
31	<p>(23) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of the temporary statistical actions to be undertaken, including the relevant timespan, frequency and quality requirements, of the general technical arrangements for making privately held data available to the NSIs and the Commission (Eurostat) and of the technical aspects of data sharing between the statistical authorities. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. 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 the Member States of the Commission's exercise of implementing powers (OJ L55, 28.2.2011, p. 13).</p>	<p>(23) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of the temporary statistical actions to be undertaken, including the relevant timespan, frequency and quality requirements, of the general technical arrangements for making privately held data available to the NSIs and the Commission (Eurostat) and of the technical aspects of data sharing between the statistical authorities. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. 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 the Member States of the Commission's exercise of implementing powers (OJ L55, 28.2.2011, p. 13).</p>	<p>(23) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission in respect of the temporaryurgent statistical actions to be undertaken, including the relevant timespan, frequency and quality requirements, of the general technical arrangements for making privately held data available to the NSIs and the Commission (Eurostat) and and any extension thereof, frequency and quality requirements of the technical aspects of non-confidential data sharing between the statistical authorities. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council¹.</p> <p>¹. 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 the Member States of the Commission's exercise of implementing powers (OJ L55, 28.2.2011,</p>	

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			p. 13).	
Recital 24				
32	<p>(24) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on [xxx].</p> <p>¹ 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).</p>	<p>(24) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on xxx⁶ September 2023.</p> <p>¹ 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).</p>	<p>(24) The European Data Protection Supervisor was consulted in accordance with Article 42(1) of Regulation (EU) 2018/1725 of the European Parliament and of the Council¹ and delivered an opinion on xxx⁶ September 2023.</p> <p>¹ 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).</p>	
Recital 25				
33	<p>(25) The European Statistical System (ESS) Committee was consulted,</p>	<p>(25) The European Statistical System (ESS) Committee was consulted,</p>	<p>(25) The European Statistical System (ESS) Committee was consulted,</p>	
Formula				
34	HAVE ADOPTED THIS	HAVE ADOPTED THIS	HAVE ADOPTED THIS	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	REGULATION:	REGULATION:	REGULATION:	
Article 1				
35	Article 1 Amendments to Regulation (EC) No 223/2009	Article 1 Amendments to Regulation (EC) No 223/2009	Article 1 Amendments to Regulation (EC) No 223/2009	
Article 1, first paragraph				
36	Regulation (EC) No 223/2009 is amended as follows:	Regulation (EC) No 223/2009 is amended as follows:	Regulation (EC) No 223/2009 is amended as follows:	
Article 1, first paragraph, point (1)				
37	(1) Article 3 is amended as follows:	(1) Article 3 is amended as follows:	(1) Article 3 is amended as follows:	
Article 1, first paragraph, point (1)(a)				
38	(a) the following points 4a, 4b, 4c, 4d and 4e are inserted:	(a) the following points 4a, 4b, 4c, 4d and 4e are inserted:	(a) the following points 4a, 4b, 4c, 4d and 4e are inserted:	
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4a)				
39	4a. ‘data’ means any digital or non-digital representation of acts, facts and information;	4a. ‘data’ means any digital or non-digital representation of acts, facts and information;	4a. ‘data’ means any digital or non-digital representation of acts, facts or information and any	

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			compilation of such acts, facts or and information on the units observed;	
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4b)				
40	4b. ‘metadata’ means any data that defines and describes other data and processes, or is used in this way;	4b. ‘metadata’ means any data that defines and describes other data and processes, or is used in this way;	4b. ‘metadata’ means any data information that defines and describes other data and processes, or is used in this way;	
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4c)				
41	4c. ‘data holder’ means a legal or natural person who has the right, in accordance with applicable Union or national legislation implementing Union law, or the ability, to make available certain data;	4c. ‘data holder’ means a legal or natural person who has the right, in accordance with applicable Union or national legislation implementing Union law, or the ability, to make available certain data;	4c. ‘data holder’ means a legal or natural person or any other entity who has the right, in accordance with applicable Union legal acts or national legislation implementing Union law, or and the ability, to manage and make available data obtained as a result of their activity certain data;	
Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4d)				
42	4d. ‘reuse of data’ means the use by national statistical authorities and the Commission (Eurostat) of data held and made available by data holders for the development, production and dissemination of	4d. ‘reuse of data’ means the use by national statistical authorities and the Commission (Eurostat) of data held and made available by data holders for the development, production and dissemination of	<i>deleted</i>	

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	European statistics;	European statistics;		
<i>Article 1, first paragraph, point (1)(a), amending provision, numbered paragraph (4e)</i>				
43	4e. ‘data sharing’ means the provision of data or the permission of data reuse by a statistical authority to another statistical authority for the purpose of joint or individual use of such data for statistical purposes;;	4e. ‘data sharing’ means the provision of data or the permission of data reuse by a statistical authority to another statistical authority for the purpose of joint or individual use of such data for statistical purposes;;	4e. ‘data sharing’ means the provision of data or the permission of data reuse by ause by a national Commission (Eurostat) to another national statistical authority or the Commission (Eurostat) for the purpose of joint or individual use of such data for statistical purposes;;	
<i>Article 1, first paragraph, point (1)(b)</i>				
44	(b) the following points 5a, 5b and 5c are inserted:	(b) the following points 5a, 5b and 5c are inserted:	(b) the following points 5a, 5b and 5e and 5b are inserted:	
<i>Article 1, first paragraph, point (1)(ba)</i>				
44a		This row will be removed with the new update.		
<i>Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (5a)</i>				
45	‘5a. ‘data source’ means a source	‘5a. ‘data source’ means a source	‘5a. ‘data source’ means a source	

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	providing data that is relevant, in itself or in combination with data from other sources, for the development and production of statistics, including surveys, censuses, administrative records or data made available by data holders on request;	providing data that is relevant, in itself or in combination with data from other sources, for the development and production of statistics, including surveys, censuses, administrative records or data made available by data holders on request;	providing data that is relevant and necessary , in itself or in combination with data from other sources, for the development and production of statistics, including surveys, censuses, administrative records data or data made available by data holders on request;	
Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (5b)				
46	5b. ‘data access’ means processing by a national statistical institute or the Commission (Eurostat) of data that has been provided by a private data holder, in accordance with specific technical, legal or organisational requirements, without necessarily requiring the transmission or downloading of such data;	5b. ‘data access’ means processing by a national statistical institute or the Commission (Eurostat) of data that has been provided by a private data holder, in accordance with specific technical, legal or organisational requirements, without necessarily requiring the transmission or downloading of such data;	5b. ‘data access’ means processing by a national statistical institute (hereafter NSI) or other national authorities (hereafter ONAs) or by or the Commission (Eurostat) of data that has been provided or made available by a private data holder, in accordance with specific technical, legal or organisational requirements, without necessarily requiring the transmission or downloading of such data;	
Article 1, first paragraph, point (1)(b), amending provision, numbered paragraph (5c)				
47	5c. ‘multi-source statistics’ mean statistics developed or produced on the basis of a variety of data sources, including by means of	5c. ‘multi-source statistics’ mean statistics developed or produced on the basis of a variety of data sources, including by means of	<i>deleted</i>	

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	modelling techniques;;	modelling techniques;;		
<i>Article 1, first paragraph, point (1)(ba)</i>				
47a		<u><i>(ba) the following point is inserted:</i></u>		
<i>Article 1, first paragraph, point (1)(ba), amending provision, numbered paragraph (7a)</i>				
47b		<u><i>7a. 'privately held data' means data held by private entities, the main aim of which is not the provision of statistics;</i></u>		
<i>Article 1, first paragraph, point (1)(c)</i>				
48	(c) point 8 is replaced by the following:	(c) point 8 is replaced by the following:	(c) point 8 is replaced by the following:	
<i>Article 1, first paragraph, point (1)(c), amending provision, numbered paragraph (8)</i>				
49	8. 'use for statistical purposes' means the exclusive use for the development and production of statistical results and analyses, including for related research and	8. 'use for statistical purposes' means the exclusive use for the development, <u><i>production and dissemination</i></u> and production of statistical results and analyses,	8. 'use for statistical purposes' means the exclusive use for the development, production and dissemination and production of statistical results and analyses by	

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	scientific activities or the establishment of sampling frames;;	including for related research and scientific activities or the establishment of sampling frames;;	the statistical authorities, including for related research and scientific activities, or the establishment of sampling frames;;	
Article 1, first paragraph, point (1)(d)				
50	(d) the following point 8a is inserted:	(d) the following point 8a is inserted:	<i>deleted</i>	
Article 1, first paragraph, point (1)(d), amending provision, numbered paragraph (8a)				
51	8a. 'crisis' means a situation of wide-ranging impact or political significance generating an immediate and unforeseen demand for European statistics;;	8a. 'crisis' means a situation of wide-ranging impact or political significance generating an immediate and unforeseen demand for European statistics;;	<i>deleted</i>	
Article 1, first paragraph, point (1)(da)				
51a		<u>(da) the following point is added:</u>		
Article 1, first paragraph, point (1)(da), amending provision, numbered paragraph (12a)				
51b		<u>12a. 'other core identification and classification variables'</u>		

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		<u>means data attributes which comprise entity identifiers, principal economic activity and ESA sector classifications.</u> ;		
Article 1, first paragraph, point (1a)				
51c		<u>(1a) the following Article is inserted:</u>		
Article 1, first paragraph, point (1a), amending provision, first paragraph				
51d		<u>Article 5b</u> <u>Selection procedure for heads of NSIs</u>		
Article 1, first paragraph, point (1a), amending provision, numbered paragraph (1)				
51e		<u>1. Member States shall ensure that the procedure for the selection and recruitment of the heads of NSIs is in line with international best practices, and that appointments are based on clear professional criteria, in particular as regards statistical reputation and a high level of competence in the field of statistics. Member States shall</u>		

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		<u><i>also ensure that the principle of equal opportunities is respected in the procedure, in particular with regard to gender.</i></u>		
Article 1, first paragraph, point (1a), amending provision, numbered paragraph (2)				
51f		<u><i>2. The heads of NSIs shall be selected for a fixed, non-renewable term of up to 10 years.</i></u>		
Article 1, first paragraph, point (1a), amending provision, numbered paragraph (3)				
51g		<u><i>3. The heads of the NSIs shall have sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all statistics produced in the context of the ESS. When carrying out those statistical tasks, the heads of NSIs shall act in an independent manner and shall neither seek nor take instructions from their national government or any other government or other institution, body, office or agency, nor from any Union institutions or bodies.</i></u>		
Article 1, first paragraph, point (1a), amending provision, numbered paragraph (4)				

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51h		<u><i>4. In the event of early termination of the contract (dismissal) of a head of NSI, Member States shall clearly specify the reasons for the dismissal. However, specifying the reasons for the dismissal shall not compromise the professional or scientific independence of the heads of NSIs or their responsibilities laid down in this Regulation.”;</i></u>		
Article 1, first paragraph, point (1b)				
51i		<u><i>(1b) Article 6a is amended as follows:</i></u>		
Article 1, first paragraph, point (1b)(a)				
51j		<u><i>(a) paragraph 2 is replaced by the following:</i></u>		
Article 1, first paragraph, point (1b)(a), amending provision, numbered paragraph (2)				
51k		<u><i>2. The Director-General of the Commission (Eurostat) is selected for a fixed, non-renewable term of</i></u>		

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		<u>seven years.</u> ;		
Article 1, first paragraph, point (1b)(b)				
51l		<u>(b) paragraph 3 is replaced by the following:</u>		
Article 1, first paragraph, point (1b)(b), amending provision, numbered paragraph (3)				
51m		<u>3. The procedure for the selection and recruitment of the Director-General of the Commission (Eurostat) shall be open and transparent, in line with international best practices, and the appointment shall be based on clear professional criteria, in particular as regards statistical reputation and a high level of competence in the field of statistics. The principle of equal opportunities shall be respected in the procedure, in particular with regard to gender.</u> ;		
Article 1, first paragraph, point (1b)(c)				
51n		<u>(c) paragraph 4 is replaced by the</u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>following:</u>		
Article 1, first paragraph, point (1b)(c), amending provision, numbered paragraph (4)				
51o		<p>4. <u>The Director-General of of the Commission (Eurostat) shall be responsible for all statistical activities of of the Commission (Eurostat) and for matters regarding internal management and budget execution. The Director-General of of the Commission (Eurostat) shall have sole responsibility for deciding on processes, statistical methods, standards and procedures, and on the content and timing of statistical releases and publications for all statistics produced by the Commission (Eurostat). When carrying out those statistical tasks, the Director-General of the Commission (Eurostat) shall act in an independent manner and shall neither seek nor take instructions from the Union institutions or bodies, including other services of the Commission, from any government or other institution, body, office or agency.</u></p>		

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Article 1, first paragraph, point (1b)(d)				
51p		<u><i>(d) the following paragraphs are added:</i></u>		
Article 1, first paragraph, point (1b)(d), amending provision, numbered paragraph (4a)				
51q		<u><i>4a. In the event of early termination of the contract (dismissal) of the Director-General of the Commission (Eurostat), the reasons for the dismissal shall be clearly specified. However, specifying the reasons for the dismissal shall not compromise the professional or scientific independence or the internal management responsibilities of the Director-General of the Commission (Eurostat) laid down in paragraph 4.;</i></u>		
Article 1, first paragraph, point (1b)(d), amending provision, numbered paragraph (4b)				
51r		<u><i>4b. The Director-General of of the Commission (Eurostat) shall appear immediately after</i></u>		

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		<u><i>appointment by the Commission, and annually thereafter, in the framework of the statistical dialogue before the relevant committee of the European Parliament to discuss matters pertaining to statistical governance, methodology and statistical innovation.</i></u>		
Article 1, first paragraph, point (1b)(d), amending provision, numbered paragraph (4c)				
51s		<u><i>4c. The Director-General of of the Commission (Eurostat) shall publish an annual report.</i></u>		
Article 1, first paragraph, point (1b)(d), amending provision, numbered paragraph (4d)				
51t		<u><i>4d. Paragraphs 2, 3 and 4a shall also apply to the deputy Director-General of the Commission (Eurostat).’;</i></u>		
Article 1, first paragraph, point (1c)				
51u		<u><i>(1c) in Article 12, paragraph 3 is replaced by the following:</i></u>		
Article 1, first paragraph, point (1c), amending provision, numbered paragraph (3)				

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51v		<p>3. <u>Member States shall provide the Commission (Eurostat) with reports on the quality of data transmitted, including any concerns they have regarding the accuracy of the data. The Commission (Eurostat) shall assess the quality of the data transmitted, on the basis of appropriate analysis, and shall prepare and publish reports and communications on the quality of European statistics. The Commission (Eurostat) shall promptly make publicly available any serious concerns it has on the quality of the data transmitted and disclose any breaches of the European statistics Code of Practice.</u></p>		
Article 1, first paragraph, point (2)				
52	(2) the following Article 16a is inserted:	(2) the following Article 16a is inserted:	(2) the following Article 16a is inserted:	
Article 1, first paragraph, point (2), amending provision, first paragraph				
53				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	Article 16a Statistical response to crisis	Article 16a Statistical response to crisis <u>and</u> <u>urgent policy needs</u>	Article 16a Statistical response to crisis	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1)				
54	1. The Commission (Eurostat) shall examine temporary statistical actions and undertake them as appropriate, subject to the procedures set out in this Article, where both of the following conditions are met:	1. The Commission (Eurostat) shall examine temporary statistical actions and undertake them as appropriate, subject to the procedures set out in this Article, where both <u>either</u> of the following conditions are met:	1. The Commission (Eurostat) shall examine temporary statistical actions and a crisis situation and may undertake them urgent statistical actions as appropriate, subject to the procedures set out in this Article, where both of the following conditions are met:	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)				
55	(a) it is necessary to respond to urgent information needs which arise from a crisis and following, existing or future, emergency mechanisms activated in accordance with Union legal acts, such as:	(a) it is <u>strictly</u> necessary to respond to urgent information needs which arise from a crisis and following, existing or future, emergency mechanisms activated in accordance with <u>one or more of the following</u> Union legal acts; such as:	(a) it is necessary to respond to urgent information needs which arise from a the crisis situation and the following and following, existing or future, emergency mechanisms activated in accordance with Union legal acts, such as: the EU Integrated Political Crisis Response Arrangements¹ or other Union emergency legal acts. 1. Council Implementing Decision (EU) 2018/1993 of 11 December 2018 on the EU Integrated Political Crisis Response Arrangements.	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)(i)				
56	<p>(i) the temporary protection under Council Directive 2001/55/EC¹;</p> <p>1. Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).</p>	<p>(i) the temporary protection under Council Directive 2001/55/EC¹;</p> <p>1. Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof (OJ L 212, 7.8.2001, p. 12).</p>	<i>deleted</i>	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)(ii)				
57	<p>(ii) the Union civil protection mechanism under Decision 1313/2013/EU of the European Parliament and of the Council¹;</p> <p>1. Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).</p>	<p>(ii) the Union civil protection mechanism under Decision 1313/2013/EU of the European Parliament and of the Council¹;</p> <p>1. Decision No 1313/2013/EU of the European Parliament and of the Council of 17 December 2013 on a Union Civil Protection Mechanism (OJ L 347, 20.12.2013, p. 924).</p>	<i>deleted</i>	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)(iii)				
58	<p>(iii) the emergency support under Council Regulation (EU) 2016/369¹</p>	<p>(iii) the emergency support under Council Regulation (EU) 2016/369¹</p>	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	1. Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union (OJ L 70, 16.3.2016, p. 1).	1. Council Regulation (EU) 2016/369 of 15 March 2016 on the provision of emergency support within the Union (OJ L 70, 16.3.2016, p. 1).		
<i>Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)(iv)</i>				
59	(iv) the emergency framework under Council Regulation (EU) 2022/2372 ¹ ; 1. Council Regulation (EU) 2022/2372 of 24 October 2022 on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level (OJ L 314, 6.12.2022, p. 64).	(iv) the emergency framework under Council Regulation (EU) 2022/2372 ¹ ; 1. Council Regulation (EU) 2022/2372 of 24 October 2022 on a framework of measures for ensuring the supply of crisis-relevant medical countermeasures in the event of a public health emergency at Union level (OJ L 314, 6.12.2022, p. 64).	<i>deleted</i>	
<i>Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)(v)</i>				
60	(v) the market correction mechanism under Council Regulation (EU) 2022/2578 ¹ ; 1. Council Regulation (EU) 2022/2578 of 22 December 2022 establishing a market correction mechanism to protect Union citizens and the economy against excessively high prices (OJ L 335, 29.12.2022, p. 45).	(v) the market correction mechanism under Council Regulation (EU) 2022/2578 ¹ ; 1. Council Regulation (EU) 2022/2578 of 22 December 2022 establishing a market correction mechanism to protect Union citizens and the economy against excessively high prices (OJ L 335, 29.12.2022, p. 45).	<i>deleted</i>	
<i>Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (a)(vi)</i>				
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	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	<p>(vi) the emergency mode under Regulation of the European Parliament and of the Council (EU) xx/xx (to be adopted¹);</p> <p>1. Proposal for a Regulation of the European Parliament and of the Council establishing a Single Market emergency instrument and repealing Council Regulation (EC) No 2679/98 (COM(2022)459 final).</p>	<p>(vi) the emergency mode under Regulation of the European Parliament and of the Council (EU) xx/xx (to be adopted¹);</p> <p>1. Proposal for a Regulation of the European Parliament and of the Council establishing a Single Market emergency instrument and repealing Council Regulation (EC) No 2679/98 (COM(2022)459 final).</p>	<p><i>deleted</i></p>	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (1), point (b)				
62	<p>(b) those urgent information needs cannot be met under the European statistical programme.</p>	<p>(b) those urgent information needs cannot be met under the European statistical programme.</p>	<p>(b) those urgent information needs cannot be met under the European statistical programme.</p>	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2)				
63	<p>2. The temporary statistical actions referred to in paragraph 1 shall be carried out by the Commission (Eurostat) at Union level and may include:</p>	<p>2. The temporary statistical actions referred to in paragraph 1 shall be carried out by the Commission (Eurostat) at Union level and may include:</p>	<p>2. The temporaryurgent statistical actions referred to in paragraph 1 shall be carried out by the Commission (Eurostat) at Union level in close cooperation with the NSIs and ONAs, and may include:</p>	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2), point (a)				
64	<p>(a) producing European statistics based on new data collections;</p>	<p>(a) producing European statistics based on new data collections;</p>	<p>(a) producing European statistics based on new data sources or data</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			collections, taking into account the burden on respondents and the cost effectiveness for the Member States;	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2), point (b)				
65	(b) providing new statistical indicators and insights based on existing data;	(b) providing new statistical indicators and insights based on existing data;	(b) providing new statistical indicators and insights based on existing data;	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2), point (c)				
66	(c) developing harmonised statistical methodologies and related methodological guidelines, to ensure that statistics across Member States are comparable and consistent;	(c) developing harmonised statistical methodologies and related methodological guidelines, to ensure that statistics across Member States are comparable and consistent;	(c) developing harmonised statistical methodologies and related methodological guidelines; to ensure that statistics across the Member States affected by the crisis situation are comparable and consistent;	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (2), point (d)				
67	(d) other coordinated action at Union level that aims to provide a timely and relevant statistical response to the specific situation.	(d) other coordinated action at Union level that aims to provide a timely and relevant statistical response to the specific situation.	(d) other coordinated action at Union level that aims to provide a timely and relevant statistical response to the specific situation.	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (3)				
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	3. When assessing the need for temporary statistical actions, the Commission (Eurostat) shall promptly inform and consult the ESS Committee and take into account its professional guidance.	3. When assessing the need for temporary statistical actions, the Commission (Eurostat) shall promptly inform and <u>shall</u> consult the ESS Committee and take into account its <u>opinion and</u> professional guidance.	3. When assessing the need for temporary urgent statistical actions, the Commission (Eurostat) shall promptly inform and consult the ESS Committee and take duly into account its professional guidance. Urgent statistical actions to be undertaken are subject to prior examination of the ESS Committee. To this end, the Commission (Eurostat) shall provide the ESS Committee with thorough information on the actions to be undertaken, their justification on a cost-effectiveness basis, the means and timetables for achieving them, the assessment of the response burden on survey respondents and the financial contribution of the Union to cover the incremental costs incurred by the National Statistical Institutes and other national authorities.	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (4)				
69	4. The NSIs may decide, separately and on a voluntary basis, to participate in these temporary statistical actions, but shall, together with the Commission	4. The NSIs <u>Member States</u> may decide, separately and on a voluntary basis, to participate in these temporary statistical actions; but shall, together with . The	4. The Member States NSIs may decide, separately and on a voluntary basis, to participate in these temporary urgent statistical actions, but shall, together with .	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	(Eurostat), ensure the relevance and sufficient coverage of those actions at Union level. When participating in temporary statistical actions, the NSIs shall comply with the common timespan, frequency and quality requirements for the national data to be provided to the Commission (Eurostat).	Commission (Eurostat), ensure shall strive towards the relevance of temporary statistical actions and sufficient coverage of those actions at Union level the crisis situation in the Union . When participating in temporary statistical actions, the NSIs Member States shall comply with the agreed common timespan, frequency and quality requirements for the national data to be provided to the Commission (Eurostat).	The Commission (Eurostat), ensure shall strive towards the relevance and sufficient coverage of those actions at Union level the crisis situation in the EU . When participating in temporary urgent statistical actions, the NSIs Member States shall comply with the agreed common timespan, frequency and quality requirements for the national data to be provided to the Commission (Eurostat).	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (5)				
70	5. The Commission may, by way of implementing acts, define the temporary statistical actions and set out the procedure for undertaking them, including the relevant timespan, frequency and quality requirements to be applied by those NSIs participating in the temporary statistical action. Those implementing acts shall adopted in accordance with the examination procedure referred to in Article 27(2).	5. The Commission may, by way of implementing acts, define specify the temporary statistical actions and set out the procedure for undertaking them, including the relevant timespan, frequency and quality requirements to be applied by those NSIs Member States participating voluntarily in the temporary statistical action. Those implementing acts shall adopted in accordance with the examination procedure referred to in Article 27(2). Without prejudice to the prerogative of the budgetary authority, the Union shall provide financial contributions from the	5. The Commission may, by way of implementing acts, define the temporary specify the urgent statistical actions and set out the procedure for undertaking them, including the relevant timespan, frequency and quality requirements to be applied by those Member States participating voluntarily in the urgent statistical action, provided that the Union makes financial contributions to the NSIs and ONAs to cover the incremental costs incurred by them in accordance with the rules of the European-NSIs participating in the temporary	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u><i>general budget of the Union to the NSIs and other national authorities to cover the incremental costs incurred from the implementation of such temporary statistical actions.</i></u>	statistical action programme, as set out in Article 13, which is applicable for the period of a respective multiannual financial framework. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 1, first paragraph, point (2), amending provision, numbered paragraph (6)				
71	6. Measures adopted under paragraph 5 shall remain in force for a period not exceeding 24 months.;	6. Measures adopted under paragraph 5 shall remain in force for a period <u><i>no longer than the duration of the crisis situation, and in any event</i></u> not exceeding 24 <u>12</u> months <u><i>that may be extended by way of an implementing act for an additional 12-month period in duly justified cases.</i></u> ;	6. Measures adopted under paragraph 5 shall remain in force for a period not longer than the duration of the crisis situation, not exceeding 12 months that may be extended by a new implementing act to a subsequent 12-month period in duly justified cases. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 1, first paragraph, point (3)				
72	(3) in Article 17a, the title is replaced by the following:	(3) in Article 17a, the title is replaced by the following:	(3) in Article 17a, the title is replaced by the following:	
Article 1, first paragraph, point (3), amending provision, first paragraph				

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73	‘ Access, reuse and integration of administrative records for the development and production of European statistics;’	‘ Access, reuse and integration of administrative records for the development and production of European statistics;’	‘ Access, reuse reuse and integration of administrative records data for the development, production and dissemination and production of European statistics;’	
Article 1, first paragraph, point (4)				
74	(4) in Article 17a, paragraph 1 is replaced by the following:	(4) in Article 17a, paragraph 1 is replaced by the following:	(4) in Article 17a, paragraph 1 is replaced by the following:	
Article 1, first paragraph, point (4a)				
74a			<i>deleted</i>	
Article 1, first paragraph, point (4), amending provision, numbered paragraph (1)				
75	‘ 1. National public bodies in charge of administrative data sources relevant for development, production and dissemination of European statistics shall allow the NSIs and other national authorities (hereafter ‘ONA’) referred to in Article 4, to access, reuse and integrate, free of charge, this data’	‘ 1. National public bodies in charge of administrative data sources relevant for development, production and dissemination of European statistics shall allow the NSIs and other national authorities (hereafter ‘ONA’) referred to in Article 4, to access, reuse and integrate, free of charge, this data’	‘ 1. National public and semi-public bodies according to national legislation , in charge of administrative data sources, databases, interoperability systems or any data relevant and necessary for development, production and dissemination of European statistics shall allow the’	

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	and the relevant metadata, in timely manner and with sufficient frequency for the purpose of producing and transmitting statistics to the Commission (Eurostat) within the deadlines and in accordance with quality requirements laid down in Union statistical legislation.;	and the relevant metadata, in timely manner and with sufficient frequency for the purpose of producing and transmitting <u>development, production and dissemination of European</u> statistics to the Commission (Eurostat) within the deadlines and in accordance with quality requirements laid down in Union statistical legislation.;	NSIs and other national authorities (hereafter ‘ONA’) ONAs referred to in Article 4, to access, reuse reuse and integrate, free of charge, this data and the relevant metadata, in a timely manner and with sufficient frequency and granularity for the purpose of developing , producing and transmitting statistics to the Commission (Eurostat) within the deadlines and in accordance with quality requirements laid down in Union statistical legislation disseminating European statistics. ;	
Article 1, first paragraph, point (4a)				
75a			(4a) in Article 17a, paragraphs 2 to 4, “administrative records” is replaced by “administrative data sources, databases or interoperability systems”.	
Article 1, first paragraph, point (5)				
76	(5) in Article 17a, the following paragraph 2a is inserted:	(5) in Article 17a, the following paragraph 2a is inserted:	(5) in Article 17a, the following paragraph 2a is inserted:	
Article 1, first paragraph, point (5), amending provision, numbered paragraph (2a)				

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77	<p>2a. For the purpose of this Regulation, the Commission (Eurostat) shall be allowed, upon request, to access, reuse and integrate in a timely manner relevant data and metadata from databases and interoperability systems maintained by Union bodies and agencies, and without prejudice to the Union acts establishing these databases and interoperability systems. For this purpose, the Commission (Eurostat) shall cooperate with the relevant Union bodies and agencies to specify the customised data and metadata required, the operational modalities for data reuse and the necessary physical and logical safeguards.;</p>	<p>2a. For the purpose of this Regulation, the Commission (Eurostat) shall be allowed, upon request, to access, reuse and integrate in a timely manner relevant data and metadata from databases and interoperability systems maintained by Union bodies and agencies, and without prejudice to the Union acts establishing these databases and interoperability systems. For this purpose, the Commission (Eurostat) shall cooperate with the relevant Union bodies and agencies to specify the customised data and metadata required, the operational modalities for data reuse and the necessary physical and logical safeguards.;</p>	<p>2a. For the purpose of this Regulation, the Commission (Eurostat) shall be allowed, upon request, to access, reuse and integrate in a timely manner relevant data and metadata from databases and interoperability systems maintained by Union bodies and agencies, and without prejudice to the Union acts establishing these databases and interoperability systems, including the central repository for reporting and statistics (CRRS). For this purpose, the Commission (Eurostat) shall cooperate with the relevant Union bodies and agencies to specify the customised data and metadata required, the operational modalities for data reuse and the necessary physical and logical safeguards. When data and metadata needed for European statistics are only available in databases and interoperability systems maintained by EU bodies and agencies, the Commission (Eurostat) may, upon request, share these data with the relevant NSIs or ONAs responsible for the development, production and dissemination of</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			European statistics, without prejudice to the Union acts establishing these databases and interoperability systems.	
Article 1, first paragraph, point (6)				
78	(6) in Article 17a, paragraph 5 is replaced by the following:	(6) in Article 17a, paragraph 5 is replaced by the following:	(6) in Article 17a, paragraph 5 is replaced by the following:	
Article 1, first paragraph, point (6), amending provision, numbered paragraph (5)				
79	5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms. Those mechanisms shall also provide the possibility for the NSIs to perform data quality checks and build statistical frames based on relevant administrative records.;	5. The NSIs and owners of administrative records shall establish the necessary cooperation mechanisms. Those mechanisms shall also provide the possibility for the NSIs to perform data quality checks and build statistical frames based on relevant administrative records.;	5. The NSIs, ONAs and bodies referred to in paragraph 1, and owners of administrative records shall establish the necessary cooperation mechanisms, in accordance with national specificities. Those mechanisms shall also provide the possibility for the NSIs to perform data quality checks and build statistical frames based on the relevant administrative data accessed records .;	
Article 1, first paragraph, point (7)				
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	(7) the following Articles 17b, 17c, 17d, 17e and 17f are inserted:	(7) the following Articles 17b, 17c, 17d, 17e and 17f are inserted:	(7) the following Articles 17b, 17c, 17d, 17e and 17f are inserted:	
Article 1, first paragraph, point (7), amending provision, first paragraph				
81	Article 17b Obligation of private data holders to make data available for developing and producing European statistics	Article 17b Obligation of private data holders to make data available for developing and producing European statistics	Article 17b Obligation of private data holders to make data available for developing, producing and disseminating and producing European statistics	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1)				
82	1. Without prejudice to reporting obligations laid down in sectoral statistical legislation of the Union nor to the obligation for data holders to make data available based on exceptional need in accordance with the Data Act, an NSI or the Commission (Eurostat) may request a private data holder to make data and the relevant metadata available for the development and production of European statistics if the annual work programme has established the following conditions:	1. Without prejudice to reporting obligations laid down in sectoral statistical legislation of the Union nor to the obligation for data holders to make data available based on exceptional need in accordance with the Data Act, an NSI or the Commission (Eurostat) may request a private data holder to make data and the relevant metadata available for the development and production of European statistics if the annual work programme has established the following conditions:	1. Without prejudice to reporting obligations, data collections or any data access laid down in sectoral sectorial statistical legislation of the Union nor to the obligation for data holders to make data available based on exceptional need in accordance with Regulation [XXX] (the Data Act), an NSI or the Commission (Eurostat) may request a private data holder to make data and the relevant metadata available free of charge when necessary for the development, production and dissemination and production of European statistics. Those data	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			collections or data accesses may be included by the Commission in the annual work programme. if the annual work programme has established the following conditions:	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (a)				
83	(a) the data requested is necessary for the development and production of European statistics; and	(a) the data requested is <i>strictly</i> necessary for the development and production of European statistics; and	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (b)				
84	(b) the data cannot be readily obtained by alternative means such as surveys or reuse of administrative records, or their reuse will result in a considerable reduction in the response burden on data holders and other businesses.	(b) the data cannot be readily obtained by alternative means such as surveys or reuse of administrative records, or their reuse will result in a considerable reduction in the response burden on data holders and other businesses.	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)				
85	2. As coordinator of the national statistical system, an NSI may submit a request for data to a private data holder on behalf of an	2. As coordinator of the national statistical system, an NSI may submit a request for data to a private data holder on behalf of an	2. As coordinator of the national statistical system, an NSI may submit a request for data to a private data holder on behalf of an	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	ONA, when the data requested is necessary for European statistics developed and produced by that ONA.	ONA, when the data requested is necessary for European statistics developed and produced by that ONA.	ONA, when the data requested is necessary for European statistics developed, produced and disseminated and produced by that ONA. The NSI and the ONAs of a Member State shall cooperate in order to avoid excessive burden on private data holders.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3)				
86	3. The NSIs and the Commission (Eurostat) shall cooperate and mutually assist each other in order to avoid excessive requests on private data holders and to determine who is to submit requests for data. In particular, the request for data shall be submitted to a private data holder by the Commission (Eurostat), in agreement with the NSIs, when such an approach is more efficient, for instance in the case of data holders operating on a Union wide scale.	3. The NSIs and the Commission (Eurostat) shall cooperate and mutually assist each other in order to avoid excessive requests on private data holders and to determine who is to submit requests for data. In particular, the request for data shall be submitted to a private data holder by the Commission (Eurostat), in agreement with the NSIs, when such an approach is more efficient, for instance in the case of data holders operating on a Union wide scale.	3. The NSIs and the Commission (Eurostat) shall cooperate and mutually assist each other in order to avoid excessive requests burden on private data holders and to determine who is to submit requests for data. In particular, the request for data shall be submitted to a private data holder by the NSI except when the Commission (Eurostat), and the concerned NSIs agree that the request by the Commission (Eurostat) in agreement with the NSIs, when such an approach is more efficient, for instance in the case of data holders operating on a Union wide scale.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4)				
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	4. The Commission (Eurostat) may, in agreement with the NSIs, set up a secure infrastructure to facilitate the further sharing with the NSIs of data that has been accessed in accordance with paragraph 2.	4. The Commission (Eurostat) may, in agreement with the NSIs, set up a secure infrastructure to facilitate the further sharing with the NSIs of data that has been accessed in accordance with paragraph 2.	4. The Commission (Eurostat) may, in agreement with the NSIs, set up a secure infrastructure, to be used on a voluntary basis , to facilitate the further sharing with the NSIs and the ONAs of data that has been accessed in accordance with paragraph 23.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4a), first subparagraph				
87a		<u><i>4a. The secure infrastructure shall be based on technologies that are specifically designed to comply with Regulations (EU) 2016/679 and (EU) 2018/1725.</i></u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4a)				
87b			4a. Where data under paragraph 1 need a specific processing, Member States or the Commission (Eurostat) may provide a compensation to the private data holder for this specific processing service, except where national law prevents NSIs or ONAs responsible for the production of statistics from compensating data holders.	

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Article 1, first paragraph, point (7), amending provision, numbered paragraph (4a)				
87c		<u>4a. Where data under paragraph 1 need specific processing, the Member States or the Commission (Eurostat) shall provide the private data holder with compensation for that specific processing service.</u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (5)				
88	<p>5. This Article shall not apply to small and micro enterprises as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC¹.</p> <p>¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).</p>	<p>5. This Article shall not apply to small and micro enterprises as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC¹.</p> <p>¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).</p>	<p>5. This Article shall not apply to small and micro enterprises as defined in Article 2 of the Annex to Commission Recommendation 2003/361/EC¹, except in duly justified cases when the data held by these small and micro enterprises are of specific interest for official statistics because of the nature and volume of those data at national level.</p> <p>¹ Commission Recommendation 2003/361/EC of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).</p>	
Article 1, first paragraph, point (7), amending provision, seventh paragraph				
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	Article 17c Requests for data and arrangements for making data available for development and production of European statistics	Article 17c Requests for data and arrangements for making data available for development and production of European statistics	Article 17c Requests for data and arrangements for making data available for development, production and dissemination and production of European statistics	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1)				
90	1. When requesting data in accordance with Article 17b, the NSIs or the Commission (Eurostat) shall:	1. When requesting data in accordance with Article 17b, the NSIs or the Commission (Eurostat) shall:	1. When requesting data in accordance with Article 17b, the NSIs or the Commission (Eurostat) respectively shall:	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (a)				
91	(a) specify what data is required;	(a) specify what data is required;	(a) specify what data and metadata is required;	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (b)				
92	(b) demonstrate the statistical need for which the data is requested in accordance with Article 17b(1);	(b) demonstrate the statistical need for which the data is requested in accordance with Article 17b(1);	(b) demonstrate specify the statistical need for which the data is requested in accordance with Article 17b(1);	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (c)				
93	(c) specify the frequency with which and the deadlines by which	(c) specify the frequency with which and the deadlines by which	(c) specify the frequency with which and the deadlines by which	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the data is to be made available;	the data is to be made available;	the data is to be made available;	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (d)				
94	(d) specify the operational arrangements for making the data available;	(d) specify the operational arrangements for making the data available;	(d) specify the operational arrangements for making the data available;	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (e)				
95	(e) invite the data holder to the dialogue under paragraph 3.	(e) invite the data holder to the dialogue under paragraph 3.	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (ea)				
95a		<p><u>(ea) clarify that any processing of data in connection with a request for data under this Article is without prejudice to Directive 2002/58/EC of the European Parliament and of the Council¹.</u></p> <p><u>1. 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).</u></p>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)				

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96	2. Requests for data referred to in paragraph 1 shall:	2. Requests for data referred to in paragraph 1 shall:	2. Requests for data referred to in paragraph 1 shall: follow the principle of data minimisation and be proportionate to the statistical need in terms of the level of detail, volume and frequency of the data.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), point (a)				
97	(a) follow the principle of data minimisation and be proportionate to the statistical need in terms of the level of detail, volume and frequency of the data;	(a) follow the principle of data minimisation and be proportionate to the statistical need in terms of the level of detail, volume and frequency of the data;	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), point (b)				
98	(b) concern, insofar as possible, non-personal data.	(b) concern, insofar as possible, non-personal data.	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3)				
99	3. Following a request for data referred to in paragraph 1, a dialogue shall take place between the NSI or the Commission (Eurostat) and the concerned data holder to discuss aspects such as the level of aggregation of the data,	3. Following a request for data referred to in paragraph 1, a dialogue shall take place between the NSI or the Commission (Eurostat) and the concerned data holder to discuss aspects such as the level of aggregation of the data,	3. Following a request for data referred to in paragraph 1, a dialogue shall take place between the NSISs, the ONA or the Commission (Eurostat) respectively and the concerned data holder to discuss aspects such	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	the deadline and arrangements for the provision of the data, the security and confidentiality protection measures as well as possible cost compensation aspects, with the aim of concluding an agreement on those aspects.	the deadline and arrangements for the provision of the data, the security and confidentiality protection measures as well as possible <u>the</u> cost compensation aspects, with the aim of concluding an agreement on those aspects.	as the level of aggregation of the data, the deadline and arrangements and agree on the measures needed for making data available for the provision of the data, the security and confidentiality protection measures as well as possible cost compensation aspects development, production and dissemination of European statistics,- with the aim of concluding an agreement on those aspects.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4)				
100	4. If no agreement is concluded within three months following the notification of the request for data referred to in paragraph 1, the NSI or the Commission may, by decision, require the private data holder to make the data available. The decision shall be specific as required under paragraph 1 letters (a) to (d) and shall take into account issues on which views may have converged during the dialogue with the data holder. The decision may also include compensation for the private data holder that shall not exceed the	4. If no agreement is concluded within three months following the notification of the request for data referred to in paragraph 1, the NSI or the Commission may, by <u>means of a justified</u> decision, require the private data holder to make the data available. The decision shall be specific as required under paragraph 1 letters (a) to (d) and shall take into account issues on which views may have converged during the dialogue with the data holder. The decision may also include compensation for the private data holder that shall not	4. If no agreement is concluded within three months following the notification of the request for data referred to in paragraph 1 or if the agreement is not fulfilled by the data holder, (a) When the NSI has requested the data, the NSI or the may issue a second request to private data holder to make the data available within a specific deadline. The private data holder shall make the relevant data available to the NSI within the deadline.	

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	<p>marginal costs related to the preparation required for making the data available. The period for making the data available may not be shorter than 15 days. Before adopting the decision, the NSI or the Commission shall give the data holder the opportunity of being heard on the measures that the NSI or the Commission intend to take. The decision shall indicate the fines provided for under paragraph 6 and the means of redress against it.</p>	<p>exceed the marginal costs related to the preparation required for making the data available. The period for making the data available may not be shorter than 15 days. Before adopting the decision, the NSI or the Commission shall give the data holder the opportunity of being heard on the measures that the NSI or the Commission intend to take. The decision shall indicate the fines provided for under paragraph 6 and the means of redress against it.</p>	<p>(b) When the Commission (Eurostat) has requested the data, the Commission may, by adopt a decision, to require the private data holder to make the data available in a period no shorter than 15 calendar days. The decision shall be specific as required under paragraph 4 letters (a) to (d) and and shall take into account issues on which views may have converged during the dialogue with the data holder.- The decision may also include compensations shall indicate the deadline for the private data holder that shall not exceed the marginal costs related to the preparation required to submit its reply (right to be heard), the deadline for making the data available.- The period for making the data available may not be shorter than 15 days. Before adopting the decision, the NSI or the Commission shall give the data holder the opportunity of being heard on the measures that the NSI or the Commission intend to take. The decision shall indicate the fines provided for under paragraph 6 and the means of redress against it, the fines provided for under paragraph 6 that may be applied</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			if the data are not provided in time and the means of redress against it. The private data holder shall make the relevant data available to the Commission (Eurostat) within the deadline specified in the decision.	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (3a), second subparagraph</i>				
100a			<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (3a), third subparagraph</i>				
100b			<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (5)</i>				
101	5. Without prejudice to reporting obligations laid down in sectoral statistical legislation of the Union, a data holder shall make the relevant data available to the NSI or the Commission (Eurostat) within the period specified in the decision pursuant to paragraph 4 of this Article.	5. Without prejudice to reporting obligations laid down in sectoral statistical legislation of the Union, a data holder shall make the relevant data available to the NSI or the Commission (Eurostat) within the period specified in the decision pursuant to paragraph 4 of this Article.	<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (5a)</i>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
101a		<u>5a. Sharing of data by private data holders shall be based on technologies that are specifically designed to comply with Regulations (EU) 2016/679 and (EU) 2018/1725 and shall take place using secure infrastructure.</u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (5a)				
101b			5a. The Member States shall take appropriate measures to ensure the effective enforcement of the requests referred to in paragraph 4(a).	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (6)				
102	6. The Member States and the Commission shall take appropriate measures to ensure the effective enforcement of the decisions adopted in accordance with paragraph 4. Those measures may include the adoption of fines where the private data holder intentionally or negligently fails to supply the data requested by decision within the set period or supplies incorrect, incomplete or misleading data. In fixing the amount of the fines, the	6. The Member States and the Commission shall take appropriate measures to ensure the effective enforcement of the decisions adopted in accordance with paragraph 4. Those measures may include the adoption of fines where the private data holder intentionally or negligently fails to supply the data requested by decision within the set period or supplies incorrect, incomplete or misleading data. In fixing the amount of the fines, the	6. The Member States and the Commission shall take appropriate measures to ensure the effective enforcement of the decisions adopted in accordance with paragraph 4 4a . Those measures may include the adoption of fines where the private data holder intentionally or negligently fails to supply the data requested by decision within the set period deadline or supplies incorrect, incomplete or misleading data. In	

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	Member State and the Commission shall have regard to the nature, gravity, duration and recurrence of the infringement.	Member State and the Commission shall have regard to the nature, gravity, duration and recurrence of the infringement.	fixing the amount of the fines, the Member State and the Commission shall have regard to the nature, gravity, duration and recurrence of the infringement.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7)				
103	7. In order to comply with paragraph 6, the Commission may adopt decisions imposing fines of maximum EUR 25 000. In case of recurrence within three years the fine may reach EUR 50 000. The Commission may issue guidelines on the calculation of the fine.	7. In order to comply with paragraph 6, the Commission may adopt decisions imposing fines of maximum EUR 25 000. In case of recurrence within three years the fine may reach EUR 50 000. The Commission may issue guidelines on the calculation of the fine.	7. The Commission may adopt decisions imposing fines within one year following the deadline for the submission of data laid down in its decision under paragraph 4(b) where the data holder fails to submit any data or within one year of the submission of incorrect, incomplete or misleading data. In order to comply with paragraph 6, the Commission may adopt decisions imposing Fines of maximum may reach up to EUR 25 000- and, in case of recurrence within three years, the fine may reach up to EUR 50 000. The power of the Commission may issue guidelines on the calculation of the fine to enforce decisions imposing a fine shall be subject to a limitation period of five years since the day on which the decision becomes final. Before adopting a decision pursuant to paragraph 6 of this	

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			Article, the Commission shall give the data holder the opportunity of being heard on preliminary findings and measures that Commission may intend to take in view of the preliminary findings.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (8), first subparagraph				
104	8. The Commission may adopt a decision imposing a fine within one year following the deadline for the submission of data laid down in its decision under paragraph 4 where the data holder fails to submit any data or within one year of the submission of incorrect, incomplete or misleading data.	8. The Commission may adopt a decision imposing a fine within one year following the deadline for the submission of data laid down in its decision under paragraph 4 where the data holder fails to submit any data or within one year of the submission of incorrect, incomplete or misleading data.	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (8), second subparagraph				
105	The power of the Commission to enforce decisions imposing a fine shall be subject to a limitation period of five years. Time shall begin to run on the day on which the decision becomes final.	The power of the Commission to enforce decisions imposing a fine shall be subject to a limitation period of five years. Time shall begin to run on the day on which the decision becomes final.	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (9)				
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	9. Before adopting a decision pursuant to paragraph 6 of this Article, the Member States and the Commission shall give the data holder the opportunity of being heard on preliminary findings and measures that the Member State or the Commission may intend to take in view of the preliminary findings.	9. Before adopting a decision pursuant to paragraph 6 of this Article, the Member States and the Commission shall give the data holder the opportunity of being heard on preliminary findings and measures that the Member State or the Commission may intend to take in view of the preliminary findings.	<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (10)</i>				
107	10. The Commission shall establish, by way of implementing acts, the general technical arrangements for making data available under this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	10. The Commission shall establish, by way of implementing acts, the general technical arrangements for making data available under this Article, <u>in particular for the purposes of requesting data from private data holders under specific circumstances, detailing the categories of personal data that may be requested and the types of sources from which those categories of personal data may be obtained</u> . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, eighteenth paragraph</i>				
108				

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	Article 17d Review of decisions imposing fines by the Court of justice of the European Union	Article 17d Review of decisions imposing fines by the Court of justice of the European Union	Article 17d Review of decisions imposing fines by the Court of justice of the European Union	
Article 1, first paragraph, point (7), amending provision, nineteenth paragraph				
109	In accordance with Article 261 TFEU, the Court of Justice of the European Union has unlimited jurisdiction to review decisions by which the Commission has imposed fines. It may cancel, reduce or increase the fine imposed.	In accordance with Article 261 TFEU, the Court of Justice of the European Union has unlimited jurisdiction to review decisions by which the Commission has imposed fines. It may cancel, reduce or increase the fine imposed.	In accordance with Article 261 TFEU, the Court of Justice of the European Union has unlimited jurisdiction to review decisions by which the Commission has imposed fines. It may cancel, reduce or increase the fine imposed.	
Article 1, first paragraph, point (7), amending provision, twentieth paragraph				
110	Article 17e Obligations of NSIs and the Commission (Eurostat) in reusing data made available for development and production of European statistics	Article 17e Obligations of NSIs and the Commission (Eurostat) in reusing data made available for development and production of European statistics	Article 17e Obligations of NSIs, ONAs and the Commission (Eurostat) in reusing using data made available by private data holders for development, production and dissemination and production of European statistics	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1)				
111	1. The NSIs and the Commission (Eurostat) shall use data made	1. The NSIs and the Commission (Eurostat) shall use data made	1. The NSIs and the Commission (Eurostat) shall use data made	

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	available in accordance with Article 17b for the development and production of European statistics:	available in accordance with Article 17b for the development, <u>production and dissemination</u> and production of European statistics:	available in accordance with Article 17b for the development, production and dissemination and production of European statistics:	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (a)				
112	(a) exclusively for statistical purposes;	(a) exclusively for statistical purposes;	(a) exclusively for statistical purposes;	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (b)				
113	(b) in conformity with principles of statistical confidentiality and cost-effectiveness; and	(b) in conformity with principles of statistical confidentiality and cost-effectiveness; and	(b) in conformity with statistical principles of statistical confidentiality and cost-effectiveness set out in Article 2 ; and	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1), point (c)				
114	(c) with the obligation not to share them with third parties unless the data holder has agreed.	(c) <u>in compliance</u> with the obligation not to share them with third parties unless the data holder has agreed <u>to do so, subject to paragraph 1a of this Article</u> .	(c) with the obligation not to share them with third parties outside the European Statistical System unless the data holder has agreed.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1a), first subparagraph				
114a		<u>1a. The NSIs and the</u>		

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		<u><i>Commission (Eurostat) shall put in place appropriate safeguards relating to the processing of personal data for statistical purposes in accordance with Article 89 of Regulation (EU) 2016/679 and Article 13 of Regulation (EU) 2018/1725, in particular in order to ensure compliance with the principle that data is to be rendered anonymous.</i></u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1a), second subparagraph				
114b		<u><i>The ESS shall share the data with ESCB members, without the prior agreement of the data holder, where necessary for the development, production and dissemination of European statistics, within the respective spheres of competence of the ESS and the ESCB, and where such necessity has been duly established.</i></u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)				
115	2. The NSIs and the Commission (Eurostat) shall:	2. The NSIs and the Commission (Eurostat) shall:	2. The NSIs and the Commission (Eurostat) shall:	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), point (a)				

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116	(a) take appropriate measures to protect statistical confidentiality and trade secrets and to preserve other legitimate concerns of private data holders including the cost and effort required to make the data available;	(a) take appropriate measures to protect statistical confidentiality and trade secrets and to preserve other legitimate concerns of private data holders including the cost and effort required to make the data available;	(a) take appropriate measures to protect statistical confidentiality and trade secrets and to preserve other legitimate concerns of private data holders including the cost and effort required to make the data available;	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2), point (b)				
117	(b) implement, insofar as the processing of personal data is necessary, technical and organisational measures which safeguard the rights and freedoms of data subjects.	(b) implement, insofar as the processing of personal data is necessary, technical and organisational measures which safeguard the rights and freedoms of data subjects.	(b) implement, insofar as the processing of personal data is necessary, technical and organisational measures which safeguard the rights and freedoms of data subjects.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3)				
118	3. Paragraphs 1 and 2 of this Article shall apply to an ONA that has received data following a request submitted on its behalf by a NSI in accordance with Article 17b(2).	3. Paragraphs 1 and 2 of this Article shall apply to an ONA that has received data following a request submitted on its behalf by a NSI in accordance with Article 17b(2).	3. Paragraphs 1 and 2 of this Article shall apply to an ONA that has received data following a request submitted on its behalf by a NSI in accordance with Article 17b(2).	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3a)				
118a		<u><i>3a. Paragraph 3 shall apply to an ESCB member that has received</i></u>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<u>data in accordance with paragraph 1a.</u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4)				
119	4. The Commission (Eurostat) shall publish a description of the main categories of costs related to the data processing for which compensation may be granted to the data holder and the methodology for calculating these costs.	4. The Commission (Eurostat) shall publish a description of the main categories of costs related to the data processing for which compensation may be granted to the data holder and the methodology for calculating these costs, <u>taking into account the principle of cost-effectiveness and not entailing excessive burdens on economic operators as laid down in Article 338(2) TFEU.</u>	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, twenty-fifth paragraph				
120	Article 17f Data sharing in the ESS	Article 17f Data sharing in the ESS <u>and between the ESS and the ESCB</u>	Article 17f Data Non-confidential data sharing in the ESS and between the ESS and the ESCB	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (1)				
121	1. Data shall be shared between NSIs and between NSIs and the Commission (Eurostat) exclusively for statistical purposes and for	1. <u>Non-confidential</u> data shall be shared between NSIs and between NSIs and the Commission (Eurostat) exclusively for statistical	1. Non-confidential data shall be shared, if necessary and available in an aggregated form, upon request between NSIs, by their	

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	improving the quality of European statistics.	purposes and for improving the quality of European statistics.	own or on behalf of an ONA , and between NSIs and the Commission (Eurostat) exclusively for statistical purposes and for improving the quality of European statistics.	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2)				
122	2. Data sharing shall take place upon request by an NSI or the Commission (Eurostat) where this is relevant and necessary. Data sharing shall also take place when the request is put forward by an NSI on behalf of an ONA and the data is used exclusively for statistical purposes and for improving the quality of European statistics developed and produced by that ONA.	2. Data sharing shall take place upon request by an NSI or the Commission (Eurostat) where this is relevant and necessary. Data sharing shall also take place when the request is put forward by an NSI on behalf of an ONA and the data is used exclusively for statistical purposes and for improving the quality of European statistics developed and produced by that ONA.	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (2a)				
122a		<u>2a. Data sharing shall take place between the ESS and a member of the ESCB in areas of shared responsibility or common interest and where the data are used exclusively for statistical purposes and for improving the quality of European statistics developed and produced by that member of the</u>		

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		<u>ESCB</u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3)				
123	3. The NSIs, and when relevant the ONAs, participating in the data sharing within the ESS shall provide all necessary safeguards with regard to the physical and logical protection of data confidentiality. The Commission (Eurostat) shall set up a secure infrastructure to facilitate data sharing. The NSIs, and when relevant the ONAs, may use that secure data sharing infrastructure for the purpose specified in paragraph 1.	3. The NSIs, and when relevant the ONAs <u>or members of the ESCB</u> , participating in the data sharing within the ESS shall provide all necessary safeguards with regard to the physical and logical protection of data confidentiality. The Commission (Eurostat) shall set up a secure infrastructure to facilitate data sharing. The NSIs, and when relevant the ONAs <u>or members of the ESCB</u> , may use that secure data sharing infrastructure for the purpose specified in paragraph 1.	3. The NSIs, and when relevant the ONAs, participating in the data sharing within the ESS shall provide all necessary safeguards with regard to the physical and logical protection of data confidentiality. The Commission (Eurostat) shall set up a secure infrastructure to facilitate data sharing- and the NSIs, and when relevant the ONAs, may use that secure data sharing infrastructure for the purpose specified in paragraph 1 on a voluntary basis .	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (3a)				
123a		<u>3a. Researchers shall have access to databases constituted by the Commission (Eurostat) that include data from private sources, in particular access to microdata. Private data owners shall be informed about the use of their data by researchers and given the opportunity to deny access, if such access would unduly harm their</u>		

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		<u>interests.</u>		
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4)				
124	4. When the data concerned is confidential data within the meaning of Article 3 of this Regulation or is personal data as defined in 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 fulfils all of the following conditions:	4. When the data concerned is confidential data within the meaning of Article 3 of this Regulation or is personal data as defined in 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 fulfils all of the following conditions:	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4), point (a)				
125	(a) it is based on a request justifying the necessity to share the data in each individual case, in particular with regard to the quality issues that are to be specifically addressed;	(a) it is based on a request justifying the necessity to share the data in each individual case, in particular with regard to the quality issues that are to be specifically addressed;	<i>deleted</i>	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (4), point (b)				
126	(b) it is based on privacy-enhancing technologies that are specifically designed to comply with Regulations (EU) 2016/679 and (EU) 2018/1725, with	(b) it is based on privacy-enhancing technologies that are specifically designed to comply with Regulations (EU) 2016/679 and (EU) 2018/1725, with	<i>deleted</i>	

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	particular regard to purpose limitation, data minimisation, storage limitation, integrity and confidentiality;	particular regard to purpose limitation, data minimisation, storage limitation, integrity and confidentiality;		
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (4), point (c)</i>				
127	(c) it does not affect Chapter V of this Regulation.	(c) it does not affect Chapter V of this Regulation.	<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (5)</i>				
128	5. The data requested under this Article shall not pertain to issues of national security and military matters.	5. The data requested under this Article shall not pertain to issues of national security and military matters.	<i>deleted</i>	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (5a)</i>				
128a			5a. Non-confidential data sharing shall take place, if necessary and available in an aggregated form, upon request between the ESS and ESCB members where the data is used exclusively for statistical purposes and for improving the quality of European statistics.	
<i>Article 1, first paragraph, point (7), amending provision, numbered paragraph (6)</i>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
129	6. The Commission shall, by means of implementing acts, set out the technical aspects of data sharing between the statistical authorities referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	6. The Commission shall, by means of implementing acts, set out the technical aspects of data sharing between the statistical authorities referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	6. The Commission shall, by means of implementing acts, set out the technical aspects of data sharing between the statistical authorities referred to in this Article. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2).	
Article 1, first paragraph, point (7), amending provision, numbered paragraph (7)				
130	7. This Article is without prejudice to Article 21 of this Regulation.;	7. This Article is without prejudice to Article 21 of this Regulation.;	<i>deleted</i>	
Article 1, first paragraph, point (8)				
131	(8) the following Chapter IIIa is inserted:	(8) the following Chapter IIIa is inserted:	(8) the following Chapter IIIa is inserted:	
Article 1, first paragraph, point (8), amending provision, first paragraph				
132	CHAPTER IIIa	CHAPTER IIIa	CHAPTER IIIa	
Article 1, first paragraph, point (8), amending provision, second paragraph				
133				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	DEVELOPMENT OF EUROPEAN STATISTICS	DEVELOPMENT OF EUROPEAN STATISTICS	DEVELOPMENT OF EUROPEAN STATISTICS	
Article 1, first paragraph, point (8), amending provision, third paragraph				
134	Article 17g Statistics under development	Article 17g Statistics under development	Article 17g Statistics under development	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (1)				
135	1. The NSIs, the ONAs and the Commission (Eurostat) shall endeavour to continuously innovate and develop new statistical outputs and insights based on all available data sources and to use state of the art technologies, with the aim of integrating them in the regular production of European statistics.	1. The NSIs, the ONAs and the Commission (Eurostat) shall endeavour to continuously innovate and develop new statistical outputs and insights based on all available data sources and to use state of the art technologies, with the aim of integrating them in the regular production of European statistics.	1. The NSIs, the ONAs and the Commission (Eurostat) shall endeavour to continuously innovate and develop new statistical outputs and insights based on all available data sources and to use state of the art technologies, with the aim of integrating them in the regular production of European statistics. With this aim, the Commission (Eurostat) may initiate, in close cooperation with the ESS Committee, the development of new statistical outputs and insights across the ESS. Those statistical outputs and insights may be included in the annual work programme and implemented through individual statistical actions referred to in Article 14(1).	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (8), amending provision, numbered paragraph (2)				
136	2. European statistics shall be developed in full compliance with the statistical principles, as set out in Article 2(1). Statistics under development may not necessarily fulfil all the quality criteria set out in Article 12(1).	2. European statistics shall be developed in full compliance with the statistical principles, as set out in Article 2(1). Statistics under development may not necessarily fulfil all the quality criteria set out in Article 12(1).	2. European statistics shall be developed in full compliance with the statistical principles, as set out in Article 2(1). Statistics under development may not necessarily fulfil all the quality criteria set out in Article 12(1).	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (3)				
137	3. The Commission (Eurostat) shall disseminate European statistics under development with the agreement of the NSIs and shall explicitly indicate that these statistics are under development.	3. The Commission (Eurostat) shall disseminate European statistics under development with the agreement of the NSIs and shall explicitly indicate that these statistics are under development.	3. The Commission (Eurostat) shall may disseminate European statistics under development with the agreement of the NSIs or ONAs and shall explicitly indicate that these statistics are under development. NSIs and ONAs may also disseminate European statistics under development produced by them.	
Article 1, first paragraph, point (8), amending provision, numbered paragraph (4)				
138	4. The Commission (Eurostat) may initiate, in close cooperation with the ESS Committee, the development of new statistical outputs and insights in a	4. The Commission (Eurostat) may initiate, in close cooperation with the ESS Committee, the development of new statistical outputs and insights in a	<i>deleted</i>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	coordinated manner across the ESS. Those statistical outputs and insights shall be included in the annual work programme and implemented through individual statistical actions referred to in Article 14(1).;	coordinated manner across the ESS. Those statistical outputs and insights shall be included in the annual work programme and implemented through individual statistical actions referred to in Article 14(1).;		
<i>Article 1, first paragraph, point (9)</i>				
139	(9) in Article 18, the following paragraph 4 is inserted:	(9) in Article 18, the following paragraph 4 is inserted:	(9) in Article 18, the following paragraph 4 is inserted:	
<i>Article 1, first paragraph, point (9), amending provision, numbered paragraph (4)</i>				
140	4. The Commission (Eurostat) may use European statistics published at national level by the Member States ahead of the deadlines set out in the relevant sectoral legislation and disseminate these statistics before the time envisaged in that sectoral legislation, providing it complies with the definitions and classification.;	4. The Commission (Eurostat) may use European statistics published at national level by the Member States ahead of the deadlines set out in the relevant sectoral legislation and disseminate these statistics before the time envisaged in that sectoral legislation, providing it complies with the definitions and classification.;	4. The Commission (Eurostat) may use disseminate European statistics already published at national level by the Member States ahead of the deadlines set out in the relevant sectoral sectorial legislation and disseminate these statistics before the time envisaged in that sectoral sectorial legislation, providing it complies with the definitions and classification.;	
<i>Article 1, first paragraph, point (9a)</i>				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
140a		<u><i>(9a) Article 21 is amended as follows:</i></u>		
Article 1, first paragraph, point (9a)(a)				
140b		<u><i>(a) paragraph 1 is replaced by the following:</i></u>		
Article 1, first paragraph, point (9a)(a), amending provision, first paragraph				
140c		<u><i>1. Transmission of confidential data from an ESS authority, as referred to in Article 4, that collected the data to another ESS authority shall take place provided that this transmission is necessary for the efficient development, production and dissemination of European statistics or for increasing the quality of European statistics.;</i></u>		
Article 1, first paragraph, point (9a)(b)				
140d		<u><i>(b) paragraph 2 is replaced by the following:</i></u>		
Article 1, first paragraph, point (9a)(b), amending provision, first paragraph				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
140e		<p>2. <u>Transmission of confidential data between an ESS authority that collected the data and an ESCB member shall take place provided that this transmission is necessary for the efficient development, production and dissemination of European statistics or for increasing the quality of European statistics, within the respective spheres of competence of the ESS and the ESCB, and that this necessity has been justified.</u>;</p>		
Article 1, first paragraph, point (9a)(c)				
140f		<p><u>(c) the following paragraph is added:</u></p>		
Article 1, first paragraph, point (9a)(c), amending provision, first paragraph				
140g		<p>6a. <u>This Article shall not apply if the data to be transmitted are key attributes of individual companies that Member States are required to make publicly available under Directive (EU) 2019/1024 of the</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
		<p><u>European Parliament and of the Council¹ and the implementing acts adopted pursuant to that Directive, or other core identification and classification variables, which are not considered confidential data for the purposes of this Article.</u>’;</p> <p><u>I. Directive (EU) 2019/1024 of the European Parliament and of the Council of 20 June 2019 on open data and the re-use of public sector information (OJ L 172, 26.6.2019, p. 56).</u></p>		
Article 1, first paragraph, point (9b)				
140h		<p><u>(9b) Article 23 is amended as follows:</u></p>		
Article 1, first paragraph, point (9b)(a)				
140i		<p><u>(a) the title is replaced by the following:</u></p>		
Article 1, first paragraph, point (9b)(a), amending provision, first paragraph				
140j		<p><u>Access to confidential data for research purposes;</u></p>		

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (9b)(b)				
140k		<u><i>(b) paragraph 3 is replaced by the following:</i></u>		
Article 1, first paragraph, point (9b)(b), amending provision, first paragraph				
140l		<u><i>The Commission shall establish, by means of implementing acts, the arrangements, rules and conditions for access at Union level. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 27(2). For the purpose of this Regulation, research purposes shall be interpreted in a broad manner including, for example, technological development and demonstration, fundamental research, applied research and privately funded research.;</i></u>		
Article 1, first paragraph, point (10)				
141	(10) Article 25 is replaced by the following:	(10) Article 25 is replaced by the following:	(10) Article 25 is replaced by the following:	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (10), amending provision, first paragraph				
142	Article 25 Publicly available data	Article 25 Publicly available data	Article 25 Publicly available data	
Article 1, first paragraph, point (10), amending provision, second paragraph				
143	Data that is lawfully available to the public shall not be considered confidential when used for statistical purposes.;	Data that is lawfully available to the public shall not be considered confidential <u>data or confidential statistical information</u> when used for statistical purposes <u>or for the dissemination of statistics obtained from those data</u> .;	Data that is lawfully lawfully available to the public that remain available to the public according to national or Union legislation shall not be considered confidential when used for statistical purposes.;	
Article 1, first paragraph, point (11)				
144	(11) the following Article 26a is inserted:	(11) the following Article 26a is inserted:	(11) the following Article 26a is inserted:	
Article 1, first paragraph, point (11), amending provision, first paragraph				
145	Article 26a Contribution to new national data governance frameworks	Article 26a Contribution to new national data governance frameworks	Article 26a Contribution to new -national data governance frameworks	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
Article 1, first paragraph, point (11), amending provision, numbered paragraph (1)				
146	<p>1. In compliance with the principle of subsidiarity, the NSIs may assume at national level functions as laid down in the national data governance frameworks with the goal of promoting data integration and inter-operability, metadata description, quality assurance and standard setting, as well as other tasks and functions laid down in Regulation (EU) 2022/868 of the European Parliament and of the Council,¹ and identify new data sources to be used for the development and production of statistics.</p> <p><small>1. Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) (OJ L 152, 3.6.2022, p. 1).</small></p>	<p>1. In compliance with the principle of subsidiarity, the NSIs may assume at national level functions as laid down in the national data governance frameworks with the goal of promoting data integration and inter-operability, metadata description, quality assurance and standard setting, as well as other tasks and functions laid down in Regulation (EU) 2022/868 of the European Parliament and of the Council,¹ and identify new data sources to be used for the development and production of statistics.</p> <p><small>1. Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) (OJ L 152, 3.6.2022, p. 1).</small></p>	<p>1. In compliance with the principle of subsidiarity, the NSIs may assume at national level functions as laid down in the national data governance frameworks with the goal of promoting data integration and inter-operability, metadata description, quality assurance and standard setting, data sharing and re-use of data, as well as other tasks and functions laid down in Regulation (EU) 2022/868 of the European Parliament and of the Council,¹ and identify new data sources to be used for the development and production of statistics.¹.</p> <p><small>1. Regulation (EU) 2022/868 of the European Parliament and of the Council of 30 May 2022 on European data governance and amending Regulation (EU) 2018/1724 (Data Governance Act) (OJ L 152, 3.6.2022, p. 1).</small></p>	
Article 1, first paragraph, point (11), amending provision, numbered paragraph (2)				
147	<p>2. The performance of such functions by the NSIs shall be compatible with the statistical principles, as set out in Article 2(1).;</p>	<p>2. The performance of such functions by the NSIs shall be compatible with the statistical principles, as set out in Article 2(1).;</p>	<p>2. The performance of such functions by the NSIs shall be compatible with the exercise of the statistical functions performed according to the statistical</p>	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
			principles, as set out in Article 2(1). ⁵	
Article 1, first paragraph, point (12)				
148	(12) the following Article 27a is inserted:	(12) the following Article 27a is inserted:	(12) the following Article 27a is inserted:	
Article 1, first paragraph, point (12), amending provision, first paragraph				
149	Article 27a Evaluation and review	Article 27a Evaluation and review	Article 27a Evaluation and review	
Article 1, first paragraph, point (12), amending provision, second paragraph				
150	By [five years after the entry into force of this amending Regulation], the Commission shall carry out an evaluation of this Regulation and submit a report on its main findings to the European Parliament and to the Council. That evaluation shall assess, in particular:	By [five years after the entry into force of this amending Regulation], the Commission shall carry out an evaluation of this Regulation and submit a report on its main findings to the European Parliament and to the Council. That evaluation shall assess, in particular:	By [five years after the entry into force of this amending Regulation], the Commission shall carry out an evaluation of this Regulation and submit a report on its main findings to the European Parliament and to the Council. That evaluation shall assess, in particular:	
Article 1, first paragraph, point (12), amending provision, second paragraph, point (a)				
151	(a) the statistical response to crisis under Article 16a;	(a) the statistical response to crisis under Article 16a;	(a) the statistical response to crisis under Article 16a;	

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Article 1, first paragraph, point (12), amending provision, second paragraph, point (b)				
152	(b) the obligation of data holders to allow their data to be reused for European statistics in accordance with Articles 17b, 17c, 17d and 17e;	(b) the obligation of data holders to allow their data to be reused for European statistics in accordance with Articles 17b, 17c, 17d and 17e;	(b) the obligation of private data holders to allow their data to be reused used for European statistics in accordance with Articles 17b, 17c, 17d and 17e;	
Article 1, first paragraph, point (12), amending provision, second paragraph, point (c)				
153	(c) the data sharing in the ESS under Article 17f;	(c) the data sharing in the ESS under Article 17f;	(c) the data sharing in the ESS under Article 17f;	
Article 1, first paragraph, point (12), amending provision, second paragraph, point (d)				
154	(d) the development of European statistics under Chapter IIIa..	(d) the development of European statistics under Chapter IIIa..	(d) the development of European statistics under Chapter IIIa.-	
Article 2				
155	Article 2 Entry into force	Article 2 Entry into force	Article 2 Entry into force	
Article 2, first paragraph				
156	This Regulation shall enter into force on the twentieth day	This Regulation shall enter into force on the twentieth day	This Regulation shall enter into force on the twentieth day	

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	following that of its publication in the Official Journal of the European Union.	following that of its publication in the Official Journal of the European Union.	following that of its publication in the Official Journal of the European Union.	
Article 2, second paragraph				
157	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	This Regulation shall be binding in its entirety and directly applicable in all Member States.	
Formula				
158	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
159	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
160	The President	The President	The President	
Formula				
161	For the Council	For the Council	For the Council	
Formula				
162				

	Commission Proposal	EP Mandate	Council Mandate	Draft Agreement
	The President	The President	The President	