



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 30 April 2012

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PROPOSAL

from:	European Commission
dated:	26 April 2012
No Cion doc.:	COM(2012)180 final
Subject:	Proposal for a Council Decision on the position to be taken by the European Union in the EEA Joint Committee concerning an amendment to Annex XXI (Statistics)

Delegations will find attached a proposal from the Commission, submitted under a covering letter from Jordi AYET PUIGARNAU, Director, to Mr Uwe CORSEPIUS, Secretary-General of the Council of the European Union.

Encl.: COM(2012)180 final



EUROPEAN COMMISSION

Brussels, 26.4.2012
COM(2012) 180 final

2012/0090 (NLE)

Proposal for a

COUNCIL DECISION

**on the position to be taken by the European Union in the EEA Joint Committee
concerning an amendment to Annex XXI (Statistics)**

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE PROPOSAL

In order to ensure the requisite legal security and homogeneity of the Internal Market, the EEA Joint Committee is to integrate all the relevant European Union legislation into the EEA Agreement as soon as possible after its adoption.

2. RESULTS OF CONSULTATIONS WITH THE INTERESTED PARTIES AND IMPACT ASSESSMENTS

The draft Decision of the EEA Joint Committee (annexed to the proposed Council Decision) aims to amend Annex XXI (Statistics) by adding new European Union acquis in this field.

This concerns Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC.

For the purpose of the implementation of this act, an adaptation is proposed in relation to Liechtenstein. Liechtenstein wishes to maintain the exemption concerning the collection of data on tourism demand as required by part C of the Annex of the Council Directive 95/57/EC of 23 November 1995 on the collection of statistical information in the field of tourism, under Regulation (EU) No 692/2011, which repeals the latter. The justification for maintaining such exemption is that the data have to be collected by a sample survey. As the sample size needs to be high in order to get reliable data, the burden would be very heavy for the Liechtenstein population.

3. LEGAL ELEMENTS OF THE PROPOSAL

Article 1(3) of Council Regulation (EC) No 2894/94 concerning arrangements for implementing the EEA Agreement provides that the Council establishes the position to be adopted on the Union's behalf on such Decisions, on a proposal from the Commission.

The Commission submits the Draft Decision of the EEA Joint Committee for adoption by the Council as the Union's position. The Commission would hope to be able to present it in the EEA Joint Committee at the earliest possible opportunity.

Proposal for a

COUNCIL DECISION

**on the position to be taken by the European Union in the EEA Joint Committee
concerning an amendment to Annex XXI (Statistics)**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) in conjunction with Article 218(9) thereof,

Having regard to Council Regulation (EC) No 2894/94 of 28 November 1994 concerning arrangements for implementing the Agreement on the European Economic Area¹, and in particular Article 1(3) thereof,

Having regard to the proposal from the European Commission,

Whereas:

- (1) Annex XXI to the Agreement on the European Economic Area ("the EEA Agreement") contains specific provisions and arrangements concerning statistics.
- (2) Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC² is to be incorporated into the Agreement.
- (3) Regulation (EU) No 692/2011 repeals Council Directive 95/57/EC³ which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The position to be taken by the Union within the EEA Joint Committee on the proposed amendment to Annex XXI to the EEA Agreement shall be based on the draft Decision of the EEA Joint Committee attached to this Decision.

¹ OJ L 305, 30.11.1994, p. 6

² OJ L 192, 22.7.2011, p. 17.

³ OJ L 291, 6.12.1995, p. 32.

Article 2

This Decision shall enter into force on the day of its adoption.

Done at Brussels,

*For the Council
The President*

ANNEX

Draft

Draft (05.09.2011)

DECISION OF THE EEA JOINT COMMITTEE No of amending Annex XXI (Statistics) to the EEA Agreement

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area, as amended by the Protocol adjusting the Agreement on the European Economic Area, hereinafter referred to as 'the Agreement', and in particular Article 98 thereof,

Whereas:

- (1) Annex XXI to the Agreement was amended by Decision of the EEA Joint Committee No .../... of ...⁴.
- (2) Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC⁵ is to be incorporated into the Agreement.
- (3) Regulation (EU) No 692/2011 repeals Council Directive 95/57/EC⁶ which is incorporated into the Agreement and which is consequently to be repealed under the Agreement,

HAS ADOPTED THIS DECISION:

Article 1

The text of point 7c (Council Directive 95/57/EC) of Annex XXI shall be replaced by following:

‘32011 R 0692: Regulation (EU) No 692/2011 of the European Parliament and of the Council of 6 July 2011 concerning European statistics on tourism and repealing Council Directive 95/57/EC (OJ L 192, 22.7.2011, p. 17).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

⁴ OJ L ...
⁵ OJ L 192, 22.7.2011, p. 17.
⁶ OJ L 291, 6.12.1995, p. 32.

Liechtenstein is exempted from collecting the data required by Annex II of this Regulation.’

Article 2

The texts of Regulation (EU) No 692/2011 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on [...], provided that all the notifications under Article 103(1) of the Agreement have been made to the EEA Joint Committee*.

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, .

For the EEA Joint Committee

The President

*The Secretaries
to the EEA Joint Committee*

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]