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NOTE

From:	General Secretariat of the Council
To:	Delegations
N° Cion doc.:	ST 12258 2023 ADD 1 + ST 12258 2023 ADD 2 + ST 12258 2023 ADD 3 + ST 12258 2023 ADD 4 + ST 12258 2023 INIT
Subject:	Proposal for a REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on European Union labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council

Delegations will find attached the third Presidency compromise text for the proposal for a Regulation on European Union labour market statistics on businesses accompanied by a background note with information on the changes to the text compared to the second Presidency compromise text.

The changes in relation to the Commission proposal (12258/23) and to the first Presidency Compromise text (16953/23) are marked in **bold** and deletions with ~~strikethrough~~. Changes in relation to the second Presidency Compromise text (5735/24) are marked in **bold underline** and deletions with ~~strikethrough underline~~.



Third Compromise Text LMB

Proposal for a Regulation of the European Parliament and the Council on European Union labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council – **Background note**



The Belgian Presidency would like to share with the delegations the third compromise text for LMB with a view to be approved by Coreper I as the Council's negotiating mandate.

I. BACKGROUND

The proposal for a regulation on European statistics on businesses was adopted by the European Commission and submitted to the Council and the European Parliament on 28 July 2023.

This proposal lays down a common legal framework for the development, production and dissemination of labour market statistics on businesses in the Union. Labour market statistics on businesses (LMB) are official statistics that describe the functioning of businesses in relation to labour markets. The areas covered by LMB mostly relate to the level, composition and evolution of labour costs, the distribution and structure of earnings (including the gender pay gap), and job vacancy statistics.

On 31 August the Spanish Presidency opened a written consultation regarding this proposal with a deadline for comments on 29 September, by which all Member States replied. At the STATIS meeting on 22 November 2023, after an introductory presentation by the Commission, the Spanish presidency initiated discussions. Thereby, delegations were asked to provide their comments article by article. At the STATIS meeting of 5 December 2023, discussions continued.

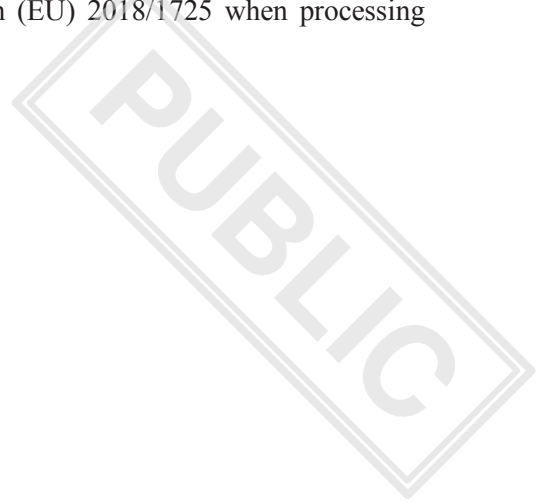
Under the Belgian Presidency, a compromise text was presented and discussed during the STATIS meeting of 11 January 2024. Throughout the meeting, all articles, the annex and the recitals were discussed. At the STATIS meeting of 31 January 2024, the Belgian Presidency presented its second compromise text and asked for additional feedback from the Member States.

II. CHANGES COMPARED TO THE SECOND COMPROMISE TEXT - EXPLAINED

1. In Article 2 on definitions, "directly" has been deleted in line 47; the term "data" has been reintroduced in line 54; and the double negation has been removed in line 55. In addition, a new definition of "gender pay gap" is introduced. This definition is taken from Eurostat-metadata concerning the topic¹ and is more compatible with the LMB framework than the definition in Directive 2023/970, as the latter refers to 'workers' instead of employees and uses the term 'pay levels' instead of hourly earnings.
2. In article 4, the last sentence in line 83, has been removed. Lines 84b, 89 and 93c have been redrafted.
3. Regarding Article 6, line 107 retains "enterprises or local units"; this is in line with current Regulations and provides the highest flexibility for Member States. For the sake of international comparability, in line 110, "all local units" is kept.
4. In article 10 on financing, as suggested by the Council Legal Service, a new paragraph has been added.
5. Regarding the recitals, new recital 14a was added following the suggestion of the

¹ https://ec.europa.eu/eurostat/cache/metadata/en/earn_grgpg2_esms.htm

Council Legal Service to better reflect the safeguards from Article 89 of the Regulation (EU) 2016/679 and Article 13 of the Regulation (EU) 2018/1725 when processing personal data.



	Commission proposal	Presidency's 3rd compromise proposal (7 February 2024)
1.	2023/0288 (COD)	2023/0288 (COD)
2.	Proposal for a	Proposal for a
3.	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL	REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
4.	on European Union labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council	on European Union labour market statistics on businesses, repealing Council Regulation (EC) No 530/1999 and Regulations (EC) No 450/2003 and (EC) No 453/2008 of the European Parliament and of the Council
5.	(Text with EEA relevance)	(Text with EEA relevance)
6.	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,
7.	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,
8.	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,
9.	After transmission of the draft legislative act to the national parliaments,	After transmission of the draft legislative act to the national parliaments,
10.	Having regard to the opinion of the European Economic and Social Committee	Having regard to the opinion of the European Economic and Social Committee Having regard to the opinion of the European Central Bank¹
11.	Having regard to the opinion of the Committee of the Regions,	Having regard to the opinion of the Committee of the Regions⁵

¹ 16053/23

12.	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,
13.	Whereas:	Whereas:
14.	(1) Labour market statistics on businesses in the European Union are required for the design, implementation and evaluation of the Union policies, in particular those addressing economic, social and territorial cohesion, the European employment strategy, the European Pillar of Social Rights and the European Semester.	(1) Labour market statistics on businesses in the European Union are required for the design, implementation and evaluation of the Union policies, in particular those addressing economic, social and territorial cohesion, the European employment strategy, the European Pillar of Social Rights and the European Semester.
15.	(2) The prevention and correction of macroeconomic imbalances according to Regulation (EU) 1176/2011 ² and the monitoring of adequate minimum wages according to Directive (EU) 2022/2041 of the European Parliament and of the Council ³ require accurate information on the evolution of hourly labour costs and wage levels across Member States.	(2) The prevention and correction of macroeconomic imbalances according to Regulation (EU) 1176/2011 ⁴ and the monitoring of adequate minimum wages according to Directive (EU) 2022/2041 of the European Parliament and of the Council ⁵ require accurate information on the evolution of hourly labour costs and wage levels across Member States.
16.	(3) The European Central Bank uses European labour market statistics on businesses, in the context of the single monetary policy, for monitoring inflation and deflation risks arising from labour costs. Therefore, accurate, timely and comparable Union statistics on the evolution of labour costs are necessary.	(3) The European Central Bank uses European labour market statistics on businesses, in the context of the single monetary policy, for monitoring inflation and deflation risks arising from labour costs. Therefore, accurate, timely and comparable Union statistics on the evolution of labour costs are necessary.
17.	(4) It is necessary to extend the coverage of job vacancy statistics and	(4) It is necessary to extend the coverage of job vacancy statistics and

² Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances (OJ L 306, 23.11.2011, p. 25)

³ Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275 of 25.10.2022, p. 33).

⁴ Regulation (EU) No 1176/2011 of the European Parliament and of the Council of 16 November 2011 on the prevention and correction of macroeconomic imbalances (OJ L 306, 23.11.2011, p. 25)

⁵ Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022 on adequate minimum wages in the European Union (OJ L 275 of 25.10.2022, p. 33).

	the timeliness of the labour cost index as both indicators are listed among the Principal European Economic Indicators (PEEIs) ⁶ , needed to monitor monetary and economic policies.	the timeliness of the labour cost index as both indicators are listed among the Principal European Economic Indicators (PEEIs) ⁷ , needed to monitor monetary and economic policies.
18.	(5) A legal basis is necessary to regulate the transmission of the annual gender pay gap for monitoring the Sustainable Development Goals under the 2030 Agenda of the United Nations (UN), in particular, goal 5 on Gender Equality.	(5) A legal basis is necessary to regulate the transmission of the annual gender pay gap for monitoring the Sustainable Development Goals under the 2030 Agenda of the United Nations (UN), in particular, goal 5 on Gender Equality.
19.	(6) The implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation ⁸ requires comparable data on wages received by men and women. Directive (EU) 2023/970 of the European Parliament and of the Council to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women ⁹ requires Member States to provide the Commission with up-to-date gender pay gap data annually and in a timely manner. This obligation should be complemented by the appropriate necessary statistical frame for compiling and transmitting gender pay gap data.	(6) The implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation ¹⁰ requires comparable data on wages received by men and women. Article 31 of the Directive (EU) 2023/970 of the European Parliament and of the Council to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women ¹¹ requires Member States to provide the Commission with up-to-date gender pay gap data annually and in a timely manner. This obligation should be complemented by the appropriate necessary statistical frame for compiling and transmitting gender pay gap data, that should include the detailed topics, the periodicity of the data provision, the reference periods and the deadline for data

⁶ Communication of the Commission to the European Parliament and the Council on eurozone statistics ‘towards improved methodologies for eurozone statistics and indicators’ – COM/2002/0661 final of 27 November 2002.

⁷ Communication of the Commission to the European Parliament and the Council on eurozone statistics ‘towards improved methodologies for eurozone statistics and indicators’ – COM/2002/0661 final of 27 November 2002.

⁸ Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (OJ L 204 of 26.07.2006, p. 23)

⁹ Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms (OJ L 132 of 17.05.2023, p. 21).

¹⁰ Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (OJ L 204 of 26.07.2006, p. 23)

¹¹ Directive (EU) 2023/970 of the European Parliament and of the Council of 10 May 2023 to strengthen the application of the principle of equal pay for equal work or work of equal value between men and women through pay transparency and enforcement mechanisms (OJ L 132 of 17.05.2023, p. 21).

		transmission.
20.	(7) In order to simplify the existing legislation and foster harmonisation in scope, concepts, definitions and quality reporting, this Regulation should cover all European labour market statistics on businesses.	(7) In order to simplify the existing legislation and foster harmonisation in scope, concepts, definitions and quality reporting, this Regulation should cover all European labour market statistics on businesses.
21.	(8) This Regulation should take into account new needs that have emerged with the development and deepening of the Union and the euro area, provided that its provisions do not create a disproportionate burden on respondents or national statistical authorities.	(8) This Regulation should take into account new needs that have emerged with the development and deepening of the Union and the euro area, provided that its provisions do not create a disproportionate burden on respondents or national statistical authorities.
22.	(9) To limit the burden on enterprises, in particular on SMEs, the national statistical authorities should consider administrative and innovative sources, the main aim of which is not the provision of statistics, as a substitute for or a complement to statistical surveys, subject to the quality requirements for official statistics. The latest technological and digital developments can contribute to this objective.	(9) To limit the burden on enterprises, in particular on SMEs, the national statistical authorities should consider administrative and innovative sources, the main aim of which is not the provision of statistics, as a substitute for or a complement to statistical surveys, subject to the quality requirements for official statistics. The latest technological and digital developments can contribute to this objective.
23.	(10) In order to improve the efficiency of the statistical production processes of labour market statistics and to reduce the statistical burden on respondents, national statistical authorities should have the right to access and use, promptly and free of charge, all national administrative records and to integrate those administrative records with statistics, to the extent necessary for the development, production and dissemination of European Union labour market statistics on businesses, in accordance with Article 17a of Regulation (EC) No 223/2009 of the European Parliament and of the Council ¹² .	(10) In order to improve the efficiency of the statistical production processes of labour market statistics and to reduce the statistical burden on respondents, national statistical authorities should have the right to access and use, promptly and free of charge, all national administrative records sources and other sources, including privately held data and to integrate these data those administrative records with statistics, to the extent necessary for the development, production and dissemination of European Union labour market statistics on businesses, in accordance with Article 17a of Regulation (EC) No 223/2009 of the European Parliament

¹² 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

		and of the Council ¹³ .
24.	(11) Regulation (EC) No 223/2009 constitutes the reference framework for this Regulation, including as regards the protection of confidential data.	(11) Regulation (EC) No 223/2009 constitutes the reference framework for this Regulation, including as regards the protection of confidential data.
25.	(12) Since the objective of this Regulation, namely the establishment of a common framework for systematic production of high quality European Union labour market statistics on businesses, cannot be sufficiently achieved by Member States but can rather, for reasons of consistency and comparability, be better achieved at Union level, the Union may adopt measures, 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 to achieve that objective.	(12) Since the objective of this Regulation, namely the establishment of a common framework for systematic production of high quality European Union labour market statistics on businesses, cannot be sufficiently achieved by Member States but can rather, for reasons of consistency and comparability, be better achieved at Union level, the Union may adopt measures, 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 to achieve that objective.
25a.		(12a) The power to adopt delegated acts in accordance with Article 290 of the Treaty on the Functioning of the European Union (TFEU) should be delegated to the Commission to amend the list of the detailed topics required to be covered by labour market statistics data on businesses. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid

Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

¹³ Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

		down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ¹⁴ . The Commission, when preparing and drawing up delegated acts, should ensure simultaneous, timely and appropriate transmission of relevant documents to the European Parliament and to the Council.
25b.		(12b) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission to specify the elements for each topic required to be covered by labour market statistics data on businesses. Likewise, the Commission should be conferred the power to adopt implementing acts to set out the practical arrangements for the quality reports and their content, and to grant derogations to Member States where the application of this Regulation, or the delegated or implementing acts adopted pursuant to it, require major changes to be made to a Member State's national statistical system. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers. ¹⁵
26.	(13) 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 Council ¹⁶ and delivered an opinion on [xxx].	(13) 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 Council ¹⁷ and delivered an opinion on 25 September 2023 .

¹⁴ OJ L 123, 12.5.2016, p. 1.

¹⁵ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

¹⁶ 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).

27.	(14) For the appropriate implementation of this Regulation in Members States, at least 12 months after the date of entering into force are needed before the first data collection.	(14) For the appropriate implementation of this Regulation in Members States, at least 12 months after the date of entering into force are needed before the first data collection.
27a.		<u>(14a) This Regulation is without prejudice to Regulations (EU) 2016/679 and (EU) 2018/1725 and Directive 2002/58/EC of the European Parliament and of the Council. Within their respective scopes of application, the latter Regulations are to apply to the processing of personal data under this Regulation. Anonymised or pseudonymised data should be preferably used for processing, sharing and archiving of personal data for statistical purposes under this Regulation, to guarantee the safeguards as adopted under Article 89 of the Regulation (EU) 2016/679 and Article 13 of the Regulation (EU) 2018/1725.</u>
28.	(15) The European Statistical System Committee has been consulted.	(15) The European Statistical System Committee has been consulted.
29.	HAVE ADOPTED THIS REGULATION:	HAVE ADOPTED THIS REGULATION:
30.	Article 1	Article 1
31.	Subject matter	Subject matter
32.	This Regulation lays down a common legal framework for the development, production and dissemination of labour market statistics	This Regulation lays down a common legal framework for the development, production and dissemination of labour market statistics on

¹⁷ 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).

	on businesses in the Union.	businesses in the Union.
33.	Article 2	Article 2
34.	Definitions	Definitions
35.	For the purposes of this Regulation, the following definitions shall apply:	For the purposes of this Regulation, the following definitions shall apply:
36.	(1) ‘statistical unit’ means the entity on which the data are collected or compiled;	(1) ‘statistical unit’ means statistical units within the meaning of Regulation (EEC) No 696/93 as regards enterprise and local unit or employees the entity on which the data are collected or and statistics are compiled;
37.	(2) ‘enterprise’ means a set of legal units as defined in Council Regulation (EEC) No 696/93 ¹⁸ ; This includes non-market producers and other institutional units that belong to the general government sector;	(2) ‘enterprise’ means a the smallest combination set of legal units as defined in Council Regulation (EEC) No 696/93 ¹⁹ ; This includes non-market producers and other institutional units that belong to the general government sector;
38.	(3) ‘local unit’ means an enterprise, or a part thereof, situated in a geographically identified place;	(3) ‘local unit’ means an enterprise, or a part thereof, situated in a geographically identified place as defined in Council Regulation (EEC) No 696/93. ²⁰

¹⁸ Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community (OJ L 76, 30.3.1993, p. 1), ANNEX-Section III-A.

¹⁹ Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community (OJ L 76, 30.3.1993, p. 1), ANNEX-Section III-A.

²⁰ **Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community (OJ L 76, 30.3.1993, p. 1), ANNEX-Section III-A**

39.	(4) ‘resident enterprise’, respectively ‘resident local unit’, means an enterprise, respectively a local unit, carrying out economic activities contributing to the gross domestic product (GDP);	(4) ‘resident enterprise’, respectively ‘resident local unit’, means an enterprise, respectively a local unit, carrying out economic activities contributing to the gross domestic product (GDP) as laid down in Chapter 1 of Annex A to Regulation of the European Parliament and of the Council (EU) No 549/2013;
40.	(5) ‘employee’ means any person irrespective of his/her nationality, residency or how long he/she has worked in the Member State who has a direct employment contract with an enterprise (whether the agreement is formal or informal) and receive remuneration, irrespective of the type of work performed, the number of hours worked (full-time or part-time) and the duration of the contract (fixed or indefinite, including seasonal); the remuneration of an employee can take the form of wages and salaries, including bonuses, pay for piecework and shift work, allowances, fees, commission and remuneration in kind;	(5) ‘employee’ means any person irrespective of his/her nationality, residency or how long he/she has worked in the Member State who has a direct employment contract agreement with an enterprise (whether the agreement is formal or informal) and receive remuneration, irrespective of the type of work performed, the number of hours worked (full-time or part-time) and the duration of the contract agreement (fixed or indefinite, including seasonal); the remuneration of an employee can take the form of wages and salaries, including bonuses, pay for piecework and shift work, allowances, fees, commission and remuneration in kind;
41.	(6) ‘employer’ means an enterprise or a local unit that has a direct employment contract with an employee (whether the agreement is formal or informal);	(6) ‘employer’ means an enterprise or a local unit that has a direct employment agreement with an employee (whether the agreement is formal or informal);
42.	(7) ‘domain’ means one or several data sets that cover one or several topics;	(7) ‘domain’ means one or several data sets that cover one or several particular topics;
43.	(8) ‘topic’ means the content of the information to be collected about the statistical units in a data collection, with each topic covering several detailed topics;	(8) ‘topic’ means the content of the information to be collected about the statistical units in a data collection compiled , with each topic covering several one or more detailed topics;
44.	(9) ‘detailed topic’ means the detailed content of the information to be collected about the statistical units related to a topic; each detailed topic covers one or several variables;	(9) ‘detailed topic’ means the detailed content of the information to be collected compiled about the statistical units related to a topic, each detailed topic covering one or several more variables;

45.	(10) 'variable' means a characteristic of a unit that may assume more than one of a set of values, which can be an absolute figure, a proportion, or a reference to a position in a classification;	(10) 'variable' means a characteristic of a unit that may assume more than one of a set of values; which can be an absolute figure, a proportion, or a reference to a position in a classification;
46.	(11) 'breakdown' means a predefined discrete, exhaustive and mutually exclusive set of values which can be assigned to a variable characterising statistical units;	(11) 'breakdown' means a predefined discrete, exhaustive and mutually exclusive set of values which can be assigned to a variable characterising statistical units;
47.	(12) 'microdata' means data concerning only one statistical unit without a direct identifier;	(12) 'microdata' means data concerning only one statistical unit without a direct identifier individual observations or measurements of characteristics of <u>directly and</u> indirectly identifiable reporting units or statistical units.
48.	(13) 'aggregated data' means data concerning a set of several statistical units;	(13) 'aggregated data' means data statistics data concerning a set of several statistical units;
49.	(14) 'statistical population' means the set of statistical units about which information is wanted and estimates are required;	(14) 'statistical population' means the set of statistical units about which information is wanted. and estimates are required;
50.	(15) 'sampling frame' means a list, map or other specification of the units which determine a statistical population that is to be completely enumerated or sampled;	(15) 'sampling frame' means a list, map or other specification of the units which determine a statistical population that is to be completely enumerated or sampled;
51.	(16) 'sample' means a subset of a sampling frame whose elements are selected based on a process with a known probability of selection, designed so as to allow for deriving valid estimations for the statistical population;	(16) 'sample' means a subset of a sampling frame whose elements are selected based on a process with a known probability of selection, designed so as to allow for deriving valid estimations for the statistical population;
52.	(17) 'respondent' means the reporting unit that supplies information to the authority conducting the survey;	(17) 'respondent' means the reporting unit that supplies data information to the authority conducting the survey;

53.	(18) ‘survey data’ means data collected on a sample of respondents and extrapolated to the statistical population by using appropriate mathematical methods;	(18) ‘survey data’ means data collected on a sample of respondents and extrapolated to the statistical population by using appropriate mathematical statistical methods;
54.	(19) ‘administrative records’ mean data generated by an administrative entity, usually a public body, the main aim of which is not the provision of statistics;	(19) ‘administrative data sources records ’ mean data generated by a non-statistical source an administrative entity , usually a register held by a public body , the main aim of which is not the provision of statistics;
54a.		(19a) ‘privately held data’ means data held by private entities, the main aim of which is not the provision of statistics. 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.
55.	(20) ‘other sources’ means data generated by a non-administrative entity including private records, websites and databases, the main aim of which is not the provision of official statistics;	(20) ‘other sources’ meansing data that do not derive from sources other than the ones listed in points (18), (19), (19a) of this Article, such as by generated by a non-administrative entity including private records, websites and databases, the main aim of which is not the provision of official statistics;
56.	(21) ‘statistical classification’ means an ordered list, with one or more levels of detail, of related though mutually exclusive categories used to structure information in a given statistical domain according to its similarities;	(21) ‘statistical classification’ means an ordered list, with one or more levels of detail, of related though mutually exclusive categories used to structure information in a given statistical domain according to its similarities;
57.	(22) ‘reference period’ means the period to which the data refer;	(22) ‘reference period’ means the period to which the data refer time interval to which statistics on events refer;

58.	(23) 'data collection period' means the time period at which the data are collected.	(23) 'data collection period' means the time period at which the data are collected.
59.	(24) 'metadata' means information that is needed to use and interpret statistics and that describes the data in a structured way;	(24) 'metadata' means information that is needed to use and interpret statistics and that describes the data in a structured way;
60.	(25) 'pre-checked data' means data verified by Member States based on agreed common validation rules;	(25) 'pre-checked data' means data verified by Member States based on agreed common validation rules;
61.	(26) 'quality report' means a report conveying information about the quality of a statistical product or process.	(26) 'quality report' means a report conveying information about the quality of a statistical product or process.
<u>61a.</u>		<u>(27)</u> <u>'gender pay gap' means the difference in average gross hourly earnings of male and female employees as a percentage of the average gross hourly earnings of the male employees.</u>
62.	Article 3	Article 3
63.	Sources and methods	Sources and methods
64.	1. For the purpose of compiling statistics under this Regulation, Member States shall use or reuse one or a combination of the following sources provided they meet the quality standards referred to in Article 8:	1. For the purpose of compiling statistics under this Regulation, Member States and the Commission (Eurostat) shall use or reuse one or a combination of the following data sources, provided they allow for producing statistics that meet the quality requirements standards referred to laid down in Article 8:

65.	(a) survey data;	(a) Survey data statistical surveys or other statistical data collections;
66.	(b) administrative records;	(b) administrative records data sources;
67.	(c) other sources.	(c) other sources including privately held data.
67a.		(d) other sources
67b.		1a. Member States shall endeavour to use innovative sources and methods to improve statistics, compiled under this Regulation provided that they allow for producing statistics that meet the quality requirements laid down in Article 8.
68.	2. Surveys used for the purpose of labour market statistics on businesses shall be based on samples which are representative of the statistical population. Samples of enterprises or local units shall be drawn from the national statistical business registers as defined in Article 8(4) of Regulation (EU) 2019/2152.	2. Surveys used for the purpose of labour market statistics on businesses shall be based on samples which are representative of the statistical population. Samples of enterprises or local units shall be drawn from the national statistical business registers as defined in Article 8(4) of Regulation (EU) 2019/2152.
69.	3. Member States shall provide the Commission (Eurostat) with detailed information on the sources and methods used through the quality reports referred to in Article 8(4).	3. Member States shall provide the Commission (Eurostat) with detailed information on the sources and methods used through the quality reports referred to in Article 8(4).
70.	Article 4	Article 4

71.	Data requirements	Data requirements
72.	1. Labour market statistics on businesses shall cover the following domains and topics:	1. Labour market statistics on businesses shall cover the following domains and topics:
73.	(a) earnings:	(a) earnings:
74.	– (i) structure of earnings;	– (i) structure of earnings
75.	– (ii) gender pay gap;	– (ii) gender pay gap;
76.	(b) labour costs:	(b) labour costs:
77.	– (i) structure of labour costs;	– (i) structure of labour costs;
78.	– (ii) labour cost index;	– (ii) labour cost index;
79.	(c) labour demand:	(c) labour demand:
80.	– (i) job vacancies.	– (i) job vacancies.
81.	The topics labour cost index, referred to in point (b)(ii), and job vacancies, referred to in point (c)(i), include their respective early estimates referred to in Article 5.	The topics labour cost index, referred to in point (b)(ii), and job vacancies, referred to in point (c)(i), include their respective early estimates referred to in Article 5.
82.	2. For each topic listed in paragraph 1, the detailed topics, their	2. For each topic listed in paragraph 1, the detailed topics, their

	corresponding periodicity, reference periods and transmission deadlines shall be as set out in the Annex.	corresponding periodicity, reference periods including the first reference period and transmission deadlines shall be as set out in the Annex.
83.	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 13 to amend the list of the detailed topics, the periodicity, the reference periods and the transmission deadlines set out in the Annex.	3. The Commission shall be empowered to adopt delegated acts in accordance with Article 13 to amend the list of the detailed topics the periodicity, the reference periods and the transmission deadlines as set out in the Annex. The delegated acts shall be adopted at least 24 months before the beginning of the relevant reference period., <u>except for the first reference period set out in the Annex, for which 12 months shall apply.</u>
84.	4. When exercising power to adopt delegated acts pursuant to paragraph 3, the Commission shall ensure that the amendments do not impose significant and disproportionate burden on Member States and respondents. For this purpose, feasibility studies as set out in Article 9 shall be launched and their results duly assessed and taken into account.	4. When exercising the power to adopt delegated acts pursuant to paragraph 3, the Commission shall ensure that: the amendments do not impose significant and disproportionate burden on Member States and respondents. For this purpose, feasibility studies as set out in Article 9 shall be launched and their results duly assessed and taken into account.
84a.		(a) the delegated acts aim to achieve cost and burden neutrality or reduction and do not, in any case, impose a significant additional cost or burden on the Member States or on the respondents;
84b.		(b) <u>Over a period of ten consecutive years, a maximum of two detailed topics for a domain listed in the annex to this Regulation <u>are</u> may be replaced by another detailed topic within the same domain and a maximum of one detailed topic in total for any one of the all domains listed in the Annex <u>is added over a period of ten consecutive years;</u></u>
84c.		(c) any new detailed topic shall be assessed with respect to its feasibility by means of pilot studies carried out by the Commission (Eurostat) and the Member States in accordance with Article 9.

85.	5. The data shall be transmitted to the Commission (Eurostat) in the form of aggregated data, except for the topic structure of earnings, referred to in paragraph 1, point (a)(i), for which microdata shall be transmitted for individual employees and local units.	5. The data shall be transmitted to the Commission (Eurostat) in the form of aggregated data, except for the topic structure of earnings, referred to in paragraph 1, point (a)(i), for which pseudonomized microdata shall be transmitted for individual employees and local units.
86.	6. Member States shall provide pre-checked data and related metadata using a technical format specified by the Commission (Eurostat) for each data set. The single entry point services shall be used to provide the data to the Commission (Eurostat).	6. Member States shall provide pre-checked data and related metadata using a technical format specified by the Commission (Eurostat) for each data set. The single entry point services shall be used to provide the data to the Commission (Eurostat).
87.	7. The Commission shall adopt implementing acts specifying the following elements for each topic:	7. The Commission shall adopt implementing acts specifying the following elements for each topic:
88.	(a) the list and description of variables;	(a) the list and description of variables and their technical specifications, taking into account that a variable shall be counted as a combination of characteristics of an observation unit with the corresponding measurement unit and geographical breakdown counting as one. and breakdowns;
89.	(b) statistical classifications and data breakdowns;	(b) statistical classifications and data breakdowns other than whereas geographical breakdowns which cannot go below NUTS1 level;
90.	(c) precision targets;	(e) — precision targets;
91.	(d) the metadata to be transmitted with the same periodicity, reference period and deadlines as the data they refer to;	(d) the metadata to be transmitted with the same periodicity, reference period and deadlines as the data they refer to;
92.	(e) the data collection periods.	(e) — the data collection periods.

93.	These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) at least 12 months before the beginning of the relevant reference period.	8. These implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) 12 24 months before the beginning of the relevant reference period, except for the first reference period as mentioned in the Annex for which 12 months shall apply. The Commission shall ensure that the implementing acts adopted pursuant to this paragraph comply with the principle of proportionality and do not impose a significant additional burden or cost on the Member States or on businesses.
93a.		9. When a new detailed topic is added in accordance with paragraph 3 4(b) of this Article, the overall number of variables as defined in paragraph 7(a) for the domains referred to in paragraph 1 of this Article shall not be increased by more than the average number of variables within the existing detailed topics of this domain of those already required, on a mandatory basis, by the Commission (Eurostat).
93b.		10. When adopting implementing acts pursuant to paragraph 7:
93c.		(a) the overall number of variables as defined in paragraph 7(a) of this Article for the topics structure of earnings and, structure of labour cost, labour cost index and job vacancies shall not exceed by more than 5% the number of variables <u>within the existing detailed topics of this domain of those</u> already required, on a mandatory basis, <u>by the Commission (Eurostat) on the date of entry into force of this Regulation.</u> If the 5% threshold of the number of variables described above results in an unrounded number, the overall number of variables will be rounded to the next integer.

93d.		(b) the overall number of variables as defined in paragraph 7(a) of this Article for the topics gender pay gap, job vacancies and labour cost index shall not be increased exceed by more than the average 5% the number of variables within the existing detailed topics of this domain. If the 5% threshold of the number of variables described above results in an unrounded number, the overall number of variables will be rounded to the next integer. be increased by more than the average number of variables of those already required, on a mandatory basis, by the Commission (Eurostat).
93da.		(c) Where new data are required, the Commission may only change a maximum of 5% of the variables required in accordance with the implementing acts referred to in paragraph 7 of this Article, for each domain listed in paragraph 1, every 5 years.
93e.		11. Any modification of the data breakdowns referred to in paragraph 7(b) of this Article shall be assessed with respect to its feasibility by means of a pilot study carried out by the Commission (Eurostat) and the Member States in accordance with Article 9.
94.	Article 5	Article 5
95.	Early estimates	Early estimates
96.	1. Early estimates for the labour cost index referred to in Article 4(1), point (b)(ii) and job vacancies referred to in Article 4(1), point (c)(i) shall be transmitted:	1. Early estimates for the labour cost index referred to in Article 4(1), point (b)(ii) and job vacancies referred to in Article 4(1), point (c)(i) shall be transmitted:
97.	(a) by Member States whose annual number of employees represents more than 3% of the EU total, for each of the 3 latest consecutive years;	(a) by Member States whose annual number of employees represents more than 3% of the EU total, for each of the 3 latest consecutive years;

	and	and
98.	(b) by Member States of the euro area whose annual number of employees represents more than 3% of the euro area total, for each of the 3 latest consecutive years;	(b) by Member States of the euro area whose annual number of employees represents more than 3% of the euro area total, for each of the 3 latest consecutive years;
99.	2. The shares of employees in the EU total and euro area total mentioned in paragraph 1 shall be assessed by the Commission (Eurostat) based on the available EU labour force survey annual data.	2. The shares of employees in the EU total and euro area total mentioned in paragraph 1 shall be assessed by the Commission (Eurostat) based on the available EU labour force survey annual data.
100.	3. Should there be any change in the list of Member States whose annual number of employees is higher than the thresholds referred to in points (a) and (b) of paragraph 1, the Commission (Eurostat) shall notify the Member State(s) concerned within 6 months after the end of the period used to assess the 3% threshold. If the updated shares of employees fall below the respective thresholds referred to in points (a) and (b) of paragraph 1, the Member State(s) concerned shall be allowed to stop transmitting early estimates as from the reference quarter of the first calendar year following the date of the notification. If the updated shares fall above those thresholds, the Member State(s) concerned shall transmit the early estimates from the first reference quarter of the third calendar year following the date of the notification.	3. Should there be any change in the list of Member States whose annual number of employees is higher than the thresholds referred to in points (a) and (b) of paragraph 1, the Commission (Eurostat) shall notify the Member State(s) concerned within 6 months after the end of the period used to assess the 3% threshold. If the updated shares of employees fall below the respective thresholds referred to in points (a) and (b) of paragraph 1, the Member State(s) concerned may discontinue shall be allowed to transmit stop transmitting early estimates as from the reference quarter of the first calendar year following the date of the notification. If the updated shares fall above those thresholds, the Member State(s) concerned shall transmit the early estimates from the first reference quarter of the third calendar year following the date of the notification.
101.	Article 6	Article 6
102.	Statistical units and statistical population	Statistical units and statistical population
103.	1. Statistics under this Regulation shall be compiled for one or more of the following statistical units:	1. Statistics under this Regulation shall be compiled for one or more of the following statistical units:

104.	(a) enterprises;	(a) enterprises;
105.	(b) local units;	(b) local units;
106.	(c) employees.	(c) employees.
107.	2. For topics labour cost index, referred to in Article 4(1), point (b)(ii) and job vacancies, referred to in Article 4(1), point (c)(i), the statistical population shall consist of all enterprises or all local units that are resident of the Member State and which fulfil the following conditions:	2. For topics labour cost index, referred to in Article 4(1), point (b)(ii) and job vacancies, referred to in Article 4(1), point (c)(i), the statistical population shall consist of all enterprises or all local units that are resident of the Member State and which fulfil the following conditions:
108.	(a) their main economic activity is included in any section of the NACE classification ²¹ , except ‘Agriculture, forestry and fishing’, ‘Activities of households as employers and undifferentiated goods – and services – producing activities of households for own use’ and ‘Activities of extraterritorial organisations and bodies’ and	(a) their main economic activity is included in any section of the NACE classification ²² , except ‘Agriculture, forestry and fishing’, ‘Activities of households as employers and undifferentiated goods – and services – producing activities of households for own use’ and ‘Activities of extraterritorial organisations and bodies’ and
109.	(b) they have 1 or more employees.	(b) they have 1 or more employees.
110.	3. For topics structure of earnings, referred to in Article 4(1), point (a)(i), and gender pay gap, referred to in Article 4(1), point (a)(ii), as regards data on the employer, the statistical population shall consist of	3. For topics structure of earnings, referred to in Article 4(1), point (a)(i), and gender pay gap, referred to in Article 4(1), point (a)(ii), as regards data on the employer, the statistical population shall consist of all local

²¹ Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1)

²² Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (OJ L 393, 30.12.2006, p. 1)

	all local units that are resident of the Member State and which fulfil the following conditions:	units that are resident of the Member State and which fulfil the following conditions:
111.	(a) their economic activity is included in any section of the NACE classification, except ‘Agriculture, forestry and fishing’, ‘Activities of households as employers and undifferentiated goods – and services – producing activities of households for own use’ and ‘Activities of extraterritorial organisations and bodies’; and	(a) their economic activity is included in any section of the NACE classification, except ‘Agriculture, forestry and fishing’, ‘Activities of households as employers and undifferentiated goods – and services – producing activities of households for own use’, and ‘Activities of extraterritorial organisations and bodies’ and any data in ‘Public administration and defence, compulsory social security’ that is deemed confidential due to defence and internal security purposes by the member state; and
112.	(b) they have 1 or more employees.	(b) they have 1 or more employees.
113.	For the topics structure of earnings and the gender pay gap, as regards data on the employee, the statistical population shall consist of all employees whose local unit belongs to the statistical population defined under points (a) and (b) of the first subparagraph.	For the topics structure of earnings and the gender pay gap, as regards data on the employee, the statistical population shall consist of all employees whose local unit belongs to the statistical population defined under points (a) and (b) of the first sub this paragraph.
114.	4. By derogation to points (a) and (b) of paragraph 3, as regards gender pay gap data for reference period 2026, the transmission shall cover all local units that are part of enterprises with 10 or more employees and that, in addition to the activities excluded in paragraph 3 point (a), do not belong to the section ‘Public administration and defence; compulsory social security’ of the NACE classification.	4. By derogation to points (a) and (b) of paragraph 3, as regards gender pay gap data for reference period 2026, the transmission shall cover all local units that are part of enterprises with 10 or more employees and that, in addition to the activities excluded in paragraph 3 point (a), do not belong to the section ‘Public administration and defence; compulsory social security’ of the NACE classification, until the Structure of Earnings for reference period 2026 has been transmitted to the Commission (Eurostat) as data source for the revision of the Gender Pay Gap for reference period 2026.
115.	5. For the topic structure of labour costs, referred to in Article 4(1), point (b)(i), the statistical population shall consist of all local units that are resident of the Member State and which fulfil the following	5. For the topic structure of labour costs, referred to in Article 4(1), point (b)(i), the statistical population shall consist of all local units that are resident of the Member State and which fulfil the following conditions:

	conditions:	
116.	(a) their economic activity is included in any section of the NACE classification, except ‘Agriculture, forestry and fishing’, ‘Activities of households as employers and undifferentiated goods – and services – producing activities of households for own use’ and ‘Activities of extraterritorial organisations and bodies’; and	(a) their economic activity is included in any section of the NACE classification, except ‘Agriculture, forestry and fishing’, ‘Activities of households as employers and undifferentiated goods – and services – producing activities of households for own use’ and ‘Activities of extraterritorial organisations and bodies’; and
117.	(b) they are part of enterprises with 10 or more employees.	(b) they are part of enterprises with 10 or more employees.
118.	Article 7	Article 7
119.	Ad hoc data requirements	Ad hoc data requirements
120.	1. The Commission is empowered to adopt delegated acts supplementing this Regulation in accordance with Article 13 by specifying the information to be provided by Member States on an ad hoc basis, where, within the scope of this Regulation, the collection of additional data is deemed necessary for the purpose of addressing additional statistical data needs. Those delegated acts shall specify:	1. The Commission is empowered to adopt delegated acts supplementing this Regulation in accordance with Article 13 by specifying the information to be provided by Member States on an ad hoc basis, where, within the scope of this Regulation, the collection of additional data is deemed necessary for the purpose of addressing additional statistical data needs. Those delegated acts shall specify:
121.	(a) the detailed topics to be provided in the ad hoc data collection related to the domains and topics specified in Article 4 and the reasons for such additional needs;	(a) the detailed topics to be provided in the ad hoc data collection related to the domains and topics specified in Article 4 and the reasons for such additional needs;
122.	(b) the reference periods and transmission deadlines.	(b) the reference periods and transmission deadlines.
123.	2. The Commission is empowered to adopt delegated acts referred to in paragraph 1 starting with reference year 2028 and with a minimum of 2	2. The Commission is empowered to adopt delegated acts referred to in paragraph 1 starting with reference year 2028 and with a minimum of 2

	years between each ad hoc collection.	years between each ad hoc collection.
124.	3. The Commission shall adopt implementing acts to specify the ad hoc information referred to in paragraph 1 and metadata. Those implementing acts shall specify the following technical elements, where appropriate:	3. The Commission shall adopt implementing acts to specify the ad hoc information referred to in paragraph 1 and metadata. Those implementing acts shall specify the following technical elements, where appropriate:
125.	(a) the list and description of variables;	(a) — the list and description of variables;
126.	(b) statistical classifications and data breakdowns;	(b) — statistical classifications and data breakdowns;
127.	(c) detailed specifications of the statistical units covered;	(c) — detailed specifications of the statistical units covered;
128.	(d) the metadata to be transmitted;	(d) — the metadata to be transmitted;
129.	(e) the data collection periods.	(e) — the data collection periods.
130.	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) not later than 24 months before the beginning of the relevant reference period.	Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) not later than 24 months before the beginning of the relevant reference period.
131.	Article 8	Article 8
132.	Quality requirements and quality reporting	Quality requirements and quality reporting
133.	1. Member States shall take the necessary measures to ensure the quality of the data and metadata transmitted.	1. Member States shall take the necessary measures to ensure the quality of the data and metadata transmitted.

134.	2. Member States shall ensure that the data obtained using the sources laid down in Article 3 provide a full coverage of and give accurate estimates on the statistical units and population defined in Article 6.	2. Member States shall ensure aim to ensure that the data obtained using the sources laid down in Article 3 provide a full coverage of and give accurate estimates on the statistical units and population defined in Article 6.
135.	3. For the purpose of this Regulation, the quality criteria defined in Article 12(1) of Regulation (EC) No 223/2009 shall apply.	3. For the purpose of this Regulation, the quality criteria defined in Article 12(1) of Regulation (EC) No 223/2009 shall apply.
136.	4. Member States shall transmit quality reports on the sources and methods for each of the topics listed in Article 4.	4. Member States shall transmit quality reports on the sources and methods for each of the topics listed in Article 4.
137.	5. The Commission shall adopt implementing acts to set out the practical arrangements for the quality reports and their content. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).	5. The Commission shall adopt implementing acts to set out the practical arrangements for the quality reports and their content. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2) and shall not impose a significant additional burden or costs on the Member States.
138.	6. Member States shall inform the Commission (Eurostat) about any relevant information or change with regard to the implementation of this Regulation that would influence the quality of the data transmitted. The information shall be given as soon as possible and no later than 3 months after any such change enters into force.	6. Member States shall inform the Commission (Eurostat) as soon as possible about any relevant information or change with regard to the implementation of this Regulation that would influence the quality of the data transmitted. The information shall be given as soon as possible and no later than 3 months after any such change enters into force.
139.	7. Upon a duly reasoned request from the Commission (Eurostat), Member States shall provide additional information necessary to evaluate the quality of the statistical information.	7. Upon a duly reasoned request from the Commission (Eurostat), Member States shall provide additional information necessary to evaluate the quality of the statistical information.
140.	8. The Commission (Eurostat) shall assess the quality of the data transmitted, the sources and methods used and the sampling frames.	8. The Commission (Eurostat) shall assess the quality of the data transmitted, the sources and methods used and the sampling frames.

141.	Article 9	Article 9
142.	Feasibility and pilot studies	Feasibility and pilot studies
143.	1. In order to improve the labour market statistics on businesses or to limit the burden on enterprises, the Commission (Eurostat) may initiate feasibility and pilot studies. The purpose of such studies shall include improving quality and comparability, exploring new possibilities and implementing new features to respond to user needs, improving integration between surveys and other data sources, and reducing the burden on respondents. The studies shall take into account technological and digital developments.	1. In order to improve the labour market statistics on businesses or to limit the burden on enterprises, the Commission (Eurostat) may initiate feasibility and pilot studies. The purpose of such studies shall include: (a) improving quality and comparability; (b) exploring new possibilities and implementing new features to respond to user needs; (c) improving integration between surveys and other data sources, and; (d) reducing the burden on respondents. The studies shall take into account technological and digital developments.
144.	2. Member States may participate in those studies on a voluntary basis. In cooperation with the Commission (Eurostat), they shall ensure the studies are representative at Union level.	2. Member States may participate in those studies on a voluntary basis. In cooperation with the Commission (Eurostat), they shall ensure the studies are representative at Union level.
145.	3. The results of those studies shall be evaluated by the Commission (Eurostat) in cooperation with Member States and the main stakeholders. The Commission (Eurostat) shall prepare reports on the findings of the studies in cooperation with the Member States.	3. The results of those studies shall be evaluated by the Commission (Eurostat) in cooperation with Member States and the main stakeholders. The Commission (Eurostat) shall prepare reports on the findings of the studies in cooperation with the Member States.
146.	Article 10	Article 10
147.	Financing	Financing

148.	1. A financial contribution may be provided from the general budget of the Union to the national statistical institutes and other national authorities, referred to in Article 5(2) of Regulation (EC) No 223/2009, to:	1. As regards the implementation of this Regulation , A financial contribution may shall be made available provided from the general budget Single Market Programme established by Regulation (EU) No 2021/690 of the European Parliament and the Council and in accordance with Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of the Union to the national statistical institutes and other national authorities, referred to in Article 5(2) of Regulation (EC) No 223/2009, to:
149.	(a) improve sources, including sampling frames, for the labour market statistics on businesses, from the date this Regulation enters into force until 31 December 2029 at the latest;	(a) improve sources, methods , including sampling frames, for the labour market statistics on businesses. from the date this Regulation enters into force until 31 December 2029 at the latest;
150.	(b) improve methods for the labour market statistics on businesses, including the feasibility and pilot studies referred to in Article 9.	(b) improve methods for the labour market statistics on businesses, including the feasibility and pilot studies referred to in Article 9 support the participation of the Member States in representative pilot and feasibility studies referred to in Article 9 of this Regulation.
151.	The Union shall not finance costs for the regular compilation of statistics to be transmitted under this Regulation.	The Union shall not finance costs for the regular compilation of statistics to be transmitted under this Regulation.
<u>151a.</u>		<u>1a. The amount of the Union financial contribution under this Article shall be established in accordance with the rules of the Single Market Programme as part of the annual budgetary procedure, subject to the availability of funding. The budgetary authority shall determine the appropriation available each year.</u>
152.	2. The Union financial contribution shall not exceed 90% of the eligible costs.	2. The Union financial contribution shall not exceed 90% of the eligible costs.

153.	Article 11	Article 11
154.	Protection of the financial interests of the Union	Protection of the financial interests of the Union
155.	1. The Commission shall take appropriate measures to ensure that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.	1. The Commission shall take appropriate measures to ensure that, when actions financed under this Regulation are implemented, the financial interests of the Union are protected by the application of preventive measures against fraud, corruption and any other illegal activities, by effective checks and, if irregularities are detected, by the recovery of the amounts wrongly paid and, where appropriate, by effective, proportionate and dissuasive administrative and financial penalties.
156.	2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on-the-spot checks, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation.	2. The Commission or its representatives and the Court of Auditors shall have the power of audit, on the basis of documents and on-the-spot checks, over all grant beneficiaries, contractors and subcontractors who have received Union funds under this Regulation.
157.	3. The European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ²³ and Council Regulation (Euratom, EC) No 2185/96 ²⁴ with a	3. The European Anti-Fraud Office (OLAF) may carry out investigations, including on-the-spot checks and inspections, in accordance with the provisions and procedures laid down in Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council ²⁵ and Council Regulation (Euratom, EC) No 2185/96 ²⁶ with a view to

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

²⁴ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2.).

	view to establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or contract funded under this Regulation.	establishing whether there has been fraud, corruption or any other illegal activity affecting the financial interests of the Union in connection with a grant agreement or grant decision or contract funded under this Regulation.
158.	4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions resulting from the implementation of this Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors, the European Public Prosecutor and OLAF to conduct such audits and investigations, in accordance with their respective competences.	4. Without prejudice to paragraphs 1, 2 and 3, cooperation agreements with third countries and with international organisations, contracts, grant agreements and grant decisions resulting from the implementation of this Regulation shall contain provisions expressly empowering the Commission, the Court of Auditors, the European Public Prosecutor and OLAF to conduct such audits and investigations, in accordance with their respective competences.
159.	Article 12	Article 12
160.	Derogations	Derogations
161.	1. Where the application of this Regulation, or the delegated or implementing acts adopted pursuant thereto, requires major changes to be made to a Member State's national statistical system, the Commission may grant, by means of implementing acts, derogations to the Member State, for a maximum duration of 2 years. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2).	1. Where the application of this Regulation, or the delegated or implementing acts adopted pursuant thereto, requires major changes to be made to a Member State's national statistical system, the Commission may grant, by means of implementing acts, derogations to the Member State, for a maximum duration of 4 years starting from the first reference period as mentioned in the Annex . Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 14(2). The relevant Member State shall submit a duly justified request to the Commission within 3 months after the date of

²⁵ Regulation (EU, Euratom) No 883/2013 of the European Parliament and of the Council of 11 September 2013 concerning investigations conducted by the European Anti-Fraud Office (OLAF) and repealing Regulation (EC) No 1073/1999 of the European Parliament and of the Council and Council Regulation (Euratom) No 1074/1999 (OJ L 248, 18.9.2013, p. 1).

²⁶ Council Regulation (Euratom, EC) No 2185/96 of 11 November 1996 concerning on-the-spot checks and inspections carried out by the Commission in order to protect the European Communities' financial interests against fraud and other irregularities (OJ L 292, 15.11.1996, p. 2.).

		entry into force of this Regulation or the delegated or implementing acts adopted pursuant thereto.
162.	When granting the derogations, the Commission shall take into account the comparability of Member States' statistics and the timely calculation of the required representative and reliable European aggregates. The Commission shall also ensure that the requirements related to statistics, metadata and quality covered under this Regulation that were previously covered under the repealed regulations continue to be met without interruption.	When granting the derogations, the Commission shall take into account the comparability of Member States' statistics and the timely calculation of the required representative and reliable European aggregates. The Commission shall also ensure that the requirements related to statistics, metadata and quality covered under this Regulation that were previously covered under the repealed regulations continue to be met without interruption.
163.	2. The relevant Member State shall submit a duly justified request to the Commission within 3 months after the date of entry into force of this Regulation or the delegated or implementing acts adopted pursuant thereto.	[Text merged to paragraph 1 (row 161)]
163a.		3. Where a derogation remains justified at the end of the period for which it was granted, the Commission may adopt an implementing act granting a further derogation for a maximum period of one year. The relevant Member State shall submit a request setting out the reasons and detailed grounds in support of such an extension to the Commission not later than six months before the end of the period of validity of the derogation granted pursuant to paragraph 1.
164.	Article 13	Article 13
165.	Exercise of the delegation	Exercise of the delegation
166.	1. The power to adopt delegated acts is conferred on the Commission	1. The power to adopt delegated acts is conferred on the Commission

	subject to the conditions laid down in this Article.	subject to the conditions laid down in this Article.
167.	2. The power to adopt delegated acts referred to in Articles 4(3) and 7(1) shall be conferred on the Commission for an indeterminate period of time from [Publications Office: please insert exact date of entry into force of the Regulation].	2. The power to adopt delegated acts referred to in Articles 4(3) and 7(1) shall be conferred on the Commission for a an indeterminate five years from [Publications Office: please insert exact date of entry into force of the Regulation]. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.
168.	3. The delegation of power referred to in Articles 4(3) and 7(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Articles 4(3) and 7(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect on the day following the publication of the decision in the <i>Official Journal of the European Union</i> or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.
169.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making.
170.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.
171.	6. A delegated act adopted pursuant to Articles 4(3) and 7(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if,	6. A delegated act adopted pursuant to Articles 4(3) and 7(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the

	before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.	expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.
172.	Article 14	Article 14
173.	Committee procedure	Committee procedure
174.	1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.	1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011.
175.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.
176.	Article 15	Article 15
177.	Repeal	Repeal
178.	1. Regulations (EC) No 530/1999, (EC) No 450/2003 and (EC) No 453/2008 are repealed with effect from 1 January 2026.	1. Regulations (EC) No 530/1999, (EC) No 450/2003 and (EC) No 453/2008 are repealed with effect from 1 January 2026.
179.	2. References to the repealed Regulations shall be construed as references to this Regulation.	2. References to the repealed Regulations shall be construed as references to this Regulation.
180.	Article 16	Article 16

181.	Entry into force and application	Entry into force and application
182.	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .	This Regulation shall enter into force on the twentieth day following that of its publication in the <i>Official Journal of the European Union</i> .
183.	It shall apply from 1 January 2026.	It shall apply from 1 January 2026.
184.	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.
185.	Done at Brussels,	Done at Brussels,
186.	<i>For the European Parliament</i>	<i>For the European Parliament</i>
187.	<i>The President</i>	<i>The President</i>
188.	<i>For the Council</i>	<i>For the Council</i>
189.	<i>The President</i>	<i>The President</i>
190.	ANNEX	ANNEX
191.	Domains, topics and detailed topics; periodicity of the data provision, reference periods and deadline for data transmission per topic	Domains, topics and detailed topics; periodicity of the data provision, reference periods and deadline for data transmission per topic

192.	Earnings	Earnings
193.	Structure of Earnings	Structure of Earnings
194.	- Earnings <i>Total annual and monthly earnings and all their components, as well as hourly earnings paid to each employee sampled.</i>	- Earnings <i>Total annual and monthly earnings and all their components, as well as hourly earnings paid to each employee sampled.</i>
195.	- Employer's characteristics <i>Economic, legal, geographical and employment information on the local unit to which each sampled employee is attached, and on its enterprise.</i>	- Employer's characteristics <i>Economic, legal, geographical and employment information on the local unit to which each sampled employee is attached, and on its enterprise.</i>
196.	- Employee characteristics <i>Individual demographic, educational, contractual and occupational information on each employee sampled.</i>	- Employee characteristics <i>Individual demographic, educational, contractual and occupational information on each employee sampled.</i>
197.	- Working periods <i>Information on paid working periods, for each employee sampled.</i>	- Working periods <i>Information on paid working periods, for each employee sampled.</i>
198.	- Technical items of the survey <i>Sampling and data collection information for each employee sampled and his/her employer (e.g., weights).</i>	- Technical items of the survey <i>Sampling and data collection information for each employee sampled and his/her employer (e.g., weights).</i>
199.	Periodicity: Every four years	Periodicity: Every four years

200.	Reference period: Calendar year	Reference period: Calendar year and a representative month in that year
201.	Data transmission deadline ^{27 28} : T+16 months	Data transmission deadline ^{29 30} : T+16 months
202.	First Reference Period: 2026	First Reference Period: 2026
203.	Gender Pay Gap	Gender Pay Gap
204.	- Hourly earnings <i>Hourly earnings of male and female employees by main characteristics of the employer and of the employee and corresponding relative differences between hourly earnings of male and female employees.</i>	- Hourly earnings <i>Hourly earnings of male and female employees by main characteristics of the employer and of the employee and corresponding relative differences between hourly earnings of male and female employees.</i>
205.	- Employees <i>Number of male and female employees by characteristics of the employer and of the employee.</i>	- Employees <i>Number of male and female employees by characteristics of the employer and of the employee.</i>
206.	Periodicity: Every year	Periodicity: Every year
207.	Reference period: Calendar year	Reference period: Calendar year and a representative month in that

²⁷ After the end of the reference period “T”.

²⁸ When the above-mentioned deadlines fall on a Saturday or a Sunday, the effective deadline shall be the following Monday before 12:00 am (CET).

²⁹ After the end of the reference period “T”.

³⁰ When the above-mentioned deadlines fall on a Saturday or a Sunday, the effective deadline shall be the following Monday before 12:00 am (CET).

		year
208.	Data transmission deadline: T+13 months	Data transmission deadline: T+13 months
209.	First Reference Period: 2026	First Reference Period: 2026
210.	Labour costs	Labour costs
211.	Structure of labour costs	Structure of labour costs
212.	- Labour costs <i>Total costs borne by the employer for employing labour and components of these costs.</i>	- Labour costs <i>Total costs borne by the employer for employing labour and components of these costs.</i>
213.	- Hours worked <i>Hours actually worked by main types of employees</i>	- Hours worked <i>Hours actually worked by main types of employees</i>
214.	- Hours paid <i>Hours paid by main types of employees.</i>	- Hours paid <i>Hours paid by main types of employees.</i>
215.	- Employees <i>Number of employees by main types.</i>	- Employees <i>Number of employees by main types.</i>
216.	- Local units	- Local units

	<i>Information on local units in the sample.</i>	<i>Information on local units in the sample.</i>
217.	Periodicity: Every four years	Periodicity: Every four years
218.	Reference period: Calendar year	Reference period: Calendar year
219.	Data transmission deadline: T+18 months	Data transmission deadline: T+18 months
220.	First Reference Period: 2028	First Reference Period: 2028
221.	Labour cost index	Labour cost index
222.	- Quarterly index of labour costs per hour worked <i>Quarterly index of labour costs per hour worked, by type of costs; unadjusted and adjusted time series.</i>	- Quarterly index of labour costs per hour worked <i>Quarterly index of labour costs per hour worked, by type of costs; unadjusted and adjusted time series.</i>
223.	- Quarterly index of total labour costs Unadjusted and adjusted time series.	— Quarterly index of total labour costs Unadjusted and adjusted time series.
224.	- Quarterly index of hours worked <i>Unadjusted and adjusted time series.</i>	— Quarterly index of hours worked <i>Unadjusted and adjusted time series.</i>

225.	Periodicity: Every quarter	Periodicity: Every quarter
226.	Reference period: Calendar quarter	Reference period: Calendar quarter
227.	Data transmission deadline: - Early estimates: T+45 days - Final data: T+65 days	Data transmission deadline: - Early estimates: T+45 days - Final data: T+65 days
228.	First Reference Period: First quarter of year 2026	First Reference Period: First quarter of year 2026
229.	- Annual labour costs <i>Annual labour costs levels (weights) by type of costs.</i>	- Annual labour costs <i>Annual labour costs levels (weights) by type of costs.</i>
230.	Periodicity: Every year	Periodicity: Every year
231.	Reference period: Calendar year	Reference period: Calendar year
232.	Data transmission deadline: End of the first quarter of year T+1+ 65 days.	Data transmission deadline: End of the first quarter of year T+1 year + 65 days.
232a.		First Reference Period: 2026

233.	Labour demand	Labour demand
234.	Job vacancies	Job vacancies
235.	- Vacant posts <i>Information on vacant posts recorded; unadjusted and adjusted time series.</i>	- Vacant posts <i>Information on vacant posts recorded; unadjusted and adjusted time series.</i>
236.	- Occupied posts <i>Information on occupied posts recorded; unadjusted and adjusted time series.</i>	- Occupied posts <i>Information on occupied posts recorded; unadjusted and adjusted time series.</i>
237.	Periodicity: Every quarter	Periodicity: Every quarter
238.	Reference period: Calendar quarter	Reference period: Calendar quarter
239.	Data transmission deadline: - Early estimates: T+45 days - Final data: T+70 days	Data transmission deadline: - Early estimates: T+45 days - Final data: T+70 days
240.	First Reference Period: First quarter of year 2026	First Reference Period: First quarter of year 2026
	End	End

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