

Commission Decision of 11 March 2009 concerning derogations from certain provisions of Regulation (EC) No 177/2008 of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes (notified under document number C(2009) 1568) (Only the Danish, Dutch, English, Estonian, French, German, Greek, Latvian, Lithuanian, Maltese, Polish and Slovak texts are authentic) (Text with EEA relevance) (2009/252/EC)

COMMISSION DECISION

of 11 March 2009

concerning derogations from certain provisions of Regulation (EC) No 177/2008 of the European Parliament and of the Council establishing a common framework for business registers for statistical purposes

(notified under document number C(2009) 1568)

(Only the Danish, Dutch, English, Estonian, French, German, Greek, Latvian, Lithuanian, Maltese, Polish and Slovak texts are authentic)

(Text with EEA relevance)

(2009/252/EC)

THE COMMISSION OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Community,

Having regard to Regulation (EC) No 177/2008 of the European Parliament and of the Council of 20 February 2008 establishing a common framework for business registers for statistical purposes and repealing Council Regulation (EEC) No 2186/93⁽¹⁾, and in particular Article 14 thereof,

Having regard to the requests made by the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the French Republic, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland and the Slovak Republic,

Whereas:

- (1) Regulation (EC) No 177/2008 established a new common framework for business registers exclusively for statistical purposes in order to maintain the development of business registers in a harmonised framework.
- (2) Article 14 of Regulation (EC) No 177/2008 provides that when business registers require a major overhaul, the Commission may grant a derogation at the request of a Member State for a transitional period that shall not exceed 25 March 2010. For agriculture, forestry and fishing, public administration and defence, and compulsory social security, and for the additional characteristics relating to enterprise groups, the

Commission may grant a derogation at the request of a Member State for a transitional period that shall not exceed 25 March 2013.

- (3) Some Member States have requested such derogations to be granted.
- (4) It seems justified to grant those derogations, as the Member States' requests are based on a legitimate need to further adapt their national statistical systems,

HAS ADOPTED THIS DECISION:

Article 1

Derogations are hereby granted to the Member States listed in the Annex, under the conditions and subject to the limits set out therein, in order to enable those Member States to bring their respective national statistical systems into conformity with Regulation (EC) No 177/2008.

Article 2

This decision is addressed to the Kingdom of Belgium, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the French Republic, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland and the Slovak Republic.

Done at Brussels, 11 March 2009.

For the Commission

Joaquín ALMUNIA

Member of the Commission

ANNEX

GRANTED DEROGATIONS

Member State	Granted derogation	End of derogation
Belgium	Characteristics 4.1, 4.2a, 4.3 to 4.7 and 4.9	25 March 2010
	Characteristics 1.8 to 1.12a, 1.13a, 3.12, 4.11, 4.12a and 4.13a	30 June 2011
Denmark	Coverage of enterprise groups	30 June 2009
	Coverage of enterprise groups not belonging to the largest MNEs transmitted by Eurostat	31 December 2009
Germany	Characteristic 3.11 and latter part of characteristic 1.7a (Reference to customs files or to the register of extra-Community operators)	25 March 2010
	Agriculture, forestry and fishing, public administration and defence, and compulsory social security	31 December 2012
Estonia	Characteristic 1.12a	25 March 2010
Ireland	Full derogation	31 December 2008
	Characteristic 1.3	31 December 2009
	Characteristic 3.11 Coverage of enterprise groups not belonging to the largest MNEs transmitted by Eurostat	25 March 2010
	Characteristics 1.8 to 1.12b, 1.13a, 3.12, 4.1, 4.2a, 4.5 to 4.7, 4.9, 4.13a	31 December 2012
	Agriculture, forestry and fishing, public administration and defence, and compulsory social security	25 March 2013
Greece	Enterprise groups and their characteristics	31 December 2008
	Coverage of enterprise groups not belonging to the	25 March 2010

Status: This is the original version (as it was originally adopted).

	largest MNEs transmitted by Eurostat	
	Agriculture, forestry and fishing, public administration and defence, and compulsory social security, and the additional characteristics relating to enterprise groups	25 March 2013
France	Agriculture, forestry and fishing	30 June 2012
Latvia	Multinational enterprise groups and their characteristics	31 December 2008
	Coverage of enterprise groups not belonging to the largest MNEs transmitted by Eurostat	5 March 2010
	The additional characteristics relating to enterprise groups	31 December 2010
Lithuania	Multinational enterprise groups and their characteristics	25 March 2010
	The additional characteristics relating to enterprise groups	25 March 2013
Luxembourg	Enterprise groups and their characteristics	31 December 2008
	Coverage of enterprise groups not belonging to the largest MNEs transmitted by Eurostat	31 December 2009
	Agriculture, forestry and fishing, public administration and defence, and compulsory social security	31 December 2010
	The additional characteristics relating to enterprise groups	25 March 2013
Malta	Enterprise groups and their characteristics	31 December 2008
	Coverage of enterprise groups not belonging to the largest MNEs transmitted by Eurostat	25 March 2010
	The additional characteristics relating to enterprise groups	25 March 2013

Netherlands	Characteristics 1.12a, 1.13a, 3.11, 4.4, 4.11, 4.12a and 4.13a	25 March 2010
	Agriculture, forestry and fishing, public administration and defence, and compulsory social security, and the additional characteristics relating to enterprise groups	25 March 2013
Austria	Characteristic 3.11 concerning sub-sectors (public, national private, foreign controlled) of S.11, S.122, S.123, S.124 and S.125 Enterprise groups and their characteristics	25 March 2010
	Agriculture, forestry and fishing	31 December 2011
	Local units and their characteristics in public administration and defence and in compulsory social security	31 December 2012
Poland	Data on multinational enterprise groups and their transmission to Eurostat	31 March 2009
	Agriculture, forestry and fishing	31 December 2011
Slovakia	Additional characteristics relating to enterprise groups	30 June 2009

(1) [OJ L 61, 5.3.2008, p. 6.](#)