

Commission Regulation (EC) No 1982/2004 of 18 November 2004 implementing Regulation (EC) No 638/2004 of the European Parliament and of the Council on Community statistics relating to the trading of goods between Member States and repealing Commission Regulations (EC) No 1901/2000 and (EEC) No 3590/92

## CHAPTER 5

### **RULES CONCERNING SPECIFIC GOODS AND MOVEMENTS**

#### *Article 14*

In addition to the provisions of the Regulation (EC) No 638/2004, specific goods and movements shall be subject to the rules set out in this Chapter for data to be transmitted to the Commission (Eurostat).

#### *Article 15*

##### **Industrial plant**

- 1 For the purpose of this Article:
  - a 'industrial plant' is a combination of machines, apparatus, appliances, equipment, instruments and materials which together make up large-scale, stationary units producing goods or providing services;
  - b 'component part' means a delivery for an industrial plant which is made up of goods which all belong to the same chapter of the CN.
- 2 Statistics on trade between Member States may cover only dispatches and arrivals of component parts used for the construction of industrial plants or the re-use of industrial plants.
- 3 Member States applying paragraph 2 may apply the following particular provisions on condition that the overall statistical value of a given industrial plant exceeds 3 million EUR, unless they are complete industrial plants for re-use:
  - a The commodity codes shall be composed as follows:
    - the first four digits shall be 9880,
    - the fifth and the sixth digits shall correspond to the CN chapter to which the goods of the component part belong,
    - the seventh and the eighth digits shall be 0.
  - b The quantity shall be optional.

#### *Article 16*

##### **Staggered consignments**

- 1 For the purpose of this Article 'staggered consignments' means the delivery of components of a complete item in an unassembled or disassembled state which are shipped during more than one reference period for commercial or transport-related reasons.
- 2 Member States shall transmit data on arrivals or dispatches of staggered consignments only once, in the month that the last consignment arrives or is dispatched.

## Article 17

### Vessels and aircraft

- 1 For the purposes of this Article:
  - a 'vessel' means a vessel used for sea transport, referred to in Additional Notes 1 and 2 of Chapter 89 of the CN, and warships;
  - b 'aircraft' means aeroplanes falling within CN code 8802 for civilian use, provided they are used by an airline, or for military use;
  - c 'ownership of a vessel or aircraft' means the fact of a natural or legal person's registration as owner of a vessel or an aircraft.
- 2 Statistics relating to the trading of goods between Member States on vessels and aircraft shall cover only the following dispatches and arrivals:
  - a the transfer of ownership of a vessel or aircraft, from a natural or legal person established in another Member State to a natural or legal person established in the reporting Member State. This transaction shall be treated as an arrival;
  - b the transfer of ownership of a vessel or aircraft from a natural or legal person established in the reporting Member State to a natural or legal person established in another Member State. This transaction shall be treated as a dispatch.

If the vessel or aircraft is new the dispatch is recorded in the Member State of construction;
  - c the dispatches and arrivals of vessels or aircraft pending or following processing under contract as defined in Annex III, footnote (e).
- 3 Member States shall apply the following specific provisions on statistics relating to the trading of goods between Member States:
  - a the quantity shall be expressed in number of items and any other supplementary units laid down in the CN, for vessels, and in net mass and supplementary units, for aircraft;
  - b the statistical value shall be the total amount which would be invoiced -transport and insurance costs being excluded - in case of sale or purchase of the whole vessel or aircraft;
  - c the partner Member State for the reporting Member State shall be:
    - the Member State of construction, on arrival in the case of new vessel or aircraft constructed in the European Union,
    - in the other cases the partner Member State shall be the Member State where the natural or legal person transferring the ownership of the vessel or aircraft is established, on arrival, or the natural or legal person to whom the ownership of the vessel or aircraft is transferred, on dispatch.
  - d the reference period for arrivals and dispatches referred to in paragraphs 2(a) and (b) shall be the month where the transfer of ownership takes place.
- 4 Provided that there is no conflict with other national or Community legislation, national authorities responsible for Intrastat shall have access to additional data sources other than those of the Intrastat System or the Single Administrative Document for customs or fiscal purposes which they may need to apply this Article.

### Article 18

#### **Motor vehicle and aircraft parts**

Member States may apply simplified national provisions for motor vehicle and aircraft parts, provided that they keep the Commission (Eurostat) informed on their particular practice before application.

### Article 19

#### **Goods delivered to vessels and aircraft**

- 1 For the purposes of this Article:
  - a 'delivery of goods to vessels and aircraft' means the delivery of products for the crew and passengers, and for the operation of the engines, machines and other equipment of vessels or aircraft;
  - b vessels or aircraft shall be deemed to belong to the Member State in which the vessel or aircraft is registered.
- 2 Statistics relating to the trading of goods between Member States shall cover only dispatches of goods delivered on the territory of the reporting Member State to vessels and aircraft belonging to another Member State. Dispatches shall cover all goods defined in Article 3(2)(a) and (b) of Regulation (EC) No 638/2004.
- 3 Member States shall use the following commodity codes for goods delivered to vessels and aircraft:
  - 9930 24 00 goods from CN chapters 1 to 24,
  - 9930 27 00 goods from CN chapters 1 to 24,
  - 9930 99 00: goods classified elsewhere.

The transmission of data on the quantity is optional. However, the data on net mass shall be transmitted on goods belonging to chapter 27.

In addition, the simplified partner country code 'QR' may be used.

### Article 20

#### **Offshore installations**

- 1 For the purposes of this Article:
  - a 'offshore installation' means the equipment and devices installed and stationary in the sea outside the statistical territory of any given country;
  - b these offshore installations shall be deemed to belong to that Member State in which the natural or legal person responsible for their commercial use is established.
- 2 Statistics relating to the trading of goods between Member States shall cover dispatches and arrivals of goods delivered to and from these offshore installations.
- 3 Member States shall use the following commodity codes for goods destined for the operators of the offshore installation or for the operation of the engines, machines and other equipment of the offshore installation:

- 9931 24 00: goods from the CN chapters 1 to 24,
- 9931 27 00: goods from the CN Chapter 27,
- 9931 99 00: goods classified elsewhere.

The transmission of data on the quantity is optional. However, the data on net mass shall be transmitted on goods belonging to chapter 27.

The simplified partner country code 'QV' may be used.

#### *Article 21*

### **Sea products**

- 1 For the purposes of this Article:
  - a 'sea products' means fishery products, minerals, salvage and all other products which have not yet been landed by sea going vessels;
  - b sea products shall be deemed to belong to that Member State where the vessel, which is carrying out the capturing, is registered.
- 2 Statistics relating to the trading of goods between Member States shall cover the following dispatches and arrivals:
  - a arrivals when sea products are landed in the reporting Member State's ports or acquired by vessels registered in the reporting Member State from a vessel registered in another Member State;
  - b dispatches when sea products are landed in another Member State's ports or acquired by vessels registered in another Member State from a vessel registered in the reporting Member State.
- 3 The partner Member State shall be, on arrival, the Member State where the vessel, which is carrying out the capturing, is registered and, on dispatch, the Member State where the sea product is landed or the vessel acquiring the sea product is registered.
- 4 Provided that there is no conflict with other national or Community legislation, national authorities responsible for Intrastat shall have access to additional data sources other than those of the Intrastat System or the Single Administrative Document for customs or fiscal purposes which they may need to apply this Article.

#### *Article 22*

### **Spacecraft**

- 1 For the purposes of this Article, 'spacecraft' means vehicles which are able to travel outside the earth's atmosphere.
- 2 Statistics relating to the trading of goods between Member States shall cover the following dispatches and arrivals of spacecraft:
  - a the dispatch or arrival of a spacecraft pending or following processing under contract as defined in Annex III footnote (e) to this Regulation;
  - b the launching into space of a spacecraft which was the subject of a transfer of ownership between two natural or legal persons established in different Member States is to be considered:
    - (i) as a dispatch in the Member State of construction of the finished spacecraft,

(ii) as an arrival in the Member State where the new owner is established.

3 The following specific provisions shall apply to the statistics referred to in paragraph 2(b):

- a the data on the statistical value shall be defined as the value of the spacecraft ex-works in accordance with the delivery terms specified in Annex IV to this Regulation.
- b The data on the partner Member State shall be the Member State of construction of the finished spacecraft, on arrival, and the Member State where the new owner is established, on dispatch.

4 Provided that there is no conflict with other national or Community legislation, national authorities responsible for Intrastat shall have access to additional data sources other than those of the Intrastat System or the Single Administrative Document for customs or fiscal purposes which they may need to apply this Article.

### *Article 23*

#### **Electricity**

1 Statistics relating to the trading of goods between Member States shall cover dispatches and arrivals of electricity.

2 Provided that there is no conflict with other national or Community legislation, national authorities responsible for Intrastat shall have access to additional data sources other than those of the Intrastat System or the Single Administrative Document for customs or fiscal purposes which they may need to transmit data on the trading of electricity between Member States to the Commission (Eurostat).

3 The statistical value transmitted to the Commission (Eurostat) may be based on estimates. Member States have to inform the Commission (Eurostat) on the methodology used for the estimate before application.

### *Article 24*

#### **Military goods**

1 Statistics relating to the trading of goods between Member States shall cover dispatches and arrivals of goods intended for military use.

2 Member States may transmit less detailed information than indicated in Article 9(1) points (b) to (h) of Regulation (EC) No 638/2004 when the information falls under military secrecy in compliance with the definitions in force in the Member States. However, as a minimum, data on the total monthly statistical value of the dispatches and arrivals shall be transmitted to the Commission (Eurostat).