

Commission Regulation (EU) No 113/2010 of 9 February 2010 implementing Regulation (EC) No 471/2009 of the European Parliament and of the Council on Community statistics relating to external trade with non-member countries, as regards trade coverage, definition of the data, compilation of statistics on trade by business characteristics and by invoicing currency, and specific goods or movements (Text with EEA relevance)

CHAPTER 4

SPECIFIC GOODS OR MOVEMENTS

Article 17

Industrial plants

- 1 For the purposes of this Article:
 - a 'industrial plant' means 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;
 - c goods code of a component part shall be composed as follows:
 - (i) the first four digits shall be 9880;
 - (ii) the fifth and the sixth digits shall correspond to the CN chapter to which the goods of the component part belong;
 - (iii) the seventh and the eighth digits shall be 0.
- 2 Member States may compile export statistics at the level of component parts on condition that the overall statistical value of a given industrial plant exceeds 3 million EUR, unless it is a complete industrial plant for re-use. The compilation of the quantity shall be optional.

Article 18

Staggered consignments

- 1 For the purposes of this Article 'staggered consignments' means the delivery of components of a complete item in an unassembled or disassembled state which is shipped during more than one reference period for commercial or transport-related reasons.
- 2 The reference period for imports or exports of staggered consignments may be adjusted so that data are reported only once, in the month when the last consignment is imported or exported.

Changes to legislation: There are outstanding changes not yet made to Commission Regulation (EU) No 113/2010. Any changes that have already been made to the legislation appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

Article 19

Vessels and aircraft

- 1 For the purposes of this Article:
 - a ‘vessel’ means vessels considered as sea-going according to CN Chapter 89, tugs, warships and floating structures;
 - b ‘aircraft’ means aeroplanes falling within CN code 8802 30 and 8802 40;
 - c ‘economic ownership’ means the right of a natural or legal person to claim the benefits associated with the use of a vessel or aircraft in the course of an economic activity by virtue of accepting the associated risks.
- 2 External trade statistics shall cover only the following imports and exports of vessels and aircraft:
 - a the transfer of economic ownership of a vessel or aircraft from a natural or legal person established in a non-member country to a natural or legal person established in the importing Member State; this transaction shall be treated as an import;
 - b the transfer of economic ownership of a vessel or aircraft from a natural or legal person established in the exporting Member State to a natural or legal person established in a non-member country; this transaction shall be treated as an export. If the vessel or aircraft is new, the export is recorded in the Member State of construction;
 - c the import and export of vessels or aircraft before or following processing under contract as defined in Annex II, note 2.
- 3 External trade statistics relating to trade in vessels and aircraft shall be compiled as follows:
 - 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 transport and insurance costs shall be excluded from the statistical value;
 - c the partner country shall be:
 - (i) the non-member country where the natural or legal person transferring the economic ownership of the vessel or aircraft is established, on import, or the natural or legal person to whom the economic ownership of the vessel or aircraft is transferred, on export, for movements referred to in paragraph 2(a) and (b);
 - (ii) the non-member country of construction, on import, in the case of new vessels or aircraft constructed outside the European Union;
 - (iii) the non-member country where the natural or legal person who exercises the economic ownership of the vessel or aircraft is established, on import, or the non-member country undertaking the processing under contract, on export, for movements referred to in paragraph 2(c);
 - d the reference period for imports and exports referred to in paragraph 2(a) and (b) shall be the month when the transfer of economic ownership takes place.
- 4 At the request of the national statistical authorities, the authorities responsible for managing the ships and aircraft registers shall provide all information available in order to identify a change of economic ownership of a vessel or aircraft between a natural or legal person established in a Member State and a natural or legal person established in a non-member country.

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Article 20

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 country where the natural or legal person who exercises the economic ownership of the vessel or aircraft as defined in Article 19(1)(c) is established.
- 2 External trade statistics shall cover exports of goods delivered from the territory of the exporting Member State to vessels and aircraft belonging to a non-member country.
- 3 Member States may use the following goods codes for goods delivered to vessels and aircraft:

— 9930 24 00	:	goods from CN Chapters 1 to 24,
— 9930 27 00	:	goods from CN Chapter 27,
— 9930 99 00	:	goods classified elsewhere.

The transmission of data on the quantity is optional, except for goods belonging to CN Chapter 27.

In addition, the simplified partner country code ‘QS’ may be used.

Article 21

Goods delivered to and from 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 ‘goods delivered to offshore installations’ means the delivery of products for the crew and for the operation of the engines, machines and other equipment of the offshore installation;
 - c ‘goods obtained from or produced by offshore installations’ means products extracted from the seabed or subsoil, or manufactured by the offshore installation.
- 2 External trade statistics shall record:
 - a an import, where goods are delivered from:
 - (i) a non-member country to an offshore installation established in an area where the importing Member State has exclusive rights to exploit that seabed or subsoil;
 - (ii) an offshore installation established in an area where a non-member country has exclusive rights to exploit that seabed or subsoil to the importing Member State;
 - (iii) an offshore installation established in an area where a non-member country has exclusive rights to exploit that seabed or subsoil to an offshore installation

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- in an area where the importing Member State has exclusive rights to exploit that seabed or subsoil;
- b an export, where goods are delivered to:
- (i) a non-member country from an offshore installation established in an area where the exporting Member State has exclusive rights to exploit that seabed or subsoil;
 - (ii) an offshore installation established in an area where a non-member country has exclusive rights to exploit that seabed or subsoil from the exporting Member State;
 - (iii) an offshore installation established in an area where a non-member country has exclusive rights to exploit that seabed or subsoil from an offshore installation established in an area where the exporting Member State has exclusive rights to exploit that seabed or subsoil.
- 3 Member States may use the following goods codes for goods delivered to offshore installations:
- | | | |
|--------------|---|---------------------------------|
| — 9931 24 00 | : | goods from CN Chapters 1 to 24, |
| — 9931 27 00 | : | goods from CN Chapter 27, |
| — 9931 99 00 | : | goods classified elsewhere. |

The transmission of data on the quantity is optional, except for goods belonging to CN Chapter 27.

In addition, the simplified partner country code ‘QW’ may be used.

Article 22

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 vessels shall be deemed to belong to the country where the natural or legal person who exercises the economic ownership of the vessel as defined in Article 19(1)(c) is established.
- 2 External trade statistics shall cover the following imports and exports of sea products:
- a the landing of sea products in the ports of the importing Member State, or their acquisition by vessels belonging to the importing Member State from vessels belonging to a non-member country; these transactions being treated as imports;
 - b the landing of sea products in the ports of a non-member country from a vessel belonging to the exporting Member State, or their acquisition by vessels belonging to a non-member country from vessels belonging to the exporting Member State; these transactions being treated as exports.
- 3 The partner country shall be, on import, the non-member country where the natural or legal person who exercises the economic ownership of the vessel which is carrying out the capturing is established and, on export, the non-member country where the sea products are landed or where the natural or legal person who exercises the economic ownership of the vessel acquiring the sea products is established.

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4 Provided that there is no conflict with other acts of Union law, national statistical authorities shall have access to data sources in addition to customs declarations, such as information on declarations of national registered vessels on sea products landed in non-member countries.

Article 23

Spacecraft

- 1 For the purposes of this Article:
 - a ‘spacecraft’ means vehicles which are able to travel outside the earth’s atmosphere;
 - b ‘economic ownership’ means the right of a natural or legal person to claim the benefits associated with the use of a spacecraft in the course of an economic activity by virtue of accepting the associated risks.
- 2 The launching of a spacecraft for which economic ownership has been transferred between a natural or legal person established in a non-member country and a natural or legal person established in a Member State shall be recorded:
 - a as an import in the Member State where the new owner is established;
 - b as an export in the Member State of construction of the finished spacecraft.
- 3 The following specific provisions shall apply to the statistics referred to in paragraph 2:
 - a the data on the statistical value shall be defined as the value of the spacecraft, excluding transport and insurance costs;
 - b the data on the partner country shall be the non-member country of construction of the finished spacecraft, on import, and the non-member country where the new owner is established, on export.
- 4 Provided that there is no conflict with other acts of Union law, national statistical authorities shall have access to all available data sources, necessary for the compliance with this Article, in addition to customs declarations.

Article 24

Electricity and gas

- 1 In addition to customs declarations, national statistical authorities may require that relevant information for recording imports and exports of electricity and gas between the statistical territory of the Member State and non-member countries be provided directly by operators who own or operate a transmission network for electricity or gas.
- 2 The statistical value transmitted to the Commission (Eurostat) may be based on estimates. Member States shall inform the Commission (Eurostat) of the methodology used for the estimation before application.

Article 25

Military goods

- 1 External trade statistics shall cover imports and exports of goods intended for military use.

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2 Member States may transmit less detailed information than indicated in Article 6(1) of Regulation (EC) No 471/2009 when the information falls under military secrecy in compliance with the definitions in force in the Member State. However, as a minimum, data on the total monthly statistical value of the imports and exports shall be transmitted to the Commission (Eurostat).

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Changes and effects yet to be applied to the whole legislation item and associated provisions

- Art. 4(5)(a)(b) revoked by [S.I. 2019/47 reg. 11\(2\)](#)
- Art. 19(2)(a) words substituted by [S.I. 2019/47 reg. 12\(1\)\(j\)](#)
- Art. 19(2)(b) words omitted by [S.I. 2019/47 reg. 12\(1\)\(k\)\(ii\)](#)
- Art. 19(2)(b) words substituted by [S.I. 2019/47 reg. 12\(1\)\(k\)\(i\)](#)
- Art. 19(3)(c)(ii) words substituted by [S.I. 2019/47 reg. 12\(1\)\(l\)](#)