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**COUNCIL REGULATION (EC) No 577/98**

**of 9 March 1998**

**on the organisation of a labour force sample survey in the Community**

(OJ L 77, 14.3.1998, p. 3)

Amended by:

		Official Journal		
		No	page	date
► <b><u>M1</u></b>	Regulation (EC) No 1991/2002 of the European Parliament and of the Council of 8 October 2002	L 308	1	9.11.2002
► <b><u>M2</u></b>	Commission Regulation (EC) No 2104/2002 of 28 November 2002	L 324	14	29.11.2002
► <b><u>M3</u></b>	Regulation (EC) No 2257/2003 of the European Parliament and of the Council of 25 November 2003	L 336	6	23.12.2003
► <b><u>M4</u></b>	Regulation (EC) No 1372/2007 of the European Parliament and of the Council of 23 October 2007	L 315	42	3.12.2007
► <b><u>M5</u></b>	Regulation (EC) No 596/2009 of the European Parliament and of the Council of 18 June 2009	L 188	14	18.7.2009
► <b><u>M6</u></b>	Regulation (EU) No 545/2014 of the European Parliament and of the Council of 15 May 2014	L 163	10	29.5.2014

**▼B****COUNCIL REGULATION (EC) No 577/98****of 9 March 1998****on the organisation of a labour force sample survey in the  
Community**

THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 213 thereof,

Having regard to the draft Regulation presented by the Commission,

Whereas, in order to carry out the tasks assigned to it, the Commission needs comparable statistical information on the level and pattern of and trends in employment and unemployment in the Member States;

Whereas the best method of obtaining such information at Community level is to conduct harmonised labour force surveys;

Whereas Council Regulation (EEC) No 3711/91 of 16 December 1991 on the organisation of an annual labour force sample survey in the Community <sup>(1)</sup> laid down that, starting in 1992, a survey was to be conducted in the spring of each year;

Whereas, although a continuous survey is preferable to an annual spring survey for ensuring the availability and harmonisation of data and measuring the volume of work, it is difficult to implement a continuous survey on the same dates in all the Member States;

Whereas the use of existing administrative sources should be encouraged insofar as they can usefully supplement the information obtained through interviews or serve as a sampling basis;

Whereas the data in the survey, as fixed by this Regulation, may be extended to include a further set of variables forming part of a programme of *ad hoc* modules which covers several years, and which will be drawn up under an appropriate procedure as part of the implementation arrangements;

Whereas the principles of relevance and cost-effectiveness, as these are defined in Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics <sup>(2)</sup>, which constitutes the legislative framework for the production of Community statistics, will also apply to this Regulation;

Whereas statistical confidentiality is governed by the rules set out in Regulation (EC) No 322/97 and in Council Regulation (Euratom, EEC) No 1588/90 of 11 June 1990 on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities <sup>(3)</sup>;

<sup>(1)</sup> OJ L 351, 20.12.1991, p. 1.

<sup>(2)</sup> OJ L 52, 22.2.1997, p. 1.

<sup>(3)</sup> OJ L 151, 15.6.1990, p. 1. Regulation as amended by Regulation (EC) No 322/97.

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Whereas the Statistical Programme Committee established by Decision 89/382/EEC, Euratom <sup>(1)</sup> has been consulted by the Commission in accordance with Article 3 of the aforesaid Decision,

HAS ADOPTED THIS REGULATION:

*Article 1***Frequency of the survey**

A labour force sample survey, hereinafter referred to as 'the survey', shall be conducted by the Member States each year.

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The survey shall be a continuous survey providing quarterly and annual results; however, during a transitional period not extending beyond 2002, Member States which are unable to implement a continuous survey shall instead carry out an annual survey, to take place in the spring.

By way of derogation, the transitional period shall be extended

- (a) until 2003 for Italy,
- (b) until 2004 for Germany under the condition that Germany provide quarterly substitute estimates for the main labour force sample survey aggregates as well as annual average estimates for some specified labour force sample survey aggregates.

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The information collected during the survey relates generally to the situation during the course of the week (taken to run from Monday to Sunday) preceding the interview, known as the reference week.

In the case of a continuous survey:

- the reference weeks are spread uniformly throughout the whole year;
- the interview normally takes place during the week immediately following the reference week. The reference week and the date of the interview may not be more than five weeks apart, except in the third quarter;
- the reference quarters and years are respectively groups of 13 or 52 consecutive weeks. A list of the weeks making up a given quarter or year is drawn up according to the procedure laid down ► **M5** in Article 8(2) ◀.

*Article 2***Units and scope of the survey, observation methods**

1. The survey shall be carried out in each Member State in a sample of households or of persons residing in the economic territory of that State at the time of the survey.

<sup>(1)</sup> OJ L 181, 28.6.1989, p. 47.

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2. The principal scope of the survey consists of persons residing in private households on the economic territory of each Member State. If possible, this main population of persons living in private households, is supplemented by persons living in collective households.

Wherever possible, collective households are covered by means of samples specially drawn to permit direct observation of the persons concerned. If this is not possible, then persons in these groups who continue to have an association with a private household are included in connection with that household.

3. The variables used to determine labour status and under-employment must be obtained by interviewing the person concerned, or, if this is not possible, another member of the household. Other information may be obtained from alternative sources, including administrative records, provided that the data obtained are of equivalent quality.

4. Regardless of whether the sampling unit is an individual or a household, information is usually collected for all individuals of the household. However, if the sampling unit is an individual, the information concerning the other members of the household

— may exclude the characteristics listed under Article 4(1)(g), (h), (i) and (j),

— and may be collected from a sub-sample defined in such a way that:

— the reference weeks are uniformly distributed throughout the whole year,

— the number of observations (individuals sampled plus the members of their household) satisfies, for the annual estimates of levels, the reliability criteria defined in Article 3.

### *Article 3*

#### **Representativeness of the sample**

1. For a group of unemployed people representing 5 % of the working age population the relative standard error for the estimation of annual averages (or for the spring estimates in the case of an annual survey in the spring) at NUTS II level shall not exceed 8 % of the sub-population in question.

Regions with less than 300 000 inhabitants shall be exempt from this requirement.

2. In the case of a continuous survey, for sub-populations which constitute 5 % of the working age population the relative standard error at national level for the estimate of changes between two successive quarters, shall not exceed 2 % of the sub-population in question.

For Member States with a population of between one million and twenty million inhabitants, this requirement is relaxed so that the relative standard error for the estimate of quarterly changes shall not exceed 3 % of the sub-population in question.

Member States whose population is below one million inhabitants are exempt from these precision requirements concerning changes.

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3. Where the survey is carried out only in the spring, at least a quarter of the survey units are taken from the preceding survey and at least a quarter form part of the following survey.

These two groups shall be identified by a code.

4. Where non-response to certain questions results in missing data, a method of statistical imputation shall be applied where appropriate.

5. The weighting factors are calculated taking into account in particular the probability of selection and external data relating to the distribution of the population being surveyed, by sex, age (five-year age groups) and region (NUTS II level), where such external data are held to be sufficiently reliable by the Member States concerned.

6. Member States shall provide the Commission (Eurostat) with whatever information is required concerning the organisation and methodology of the survey, and in particular, they shall indicate the criteria adopted for the design and size of the sample.

*Article 4***Survey characteristics**

1. Data shall be provided on:

(a) demographic background:

- sequence number in the household,
- sex,
- year of birth,
- date of birth in relation to the end of the reference period,
- marital status,
- relationship to reference person,
- sequence number of spouse,
- sequence number of father,
- sequence number of mother,
- nationality,
- number of years of residence in the Member State,
- country of birth (optional),
- nature of participation in the survey (direct participation or proxy through another member of the household);

**▼M3**

(b) labour status:

- labour status during the reference week,
- continuing receipt of wages and salary,
- reason for not having worked though having a job,
- search for employment for person without employment,

**▼ M3**

- type of employment sought (self-employed or employee),
  - methods used to find a job,
  - availability to start work;
- (c) employment characteristics of the main job:
- professional status,
  - economic activity of the local unit,
  - occupation,
  - supervisory responsibilities,
  - number of persons working at the local unit,
  - country of place of work,
  - region of place of work,
  - year and month when the person started working in current employment,
  - involvement of public employment service in finding the current job,
  - permanency of the job (and reasons),
  - duration of temporary job or work contract of limited duration,
  - full-time/part-time distinction (and reasons),
  - contract with a temporary work agency,
  - working at home;
- (d) hours worked:
- number of hours per week usually worked,
  - number of hours actually worked,
  - number of hours of overtime in the reference week,
  - main reason for hours actually worked being different from usual hours;

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- (e) second job:
- existence of more than one job,
  - professional status,
  - economic activity of the local unit,
  - number of hours actually worked;
- (f) visible underemployment:
- wish to work usually more than the current number of hours (optional in the case of an annual survey),
  - looking for another job and reasons for doing so,
  - type of employment sought (as employee or otherwise),
  - methods used to find another job,

**▼ B**

- reasons why the person is not seeking another job (optional in the case of an annual survey),
- availability to start work,
- number of hours of work wished for (optional in the case of an annual survey);

**▼ M3**

(g) search for employment:

- type of employment sought,
- duration of search for employment,
- situation of person immediately before starting to seek employment,
- registration at public employment office and whether receiving benefits,
- for person not seeking employment, willingness to work,
- reasons why person has not sought work,
- lack of care facilities;

**▼ M2**

(h) education and training:

participation in formal education or training during previous four weeks

- level,
- field;

participation in courses and other taught learning activities during previous four weeks

- total length,
- purpose of the most recent course or other taught activity,
- field of the most recent taught activity,
- participated in most recent taught activity during working hours;

educational attainment

- highest successfully completed level of education or training,
- field of this highest level of education and training,
- year when this highest level was successfully completed;

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(i) previous work experience of person not in employment:

- existence of previous employment experience,
- year and month in which the person last worked,
- main reason for leaving last job or business,

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- professional status in last job,
  - economic activity of local unit in which person last worked,
  - occupation of last job;
- (j) situation one year before the survey (optional for quarters 1, 3, 4):
- main labour status,
  - professional status,
  - economic activity of local unit in which person was working,
  - country of residence,
  - region of residence;
- (k) main labour status (optional);

**▼ M4**

- (l) wages from the main job;

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- (m) technical items relating to the interview:
- year of survey,
  - reference week,
  - interview week,
  - Member State,
  - region of household,
  - degree of urbanisation,
  - serial number of household,
  - type of household,
  - type of institution,
  - weighting factor,
  - sub-sample in relation to the preceding survey (annual survey),
  - sub-sample in relation to the following survey (annual survey),
  - sequence number of the survey wave;

**▼ M3**

- (n) atypical working times:
- shift work,
  - evening work,
  - night work,
  - Saturday work,
  - Sunday work.



## ▼M6

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 7c, in respect of the adjustment of the list of survey variables, specified in the list of 14 groups of survey characteristics referred to in paragraph 1 of this Article, which is made necessary by the evolution of techniques and concepts. A delegated act adopted in accordance with this paragraph shall not transform optional variables into compulsory variables. The compulsory variables to be covered continuously shall be within the survey characteristics in points (a) to (j) and points (l), (m) and (n) of paragraph 1 of this Article. Those variables shall be within the 94 survey characteristics. The respective delegated act shall be adopted not later than 15 months before the beginning of the reference period for the survey.

The Commission shall be empowered to adopt delegated acts in accordance with Article 7c, concerning a list of variables (hereinafter referred to as 'structural variables') from among the survey characteristics specified in paragraph 1 of this Article which need to be surveyed only as annual averages, using a sub-sample of independent observations with reference to 52 weeks, rather than as quarterly averages.

2a. Structural variables shall fulfil the condition that the relative standard error (without taking design effect into account) of any yearly estimate representing 1 % or more of the working age population does not exceed:

- (a) 9 % for Member States with a population of between 1 million and 20 million inhabitants; and
- (b) 5 % for Member States with a population of 20 million or more.

Member States with less than 1 million inhabitants shall be exempted from the requirements regarding the relative standard error and the variables shall be collected for the total sample unless the sample meets the criterion set out in point (a).

For Member States using a sub-sample for data collection on structural variables, if more than one wave is used, the total sub-sample used shall consist of independent observations.

2b. Consistency between annual sub-sample totals and full-sample annual averages shall be ensured for employment, unemployment and inactive population by sex and for the following age groups: 15 to 24, 25 to 34, 35 to 44, 45 to 54, and 55 +.

3. The Commission shall, by means of implementing acts, adopt rules on the edits to be used, the codification of the variables and the list of principles for formulation of the questions concerning labour status. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 8(2).

**▼ B***Article 5***Conduct of the survey**

The Member States may make it compulsory to reply to the survey.

**▼ M4***Article 6***Transmission of the results**

Within twelve weeks of the end of the reference period, the Member States shall forward to Eurostat the results of the survey, without direct identifiers.

Where administrative data are used to supply data corresponding to the survey characteristic 'wages from the main job', that data may be forwarded to Eurostat within twenty-one months of the end of the reference period.

**▼ B***Article 7***Reports**

A report on the implementation of this Regulation shall be submitted by the Commission to the Parliament and the Council every three years, beginning in the year 2000. This report shall evaluate in particular the quality of the statistical methods envisaged by the Member States to improve the results or to lighten the survey procedures.

**▼ M6***Article 7a***Ad hoc modules**

1. A further set of characteristics to supplement the information described in Article 4(1) may be added (hereinafter referred to as '*ad hoc* module').

2. The sample used to collect information on *ad hoc* modules shall also provide information on structural variables.

3. The sample used to collect information on *ad hoc* modules shall fulfil one of the following conditions:

(a) collecting the information on *ad hoc* modules in the 52 reference weeks and being subject to the same requirements as in Article 4(2a); or

(b) collecting the information on *ad hoc* modules in the complete sample of at least one quarter.

4. The Commission shall be empowered to adopt delegated acts in accordance with Article 7c establishing a programme of *ad hoc* modules covering three years. This programme shall for each *ad hoc* module define the subject, the list and description of the area of specialised information (hereinafter referred to as '*ad hoc* sub-modules') forming the framework within which the *ad hoc* module technical characteristics referred to in paragraph 5 of this Article are determined and define the reference period. The programme shall be adopted not later than 24 months before the beginning of the reference period of the programme.

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5. In order to ensure the uniform application of the programme referred to in paragraph 4 of this Article, the Commission shall, by means of implementing acts, specify the *ad hoc* module technical characteristics under each *ad hoc* sub-module in accordance with the area of specialised information referred to in that paragraph, as well as the filters and the codes to be used for data transmission and the deadline for transmission of the results which may be different from the deadline set out in Article 6. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 8(2).

6. The detailed list of information to be collected in an *ad hoc* module shall be drawn up not later than 12 months before the beginning of the reference period for that module. The volume of an *ad hoc* module shall not exceed 11 technical characteristics.

*Article 7b***Financing provision**

The Union shall award financial support to the national statistical institutes and other national authorities referred to in Article 5(2) of Regulation (EC) No 223/2009 of the European Parliament and of the Council<sup>(1)</sup>, for the implementation of the *ad hoc* modules as referred to in Article 7a of this Regulation in accordance with point (a) of Article 16(1) of Regulation (EU) No 1296/2013 of the European Parliament and of the Council<sup>(2)</sup>. In accordance with the second subparagraph of Article 128(1) of Regulation (EU, Euratom) No 966/2012 of the European Parliament and the Council<sup>(3)</sup>, the Union may award grants, without a call for proposals, to those national statistical institutes and other national authorities. The grants may take the form of lump-sum payments and shall be made on condition that Member States actually participate in the implementation of *ad hoc* modules.

*Article 7c***Exercise of the delegation**

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

<sup>(1)</sup> 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).

<sup>(2)</sup> Regulation (EU) No 1296/2013 of the European Parliament and of the Council of 11 December 2013 on a European Union Programme for Employment and Social Innovation ('EaSI') and amending Decision No 283/2010/EU establishing a European Progress Microfinance Facility for employment and social inclusion (OJ L 347, 20.12.2013, p. 238).

<sup>(3)</sup> Regulation (EU, Euratom) No 966/2012 of the European Parliament and of the Council of 25 October 2012 on the financial rules applicable to the general budget of the Union and repealing Council Regulation (EC, Euratom) No 1605/2002 (OJ L 298, 26.10.2012, p. 1).

**▼M6**

2. When exercising the powers delegated in accordance with Article 4(2) and Article 7a, the Commission shall ensure that the delegated acts do not impose a significant additional burden on the Member States and on the respondents.

Those delegated acts shall be adopted only where they are necessary in order to take account of social and economic developments. Those delegated acts do not change the optional nature of the required information.

The Commission shall duly justify the statistical actions provided for in those delegated acts, using, where appropriate, input from relevant experts based on a cost-effectiveness analysis, including an assessment of the burden on the respondents and of the production costs, as referred to in point (c) of Article 14(3) of Regulation (EC) No 223/2009.

3. The power to adopt delegated acts referred to in Article 4(2) and Article 7a shall be conferred on the Commission for a period of five years from 18 June 2014. 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.

4. The delegation of power referred to in Article 4(2) and Article 7a may be revoked at any time by the European Parliament or by the Council. A revocation decision 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 *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 4(2) and Article 7a 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 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.

*Article 8***Committee procedure**

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 of the European Parliament and of the Council <sup>(1)</sup>.

<sup>(1)</sup> 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).

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2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

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*Article 9*

**Arrangements for repealing**

Regulation (EEC) No 3711/91 is hereby repealed.

*Article 10*

**Entry into force**

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Communities*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.