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**Changes to legislation:** There are outstanding changes not yet made to Regulation (EC) No 638/2004 of the European Parliament and of the Council. 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

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## ANNEX

### DEFINITIONS OF STATISTICAL DATA

#### 1. Partner Member State

- (a) The partner Member State is the Member State of consignment, on arrival. This means the presumed Member State of dispatch in cases where goods enter directly from another Member State. Where, before reaching the Member State of arrival, goods have entered one or more Member States in transit and have been subject in those States to halts or legal operations not inherent in their transport (e.g. change of ownership), the Member State of consignment shall be taken as the last Member State where such halts or operations occurred.
- (b) The partner Member State is the Member State of destination, on dispatch. This means the last Member State to which it is known, at the time of dispatch, that the goods are to be dispatched.

#### 2. Quantity of the goods

The quantity of the goods can be expressed in two ways:

- (a) the net mass, which means the actual mass of the goods excluding all packaging;
- (b) the supplementary units, which mean the possible units measuring quantity other than net mass, as detailed in the annual Commission regulation updating the Combined Nomenclature.

#### 3. Value of the goods

The value of the goods can be expressed in two ways:

- (a) <sup>[F1]</sup>the taxable amount, which is the value to be determined for taxation purposes in accordance with Directive 2006/112/EC;]
- (b) <sup>[F2]</sup>the statistical value, which is the value calculated at the national borders of the Member States. It shall be based on the taxable amount or, where applicable, the value replacing it. It includes only incidental expenses (freight, insurance) incurred, in the case of dispatches, in the part of the journey located on the territory of the Member State of dispatch and, in the case of arrivals, in the part of the journey located outside the territory of the Member State of arrival. It is said to be a fob value (free on board) for dispatches, and a cif value (cost, insurance, freight) for arrivals.]

#### Textual Amendments

- F1** Substituted by Regulation (EC) No 222/2009 of the European Parliament and of the Council of 11 March 2009 amending Regulation (EC) No 638/2004 on Community statistics relating to the trading of goods between Member States.
- F2** Substituted by Regulation (EU) No 659/2014 of the European Parliament and of the Council of 15 May 2014 amending Regulation (EC) No 638/2004 on Community statistics relating to trading of goods between Member States as regards conferring delegated and implementing powers on the Commission for the adoption of certain measures, the communication of information by the customs administration, the exchange of confidential data between Member States and the definition of statistical value.

#### 4. Nature of the transaction

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The nature of transaction means the different characteristics (purchase/sale, work under contract, etc.) which are deemed to be useful in distinguishing one transaction from another.

5. Country of origin

- (a) The country of origin, on arrivals only, means the country where the goods originate.
- (b) Goods which are wholly obtained or produced in a country originate in that country.
- (c) Goods whose production involved more than one country shall be deemed to originate in the country where they underwent their last, substantial, economically justified processing or working in a company equipped for that purpose, resulting in the manufacture of a new product or representing an important stage of manufacture.

6. Region of origin or destination

- (a) The region of origin, on dispatch, means the region of the Member State of dispatch where the goods were produced or were erected, assembled, processed, repaired or maintained; failing that, the region of origin is the region where the goods were dispatched, or, failing that, the region where the commercial process took place.
- (b) The region of destination, on arrival, means the region of the Member State of arrival where the goods are to be consumed or erected, assembled, processed, repaired or maintained; failing that, the region of destination is the region to which the goods are to be dispatched, or, failing that, the region where the commercial process is to take place.

7. Delivery terms

The delivery terms mean those provisions of the sales contract which lay down the obligations of the seller and the buyer respectively, in accordance with the Incoterms of the International Chamber of Commerce (cif, fob, etc.).

8. Mode of transport

The mode of transport is determined by the active means of transport by which the goods are presumed to be going to leave the statistical territory of the Member State of dispatch, on dispatch, and by the active means of transport by which the goods are presumed to have entered the statistical territory of the Member State of arrival, on arrival.

9. Statistical procedure

The statistical procedure means the different characteristics which are deemed to be useful in distinguishing different types of arrivals/dispatches for statistical purposes.

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### Changes and effects yet to be applied to :

- Art. 1 words inserted by [S.I. 2019/47 reg. 3\(1\)\(a\)\(ii\)](#)
- Art. 1 words omitted by [S.I. 2019/47 reg. 3\(1\)\(a\)\(i\)](#)
- Art. 3(1) words omitted by [S.I. 2019/47 reg. 3\(1\)\(c\)](#)
- Art. 3(2) word substituted by [S.I. 2019/47 reg. 3\(1\)\(d\)\(i\)](#)
- Art. 3(2) words omitted by [S.I. 2019/47 reg. 3\(1\)\(d\)\(ii\)](#)
- Art. 3(3) word substituted by [S.I. 2019/47 reg. 3\(1\)\(e\)\(i\)](#)
- Art. 3(3) words omitted by [S.I. 2019/47 reg. 3\(1\)\(e\)\(ii\)](#)
- Art. 3(3) words omitted by [S.I. 2019/47 reg. 3\(1\)\(e\)\(iii\)](#)
- Art. 3(4) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 3(5) words omitted by [S.I. 2019/47 reg. 3\(1\)\(f\)](#)
- Art. 4 revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 5(1) words omitted by [S.I. 2019/47 reg. 3\(1\)\(g\)](#)
- Art. 5(2) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 5(2a) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 5(4) words revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 5(4) words substituted by [S.I. 2019/47 reg. 2\(3\)](#)
- Art. 7(3) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 8(1) words inserted by [S.I. 2019/47 reg. 3\(1\)\(j\)](#)
- Art. 8(2)(3) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 9(1) words revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 9(2) words revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 9(2) words substituted by [S.I. 2019/47 reg. 2\(4\)](#)
- Art. 9a revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 10(1) words omitted by [S.I. 2019/47 reg. 3\(1\)\(n\)\(ii\)](#)
- Art. 10(1) words substituted by [S.I. 2019/47 reg. 3\(1\)\(n\)\(i\)](#)
- Art. 10(2) word substituted by [S.I. 2019/47 reg. 3\(1\)\(o\)](#)
- Art. 10(3) words revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 10(3) words substituted by [S.I. 2019/47 reg. 3\(1\)\(p\)](#)
- Art. 10(4)-(6) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 12 revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 13 revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 13a revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 14 revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 16 words revoked by [S.I. 2019/47 reg. 2\(2\)](#)

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

- Annex para. 1(a) word substituted by [S.I. 2019/47 reg. 3\(2\)\(b\)](#)
- Annex para. 3(b) words omitted by [S.I. 2019/47 reg. 3\(2\)\(e\)](#)
- Annex para. 8 words omitted by virtue of [S.I. 2019/47, reg. 3\(2\)\(f\)](#) (as inserted) by [S.I. 2020/1624 reg. 8\(3\)](#)
- Annex para. 1(a) words substituted by [S.I. 2019/47 reg. 3\(2\)\(a\)](#)
- Annex para. 2(b) words substituted by [S.I. 2019/47 reg. 3\(2\)\(c\)](#)
- Annex para. 3(a) words substituted by [S.I. 2019/47 reg. 3\(2\)\(d\)](#)
- Art. 2(c) words substituted by [S.I. 2019/47 reg. 3\(1\)\(b\)\(i\)](#)
- Art. 2(d) words substituted by [S.I. 2019/47 reg. 3\(1\)\(b\)\(ii\)](#)
- Art. 2(e) words substituted by [S.I. 2019/47 reg. 3\(1\)\(b\)\(iii\)](#)
- Art. 2(f) words substituted by [S.I. 2019/47 reg. 3\(1\)\(b\)\(iv\)](#)

- Art. 2(g) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 6(b)(c) revoked by [S.I. 2019/47 reg. 2\(2\)](#)
- Art. 7(1)(a) words inserted by [S.I. 2019/47 reg. 3\(1\)\(h\)\(i\)](#)
- Art. 7(1)(a) words inserted by [S.I. 2019/47 reg. 3\(1\)\(h\)\(iii\)](#)
- Art. 7(1)(a) words omitted by [S.I. 2019/47 reg. 3\(1\)\(h\)\(ii\)](#)
- Art. 7(1)(a) words omitted by [S.I. 2019/47 reg. 3\(1\)\(h\)\(iv\)](#)
- Art. 7(1)(b) words inserted by [S.I. 2019/47 reg. 3\(1\)\(i\)\(ii\)](#)
- Art. 7(1)(b) words omitted by [S.I. 2019/47 reg. 3\(1\)\(i\)\(iii\)](#)
- Art. 7(1)(b) words substituted by [S.I. 2019/47 reg. 3\(1\)\(i\)\(i\)](#)
- Art. 9(1)(a) words inserted by [S.I. 2019/47 reg. 3\(1\)\(k\)\(i\)](#)
- Art. 9(1)(a) words omitted by [S.I. 2019/47 reg. 3\(1\)\(k\)\(ii\)](#)
- Art. 9(1)(d) words substituted by [S.I. 2019/47 reg. 3\(1\)\(l\)](#)
- Art. 9(2)(a) words substituted by [S.I. 2019/47 reg. 3\(1\)\(m\)](#)