

Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006 establishing the statistical classification of economic activities NACE Revision 2 and amending Council Regulation (EEC) No 3037/90 as well as certain EC Regulations on specific statistical domains (Text with EEA relevance)

SECTION I

GENERAL PROVISIONS

Article 1

Subject matter and scope

1 This Regulation establishes a common statistical classification of economic activities in the European Community, hereinafter referred to as 'NACE Rev. 2'. This classification ensures that Community classifications are relevant to the economic reality and enhances the comparability of national, Community and international classifications and, hence, of national, Community and international statistics.

2 This Regulation shall apply only to the use of the classification for statistical purposes.

Article 2

NACE Rev. 2

1 NACE Rev. 2 shall include:

- a a first level consisting of headings identified by an alphabetical code (sections);
- b a second level consisting of headings identified by a two-digit numerical code (divisions);
- c a third level consisting of headings identified by a three-digit numerical code (groups); and
- d a fourth level consisting of headings identified by a four-digit numerical code (classes).

2 NACE Rev. 2 is set out in Annex I.

Article 3

Use of NACE Rev. 2

The Commission shall use NACE Rev. 2 for all statistics classified according to economic activities.

Article 4

National classifications of economic activities

1 Member States' statistics presented according to economic activities shall be produced using NACE Rev. 2 or a national classification derived therefrom.

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council. (See end of Document for details)

2 The national classification may introduce additional headings and levels and a different coding may be used. Each of the levels, except for the highest, shall consist of either the same headings as the corresponding NACE Rev. 2 level or headings constituting an exact breakdown thereof.

3 Member States shall forward to the Commission, for its approval prior to their publication, the drafts defining or modifying their national classifications. The Commission shall check the conformity of these drafts with paragraph 2 within two months. The Commission shall transmit the approved national classification to the other Member States for information. The Member States' national classifications shall include a table of correspondence between the national classifications and NACE Rev. 2.

4 In the event of incompatibility between certain NACE Rev. 2 headings and the national economic structure, the Commission may authorise a Member State to use an aggregation of NACE Rev. 2 headings in a specific sector.

To obtain such an authorisation, the Member State concerned must provide the Commission with all the necessary information to consider its request. The Commission shall decide within three months.

However, notwithstanding the provisions of paragraph 2, such an authorisation shall not entitle the Member State concerned to subdivide the aggregated headings in a way different from NACE Rev. 2.

5 The Commission shall, together with the Member State concerned, periodically review the authorisations granted under paragraph 4 to verify whether they remain justified.

Article 5

Commission activities

The Commission, in cooperation with the Member States, shall ensure the dissemination, maintenance and promotion of NACE Rev. 2, in particular by:

- (a) drafting, updating and publishing explanatory notes for NACE Rev. 2;
- (b) drawing up and publishing guidelines for classifying statistical units in accordance with NACE Rev. 2;
- (c) publishing correspondence tables between NACE Rev. 1.1 and NACE Rev. 2 and between NACE Rev. 2 and NACE Rev. 1.1; and
- (d) working to improve consistency with other social and economic classifications.

Article 6

[^{F1}Delegated and implementing acts]

1 The following measures for implementing NACE Rev. 2 shall be adopted in accordance with the regulatory procedure referred to in Article 7(2):

- a decisions required in case of problems arising from implementation of NACE Rev. 2, including the assignment of economic activities to specific classes; and

- b technical measures ensuring a fully coordinated transition from NACE Rev. 1.1 to NACE Rev. 2, especially with respect to issues related to breaks in time series, including double reporting and back-casting of time series.

[^{F12} The Commission is empowered to adopt delegated acts in accordance with Article 6a amending Annex I to take account of technological or economic developments or to align it with other economic and social classifications.]

3 Consideration shall be given to the principle that the benefits of updating NACE Rev. 2 must outweigh its costs, and to the principle that additional costs and burdens remain within a reasonable limit.

Textual Amendments

- F1** Substituted by [Regulation \(EU\) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union \(Text with EEA relevance\)](#).

[^{F2} Article 6a

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.

2 The power to adopt delegated acts referred to in Article 6(2) shall be conferred on the Commission for a period of five years from 26 July 2019. 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.

3 The delegation of power referred to in Article 6(2) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect 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.

4 Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁽¹⁾.

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 6(2) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of three 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 three months at the initiative of the European Parliament or of the Council.]

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council. (See end of Document for details)

Textual Amendments

- F2** Inserted by Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (Text with EEA relevance).

Article 7

Committee

1 The Commission shall be assisted by the Statistical Programme Committee, established by Decision 89/382/EEC, Euratom.

2 Where reference is made to this paragraph, the procedure laid down in Articles 5 and 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

The period laid down in Article 5(6) of Decision 1999/468/EC shall be set at three months.

^{F3}

Textual Amendments

- F3** Deleted by Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (Text with EEA relevance).

Article 8

Implementation of NACE Rev. 2

1 Statistical units referred to in business registers, as set up according to Regulation (EEC) No 2186/93, shall be classified according to NACE Rev. 2.

2 Statistics referring to economic activities performed from 1 January 2008 onwards shall be produced by Member States using NACE Rev. 2 or with a national classification derived therefrom pursuant to Article 4.

3 By way of derogation from paragraph 2, short-term statistics governed by Regulation (EC) No 1165/98 and the labour-cost index governed by Regulation (EC) No 450/2003 shall be produced using NACE Rev. 2 from 1 January 2009.

4 The provision of paragraph 2 shall not apply for the production of the following statistics:

- a national accounts statistics under Regulation (EC) No 2223/96;
- b economic accounts for agriculture under Regulation (EC) No 138/2004; and
- c statistics concerning balance of payments, international trade in services and foreign direct investment under Regulation (EC) No 184/2005.

SECTION II

AMENDMENTS TO RELATED ACTS

*Article 9***Amendments to Regulation (EEC) No 3037/90**

Articles 3, 10, and 12 of Regulation (EEC) No 3037/90 shall be deleted.

*Article 10***Amendments to Regulation (EEC) No 3924/91**

Regulation (EEC) No 3924/91 is hereby amended as follows:

- (1) 'NACE Rev. 1' shall be replaced by 'NACE Rev. 2' throughout the text.
- (2) Article 2(1) shall be replaced by the following:
 1. The field covered by the survey referred to in Article 1 shall be that of the activities in sections B and C of the classification of economic activities in the European Community (NACE Rev. 2)..

*^{F4}Article 11***[^{F4}Amendments to Regulation (EC, Euratom) No 58/97]****Textual Amendments**

- F4** Deleted by [Regulation \(EC\) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics \(recast\) \(Text with EEA relevance\)](#).

*Article 12***Amendment to Regulation (EC) No 1165/98**

Regulation (EC) No 1165/98 is hereby amended as follows:

- (1) Article 2(1) shall be replaced by the following:
 1. This Regulation shall apply to all market activities in Sections B to N and P to S of the statistical classification of economic activities in the European Community (NACE Rev. 2)..
- (2) In Article 17, the following points shall be added:
 - (k) the first base year to be applied for time series in NACE Rev. 2;
 - (l) for time series prior to 2009, to be transmitted according to NACE Rev. 2, the level of detail, the form, the first reference period, and the reference period..

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council. (See end of Document for details)

- (3) The Annexes shall be amended in accordance with Annex III to this Regulation.

Article 13

Amendment to Regulation (EC) No 1172/98

In Regulation (EC) No 1172/98, the terms: ‘NACE Rev. 1’ and ‘NACE Rev. 1.1’ shall be replaced by ‘NACE Rev. 2’ throughout the text and the annexes.

Article 14

Amendment to Regulation (EC) No 530/1999

Regulation (EC) No 530/1999 is hereby amended as follows:

- (1) ‘NACE Rev. 1’ shall be replaced by ‘NACE Rev. 2’ throughout the text.
- (2) In Article 3:
 - (a) paragraph 1 shall be replaced by the following:
 1. The statistics shall cover all economic activities defined in sections B (Mining and quarrying), C (Manufacturing), D (Electricity, gas, steam and air conditioning supply), E (Water supply; sewerage, waste management and remediation activities), F (Construction), G (Wholesale and retail trade; repair of motor vehicles and motorcycles), H (Transportation and storage), I (Accommodation and food service activities), J (Information and communication activities), K (Financial and insurance activities), L (Real estate activities), M (Professional, scientific and technical activities), N (Administrative and support service activities), P (Education), Q (Human health and social work activities), R (Arts, entertainment and recreation activities) and S (Other service activities) of the statistical classification of economic activities in the European Community (NACE Rev. 2).;
 - (b) paragraph 2 shall be deleted.

Article 15

Amendment to Regulation (EC) No 2150/2002

Regulation (EC) No 2150/2002 is hereby amended as follows:

- (1) ‘NACE Rev. 1’ and ‘NACE Rev. 1.1’ shall be replaced by ‘NACE Rev. 2’ throughout the text and annexes.
- (2) Annex I to Regulation (EC) No 2150/2002 shall be amended in accordance with Annex IV to this Regulation.

Article 16

Amendment to Regulation (EC) No 450/2003

Regulation (EC) No 450/2003 is hereby amended as follows:

- (1) 'NACE Rev. 1' shall be replaced by 'NACE Rev. 2' throughout the text.
- (2) Article 3 shall be replaced by the following:

Article 3

Scope

- 1 This Regulation shall apply to all activities defined in sections B to S of NACE Rev. 2.
- 2 The inclusion of economic activities defined by NACE Rev. 2 sections O to S in the scope of this Regulation shall be determined in accordance with the procedure referred to in Article 12(2), taking into account the feasibility studies defined in Article 10..
- (3) Article 5 shall be replaced by the following:

Article 5

Frequency and back data

- 1 The data for the LCI shall first be compiled according to NACE Rev. 2 for the first quarter of 2009, and thereafter for each quarter (ending on 31 March, 30 June, 30 September and 31 December of each year).
- 2 Back data from the first quarter of 2000 to the fourth quarter of 2008 shall be made available by the Member States. The back data shall be provided for each of the NACE Rev. 2 sections B to N and for the labour cost items mentioned in Article 4(1)..
- (4) Article 6(3) shall be replaced by the following:
3. The back data referred to in Article 5 shall be transmitted to the Commission (Eurostat) at the same time as the LCI for the first quarter of 2009..
- (5) In Article 11 point (c) shall be replaced by the following:
 - (c) inclusion of NACE Rev. 2 sections O to S (Article 3);.

Article 17

Amendment to Regulation (EC) No 48/2004

The first paragraph of Article 3 of Regulation (EC) No 48/2004 shall be replaced by the following:

This Regulation shall cover data on the steel industry, which is defined as group 24.1 of the statistical classification of economic activities in the European Community (NACE Rev. 2)..

Status: Point in time view as at 31/01/2020.

Changes to legislation: *There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council. (See end of Document for details)*

Article 18

Amendment to Regulation (EC) No 808/2004

Annex I to Regulation (EC) No 808/2004 shall be amended in accordance with Annex V to this Regulation.

Article 19

Amendment to Regulation (EC) No 1552/2005

Regulation (EC) No 1552/2005 is hereby amended as follows:

- (1) 'NACE Rev. 1.1' shall be replaced by 'NACE Rev. 2' throughout the text.
- (2) Article 2(2) shall be deleted.
- (3) Article 4 shall be replaced by the following:

Article 4

Scope of statistics

The statistics on the vocational training in enterprises shall cover at least all economic activities defined in sections B to N and R to S of NACE Rev. 2..

SECTION III

FINAL PROVISIONS

^{F4}Article 20

[^{F4}Transitional provisions]

Textual Amendments

- F4** Deleted by [Regulation \(EC\) No 295/2008 of the European Parliament and of the Council of 11 March 2008 concerning structural business statistics \(recast\) \(Text with EEA relevance\)](#).

Article 21

Entry into force

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

It shall apply from 1 January 2008.

Status: Point in time view as at 31/01/2020.

Changes to legislation: *There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council. (See end of Document for details)*

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

Status: Point in time view as at 31/01/2020.

Changes to legislation: There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council. (See end of Document for details)

(1) [^{F2}OJ L 123, 12.5.2016, p. 1.]

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Textual Amendments

- F2** Inserted by Regulation (EU) 2019/1243 of the European Parliament and of the Council of 20 June 2019 adapting a number of legal acts providing for the use of the regulatory procedure with scrutiny to Articles 290 and 291 of the Treaty on the Functioning of the European Union (Text with EEA relevance).

Status:

Point in time view as at 31/01/2020.

Changes to legislation:

There are currently no known outstanding effects for the Regulation (EC) No 1893/2006 of the European Parliament and of the Council.