

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.

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

Implementing measures

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.

2 Measures relating to NACE Rev. 2 with a view to amending or supplementing non-essential elements of this Regulation, which are designed for the following purposes, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 7(3):

- a to take account of technological or economic developments; or
- b 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.

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.

3 Where reference is made to this paragraph, the procedure laid down in Article 5a(1) to (4) and Article 7 of Decision 1999/468/EC shall apply, having regard to the provisions of Article 8 thereof.

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.