

Regulation (EU) 2018/643 of the European Parliament and of
the Council of 18 April 2018 on rail transport statistics (recast)

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PARLIAMENT AND OF THE COUNCIL

of 18 April 2018

on rail transport statistics

(recast)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 338(1) thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee⁽¹⁾,

Acting in accordance with the ordinary legislative procedure⁽²⁾,

Whereas:

- (1) Regulation (EC) No 91/2003 of the European Parliament and of the Council⁽³⁾ has been substantially amended several times⁽⁴⁾. Since further amendments are to be made, that Regulation should be recast in the interests of clarity.
- (2) Railways are an important part of the Union's transport networks.
- (3) Statistics on the transport of goods and passengers by rail are necessary to enable the Commission to monitor and develop the common transport policy, as well as the transport elements of policies relating to the regions and to trans-European networks.
- (4) Statistics on rail safety are also necessary to enable the Commission to prepare and monitor Union action in the field of transport safety. The European Union Agency for Railways collects data on accidents under Annex I to Directive 2004/49/EC of the European Parliament and of the Council⁽⁵⁾ as regards common safety indicators and common methods of calculating accident costs.
- (5) Statistics at Union level on rail transport are also required in order to fulfil the monitoring tasks provided for in Article 15 of Directive 2012/34/EU of the European Parliament and of the Council⁽⁶⁾.
- (6) Statistics at Union level on all modes of transport should be collected according to common concepts and standards, with the aim of achieving the fullest practicable comparability between transport modes.

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- (7) It is important to avoid duplication of work and to optimise the use of existing information that is capable of being used for statistical purposes. To that end, and with a view to providing easily accessible and useful information to Union citizens and other stakeholders on rail transport safety and interoperability of the rail system, including the rail infrastructure, appropriate cooperation agreements on statistical activities should be established between the Commission's services and relevant entities, including at international level.
- (8) A balance should be struck between the needs of the users and the burden on respondents when producing European statistics.
- (9) In its report to the European Parliament and to the Council on its experience acquired in applying Regulation (EC) No 91/2003, the Commission referred to the fact that long-term developments will probably result in the suppression or the simplification of the data already collected under that Regulation, and that the aim is to reduce the data transmission period for annual data on rail passengers. The Commission should continue to provide reports at regular intervals on the implementation of this Regulation.
- (10) The coexistence of publicly and privately owned railway undertakings operating in a commercial rail transport market requires an explicit specification of the statistical information which should be provided by all railway undertakings and disseminated by Eurostat.
- (11) Since the objective of this Regulation, namely the creation of common statistical standards which permit the production of harmonised data and which are to be implemented in each Member State under the authority of the bodies and institutions in charge of producing official statistics, cannot be sufficiently achieved by the Member States but can rather, by reason of its scale and effects, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Regulation does not go beyond what is necessary in order to achieve that objective.
- (12) Regulation (EC) No 223/2009 of the European Parliament and of the Council⁽⁷⁾ provides a reference framework for the provisions laid down by this Regulation.
- (13) In order to reflect new developments in the Member States while, at the same time, maintaining the harmonised collection of rail transport data across the Union, and with a view to maintaining the high quality of the data transmitted by the Member States, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending this Regulation to adapt the technical definitions and to provide for additional technical definitions. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making⁽⁸⁾. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts,

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and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

- (14) The Commission should ensure that those delegated acts do not impose a significant additional burden on the Member States or on the respondents.
- (15) In order to ensure uniform conditions for the implementation of this Regulation, implementing powers should be conferred on the Commission as regards the specification of the information to be supplied for the reports on the quality and comparability of the results, and the arrangements for the dissemination of those results by the Commission (Eurostat). Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council⁽⁹⁾.
- (16) The European Statistical System Committee has been consulted,

HAVE ADOPTED THIS REGULATION:

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- (1) Opinion of 6 December 2017 (not yet published in the Official Journal).
- (2) Position of the European Parliament of 14 March 2018 (not yet published in the Official Journal), and decision of the Council of 12 April 2018.
- (3) Regulation (EC) No 91/2003 of the European Parliament and of the Council of 16 December 2002 on rail transport statistics ([OJ L 14, 21.1.2003, p. 1](#)).
- (4) See Annex IX.
- (5) Directive 2004/49/EC of the European Parliament and of the Council of 29 April 2004 on safety on the Community's railways and amending Council Directive 95/18/EC on the licensing of railway undertakings and Directive 2001/14/EC on the allocation of railway infrastructure capacity and the levying of charges for the use of railway infrastructure and safety certification (Railway Safety Directive) ([OJ L 164, 30.4.2004, p. 44](#)).
- (6) Directive 2012/34/EU of the European Parliament and of the Council of 21 November 2012 establishing a single European railway area ([OJ L 343, 14.12.2012, p. 32](#)).
- (7) 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](#)).
- (8) [OJ L 123, 12.5.2016, p. 1](#).
- (9) 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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