

Regulation (EU) 2019/2152 of the European Parliament and of the Council of 27 November 2019 on European business statistics, repealing 10 legal acts in the field of business statistics (Text with EEA relevance)

*CHAPTER I*

**General provisions**

*Article 1*

**Subject-matter**

This Regulation establishes a common legal framework for:

- (a) the development, production and dissemination of European business statistics as referred to in Article 2(1);
- (b) the European framework for statistical business registers.

*Article 2*

**Scope**

- 1 European business statistics shall cover:
  - a the structure, economic activities and performance of the statistical units, their R&D and innovation activities, their information and communication technologies (ICT) usage and e-commerce, as well as global value chains. For the purpose of this Regulation, European business statistics shall also cover R&D statistics in the higher education, government and private non-profit sectors;
  - b the production of manufactured goods and services and the international trade in goods and services.
- 2 The European framework for statistical business registers shall cover the national statistical business registers and the EuroGroups Register, as well as the data exchanges between them in accordance with Article 10.
- 3 The national statistical business registers referred to in paragraph 2 shall comprise:
  - a all enterprises carrying out economic activities contributing to the gross domestic product (GDP), and their local units;
  - b the legal units of which those enterprises consist;
  - c for those enterprises which due to their size have a significant influence and whose kind-of-activity units (KAUs) have a significant influence on the aggregated (national) data either:
    - (i) the KAU and size of each KAU of which those enterprises consist; or
    - (ii) the NACE code of the secondary activities of those enterprises as laid down in Regulation (EC) No 1893/2006 of the European Parliament and of the Council<sup>(1)</sup> and the size of each of those secondary activities;
  - d enterprise groups to which those enterprises belong.

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*Changes to legislation: There are currently no known outstanding effects for the Regulation (EU) 2019/2152 of the European Parliament and of the Council, CHAPTER I. (See end of Document for details)*

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4 The EuroGroups Register shall comprise the following units defined in Council Regulation (EEC) No 696/93<sup>(2)</sup>:

- a all enterprises carrying out economic activities contributing to the GDP which form part of a multinational enterprise group;
- b the legal units of which those enterprises consist;
- c multinational enterprise groups to which those enterprises belong.

5 Households shall not fall within the scope of the European framework for statistical business registers insofar as the goods and services they produce are destined to their own consumption, or involve letting out of own property.

6 Local units of foreign enterprises not constituting separate legal entities (branches), and classified as quasi-corporations in accordance with Regulation (EU) No 549/2013, shall be deemed to be enterprises for the purposes of the national statistical business registers and the EuroGroups Register.

7 Enterprise groups shall be identified through the links of control between their legal units in accordance with Regulation (EU) No 549/2013.

8 When referring to national statistical business registers and the EuroGroups Register, this Regulation shall apply only to units which, wholly or partially, exercise an economic activity and economically inactive legal units, which are part of an enterprise in combination with economically active legal units.

9 For the purposes of the European framework for statistical business registers, the following shall be considered to be an economic activity:

- a any activity comprising the offer of goods and services on a given market;
- b non-market services contributing to the GDP;
- c direct and indirect holdings of active legal units.

Holding assets and/or liabilities may also be considered to be an economic activity.

10 Statistical units within the European framework for statistical business registers shall be defined in accordance with Regulation (EEC) No 696/93, subject to the limitations specified in this Article.

### *Article 3*

#### **Definitions**

1 For the purposes of this Regulation, the following definitions apply:

- a 'statistical unit' means statistical units within the meaning of Regulation (EEC) No 696/93;
- b 'reporting unit' means the unit that supplies the data;
- c 'domain' means one or several data sets that cover particular topics;
- d 'topic' means the content of the information to be compiled, each topic covering one or more detailed topics;
- e 'detailed topic' means the detailed content of the information to be compiled related to a topic, each detailed topic covering one or more variables;
- f 'variable' means a characteristic of a unit that may assume more than one of a set of values;
- g 'market activity' means market activity within the meaning of point 1.37 of Chapter 1 of Annex A to Regulation (EU) No 549/2013;

- h 'non-market activity' means non-market activity within the meaning of point 1.34 of Chapter 1 of Annex A to Regulation (EU) No 549/2013;
  - i 'market producers' means market producers as defined in point 3.24 of Chapter 3 of Annex A to Regulation (EU) No 549/2013;
  - j 'non-market producers' means non-market producers as defined in point 3.26 of Chapter 3 of Annex A to Regulation (EU) No 549/2013;
  - k 'national statistical authorities' or 'NSAs' means the national statistical institutes and other national authorities responsible for the development, production and dissemination of European statistics designated by each Member State in accordance with Article 5(1) of Regulation (EC) No 223/2009;
  - l 'authoritative source' means the sole provider of data records containing national statistical business register and EuroGroups register data in accordance with quality standards referred to in Article 17;
  - m 'microdata' means individual observations or measurements of characteristics of identifiable reporting units or statistical units;
  - n 'use for statistical purposes' means use for statistical purposes as defined in point (8) of Article 3 of Regulation (EC) No 223/2009;
  - o 'confidential data' means confidential data as defined in point (7) of Article 3 of Regulation (EC) No 223/2009;
  - p 'tax authorities' means the national authorities in the Member State responsible for applying Council Directive 2006/112/EC<sup>(3)</sup>;
  - q 'customs authorities' means customs authorities as defined in point (1) of Article 5 of Regulation (EU) No 952/2013;
  - r 'multinational enterprise group' means an enterprise group within the meaning of Section III C. of the Annex to Regulation (EEC) No 696/93, with at least two enterprises or legal units each of which is located in a different country.
- 2 For the purposes of Articles 11 to 15, the following definitions apply:
- a 'Member State of export' means the Member State from the statistical territory of which goods are exported to their destination in a Member State of import;
  - b 'Member State of import' means the Member State into the statistical territory of which goods are imported from a Member State of export;
  - c 'goods' means movable property, including electrical energy and natural gas.

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**Changes to legislation:** There are currently no known outstanding effects for the Regulation (EU) 2019/2152 of the European Parliament and of the Council, CHAPTER I. (See end of Document for details)

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- (1) 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 ([OJ L 393, 30.12.2006, p. 1](#)).
- (2) Council Regulation (EEC) No 696/93 of 15 March 1993 on the statistical units for the observation and analysis of the production system in the Community ([OJ L 76, 30.3.1993, p. 1](#)).
- (3) Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax ([OJ L 347, 11.12.2006, p. 1](#)).

**Changes to legislation:**

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