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CORRIGENDUM

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Concerne les 11 versions linguistiques.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on rail transport statistics

(presented by the Commission)

EXPLANATORY MEMORANDUM

OVERALL JUSTIFICATION AND OBJECTIVE

1. The promotion of rail transport is an important part of the Common Transport Policy, on the grounds both of economic efficiency and of reducing the energy consumption and the environmental impacts of transport. This overall objective has been pursued in a series of Community measures, notably Council Directive 91/440/EEC on the development of the Community's railways¹, and in Commission strategy documents such as the white paper on *A strategy for revitalising the Community's railways*². In 1998, the Commission proposed a further package of measures to reinforce Directive 91/440³. These measures are currently before the European Parliament and the Council⁴.

In addition, rail transport has also been promoted by major investments in railway infrastructure under the transport part of the Trans-European Networks and the Structural and Cohesion funds.

2. Community statistics on rail transport are needed to monitor developments in the rail industry, in order both to assess the effects of the Community actions mentioned in Paragraph 1 and also to support the preparation of future actions.

In particular, statistics on rail transport will be an important input for a European system for the observation of the rail market as provided for in the Directive of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways⁴.

3. The improvement of rail safety is an another increasingly important element of Community policies on rail transport. The provision of harmonised safety data is a fundamental precondition for monitoring the development of rail safety, for comparison of safety performance between modes of transport and for benchmarking between Member States and between railway undertakings. The lack of comparable statistical information in this area has been a widely recognised shortcoming of rail statistics, which will be remedied by this Regulation.

4. Statistics on rail transport are collected under Council Directive 80/1177⁵, but this legal act has some shortcomings:

- it covers only freight transport, whereas Community actions on rail transport also require data on passenger transport and on safety;
- it includes a list of railway administrations for which data are to be compiled. With the restructuring of the rail industry into infrastructure managers and operators (railway undertakings), and the entry into the market of new operators, certain of these former railway administrations no longer exist, while

¹ OJ L 237, 24.8.1991 p. 25.

² COM(96)421 final, 30.7.1996.

³ COM(98)480 final, 22.7.1998.

⁴ See COM(2000)575 final, 15.9.2000.

⁵ OJ L 350, 23.12.1980, p. 23.

others have changed their functions and now share the market with operators which are not on the list;

- the statistics to be compiled do not correspond to the present needs in this domain;
- significant quality problems have been identified in these statistics;
- there is no provision for adaptation of the Directive via a committee procedure.

The regional dimension of Community actions to promote rail transport also justifies a more detailed regional breakdown than is available under Directive 80/1177, so that freight and passenger flows can in future be described on a region to region basis across the EU.

These shortcomings have, taken together, made it necessary to propose a replacement for Directive 80/1177.

5. In addition to the statistics specified in Directive 80/1177, some other statistics on rail transport are supplied by Member States to Eurostat on a voluntary basis. When considering how to replace Directive 80/1177, one option was to collect all rail transport statistics on a voluntary basis. This option was rejected on the grounds that in a commercial rail market, all operators needed to have clear legally-binding obligations which would apply to all operators without the risk of commercial disadvantage to any one operator supplying data on a voluntary basis.
6. A new legal act in this domain also provides the opportunity to introduce a committee procedure, and to clarify the role of national authorities in compiling these statistics and transmitting them to Eurostat.

LEGAL BASE AND FORM OF THE PROPOSED ACT

7. The proposed legal base for the Regulation on rail transport statistics is Article 285 of the Treaty, on Community statistics. The proposal is included in the Commission's Work Programme for 2000⁶.
8. The new legal act takes the form of a Regulation rather than a Directive, since it is intended to be directly applicable in Member States without transposition into national law. This does not affect the freedom of national authorities to compile the specified statistics using methods which take account of the different conditions existing in Member States. The use of a Regulation is in line with other statistical legal acts which have been adopted since 1997.

KEY FEATURES OF THE REGULATION

9. The Regulation sets out to define a set of common rules for rail transport statistics together with a set of annexes specifying a set of statistical tables. The rules cover definitions, provisions for data collection, transmission and dissemination, and a

⁶ COM(2000)155 final, Annex, Programme N° 2000/233.

committee procedure for the adoption of implementing measures and for later adaptation of the Regulation. They also include provisions for maintaining the quality of the statistics, for evaluation and for reporting to the European Parliament and the Council. Furthermore, the Regulation includes provisions relating to the coverage of rail transport by the Regulation.

10. **Definitions** are set out in Article 2. Additional technical definitions needed to ensure a reasonable level of harmonisation will be adopted via the committee procedure (Article 11), while recognising that it is not practicable to impose legally binding definitions of all terms used in statistical data collection. In the area of accident statistics (Annex H), it was evident that differing national practice makes it necessary to allow reporting according to current national definitions for a period of five years, although conformity to common definitions is the long-term objective.
11. For **data collection**, Article 5 of the Regulation aims at a highly flexible approach, in order to minimize the costs for national authorities and operators, and to take advantage of existing data collection activities. Although national authorities remain responsible for coordination and quality control, other designated organizations may participate in data collection. For example, it is expected that some Member States will choose to collect rail transport statistics through the infrastructure manager (which will in any case collect some of these data for its own purposes). It is also possible that some Member States will choose to designate professional organisations for this purpose. It is also made clear that different types of data sources may be freely combined to achieve the specified statistical results.
12. As in other statistical legal acts, the technical arrangements for **transmission of statistics to Eurostat** (Article 6) are to be adopted later via the committee procedure. This is desirable in order for the code lists and file formats to be discussed with Member States and tested before definitive versions are adopted.
13. On **dissemination** (Article 7), the Regulation provides for the dissemination of all data collected under Annexes A-H, subject to safeguards for data for which railway undertakings explicitly request special treatment on grounds of confidentiality. The level of detail in the proposed tables has been deliberately limited in order to facilitate dissemination without revealing commercially sensitive information.

The information reported according to Annex I cannot be disseminated unless specific provisions to this effect are adopted later via the committee procedure.
14. The provisions on **quality** and on **reports** (Articles 8 and 9) are designed to emphasize, first, the importance of non-binding methodological recommendations to complement the legal act in supporting the improvement of statistical quality as the Regulation is implemented, and second, the evaluation of quality, costs and benefits for these statistics.
15. The **committee procedure** (Articles 10-11) will ensure that the provisions of the Regulation can be adjusted in the light of experience as it is implemented. In particular, Eurostat will propose harmonised technical definitions, rules for the application of simplified reporting, and technical standards for data transmission once these have been fully tested. The Commission proposes a regulatory procedure

as the most appropriate type of procedure in this case, in conformity with Council Decision 1999/468/EC⁷.

16. The **coverage** of the Regulation is the subject of a number of provisions. Article 2 states the overall objective of complete coverage of railways in the European Union, with each Member State reporting on rail transport on its national territory. Where an operator is active in more than one Member State - a situation which will become increasingly common - the national authorities will request the operator to provide data separately for each country in which it operates, in order to compile the national data.

In the interests of cost-efficiency, Member States may also exclude from their reporting certain categories of minor railways and also the smallest operators up to a cumulative threshold of 2% of the market. If necessary, this threshold can be adjusted via the committee procedure. Although the exclusion of the smallest operators does result in a small bias in the statistics, the resulting situation will still be a considerable improvement on presently available data, which often omit data on quite large operators.

In order to reduce costs for smaller operators, there are also provisions for simplified reporting (Article 4, Annexes B and D). The rules for the application of simplified reporting are to be adopted via the committee procedure.

In this context, Annex I provides the list of railway undertakings covered by each of the Annexes, in order to ensure that the statistical tables can be correctly interpreted by users.

17. The Regulation provides for a completely new set of Community statistics on **rail passenger transport**. Specific data requirements for passenger transport are laid out in Annexes C and D; these have been designed to take account of the methodological constraints on collection of rail passenger data. Additional statistics on rail passenger transport, for example distinguishing high-speed services or separating urban services from inter-city services, are envisaged for the future but are not included at present since Eurostat considers it necessary to develop the methodology for such statistics through voluntary reporting.

DATA TO BE COLLECTED

18. The data to be collected are specified in Annexes A-H (Article 4). The main annual tables for **freight and passenger transport** are in Annexes A-D, while key **quarterly indicators** are specified in Annex E. **Intermodal freight transport** statistics are now included in Annexes A and B.
19. Annexes F and G are intended to provide data on **regional** patterns of rail transport, including region to region flows at NUTS 2 level and flows on the rail network.

The network flow data are similar in nature to those currently collected for road transport through the 5-yearly E-road censuses coordinated by UNECE; Eurostat intends to recommend an appropriate methodology for collecting such data for rail

⁷ OJ L 184, 17.7.1999 p. 23.

networks, based on experience gained during a study in 1997-1998 and work in progress at UNECE. Annex G therefore provides the necessary legal base for this work, but without a fully detailed specification of the data to be provided.

COSTS AND BENEFITS OF THE REGULATION

20. Implementation of the Regulation will impose some additional costs on the national authorities responsible for transport statistics and on railway undertakings.
21. In some Member States, the national authorities are already responsible for compiling Community statistics on rail transport, including both data supplied under Council Directive 80/1177 and also data supplied to Eurostat on a voluntary basis. For these countries, the additional costs for Annexes A-F will be small since the total volume of data to be compiled will increase only slightly, mainly to cover new operators which have not previously been included in the statistics.

In other Member States, the data specified in Council Directive 80/1177 have been transmitted directly to Eurostat by the main railway undertaking which succeeded the former railway administration. For these countries, national authorities will under the Regulation assume additional responsibilities for coordination and for data quality, although the collection of data may be delegated according to the provisions of Article 5. Such involvement by the national authorities is essential in order to guarantee the coverage and quality of rail transport statistics when a number of commercial operators are active in the national rail transport market; therefore, for these countries, some additional costs for national authorities are unavoidable.

22. Rail operators will have to extract data from their internal information systems and generate summary reports for transmission to the national authority responsible for compiling rail statistics and transmitting them to Eurostat. In practice, most operators are already producing such reports for their own management and shareholders, and are already supplying such data to professional organizations such as the International Union of Railways (UIC). Therefore the additional costs for enterprises should be small.
23. The provisions for simplified reporting by smaller operators will also help to reduce the costs of implementation both for operators and for national authorities.
24. Compilation of the data specified in Annexes F and G will involve some further costs for all Member States and operators, but these data are not to be collected every year, so that the average cost per year remains reasonable in relation to the value of the information.
25. In addition to the main justification for this Regulation referred to in Paragraphs 1-5, the Community statistics to be collected under this Regulation will also be of benefit to a range of users in Member States, including the rail operators. Benefits that have been identified in the course of discussions with interested parties include:
 - information on the rail transport market;
 - information which can be used by operators to benchmark their operations against the industry average;

- information which can be used in seeking finance for major projects. Independently validated statistical data is useful to banks since it gives objective information on the viability of projects.

Proposal for a

REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

on rail transport statistics

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 285 thereof,

Having regard to the proposal from the Commission⁸,

Having regard to the opinion of the Economic and Social Committee⁹,

Having regard to the opinion of the Committee of the Regions¹⁰,

Acting in accordance with the procedure laid down in Article 251 of the Treaty¹¹,

Whereas:

- (1) Railways are an important part of the Community's transport networks.
- (2) The Commission needs statistics on the transport of goods and passengers by rail in order to monitor and develop the common transport policy, as well as the transport elements of policies on the regions and on trans-European networks.
- (3) Statistics on rail safety are required by the Commission in order to prepare and monitor Community actions in the field of transport safety.
- (4) Community statistics on rail transport are also required for a European system for the observation of the rail market as provided for in Directive xx/xxx/EEC of the European Parliament and of the Council amending Council Directive 91/440/EEC on the development of the Community's railways¹².
- (5) Community statistics 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.
- (6) The restructuring of the rail industry under Council Directive 91/440/EEC¹³, as well as changes in the type of information required by the Commission and by other users of

⁸ OJ C , , p. .

⁹ OJ C , , p. .

¹⁰ OJ C , , p. .

¹¹ OJ C , , p. .

¹² OJ L , , p. .

¹³ OJ L 237, 24.8.1991, p. 25.

Community statistics on rail transport, renders obsolete the provisions of Council Directive 80/1177/EEC¹⁴ in relation to the collection of statistics from specified administrations of main rail networks.

- (7) 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.
- (8) In accordance with the principle of subsidiarity laid down in Article 5 of the Treaty, the creation of common statistical standards that permit the production of harmonized data is an action which can only be undertaken efficiently at Community level; whereas such standards shall be implemented in each Member State under the authority of the bodies and institutions in charge of producing official statistics.
- (9) Council Regulation (EC) No 322/97 of 17 February 1997 on Community statistics¹⁵ provides a reference framework for the provisions laid down by this Regulation.
- (10) Since the measures necessary for the implementation of this Regulation are measures of general scope within the meaning of Article 2 of Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission¹⁶, they should be adopted by use of the regulatory procedure provided for in Article 5 of that Decision.
- (11) The Statistical Programme Committee established by Decision 89/382 (EEC/Euratom)¹⁷ has been consulted in accordance with Article 3 of the aforesaid Decision.

HAVE ADOPTED THIS REGULATION:

Article 1

Objective

The objective of this Regulation is to establish common rules for the production of Community statistics relating to rail transport.

Article 2

Scope

This Regulation shall cover all railways in the European Union. Each Member State shall report statistics which relate to transport on its national territory. Member States may exclude from the scope of this Regulation

¹⁴ OJ L 350, 23.12.1980, p. 23.

¹⁵ OJ L 52, 22.2.1997, p. 1.

¹⁶ OJ L 184, 17.7.1999, P. 23.

¹⁷ OJ L 181, 28.6.1989, p. 47.

- railway undertakings which operate entirely or mainly within industrial and similar installations, including harbours,
- railway undertakings which mainly provide local tourist services, such as preserved historical steam railways,
- other railway undertakings which collectively account for less than 2% of the total rail freight or rail passenger transport in the reporting country, measured in tonne-km and passenger-km respectively. This threshold may be adapted in accordance with the procedure laid down in Article 11, paragraph 2.

Article 3

Definitions

1. For the purposes of this Regulation the following definitions shall apply:
 - 'reporting country': the Member State transmitting data to Eurostat.
 - 'national authorities': national statistical institutes and other bodies responsible in each Member State for producing Community statistics.
 - 'railway undertaking': any public or private undertaking which provides services for the transport of goods and/or passengers by rail.
2. The definitions referred to in paragraph 1 may be adapted, and additional definitions needed to ensure harmonisation of statistics may be adopted, in accordance with the procedure laid down in Article 11, paragraph 2.

Article 4

Data collection

1. The statistics to be collected are set out in the Annexes to this Regulation. They shall cover the following types of data:
 - annual statistics on goods transport - detailed reporting (Annex A)
 - annual statistics on goods transport - simplified reporting (Annex B)
 - annual statistics on passenger transport - detailed reporting (Annex C)
 - annual statistics on passenger transport - simplified reporting (Annex D)
 - quarterly statistics on goods and passenger transport (Annex E)
 - regional statistics on goods and passenger transport (Annex F)
 - statistics on traffic flows on the rail network (Annex G)
 - statistics on accidents (Annex H)

2. Annexes B and D set out simplified reporting requirements, which may be used by Member States as alternatives to the normal detailed reporting set out in Annexes. A and C respectively. The rules to be applied by Member States in determining which undertakings may be covered by simplified reporting shall be adopted in accordance with the procedure laid down in Article 11, paragraph 2.
3. For each type of data, the corresponding annex specifies:
 - the list of variables and the corresponding units of measurement
 - the reference periods and frequency
 - the list of tables with the breakdown for each table
 - the deadlines for transmission of data
 - the first reference period for which data are to be transmitted
 - where necessary, additional notes
4. Member States shall also provide a list of the railway undertakings for which statistics are provided, as specified in Annex I.
5. For the purposes of the present Regulation, goods shall be classified in accordance with Annex J. Dangerous goods shall additionally be classified in accordance with Annex K.
6. The contents of the annexes may be adapted, in accordance with the procedure laid down in Article 11, paragraph 2.

Article 5

Data sources

1. Member States may designate any public or private organization to participate in collecting the data required under this Regulation.
2. The necessary data may be obtained using any combination of the following sources:
 - compulsory surveys
 - administrative data, including data collected by regulatory authorities
 - statistical estimation procedures
 - data supplied to professional organizations in the rail industry
 - ad hoc studies
3. The national authorities shall take measures for the coordination of the data sources used and to ensure the quality of the statistics transmitted to Eurostat.

Article 6

Transmission of statistics to Eurostat

1. Member States shall transmit to Eurostat the statistics referred to in Article 4.
2. The arrangements for transmission of the statistics referred to in Article 4 shall be laid down in accordance with the procedure specified in Article 11, paragraph 2.

Article 7

Dissemination

1. The data specified in Annexes A-H to this Regulation shall be disseminated by Eurostat. However, on a request by a railway undertaking to the national authorities, data which enable the undertaking to be identified indirectly and which are not available to the public at national level, shall not be disseminated or shall be re-arranged so that their dissemination is not prejudicial to the maintenance of statistical confidentiality. Such requests, with the necessary supporting information, shall be notified to Eurostat by the national authorities.
2. The information reported under Annex I shall not be disseminated except to the extent that specific provisions for such dissemination are laid down in accordance with the procedure specified in Article 11, paragraph 2.

Article 8

Quality of statistics

1. In order to assist Member States in maintaining the quality of statistics in this domain, Eurostat shall develop and publish methodological recommendations. These recommendations shall take account of the best practices of national authorities, of railway undertakings and of professional organisations for the railway industry.
2. The quality of the statistical data shall be evaluated by Eurostat. To this end, on request by Eurostat, Member States shall supply information on the methods used in producing the statistics.

Article 9

Report

After data have been collected over three years, the Commission shall send a report to the European Parliament and to the Council on experience acquired in the work carried out under this Regulation. This report shall include the results of the quality evaluation referred to in Article 8. It shall also evaluate the benefits of the availability of statistics in this domain, the costs of obtaining such statistics and the burden on enterprises.

Article 10

Implementing procedures

The following implementing measures shall be taken in accordance with the procedure specified in Article 11, paragraph 2:

- adaptation of the threshold for statistical coverage of rail transport (Article 2)
- adaptation of the definitions and adoption of additional definitions (Article 3),
- adaptation of the contents of the annexes (Article 4),
- adoption of rules for the application of simplified reporting (Article 4),
- arrangements for transmitting data to Eurostat (Article 6),
- the dissemination of the information reported under Annex I (Article 7).

Article 11

Procedure

1. The Commission shall be assisted by the Statistical Programme Committee instituted by Article 1 of Council Decision 89/382/EEC, Euratom¹⁸.
2. Where reference is made to this paragraph, the regulatory procedure laid down in Article 5 of Council Decision 1999/468/EC¹⁹ shall apply, in compliance with Article 7 paragraph 3 and Article 8 thereof.
3. The period provided for in Article 5 paragraph 6 of Council Decision 1999/468/EC shall be three months.

Article 12

Directive 80/1177/EEC

1. Member States shall provide results for the year 2001 in accordance with Directive 80/1177/EEC.
2. Directive 80/1177/EEC is hereby repealed with effect from 1 January 2002.

¹⁸ OJ L 181, 28.6.1989, p. 47.

¹⁹ OJ L 184, 17.7.1999 p. 23.

Article 13

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 Communities*.

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

Done at Brussels,

For the European Parliament
The President

For the Council
The President

ANNEX A

ANNUAL STATISTICS ON GOODS TRANSPORT - DETAILED REPORTING

List of variables and units of measurement	goods transported in: - tonnes - tonne-km number of intermodal transport units carried in: - number -TEU (for containers and swap bodies)
Reference period	year
Frequency	every year
List of tables with the breakdown for each table	Table A1: goods transported, by type of transport Table A2: goods transported, by type of goods (Annex J) Table A3: goods transported (for international and transit traffic) by country of loading and country of unloading Table A4: goods transported, by category of dangerous goods (Annex K) Table A5: goods transported, by type of consignment Table A6: goods transported in intermodal transport units, by type of transport and by type of transport unit Table A7: number of loaded intermodal transport units carried, by type of transport and by type of transport unit Table A8: number of empty intermodal transport units carried, by type of transport and by type of transport unit
Deadline for transmission of data	5 months after end of reference period
First reference period	2002

Notes	<p>1. Type of transport is broken down as follows:</p> <ul style="list-style-type: none"> - national - international-incoming - international-outgoing - transit <p>2. Type of consignment is broken down as follows:</p> <ul style="list-style-type: none"> - full train loads - full wagon loads - other <p>3. Type of transport unit is broken down as follows:</p> <ul style="list-style-type: none"> - containers and swap bodies - semi-trailers (unaccompanied) - road vehicles (accompanied) <p>4. For Table A3, Eurostat and the Member States may make arrangements to facilitate consolidation of data originating from undertakings in other Member States, in order to ensure the coherence of these data.</p> <p>5. For Table A4, Member States shall indicate which categories of traffic, if any, are not covered by the data.</p>
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ANNEX B

ANNUAL STATISTICS ON GOODS TRANSPORT - SIMPLIFIED REPORTING

List of variables and units of measurement	goods transported in - tonnes - tonne-km
Reference period	Year
Frequency	every year
List of tables with the breakdown for each table	Table B1: goods transported, by type of transport Table B2: goods transported in intermodal transport units, by type of transport
Deadline for transmission of data	5 months after end of reference period
First reference period	2002
Notes	1. Type of transport is broken down as follows: - national - international-incoming - international-outgoing - transit

ANNEX C

ANNUAL STATISTICS ON PASSENGER TRANSPORT - DETAILED REPORTING

List of variables and units of measurement	passengers transported in: - number of passengers - passenger-km
Reference period	Year
Frequency	every year
List of tables with the breakdown for each table	Table C1: passengers transported, by type of transport (provisional data, number of passengers only) Table C2: international passengers transported, by country of embarkation and by country of disembarkation (provisional data, number of passengers only). Table C3: passengers transported, by type of transport (final consolidated data) Table C4: international passengers transported, by country of embarkation and by country of disembarkation (final consolidated data, number of passengers only).
Deadline for transmission of data	8 months after end of reference period (Tables C1, C2) 14 months after end of reference period (Tables C3, C4)
First reference period	2003
Notes	1. Type of transport is broken down as follows: - national - international 2. For Tables C1 and C2, Member States may report provisional data based on ticket sales in the reporting country only. For Tables C3 and C4, Member States shall report final consolidated data including information from ticket sales outside the reporting country. This information may be obtained either directly from the national authorities of other countries or through international compensation arrangements for tickets.

ANNEX D

**ANNUAL STATISTICS ON PASSENGER TRANSPORT - SIMPLIFIED
REPORTING**

List of variables and units of measurement	passengers transported in: - number of passengers - passenger-km
Reference period	Year
Frequency	every year
List of tables with the breakdown for each table	Table D1: passengers transported
Deadline for transmission of data	8 months after end of reference period
First reference period	2003
Notes	1. For Table D1, Member States may report data based on ticket sales in the reporting country only, as for Table C1.

ANNEX E

QUARTERLY STATISTICS ON GOODS AND PASSENGER TRANSPORT

List of variables and units of measurement	goods transported in: - tonnes - tonne-km passengers transported in: - number of passengers - passenger-km
Reference period	Quarter
Frequency	every quarter
List of tables with the breakdown for each table	Table E1: goods transported Table E2: passengers transported
Deadline for transmission of data	3 months after end of reference period
First reference period	First quarter of 2002
Notes	1. Tables E1 and E2 may be reported on the basis of provisional data, including estimates. For Table E2, Member States may report data based on ticket sales in the reporting country only. 2. These statistics shall be supplied for the undertakings covered by Annexes A and C.

ANNEX F

REGIONAL STATISTICS ON GOODS AND PASSENGER TRANSPORT

List of variables and units of measurement	goods transported in: - tonnes passengers transported in: - number of passengers
Reference period	one year
Frequency	every 5 years
List of tables with the breakdown for each table	Table F1: national goods transport by region of loading and region of unloading (NUTS 2) Table F2: international goods transport by region of loading and unloading (NUTS 2) Table F3: national passenger transport by region of embarkation and region of disembarkation (NUTS 2) Table F4: international passenger transport by region of embarkation and region of disembarkation (NUTS 2)
Deadline for transmission of data	12 months after end of reference period
First reference period	2003
Notes	<ol style="list-style-type: none">1. Where the place of loading or unloading (Tables F1, F2) or embarkation or disembarkation (Tables F3, F4) is outside the European Economic Area, Member States shall report only the country.2. In order to assist Member States in the preparation of these tables, Eurostat shall provide Member States with a list of UIC station codes and the corresponding NUTS codes.3. For Tables F3 and F4, Member States may report data based on ticket sales.4. These statistics shall be supplied for the undertakings covered by Annexes A and C.

ANNEX G

STATISTICS ON TRAFFIC FLOWS ON THE RAIL NETWORK

List of variables and units of measurement	goods transport: - number of trains passenger transport: - number of trains
Reference period	one year
Frequency	every five years
List of tables with the breakdown for each table	Table G1: goods transport, by network segment Table G2: passenger transport, by network segment
Deadline for transmission of data	18 months after end of reference period
First reference period	2005
Notes	<p>1. Member States shall define a set of network segments to include at least the rail TEN on their national territory. They shall communicate to Eurostat:</p> <ul style="list-style-type: none">- the geographical coordinates and other data needed to identify and map each network segment as well as the links between segments;- information on the characteristics (including the capacity) of the trains using each network segment. <p>2. Each network segment which is part of the rail Trans-European Network (TEN) shall be identified by means of an additional attribute in the data record, in order to enable traffic on the rail TEN to be quantified.</p>

ANNEX H

STATISTICS ON ACCIDENTS

List of variables and units of measurement	<ul style="list-style-type: none">- number of accidents (Tables H1, H2)- number of persons killed (Table H3)- number of persons seriously injured (Table H4)
Reference period	Year
Frequency	every year
List of tables with the breakdown for each table	<p>Table H1: number of accidents, by type of accident</p> <p>Table H2: number of accidents involving the transport of dangerous goods</p> <p>Table H3: number of persons killed, by type of accident and by category of person</p> <p>Table H4: number of persons seriously injured, by type of accident and by category of person</p>
Deadline for transmission of data	5 months after end of reference period
First reference period	2002
Note	<p>1. Type of accident is broken down as follows:</p> <ul style="list-style-type: none">- collisions (excluding level-crossing accidents)- derailments- accidents involving level-crossings- accidents to persons caused by rolling stock in motion- others- total <p>2. Table H2 has the following breakdown:</p> <ul style="list-style-type: none">- total number of accidents involving at least one railway vehicle transporting dangerous goods, as defined by the list of goods covered by Annex K- number of such accidents in which dangerous goods are released <p>3. Category of person is broken down as follows:</p> <ul style="list-style-type: none">- passengers- employees (including contractors)- others- total

	<p>4. The data in Tables H1-H4 shall be provided for all railways covered by this Regulation.</p> <p>5. During the first five years of application of this Regulation, Member States may report these statistics according to national definitions, if data conforming to harmonised definitions (adopted according to the procedure of Article 11 paragraph 2) are not available.</p>
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ANNEX I

LIST OF RAILWAY UNDERTAKINGS

List of variables and units of measurement	see below
Reference period	one year
Frequency	every year
List of tables with the breakdown for each table	see below
Deadline for transmission of data	5 months after end of reference period
First reference period	2002
Note	<p>The information listed below (Table I1) shall be supplied for each railway undertaking for which data are provided according to Annexes A-H.</p> <p>This information shall be used</p> <ul style="list-style-type: none">– to check which undertakings are covered by the tables in Annexes A-H– to validate the coverage of Annexes A and C in relation to total rail transport activity

Table I1		
	Identification of data source	
I1.1	Reporting country	
I1.2	Reference year	
I1.3	Name of undertaking	
I1.4	Country in which undertaking is based	
	Type of activities	
I1.2.1	Freight transport: international	yes/no

I1.2.2	Freight transport: national	yes/no
I1.2.3	Passenger transport: international	yes/no
I1.2.4	Passenger transport: national	yes/no
I1.2.5	Passenger transport: metro or light rail	yes/no
	Level of transport activity	
I1.3.1	Total freight transport (tonnes)	
I1.3.2	Total freight transport (tonne-km)	
I1.3.3	Total passenger transport (passengers)	
I1.3.4	Total passenger transport (passenger-km)	
	Data included in Annexes A-H	
	Annex A	yes/no
	Annex B	yes/no
	Annex C	yes/no
	Annex D	yes/no
	Annex E	yes/no
	Annex F	yes/no
	Annex G	yes/no
	Annex H	yes/no

ANNEX J

CLASSIFICATION OF GOODS

The following groups of goods shall be used until such time as a new classification is laid down according to the procedure specified in Article 11, paragraph 2.

Groups of goods	NST/R chapter	NST/R groups	Description
1	0	01	Cereals
2		02, 03	Potatoes, other fresh or frozen fruits and vegetables
3		00, 06	Live animals, sugar beet
4		05	Wood and cork
5		04, 09	Textiles, textile articles and man-made fibres, other raw animal and vegetable materials
6	1	11, 12, 13, 14, 16, 17	Foodstuff and animal fodder
7		18	Oil seeds and oleaginous fruits and fats
8	2	21, 22, 23	Solid mineral fuels
9	3	31	Crude petroleum
10		32, 33, 34	Petroleum products
11	4	41, 46	Iron ore, iron and steel waste and blast furnace dust
12		45	Non-ferrous ores and waste
13	5	51, 52, 53, 54, 55, 56	Metal products
14	6	64, 69	Cement, lime, manufactured building materials
15		61, 62, 63, 65	Crude and manufactured minerals
16	7	71, 72	Natural and chemical fertilizers

17	8	83	Coal chemicals, tar
18		81, 82, 89	Chemicals other than coal chemicals and tar
19		84	Paper pulp and waste paper
20	9	91, 92, 93	Transport equipment, machinery, apparatus, engines, whether or not assembled, and parts thereof
21		94	Manufactures of metal
22		95	Glass, glassware, ceramic products
23		96, 97	Leather, textile, clothing, other manufactured articles
24		99	Miscellaneous articles

ANNEX K

CLASSIFICATION OF DANGEROUS GOODS

- 1 Explosives
- 2 Gases, compressed, liquified or dissolved under pressure
- 3 Flammable liquids
- 4.1 Flammable solids
- 4.2 Substances liable to spontaneous combustion
- 4.3 Substances which, in contact with water, emit flammable gases
- 5.1 Oxidising substances
- 5.2 Organic peroxides
- 6.1 Toxic substances
- 6.2 Substances liable to cause infections
- 7 Radioactive material
- 8 Corrosives
- 9 Miscellaneous dangerous substances

Note: these categories are those defined in the regulations concerning the international carriage of dangerous goods by rail, usually known as the RID, as adopted under Council Directive 96/49/EC of 23 July 1996 on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail and subsequent amendments²⁰.

²⁰ OJ L 235, 17.9.1996 p. 25. The latest amendments appear in Commission Directive 96/87/EC of 13 December 1996 adapting to technical progress Council Directive 96/49/EC on the approximation of the laws of the Member States with regard to the transport of dangerous goods by rail, OJ L 335, 24.12.1996 p. 45.

FINANCIAL STATEMENT

1. TITLE OF OPERATION

Proposal for a Regulation of the European Parliament and of the Council on rail transport statistics

2. BUDGET HEADING(S) INVOLVED

Section III (Commission), Part B

Article B5-600 and B5-600A

3. LEGAL BASIS

Article 285 of the Treaty.

4. DESCRIPTION OF OPERATION

4.1 General objective

The aim of the proposed Regulation is to establish common rules for the production of Community statistics relating to rail transport. These statistics are needed in order to monitor the effects of Community policies on rail transport (including intermodal transport) and to support the continuing development of policy in this domain.

The Regulation will replace an existing Directive (Council Directive 80/1177/EEC of 4 December 1980 on statistical returns in respect of the carriage of goods by rail, as part of regional statistics), which provides data only on freight transport and can no longer be fully implemented since it specifies as data providers certain railway administrations which no longer exist.

The Regulation defines a set of statistical tables on the transport of goods and passengers by rail, as well as on rail accidents, together with the most important definitions needed to ensure the comparability of the statistics. It sets out rules on the coverage of rail undertakings by these statistics and on the role of national authorities and other organizations in collecting and transmitting data. It also provides for the future adoption of rules on data transmission formats, as well as for the future adaptation of the Regulation, for example by changes to the definitions and to the list of tables.

4.2 Period covered and arrangements for renewal

The first reference period for the collection of statistics under this Regulation will be the year 2002. The Regulation will remain in force until repealed. Its provisions can be adapted via a committee procedure.

5. CLASSIFICATION OF EXPENDITURE OR REVENUE

5.1 Compulsory/Non-compulsory expenditure

Non-compulsory expenditure.

5.2 Differentiated/Non-differentiated appropriations

Differentiated appropriations.

5.3 Type of revenue involved

The sale of statistics via publications and databases will partly cover the production costs incurred by Eurostat.

6. TYPE OF EXPENDITURE OR REVENUE

It is envisaged that the work of national authorities in collecting and transmitting the data will be financed by the Member States with no Community financial contribution.

Work by Eurostat to develop and document the Community methodology and to process, analyze and disseminate data will be covered in full. Where necessary, this work will be carried out by means of study contracts and contracts for the provision of services. Meetings of experts may also be financed in full.

7. FINANCIAL IMPACT

7.1 Method of calculating total cost of operation (relation between individual and total costs)

Cost of work by national authorities: these costs are not estimated here since no financial contribution is envisaged.

Cost of work by Eurostat: based on experience with the existing Council Directive 80/1177.

7.2 Itemised breakdown of cost

Commitment appropriations EUR million (at current prices)

Breakdown	2001	2002	2003	2004	2005	Total 2001-2005	Subsequent years (per year)
Preparatory actions (development of methodology and data transmission formats)	0.08	0.04	0.04	-	-	0.16	-
Processing and analysis of data	-	0.04	0.04	0.08	0.08	0.24	0.08
Total	0.08	0.08	0.08	0.08	0.08	0.4	0.08

7.3 Operational expenditure for studies, experts etc. included in Part B of the budget

Commitment appropriations EUR million (at current prices)

	2001	2002	2003	2004	2005	Total 2001-2005	Subsequent years (per year)
– Studies	-	-	-	-	-	-	-
– Meetings of experts	0.01	0.01	0.01	0.01	0.01	0.05	0.01
– Information and publications	0.02	0.02	0.02	0.02	0.02	0.1	0.02
Total	0.03	0.03	0.03	0.03	0.03	0.15	0.03

7.4 Schedule of commitment and payment appropriations

EUR million

	2001	2002	2003	2004	2005	Total 2001-2005	Subsequent years (per year)
Commitment appropriations	0.11	0.11	0.11	0.11	0.11	0.55	0.11
Payment appropriations							
2001	0.08					0.08	
2002	0.03	0.08				0.11	
2003		0.03	0.08			0.11	
2004			0.03	0.08		0.11	
2005 and subs. yrs				0.03	0.08	0.11	0.11
Total	0.11	0.11	0.11	0.11	0.11	0.52	0.11

8. FRAUD PREVENTION MEASURES

New rules and procedures have been adopted or are in the course of adoption for the principal budgetary processes: calls for tender, grants, commitments, contracts and payments. The manuals of procedures are made available to all those intervening in financial acts with a view to clarifying responsibilities, simplifying workflows, and indicating key control points. The manuals are subject to regular review and updating.

9. ELEMENTS OF COST-EFFECTIVENESS ANALYSIS

9.1 Specific and quantified objectives; target population

- Specific objectives: links with general objective

The specific objectives of this operation are:

- (1) to provide users with Community statistics on the transport of goods and passengers by rail, and statistics on rail accidents, comprising:
 - detailed annual statistics on rail freight transport, including intermodal transport;
 - detailed annual statistics on rail passenger transport;
 - quarterly summary statistics for freight and passenger transport;
 - statistics on flows of freight and passengers between regions;
 - statistics on freight and passenger traffic on the rail Trans-European Network (TEN);
 - statistics on rail accidents.
 - (2) to ensure that these statistics are collected and disseminated according to harmonised concepts and definitions.
- Target population: distinguish for any individual objectives; indicate the end-beneficiaries of the Community's financial contribution and the intermediaries involved.

The beneficiaries of this operation are users of rail transport statistics: Community institutions; governments of Member States; regulatory agencies and infrastructure authorities for railways in the Member States; railway undertakings; professional associations; enterprises and private individuals using rail passenger and goods transport services; enterprises supplying goods and services to the rail transport industry; researchers and the media.

No Community financial contribution is envisaged.

9.2 Grounds for the operation

- Need for Community financial aid, with particular regard for the principle of subsidiarity

No Community financial contribution is envisaged.

9.3 Monitoring and evaluation of the operation

Statistical data collected under this Regulation will be subject to a quality evaluation, which will include a review of the methodology used to produce the statistics in Member States (Article 8 of the Regulation).

There will also be a report to the Parliament and Council after 3 years which will include the results of the quality evaluation and also a analysis of the benefits of these statistics in relation to their cost and to the burden on enterprises (Article 9).

10. ADMINISTRATIVE EXPENDITURE (SECTION III, PART A OF THE BUDGET)

The needs for human and administrative resources will be covered within the allocation granted to the managing DG (Eurostat).

Actual mobilization of the necessary administrative resources will depend on the Commission's annual decision on the allocation of resources, taking into account the number of staff and additional amounts authorized by the budgetary authority.

10.1 Effect on the number of posts

Type of post		Staff to be assigned to managing the operation		Source		Duration
		Permanent posts	Temporary posts	Existing resources in the DG or department concerned	Additional resources	
Officials or temporary staff	A	0.5		0.2	0.3	indefinite
	B	0.5		0.3	0.2	
	C					
Other resources						
Total		1		0.5	0.5	

10.2 Overall financial impact of human resources

EUR

	Amounts	Method of calculation
Officials	108.000 €/year	Average cost of A/B official = 108000 €/year (based on Titles A-1, A-2, A-3, A-4, A-5, A-6, A-7)
Temporary staff		
Other resources (indicate budget heading)		
Total	108.000 €/year	

10.3 Increase in other administrative expenditure as a result of the operation

No increase in other administrative expenditure is foreseen. Expenditure on working groups and missions, etc will continue at the same level as required to support Council Directive 80/1177, which will be replaced by the new Regulation. The existing level of expenditure per year is approximately 9000 €/year for working group meetings and 3000 €/year for missions.

IMPACT ASSESSMENT FORM

THE IMPACT OF THE PROPOSAL ON BUSINESS WITH SPECIAL REFERENCE TO SMALL AND MEDIUM-SIZED ENTERPRISES(SMEs)

TITLE OF PROPOSAL

Proposal for a Regulation of the European Parliament and of the Council on rail transport statistics

DOCUMENT REFERENCE NUMBER

COM(2000)nnn

THE PROPOSAL

1. Taking account of the principle of subsidiarity, why is Community legislation necessary in this area and what are its main aims?

Community legislation on statistics is needed to set common statistical standards for data, with a high degree of comparability between data collected in different Member States. Such comparability is requested by all users, not only at Community level, but also within Member States and in the enterprises concerned. In addition, setting out explicit obligations for the provision of data by all enterprises gives enterprises the assurance that they will not be placed at a competitive disadvantage by supplying data, which can be an issue when data are supplied on a purely voluntary basis.

The aim of the proposed Regulation is to establish common rules for the production of Community statistics relating to rail transport. The Regulation defines a set of statistical tables on the transport of goods and passengers by rail, as well as on rail accidents, together with the most important definitions needed to ensure the comparability of the statistics. It sets out rules on the coverage of rail undertakings by these statistics and on the role of national authorities and other organizations in collecting and transmitting data. It also provides for the future adoption of rules on data transmission formats, as well as for the future adaptation of the Regulation, for example by changes to the definitions and to the list of tables.

THE IMPACT ON BUSINESS

2. Who will be affected by the proposal?

- which sectors of business

Railway undertakings (rail operating companies).

- which sizes of business (what is the concentration of small and medium-sized firms)

In the past, rail transport services were provided mainly by a single railway administration in each Member State, which also provided statistics both to the national authorities and to Eurostat. With the progressive deregulation and restructuring of railways over recent years, most Member States now have an infrastructure authority and a number of operating companies which vary in size from very large (the successors of the former railway administrations) to very small. In most cases there is a dominant main operator (sometimes a separate operator for freight and passenger transport) with 80% or more of the market (by volume). However, the new smaller operators are already important and their market share is expected to grow; one of the purposes of this Regulation is to monitor this growth.

The Regulation imposes broadly similar data requirements on all railway undertakings, but allows Member States the option of simplified reporting for those undertakings which account (in aggregate) for less than 10% of the total market, by volume. In addition, Member States may exclude from statistical reporting the smallest operators (accounting in aggregate for less than 2% of the total market) as well as certain special categories of operators such as tourist railways.

- are there particular geographical areas of the Community where these businesses are found

No.

3. What will business have to do to comply with the proposal?

Rail operators will have to extract data from their internal information systems and generate summary reports for transmission to the national authority responsible for compiling rail statistics and transmitting them to Eurostat. In practice, most operators are already producing such reports for their own management and shareholders, and are already supplying such data to professional organizations such as the International Union of Railways (UIC). Therefore the additional costs for enterprises should be small.

4. What economic effects is the proposal likely to have?

- on employment

None.

- on investment and the creation of new businesses

None.

- on the competitiveness of businesses

The statistics which will become available via this Regulation will assist rail operators who wish to benchmark their operations against the industry average. This Regulation may therefore help to promote the competitiveness of businesses in this sector.

5. Does the proposal contain measures to take account of the specific situation of small and medium-sized firms (reduced or different requirements etc)?

Yes, there are provisions for simplified reporting for smaller operators, see point 2 above.

CONSULTATION

6. List the organisations which have been consulted about the proposal and outline their main views.

Community of European Railways (CER): indicated that technical consultation on this proposal would be delegated to the International Union of Railways (UIC).

UIC: this is the main professional organisation dealing with technical rail issues, including statistics. Eurostat works closely with UIC on all projects involving rail statistics, and UIC participates regularly in the Eurostat Working Group on rail transport statistics, which meets annually. On this proposal, UIC has been consulted as follows:

- UIC was an active participant in four meetings of the the Eurostat Working Group on rail transport statistics, at which the proposal was discussed (November 1997, January 1999, January 2000, April 2000). At these meetings, UIC supported the principles underlying the Regulation and made proposals for improvement of the draft text, certain of which have been incorporated into the final draft.
- Eurostat presented the main features of the Regulation at a UIC seminar on "Statistics and Confidentiality" in September 1999. It appeared that the participants in this seminar (representing rail operators) broadly shared the view of Eurostat (supported by UIC) that limited disclosure of operational data brings collective benefits to all operators, without damaging the commercial interests of operators.
- In September 1999, Eurostat also presented an early draft proposal to the Steering Committee of UIC's Statistical Group. The members of the Committee did not oppose the principles of the Regulation, but they made a number of critical comments and proposals for improvement, many of which have been reflected in later changes in the text. Following this meeting, UIC circulated the draft proposal to its member companies with a request for comments; additional comments mainly of a detailed nature were subsequently made to Eurostat either via UIC or directly in the Eurostat Working Group on rail transport statistics in January 2000 (see below).

Certain large rail operators and infrastructure managers (SNCB-B, DB Cargo-D, SNCF-F, FS Italia-I, RHK-FIN, VR-FIN, SJ-S) have participated in the regular meetings of the Eurostat Working Group on rail transport statistics. They have supported the principles of the Regulation but at the meeting in January 2000 they expressed concerns notably about the technical difficulties of providing the detailed passenger data, about the excessive detail for some types of data (intermodal data, regional data) and about the definitions proposed for some variables. The new version presented to the Working Group in April 2000 includes a number of changes to overcome these objections.