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(Acts whose publication is obligatory)

REGULATION (EEC) No 3192/73 OF THE COUNCIL

of 22 November 1973

on the organization of a survey on labour costs in wholesale and retail distribution, banking and insurance

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 213 thereof ;

Having regard to the draft Regulation submitted by the Commission ;

Whereas, in order to carry out the tasks assigned to it under the Treaty, in particular, those set out in Articles 2, 3, 117, 118, 119, 120 and 122 thereof, the Commission must be kept informed of the position and trend of wages and other labour costs in the nine countries of the Community, in particular as regards labour costs ;

Whereas, in the absence of statistical information which will allow reliable comparisons to be made, the best method of ascertaining the level, composition and trends both of labour costs and employees' income is to carry out specific Community surveys, as has been done since 1959, pursuant to Regulations No 10 (1), No 14 (2), No 28 (3), No 151 (4), No 101/66/EEC (5), (EEC) No 1899/68 (6) and (EEC) No 2259/71 (7) on the basis of accounting data for the years 1959 to 1964, 1966, 1969 and 1972 for industry, No 100/66/EEC (8), on the basis of data for the year 1967 for road transport, and (EEC) No 2053/69 (9) on the basis of accounting data for 1970 for retail distribution, banking and insurance ;

Whereas, since expenditure by undertakings on wages, salaries and related costs is subject to substantial change, it is appropriate to carry out a new survey based on accounting data for the year 1974, in order to bring up to date the results of the preceding survey based on data for the year 1970,

HAS ADOPTED THIS REGULATION :

Article 1

On the basis of the accounting data for the year 1974, the Commission shall carry out in 1975 a survey on labour costs (manual and non-manual workers) in retail and wholesale distribution, banking and insurance.

Article 2

The survey shall cover all undertakings employing 10 or more employees of which the main activities are within scope of Divisions 61, 64/65, 81 and 82 of the Nomenclature of Economic Activities in the European Communities (NACE), with the exception of Groups 651, 652 and 811. However, in the case of insurance undertakings in Luxembourg, the survey shall be carried out without reference to a minimum number of workers employed.

The statistical unit shall be the undertaking, whatever its legal form. The survey may be carried out by means of random sampling.

Article 3

Employers shall, in respect of given undertakings which are subject to investigation, supply the information needed to determine labour costs (manual and non-manual workers) on the basis of the accounting data for the whole of the year 1974, in the manner set out hereafter.

(1) OJ No 56, 31. 8. 1960, p. 1199/60.
(2) OJ No 55, 16. 8. 1961, p. 1054/61.
(3) OJ No 41, 28. 5. 1962, p. 1277/62.
(4) OJ No 133, 13. 12. 1962, p. 2841/62.
(5) OJ No 134, 22. 7. 1966, p. 2540/66.
(6) OJ No L 289, 29. 11. 1968, p. 4.
(7) OJ No L 238, 23. 10. 1971, p. 1.
(8) OJ No 134, 22. 7. 1966, p. 2538/66.
(9) OJ No L 263, 21. 10. 1969, p. 8.

Article 4

The survey shall cover :

(a) costs of wages and salaries, including bonuses and allowances, and all incidental expenditure, in particular employers' contributions to social security and supplementary schemes, expenditure and other social payments, including the cost of vocational training of employees ;

(b) the number of employees engaged in the undertakings ;

(c) the number of hours worked by the employees.

Article 5

Information shall be gathered by the statistical offices of the Member States by means of questionnaires drawn up by the Commission in cooperation with those offices.

The Commission shall, in cooperation with those offices determine the detailed procedure for the survey, and where necessary, the plan for random sampling. Furthermore, it shall lay down in the same way the starting and closing dates of the survey and the time limit for replying to the questionnaires.

Persons required to supply information shall reply to the questionnaires truthfully, fully, and within the time limit set.

The statistical offices of the Member States shall analyse the replies to the questionnaires. They shall forward to the Commission the overall results of the survey, excluding individual items of information ; the results shall be broken down in accordance with procedures to be decided upon jointly.

Article 6

Individual items of information supplied for purposes of the survey shall be used for statistical purposes only. It shall be prohibited to use the information for taxation purposes, or to communicate it to third parties.

Member States shall take appropriate measures to avoid any infringement of :

(a) the obligation to supply the information referred to in Article 3 ;

(b) the obligation, under the first paragraph of this Article, to maintain secrecy as regards the information obtained.

Article 7

The expenditure incurred by Member States in connection with the survey shall be entered against appropriations provided for that purpose in the budget of the European Communities.

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

Done at Brussels, 22 November 1973.

For the Council

The President

J. KAMPMANN