REGULATION (EEC) No 178/74 OF THE COUNCIL

of 21 January 1974

on the organization of a survey of earnings 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 by the Treaty, and 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 earnings in the nine countries of the Community, with regard to, on the one hand their variations in terms of the structure of the labour force, and on the other hand the distribution of employees according to earnings level;

Whereas the survey of labour costs which was made in implementation of Regulation (EEC) No 2053/69 [1], on the basis of statistical information relating to the year 1970, was only able to supply averages derived from general data and could give no indication of the relationship between earnings and personal characteristics of wage earners (age, sex, professional occupations, qualifications, length of service etc.) nor on the distribution of earnings around the average;

Whereas statistical information in this field is only available in some Member States and therefore valid comparisons cannot be made and surveys of the structure and distribution of earnings are carried out on the basis of standard definitions and according to a standard method;

Whereas the best method of assessing the situation as regards the structure and distribution of earnings is to carry out this specific Community survey as was done for industry in 1966 and 1972, in implementation of Regulation No 188/64/EEC [2] and (EEC) No 2395/74 [3];

Whereas it is important to obtain a complete picture of the structure and distribution of earnings for all the employees (manual and non-manual) and for all branches of the wholesale and retail distribution, banking and insurance; whereas it seems to be necessary, because of its nature, to carry out this investigation by means of sampling so that it does not become too great a burden on the undertakings and the budget of the European Communities,

HAS ADOPTED THIS REGULATION:

Article 1

The Commission shall undertake a survey of the structure and distribution of earnings of all employees (manual and non-manual including administrative and managerial staff) in wholesale and retail distribution, banking and insurance, on the basis of statistical information relating to one month in 1974, preferably October, and to the whole of 1974.

Article 2

The survey shall include 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.

The survey shall be carried out on a sampling basis.

Employers shall provide for the undertakings and employees in the sample the information required to determine the structure and distribution of earnings.

Article 3

The survey shall obtain information for each employee on:

1. gross earnings for one month of 1974, preferably October, including the various bonuses paid regularly and extra pay for overtime, night work and week-end work and family allowances granted according to collective agreements or voluntarily;

2. the total gross earnings for 1974, including overtime pay, bonuses and gratuities; furthermore total bonuses and gratuities which are not paid systematically with the current remuneration (quarterly, half yearly and annually etc.) shall be specified separately;

3. the sex, age, occupational status, length of service in the company, system of remuneration, working system, payment of wages in the case of absence

[1] OJ No L 263, 21. 10. 1969, p. 8.
[2] OJ No 214, 24. 12. 1964, p. 3634/64.
[3] OJ No L 249, 10. 11. 1971, p. 52.

4. weekly working hours ;

5. the area where the employee works and the size of the undertaking which employs him.

Article 4

The information shall be gathered by the statistical offices of the Member States by means of questionnaires drawn up by the Commission in collaboration with these offices.

The Commission shall in cooperation with the statistical offices of the Member States determine the detailed procedure for the survey, and in particular, the sampling plan. Furthermore, it shall lay down in the same way the starting and closing dates of the survey and the time limit for sending the results of the survey to the Commission.

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

Article 5

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 the second subparagraph of Article 2 ;

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

Article 6

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, 21 January 1974.

For the Council

The President

J. ERTL