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(Acts whose publication is obligatory)

REGULATION (EEC) No 328/75 OF THE COUNCIL
of 10 February 1975
relating to the organization of a survey of labour costs in industry

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

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

Having regard to the draft Regulation submitted by the Commission ;

Whereas, in order to accomplish the tasks assigned to it by the Treaty, in particular in Articles 2, 3, 117, 118, 120 and 122 thereof, the Commission must be kept informed of the position and trends in the nine Community countries, as regards labour costs and workers' incomes ;

Whereas statistical information available in each Member State does not provide a valid basis for comparisons, in particular because of the differences existing between the laws, regulations and administrative practices of the Member States ; and whereas surveys must therefore be carried out and the results processed on the basis of uniform definitions and methods ;

Whereas the best method of assessing the level, composition and trends of both labour costs and of workers' incomes is to carry out specific Community surveys, as has been done since 1959, pursuant to Council Regulations No 10 (1), No 14 (2), No 28 (3), No 151 (4), No 101/66/EEC (5), (EEC) No 1899/68 (6), (EEC) No 2259/71 (7), on the basis of accounting data for the years 1959 to 1964, 1966, 1969 and 1972 ;

Whereas, since expenditure by establishment 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 1975 in order to bring up to date the results of the previous survey, based on data for the year 1972 or 1973 ;

Whereas in view of the extensiveness of the survey field it is necessary to apply sampling methods so that the survey does not constitute too heavy a burden on undertakings and on the budget of the European Communities and the Member States,

HAS ADOPTED THIS REGULATION :

Article 1

Within the framework of its periodic surveys on labour costs and workers' incomes, the Commission shall undertake in 1976, on the basis of accounting data for the year 1975, a survey on labour costs (manual and non-manual workers) and on workers' incomes in industry.

Article 2

The survey shall cover all establishments or undertakings in industry, and where appropriate, small craft industry. It shall cover all industrial activities, including energy and water, building and civil engineering, excluding building and civil engineering in Ireland. The scope of the survey shall be restricted to Divisions 1 to 5 of the Nomenclature of Economic Activities in the European Communities (NACE). The statistical unit shall be the establishment or undertaking, whatever its legal form, employing not less than 10 employees.

The survey shall be carried out by means of sampling.

(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.

Article 3

Employers shall, in respect of their establishments or the undertakings dependent thereon which are indicated in the sample, supply the information needed to determine labour costs (manual and non-manual workers) and workers' incomes on the basis of the accounting data for the whole of the year 1975, in the manner set out hereafter.

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, and other social payments, including the cost of vocational training of employees ;

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

(c) the length of time worked by employees.

Article 5

The information shall be collected by the statistical offices of the Member States by means of a questionnaire drawn up by the Commission in cooperation with these offices.

The Commission shall, in cooperation with these offices, determine the detailed procedure for the survey. Further, 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.

Article 6

The statistical services of Member States shall analyse the replies to the questionnaires. They shall forward to the Commission the results of the survey, excluding individual items of information, in accordance with processing programme laid down by the Commission ; the results shall be broken down by industrial sector, region and size category of establishment or undertaking.

Article 7

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, and

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

Article 8

For the conduct of the survey, Member States shall receive a flat-rate sum proportional to the number of establishments or undertakings surveyed. This amount shall be entered against appropriations provided for this 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, 10 February 1975.

For the Council

The President

G. FITZGERALD