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►B REGULATION (EC) No 1365/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 6 September 2006

on statistics of goods transport by inland waterways and repealing Council Directive 80/1119/EEC

(OJ L 264, 25.9.2006, p. 1)

Amended by:

		Official Journal		
		No	page	date
►M1	Commission Regulation (EC) No 425/2007 of 19 April 2007	L 103	26	20.4.2007
►M2	Commission Regulation (EC) No 1304/2007 of 7 November 2007	L 290	14	8.11.2007
►M3	Regulation (EU) 2016/1954 of the European Parliament and of the Council of 26 October 2016	L 311	20	17.11.2016

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REGULATION (EC) No 1365/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL

of 6 September 2006

on statistics of goods transport by inland waterways and repealing Council Directive 80/1119/EEC

Article 1

Subject matter

This Regulation establishes common rules for the production of Community statistics concerning inland waterways transport.

Article 2

Scope

1. Member States shall transmit to the Commission (Eurostat) data relating to inland waterways transport on their national territory.

2. Member States in which the total volume of goods transported annually by inland waterways as national, international or transit transport exceeds 1 000 000 tonnes shall supply the data referred to in Article 4(1).

3. By way of derogation from paragraph 2, Member States where there is no international or transit inland waterways transport but where the total volume of goods transported annually by inland waterways as national transport exceeds 1 000 000 tonnes shall supply only the data required under Article 4(2).

4. This Regulation shall not apply to:

(a) the carriage of goods by vessels of less than 50 deadweight tonnes;

(b) vessels used principally for the carriage of passengers;

(c) vessels used for ferrying purposes;

(d) vessels used solely for non-commercial purposes by port administrations and public authorities;

(e) vessels used solely for bunkering or storage;

(f) vessels not used for the carriage of goods such as fishery vessels, dredgers, floating workshops, houseboats and pleasure craft.

▼M3

5. The Commission is empowered to adopt delegated acts, in accordance with Article 9, concerning the amendment of paragraph 2 of this Article to raise the threshold for statistical coverage of inland waterways transport referred to therein in order to take account of economic and technical trends. When exercising that power, the Commission shall ensure that the delegated acts do not impose a

▼M3

significant additional burden on the Member States or on the respondents. Furthermore, the Commission shall duly justify the statistical actions for which those delegated acts provide, using, where appropriate, cost-effectiveness analysis, including an assessment of the burden on respondents and of the production costs as referred to in point (c) of Article 14(3) of Regulation (EC) No 223/2009 of the European Parliament and of the Council [1].

▼M1

Article 3

Definitions

For the purposes of this Regulation the following definitions shall apply:

(a) ‘navigable inland waterway’ means a watercourse, not part of the sea, which by natural or man-made features is suitable for navigation, primarily by inland waterway vessels;

(b) ‘inland waterway vessel’ means a floating craft designed for the carriage of goods or public transport of passengers which navigates predominantly in navigable inland waterways or in waters within, or closely adjacent to sheltered waters or areas where port regulations apply;

(c) ‘nationality of the vessel’ means the country in which the vessel is registered;

(d) ‘inland waterways transport’ means any movement of goods and/or passengers using inland waterways vessels which is undertaken wholly or partly in navigable inland waterways;

(e) ‘national inland waterways transport’ means inland waterways transport between two ports of a national territory irrespective of the nationality of the vessel;

(f) ‘international inland waterways transport’ means inland waterways transport between two ports located in different national territories;

(g) ‘transit inland waterways transport’ means inland waterways transport through a national territory between two ports both located in another national territory or national territories provided that in the total journey within the national territory there is no transshipment;

(h) ‘inland waterways traffic’ means any movement of a vessel on a given navigable inland waterway,

▼M3

The Commission is empowered to adopt delegated acts in accordance with Article 9, concerning the amendment of the present Article to adapt the definitions contained therein or provide for new ones in order to take into account relevant definitions amended or adopted at international level.

[1] Regulation (EC) No 223/2009 of the European Parliament and of the Council of 11 March 2009 on European statistics and repealing Regulation (EC, Euratom) No 1101/2008 of the European Parliament and of the Council on the transmission of data subject to statistical confidentiality to the Statistical Office of the European Communities, Council Regulation (EC) No 322/97 on Community Statistics, and Council Decision 89/382/EEC, Euratom establishing a Committee on the Statistical Programmes of the European Communities (OJ L 87, 31.3.2009, p. 164).

▼M3

When exercising that power, the Commission shall ensure that the delegated acts do not impose a significant additional burden on the Member States or on the respondents. Furthermore, the Commission shall duly justify the statistical actions for which those delegated acts provide, using, where appropriate, cost-effectiveness analysis, including an assessment of the burden on respondents and of the production costs, as referred to in point (c) of Article 14(3) of Regulation (EC) No 223/2009.

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Article 4

Data collection

1. Data shall be collected in accordance with the tables set out in Annexes A to D.

2. In the case referred to in Article 2(3) data shall be collected in accordance with the table set out in Annex E.

3. For the purposes of this Regulation, goods shall be classified in accordance with Annex F.

▼M3

4. The Commission is empowered to adopt delegated acts in accordance with Article 9, concerning the amendment of the Annexes to reflect changes in coding and nomenclature at international level or in the relevant Union legislative acts. When exercising that power, the Commission shall ensure that the delegated acts do not impose a significant additional burden on the Member States or on the respondents. Furthermore, the Commission shall duly justify the statistical actions for which those delegated acts provide, using, where appropriate, cost-effectiveness analysis, including an assessment of the burden on respondents and of the production costs, as referred to in point (c) of Article 14(3) of Regulation (EC) No 223/2009.

Article 4a

Pilot studies

1. By 8 December 2018, the Commission, in cooperation with the Member States, shall develop the appropriate methodology for compiling statistics on passenger transport by inland waterways, including by cross-border transport services.

2. By 8 December 2019, the Commission shall launch voluntary pilot studies to be carried out by Member States that provide data within the scope of this Regulation on the availability of statistical data relating to passenger transport by inland waterways, including by cross-border transport services. Those pilot studies shall aim to assess the feasibility of those new data collections, the costs of the related data collections and the statistical quality implied.

3. By 8 December 2020, the Commission shall submit a report to the European Parliament and to the Council on the results of such pilot studies. Depending on the results of that report, and within a reasonable period, the Commission shall submit, if appropriate, a legislative

▼M3

proposal to the European Parliament and to the Council to amend this Regulation with regard to statistics on passenger transport by inland waterways, including by cross-border transport services.

4. The general budget of the Union shall, where appropriate and taking into account the Union's added value, contribute to the financing of those pilot studies.

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Article 5

Transmission of data

1. The first period of observation shall begin on 1 January 2007. The transmission of data shall take place as soon as possible and no later than five months after the end of the relevant period of observation.

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2. The Commission shall adopt implementing acts laying down the arrangements for transmitting data to the Commission (Eurostat), including data interchange standards. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

▼B

Article 6

Dissemination

Community statistics based on the data referred to in Article 4 shall be disseminated with a frequency similar to that laid down for the transmission of data by the Member States.

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The Commission shall adopt implementing acts laying down the arrangements for disseminating results. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

▼B

Article 7

Quality of data

▼M3

1. The Commission shall adopt implementing acts laying down the methodological requirements and criteria designed to ensure the quality of the data produced. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

▼B

2. Member States shall take all measures necessary to ensure the quality of the data transmitted.

3. The Commission (Eurostat) shall assess the quality of the data transmitted. Member States shall supply the Commission (Eurostat) with a report containing such information and data as it may request in order to verify the quality of the data transmitted.

▼M3

4. For the purposes of this Regulation, the quality criteria to be applied to the data to be transmitted are those referred to in Article 12(1) of Regulation (EC) No 223/2009.

5. The Commission shall adopt implementing acts laying down the detailed arrangements, structure, periodicity and comparability elements for the quality reports. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 10(2).

Article 8

Reports on implementation

By 31 December 2020 and every five years thereafter, the Commission, after consulting the European Statistical System Committee, shall submit a report to the European Parliament and to the Council on the implementation of this Regulation and on future developments.

In that report, the Commission shall take account of relevant information provided by Member States on potential improvements and on users' needs. In particular, that report shall:

(a) assess the benefits accruing, to the Union, the Member States and the providers and users of statistical information, of the statistics produced, in relation to their costs;

(b) assess the quality of the data transmitted and the data collection methods used.

Article 9

Exercise of the delegation

1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.

2. The power to adopt delegated acts referred to in Article 2(5), Article 3 and Article 4(4) shall be conferred on the Commission for a period of five years from 7 December 2016. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

3. The delegation of power referred to in Article 2(5), Article 3 and Article 4(4) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the *Official Journal of the European Union* or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

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4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making ([1]).

5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.

6. A delegated act adopted pursuant to Article 2(5), Article 3 or Article 4(4) shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Article 10

Committee procedure

1. The Commission shall be assisted by the European Statistical System Committee established by Regulation (EC) No 223/2009. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council ([2]).

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

▼B

Article 11

Transitional provisions and repeal

1. Member States shall provide statistical results for the year 2006 in accordance with Directive 80/1119/EEC.

2. Directive 80/1119/EEC is hereby repealed with effect from 1 January 2007.

Article 12

Entry into force

This Regulation shall enter into force on the 20th day following that of its publication in the *Official Journal of the European Union*.

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

([1]) OJ L 123, 12.5.2016, p. 1.

([2]) Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

▼M1

ANNEX A

Table A1. Goods transport by type of goods (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	'A1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	NUTS2 (*)	
Type of transport	1-digit	1 = national 2 = international (except transit) 3 = transit	
Type of goods	2-digit	NST 2000 (**)	
Type of packaging	1-digit	1 = goods in containers 2 = goods not in containers and empty containers	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When the regional code is unknown or not available the following codification will be used:
— 'NUTS0 + ZZ' when the NUTS code exists for the partner country.
— 'ISO code + ZZ' when the NUTS code does not exist for the partner country.
— 'ZZZZ' when the partner country is completely unknown.

(**) Only for the reference year 2007, the classification NST/R can be used for reporting the type of goods as explained in Annex F.

▼M1

ANNEX B

Table B1. Transport by nationality of the vessel and type of vessel (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'B1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	NUTS2 (*)	
Type of transport	1-digit	1 = national 2 = international (except transit) 3 = transit	
Type of vessel	1-digit	1 = self-propelled barge 2 = barge not self-propelled 3 = self-propelled tanker barge 4 = tanker barge not self-propelled 5 = other goods carrying vessel 6 = seagoing vessel	
Nationality of vessel	2-letter	NUTS0 (national code) (**)	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When the regional code is unknown or not available the following codification will be used:
— 'NUTS0 + ZZ' when the NUTS code exists for the partner country.
— 'ISO code + ZZ' when the NUTS code does not exist for the partner country.
— 'ZZZZ' when the partner country is completely unknown.

(**) When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.

Table B2. Vessel traffic (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'B2'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Type of transport	1-letter	1 = national 2 = international (except transit) 3 = transit	
Number of movements of loaded vessels			movements of vessels
Number of movements of empty vessels			movements of vessels
Vessel-km (loaded vessels)			vessel-km
Vessel-km (empty vessels)			vessel-km

NOTE: The provision of this Table B2 is optional.

▼M1

ANNEX C

Table C1. Container transport by type of goods (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'C1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Country/region of loading	4-alpha	NUTS2 (*)	
Country/region of unloading	4-alpha	NUTS2 (*)	
Type of transport	1-digit	1 = national 2 = international (except transit) 3 = transit	
Size of containers	1-digit	1 = 20' freight units 2 = 40' freight units 3 = freight units > 20' and < 40' 4 = freight units > 40'	
Loading status	1-digit	1 = loaded containers 2 = empty containers	
Type of goods	2-digit	NST 2000 (**)	
Tonnes transported			tonnes
tonnes-km			tonnes-km
TEU			TEU
TEU-km			TEU-km

(*) When the regional code is unknown or not available the following codification will be used:
— 'NUTS0 + ZZ' when the NUTS code exists for the partner country.
— 'ISO code + ZZ' when the NUTS code does not exist for the partner country.
— 'ZZZZ' when the partner country is completely unknown.

(**) Only for the reference year 2007, the classification NST/R can be used for reporting the type of good, as explained in Annex F.

▼M1

ANNEX D

Table D1. Transport by nationality of vessels (quarterly data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'D1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Quarter	2-digit	41 = quarter 1 42 = quarter 2 43 = quarter 3 44 = quarter 4	
Type of transport	1-digit	1 = national 2 = international (except transit) 3 = transit	
Nationality of the vessel	2-letter	NUTS0 (national code) (*)	
Tonnes transported			tonnes
Tonnes-km			tonnes-km

(*) When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.

Table D2. Container transport by nationality of vessels (quarterly data)

Elements	Coding	Nomenclature	Unit
Table	2-Alpha	'D2'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Quarter	2-digit	41 = quarter 1 42 = quarter 2 43 = quarter 3 44 = quarter 4	
Type of transport	1-digit	1 = national 2 = international (except transit) 3 = transit	
Nationality of vessel	2-letter	NUTS0 (national code) (*)	
Loading status	1-digit	1 = loaded containers 2 = empty containers	
Tonnes transported			tonnes
Tonnes-km			tonnes-km
TEU			TEU
TEU-km			TEU-km

(*) When a NUTS code does not exist for the country of registration of the vessel, the ISO national code will be reported. In case the nationality of the vessel is unknown, the code to use is 'ZZ'.

▼M1

ANNEX E

Table E1. Goods transport (annual data)

Elements	Coding	Nomenclature	Unit
Table	2-alpha	'E1'	
Reporting country	2-letter	NUTS0 (national code)	
Year	4-digit	'yyyy'	
Type of transport	1-digit	1 = national 2 = international (except transit) 3 = transit	
Type of goods	2-digit	NST 2000 (*)	
Total tonnes transported			tonnes
Total tonnes-km			tonnes-km

(*) Only for the reference year 2007, the classification NST/R can be used for reporting the type of goods as explained in Annex F.

▼M2

ANNEX F

NST 2007

Division	Description
01	Products of agriculture, hunting, and forestry; fish and other fishing products
02	Coal and lignite; crude petroleum and natural gas
03	Metal ores and other mining and quarrying products; peat; uranium and thorium
04	Food products, beverages and tobacco
05	Textiles and textile products; leather and leather products
06	Wood and products of wood and cork (except furniture); articles of straw and plaiting materials; pulp, paper and paper products; printed matter and recorded media
07	Coke and refined petroleum products
08	Chemicals, chemical products, and man-made fibres; rubber and plastic products; nuclear fuel
09	Other non-metallic mineral products
10	Basic metals; fabricated metal products, except machinery and equipment
11	Machinery and equipment n.e.c.; office machinery and computers; electrical machinery and apparatus n.e.c.; radio, television and communication equipment and apparatus; medical, precision and optical instruments; watches and clocks
12	Transport equipment
13	Furniture; other manufactured goods n.e.c.
14	Secondary raw materials; municipal wastes and other wastes
15	Mail, parcels
16	Equipment and material utilised in the transport of goods
17	Goods moved in the course of household and office removals; baggage transported separately from passengers; motor vehicles being moved for repair; other non-market goods n.e.c.
18	Grouped goods: a mixture of types of goods which are transported together
19	Unidentifiable goods: goods which for any reason cannot be identified and therefore cannot be assigned to groups 01–16.
20	Other goods n.e.c.

▼M3