

DECISION OF THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY

No 2022/01/PHLG-EnC: adapting and implementing Commission Regulation (EU) 2022/132 of 28 January 2022 amending Regulation (EC) No 1099/2008 of the European Parliament and of the Council, as regards the implementation of updates for the annual, monthly and short-term monthly energy statistics

THE PERMANENT HIGH LEVEL GROUP OF THE ENERGY COMMUNITY,

Having regard to the Treaty establishing the Energy Community ('the Treaty'), and in particular Article 79 thereof,

Having regard to Decision 2012/02/MC-EnC of the Ministerial Council of 19 October 2012 concerning the implementation of the rules on energy statistics in the Energy Community (Regulation (EC) 1009/2008 and Directive 2008/92), and in particular Article 2 thereof,

Having regard to Decision 2021/12/MC-EnC of the Ministerial Council of 30 November 2021, and in particular Article 3 thereof,

Having regard to the proposal from the European Commission,

Recalling that energy statistics comprise a very dynamic statistical domain because of the intensive development of the policies, technological progress and the importance of basing Energy Community targets on energy data, regular updates are required in order to align its statistical scope with growing or changing needs,

Whereas improvements and amendments through Commission Regulation (EU) 2022/132 have been made to the annual, monthly and short-term monthly statistics, and those improvements and amendments are part of Regulation (EC) No 1099/2008,

Whereas Article 3 of Decision 2021/12/MC-EnC mandates the Permanent High Level Group to further adapt Regulation (EC) 1009/2008,

HAS ADOPTED THIS DECISION:

Article 1

Each Contracting Party shall transpose and implement Commission Regulation (EU) 2022/132 amending Regulation (EC) No 1099/2008 of the European Parliament and of the Council, as regards the implementation of updates for the annual, monthly and short-term monthly energy statistics not later than 1 January 2023.

The annual and monthly statistics, as set out in the Annexes to Regulation (EU) 2022/132, shall be reported for the reference period starting from 1 January 2022.

Article 2

The text of the act referred to in Article 1 shall be adapted to the Energy Community as follows:

- (1) Article 2 shall be deleted.
- (2) Throughout the Regulation,
 - the term “Member State” shall be replaced by the term “Contracting Party”, in singular or plural, as appropriate.
 - the term “Community” shall be replaced by the term “Energy Community”.

Article 3

Regulation (EC) 1099/2008, as adopted and adapted by Ministerial Council Decision 2012/02/MC-EnC, shall be amended as follows:

- (1) Throughout the Regulation,
 - the term “Member State” shall be replaced by the term “Contracting Party”, in singular or plural, as appropriate.
 - the term “Community” shall be replaced by the term “Energy Community”.
- (2) In Article 2 of the Regulation,
 - point (a) shall read as follows: “Energy Community statistics” mean quantitative, aggregated and representative information taken from the collection and systematic processing of data, produced by the national authorities of the Contracting Parties”;
 - point (b) shall read as follows: “production of statistics” means the process of encompassing all the activities necessary for the collection, storage, processing, compilation, analysis and dissemination of the statistical information”.
- (3) In Article 5 of the Regulation,
 - paragraph 4 shall read as follows: “At the duly justified request of a Contracting Party, additional exemptions or derogations may be granted by the Permanent High Level Group for those parts of the national statistics for which the collection would lead to an excessive burden on respondents. Before adopting such a decision in accordance with Title II of the Treaty, the Permanent High Level Group shall consult the Secretariat.”

- (4) Article 8 of the Regulation is deleted.
- (5) Paragraph 1 of Article 9 is deleted.
- (6) Articles 10, 11 and 12 of the Regulation are deleted.


Article 4

This Decision shall enter into force on the day of its adoption. It is addressed to the Contracting Parties.

Done in Vienna, on 14 December 2022

For the Permanent High Level Group,

The President

A handwritten signature in blue ink, appearing to read "Aureumy".