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REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND THE COUNCIL

on the exercise of the power to adopt delegated acts conferred on the Commission pursuant to Regulation (EU) No 70/2012 of the European Parliament and of the Council of 18 January 2012 on statistical returns in respect of the carriage of goods by road

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1. INTRODUCTION

Article 3(4) of Regulation (EU) No 70/2012 of the European Parliament and of the Council[1] empowers the Commission to adopt, where necessary, delegated acts in accordance with Article 8 to:

- update Part 1 of Annex I, solely in order to take account of economic and technical developments, except for any modifications to the optional nature of the required information;
- adapt Annexes II to VII to take account of economic and technical developments.

Under Article 3(4) of the same Regulation, when exercising that power, the Commission must ensure that any delegated acts it adopts do not impose significant additional administrative burdens on the Member States or respondents.

2. LEGAL BASIS

Under Article 8(2) of Regulation (EU) No 70/2012, the power to adopt delegated acts referred to in Article 3(4) is conferred on the Commission for a period of 5 years from 23 February 2012. The delegation of power is to be tacitly extended for periods of 5 years, unless the European Parliament or the Council opposes such extension.

The Commission must draw up a report in respect of the delegation of power not later than 9 months before the end of the 5-year period.

The Commission submitted a first report in 2016[2]. The delegation of power was automatically extended for another 5 years from February 2017 to February 2022, as the Parliament or the Council did not revoke it pursuant to Article 8(3).

This report fulfils the Commission's obligation to draw up a second report on the exercise of its power to adopt delegated acts.

[1] Regulation (EU) No 70/2012 of the European Parliament and of the Council of 18 January 2012 on statistical returns in respect of the carriage of goods by road (OJ L 32, 3.2.2012, p. 1).

[2] Report from the Commission to the European Parliament and the Council on the exercise of the power to adopt delegated acts conferred on the Commission under Regulation (EU) No 70/2012 of 18 January 2012 on statistical returns in respect of the carriage of goods by road (COM (2016) 562 final, 12.9.2016).

3. EXERCISE OF THE DELEGATION

The Commission has not yet exercised the power to adopt delegated acts conferred on it by Regulation (EU) No 70/2012.

The Commission regularly discusses possible improvements to road freight transport statistics with the Member States, in the context of technical developments and new economic, environmental and societal requirements. The Commission, together with the Expert Group on Road Freight Transport Statistics and the Coordinating Group for Statistics on Transport, consider improvements to road freight transport statistics, while taking into account potential costs and burdens on countries and respondents.

Statistical needs in the context of the Sustainable and Smart Mobility Strategy[3] and policy initiatives set out in the Commission Communication on the European Green Deal[4] may require the Commission to adopt delegated acts to adapt the aforementioned Annexes to Regulation (EU) No 70/2012 to economic and technical developments and improve monitoring of policy targets and trends.

4. CONCLUSIONS

The Commission has not yet exercised its power to adopt delegated acts under Regulation (EU) No 70/2012.

The Commission considers that it should continue to have these delegated powers, as it may need to adopt delegated acts in the future to support developments in road freight transport statistics.

[3] COM(2020) 789 final.

[4] COM(2019) 640 final.