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COUNCIL REGULATION (EEC) No 3037/90

of 9 October 1990

on the statistical classification of economic activities in the European Community

(OJ L 293, 24.10.1990, p. 1)

Amended by:

		Official Journal		
		No	page	date
► <u>M1</u>	Commission Regulation (EEC) No 761/93 of 24 March 1993	L 83	1	3.4.1993
► <u>M2</u>	Commission Regulation (EC) No 29/2002 of 19 December 2001	L 6	3	10.1.2002
► <u>M3</u>	Regulation (EC) No 1882/2003 of the European Parliament and of the Council of 29 September 2003	L 284	1	31.10.2003
► <u>M4</u>	Regulation (EC) No 1893/2006 of the European Parliament and of the Council of 20 December 2006	L 393	1	30.12.2006

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► **C1** Corrigendum, OJ L 159, 11.7.1995, p. 31 (93/761)

▼B**COUNCIL REGULATION (EEC) No 3037/90****of 9 October 1990****on the statistical classification of economic activities in the European Community**

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 100a thereof,

Having regard to the proposal from the Commission ⁽¹⁾,In cooperation with the European Parliament ⁽²⁾,Having regard to the opinion of the Economic and Social Committee ⁽³⁾,

Whereas, in order to function, the internal market requires statistical standards applicable to the collection, transmission and publication of national and Community statistics so that undertakings, financial institutions, governments and all other operators in the single market can be provided with reliable and comparable statistical data;

Whereas such information is necessary to enable undertakings to assess their competitiveness, and useful to the Community institutions in preventing distortions of competition;

Whereas only if the Member States use classifications of activities linked to the Community classification will it be possible to provide integrated information with the reliability, speed, flexibility and degree of detail required for the management of the internal market;

Whereas provision should be made for the Member States to be able, in order to meet national requirements, to retain or to insert in their national classifications additional subdivisions based on the statistical classification of economic activities in the European Community;

Whereas the international compatibility of economic statistics requires that the Member States and the Community institutions use classifications of economic activities which are directly linked to the United Nations International Standard Industrial Classification (ISIC);

Whereas use of the classification of economic activities in the Community requires that the Commission be assisted by the Statistical Programme Committee set up by Decision 89/382/EEC, Euratom ⁽⁴⁾ on any issue relating to the application of this Regulation, in particular as regards interpretation of that classification, minor amendments thereto, the drafting and updating of explanatory notes and the establishment of guidelines for the classification of statistical units in accordance with the said classification;

Whereas it is vital that the contents of the various categories of the classification of activities in the European Community be interpreted uniformly in all the Member States;

Whereas the introduction of a new classification requires a transitional period,

⁽¹⁾ OJ No C 58, 8. 3. 1990, p. 25.

⁽²⁾ OJ No C 175, 16. 7. 1990, p. 84, and Decision of 12 September 1990 (not yet published in the Official Journal).

⁽³⁾ OJ No C 182, 23. 7. 1990, p. 1.

⁽⁴⁾ OJ No L 181, 28. 6. 1989, p. 47.

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HAS ADOPTED THIS REGULATION:

Article 1

1. The purpose of this Regulation is to establish a common statistical classification of economic activities within the European Community in order to ensure comparability between national and Community classifications and hence national and Community statistics.
2. This Regulation shall apply only to the use of classifications for statistical purposes.
3. This Regulation does not *per se* oblige Member States to collect, publish or supply data and is not concerned with obligations as regards the degree of detail and type of statistical units to be used in statistical surveys and analyses.

Article 2

1. A common basis for statistical classifications of economic activities within the European Community, hereinafter referred to as 'NACE Rev. 1', is hereby established, comprising:
 - a first level consisting of headings identified by an alphabetical code (sections),
 - an intermediate level consisting of headings identified by a two-character alphabetical code (subsections),
 - a second level consisting of headings identified by a two-digit numerical code (divisions),
 - a third level consisting of headings identified by a three-digit numerical code (groups),
 - a fourth level consisting of headings identified by a four-digit numerical code (classes).
2. NACE Rev. 1 is annexed to this Regulation.

▼M4**▼B***Article 4*

In addition to the provisions referred to in Article 3, in the event of incompatibility between certain NACE Rev. 1 positions and the national economic structure, the Commission may authorize a Member State to use at a given level an aggregation of NACE Rev. 1 positions in a specific sector.

To obtain such an authorization, the Member State concerned must provide the Commission with all the necessary information to consider its request.

However, notwithstanding the provisions of Article 3 (2) (a), this authorization shall not entitle the Member State concerned to subdivide the aggregated headings in a way different from NACE Rev. 1.

The Commission shall, together with the Member State concerned, periodically review the application of these provisions to verify whether they are still justified.

▼B*Article 5*

The Commission shall take all the necessary measures to ensure the implementation and management of NACE Rev. 1.

Article 6

The Commission shall, at the request of a Member State or on its own initiative, and, after consulting the Committee provided for in Article 7, take the necessary steps to ensure uniform application of NACE Rev. 1.

Article 7

The Commission shall be assisted by the Statistical Programme Committee, hereinafter referred to as 'the Committee', composed of representatives of the Member States and chaired by a representative of the Commission.

Article 8

The Committee may examine any questions concerning NACE Rev. 1 raised by its chairman, either on his own initiative or at the request of the representative of a Member State, which have a bearing on the application of this Regulation, especially as regards:

- (a) interpretation of NACE Rev. 1;
- (b) incorporation of minor amendments to NACE Rev. 1:
 - designed to take account of technological or economic developments,
 - designed to align and clarify texts,
 - resulting from amendments made to other economic classifications, in particular ISIC Rev. 3;
- (c) preparation and coordination of work on revising NACE Rev. 1;
- (d) drafting and updating of explanatory notes on NACE Rev. 1;
- (e) elaboration of guidelines for classifying statistical units in accordance with NACE Rev. 1;
- (f) examination of problems arising from implementation of NACE Rev. 1 in the Member States' classifications of economic activities;
- (g) attempting to prepare, as appropriate, a common position concerning the work of international organizations on classifications of economic activities, especially ISIC and its explanatory notes.

Measures to be taken under (a) to (g) shall be adopted in accordance with the procedure defined in Article 9.

▼M3*Article 9*

1. Where reference is made to this Article, Articles 4 and 7 of Decision 1999/468/EC ⁽¹⁾ shall apply, having regard to the provisions of Article 8 thereof.

⁽¹⁾ Council Decision 1999/468/EC of 28 June 1999 laying down the procedures for the exercise of implementing powers conferred on the Commission (OJ L 184, 17.7.1999, p. 23).

▼ M3

The period laid down in Article 4(3) of Decision 1999/468/EC shall be set at three months.

2. The Committee shall adopt its rules of procedure.

▼ M4**▼ B***Article 11*

1. There will be a transitional period starting on 1 January 1993 and ending on 31 December 1994. During this period the Commission may, for certain data collected after 1 January 1993, authorize a Member State, on the basis of duly substantiated technical or operational reasons, to use a classification other than that provided for under Article 3.

2. The Commission may extend the transitional period at the request of a Member State.

▼ M4**▼ B***Article 13*

The Commission shall publish the table of correlation between current NACE and NACE Rev. 1 within the six months following the entry into force of this Regulation.

Article 14

This Regulation shall enter into force on the twentieth day following its publication in the *Official Journal of the European Communities*.

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

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ANNEX

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14.2	Quarrying of sand and clay	141x
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14.3	Mining of chemical and fertilizer minerals	142x

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14.30	Mining of chemical and fertilizer minerals	1421
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15.85	Manufacture of macaroni, noodles, couscous and similar farinaceous products	1544
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15.89	Manufacture of other food products n.e.c.	1549x
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20.2	Manufacture of veneer sheets; manufacture of plywood, laminboard, particle board, fibre board and other panels and boards	202x
20.20	Manufacture of veneer sheets; manufacture of plywood, laminboard, particle board, fibre board and other panels and boards	2021
20.3	Manufacture of builders' carpentry and joinery	202x
20.30	Manufacture of builders' carpentry and joinery	2022
20.4	Manufacture of wooden containers	202x
20.40	Manufacture of wooden containers	2023
20.5	Manufacture of other products of wood; manufacture of articles of cork, straw and plaiting materials	202x
20.51	Manufacture of other products of wood	2029x
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21.2	Manufacture of articles of paper and paperboard	210x
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24.13	Manufacture of other inorganic basic chemicals	2411x
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24.16	Manufacture of plastics in primary forms	2413x
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24.3	Manufacture of paints, varnishes and similar coatings, printing ink and mastics	242x
24.30	Manufacture of paints, varnishes and similar coatings, printing ink and mastics	2422
24.4	Manufacture of pharmaceuticals, medicinal chemicals and botanical products	242x
24.41	Manufacture of basic pharmaceutical products	2423x
24.42	Manufacture of pharmaceutical preparations	2423x
24.5	Manufacture of soap and detergents, cleaning and polishing preparations, perfumes and toilet preparations	242x
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26.23	Manufacture of ceramic insulators and insulating fittings	2691x
26.24	Manufacture of other technical ceramic products	2691x
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26.3	Manufacture of ceramic tiles and flags	269x
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26.5	Manufacture of cement, lime and plaster	269x
26.51	Manufacture of cement	2694x
26.52	Manufacture of lime	2694x
26.53	Manufacture of plaster	2694x

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26.6	Manufacture of articles of concrete, plaster and cement	269x
26.61	Manufacture of concrete products for construction purposes	2695x
26.62	Manufacture of plaster products for construction purposes	2695x
26.63	Manufacture of ready-mixed concrete	2695x
26.64	Manufacture of mortars	2695x
26.65	Manufacture of fibre cement	2695x
26.66	Manufacture of other articles of concrete, plaster and cement	2695x
26.7	Cutting, shaping and finishing of ornamental and building stone	269x
26.70	Cutting, shaping and finishing of ornamental and building stone	2696
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26.81	Production of abrasive products	2699x
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28.11	Manufacture of metal structures and parts of structures	2811x
28.12	Manufacture of builders' carpentry and joinery of metal	2811x
28.2	Manufacture of tanks, reservoirs and containers of metal; manufacture of central heating radiators and boilers	281x
28.21	Manufacture of tanks, reservoirs and containers of metal	2812x
28.22	Manufacture of central heating radiators and boilers	2812x
28.3	Manufacture of steam generators, except central heating hot water boilers	281x
28.30	Manufacture of steam generators, except central heating hot water boilers	2813
28.4	Forging, pressing, stamping and roll forming of metal; powder metallurgy	289x
28.40	Forging, pressing, stamping and roll forming of metal; powder metallurgy	2891
28.5	Treatment and coating of metals; general mechanical engineering	289x
28.51	Treatment and coating of metals	2892x
28.52	General mechanical engineering	2892x
28.6	Manufacture of cutlery, tools and general hardware	289x
28.61	Manufacture of cutlery	2893x
28.62	Manufacture of tools	2893x
28.63	Manufacture of locks and hinges	2893x
28.7	Manufacture of other fabricated metal products	289x
28.71	Manufacture of steel drums and similar containers	2899x
28.72	Manufacture of light metal packaging	2899x
28.73	Manufacture of wire products	2899x
28.74	Manufacture of fasteners, screw machine products, chain and springs	2899x
28.75	Manufacture of other fabricated metal products n.e.c.	2899x

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29.11	Manufacture of engines and turbines, except aircraft, vehicle and cycle engines	2911
29.12	Manufacture of pumps and compressors	2912x
29.13	Manufacture of taps and valves	2912x
29.14	Manufacture of bearings, gears, gearing and driving elements	2913
29.2	Manufacture of other general purpose machinery	291x
29.21	Manufacture of furnaces and furnace burners	2914
29.22	Manufacture of lifting and handling equipment	2915
29.23	Manufacture of non-domestic cooling and ventilation equipment	2919x
29.24	Manufacture of other general purpose machinery n.e.c.	2919x
29.3	Manufacture of agricultural and forestry machinery	292x
29.31	Manufacture of agricultural tractors	2921x
29.32	Manufacture of other agricultural and forestry machinery	2921x
29.4	Manufacture of machine tools	292x
29.41	Manufacture of portable hand held power tools	2922x
29.42	Manufacture of other metalworking machine toolss	2922x
29.43	Manufacture of other machine tools n.e.c.	2922x
29.5	Manufacture of other special purpose machinery	292x
29.51	Manufacture of machinery for metallurgy	2923
29.52	Manufacture of machinery for mining, quarrying and construction	2924
29.53	Manufacture of machinery for food, beverage and tobacco processing	2925
29.54	Manufacture of machinery for textile, apparel and leather production	2926
29.55	Manufacture of machinery for paper and paperboard production	2929x
29.56	Manufacture of other special purpose machinery n.e.c.	2929x
29.6	Manufacture of weapons and ammunition	292x
29.60	Manufacture of weapons and ammunition	2927
29.7	Manufacture of domestic appliances n.e.c.	293
29.71	Manufacture of electric domestic appliances	2930x

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29.72	Manufacture of non-electric domestic appliances	2930x
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30.0	Manufacture of office machinery and computers	300
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30.02	Manufacture of computers and other information processing equipment	3000x
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31.10	Manufacture of electric motors, generators and transformers	3110
31.2	Manufacture of electricity distribution and control apparatus	312
31.20	Manufacture of electricity distribution and control apparatus	3120
31.3	Manufacture of insulated wire and cable	313
31.30	Manufacture of insulated wire and cable	3130
31.4	Manufacture of accumulators, primary cells and primary batteries	314
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31.62	Manufacture of other electrical equipment n.e.c.	3190x
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32.1	Manufacture of electronic valves and tubes and other electronic components	321
32.10	Manufacture of electronic valves and tubes and other electronic components	3210
32.2	Manufacture of television and radio transmitters and apparatus for line telephony and line telegraphy	322
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