



**2018/0332(COD)**

20.2.2019

# **OPINION**

of the Committee on Petitions

for the Committee on Transport and Tourism

on the proposal for a directive of the European Parliament and of the Council  
on discontinuing seasonal changes of time and repealing Directive 2000/84/EC  
(COM(2018)0639 – C8-0408/2018 – 2018/0332(COD))

Rapporteur for opinion: Cecilia Wikström

PA\_Legam

## SHORT JUSTIFICATION

The proposal aims at ending seasonal changes of time amongst EU Member States. EU legislation on summertime arrangements was first introduced in 1980 with the objective of unifying existing national summertime practices and schedules. Since 2001, EU summertime arrangements have been governed by Directive 2000/84/EC setting out the obligation on all Member States to switch to summertime on the last Sunday of March and to switch back to their standard time ("winter-time") on the last Sunday of October.

The system of bi-annual clock changes has been increasingly questioned, by citizens, by the European Parliament, and by a growing number of Member States.

In its resolution of 8 February 2018<sup>1</sup>, the European Parliament asked the Commission to carry out an assessment of summertime arrangements as provided for in Directive 2000/84/EC and, where appropriate, to submit a proposal for revision. The European Commission has also carried out a public consultation, which generated around 4.6 million replies, the largest amount of responses ever received in any Commission consultation, of which 84% were in favour of discontinuing the bi-annual clock changes, while 16% wanted to keep them.

Furthermore, summertime arrangements are a recurring topic in the work of the Committee on Petitions (PETI), which has received more than 100 subject-related petitions over the years. Almost all petitioners advocate the abolition of bi-annual clock changes, arguing primarily on the basis of health concerns and its margin effects on energy savings. Some petitioners maintain that the clock change has a particularly negative impact on vulnerable groups, such as children and the elderly. PETI has discussed daylight saving time (DST) related petitions in its committee meetings, in July 2015 and November 2017.

As stated in the European Parliamentary Research Service study of October 2017 on EU summertime arrangements under Directive 2000/84/EC, the existence of negative effects on human health caused by these changes should be taken into consideration to put an end to EU bi-annual clock changes. As a clear example of the importance of the discussion of the effect of DST on the body clock, the 2017 Nobel Prize in Physiology or Medicine was awarded to Jeffrey C. Hall, Michael Rosbash and Michael W. Young for their discoveries of molecular mechanisms controlling the circadian rhythm, explaining the human internal, biological clock and how our wellbeing is affected by a mismatch between our external environment and internal biological clock. That is to say, chronobiological research findings suggest that the effect on human biorhythm may be more severe than previously thought. Moreover, on the basis of paragraph 8 of article 114 TFEU, on the approximation of laws, "When a Member State raises a specific problem on public health in a field which has been the subject of prior harmonisation measures, it shall bring it to the attention of the Commission which shall immediately examine whether to propose appropriate measures to the Council".

Against this background, the draft opinion seeks to support the idea that the arrangements for bi-annual clock changes should be terminated in a coordinated manner in order to avoid any

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<sup>1</sup> European Parliament resolution of 8 February 2018 on time change arrangements (2017/2968(RSP)) P8\_TA(2018)0043

potentially adverse health effects and taking into account that the alleged energy savings are not achieved.

The draft opinion suggests that a removal of the bi-annual clock change should be done in a way to avoid any major disruption to the internal market caused by the divergences between Member States in this area. The rapporteur argues that the original Commission proposal, which gives the Member States the opportunity to decide unilaterally on their preferences of standard time, could create a situation where a patchwork of time zones appears between the Member States, making the internal market more divergent. It would make cross-border trade, transport, communication and travel more complicated within the internal market. To ensure harmonisation, the rapporteur therefore proposes the abolition of bi-annual clock changes, as almost all petitioners have advocated.

## AMENDMENTS

The Committee on Petitions calls on the Committee on Transport and Tourism, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 2

###### *Text proposed by the Commission*

(2) In its resolution of 8 February 2018, the European Parliament called on the Commission to conduct an assessment of the summer-time arrangements provided by Directive 2000/84/EC and, if necessary, to come up with a proposal for its revision. That resolution also confirmed that it is essential to maintain a harmonised approach to time arrangements throughout the Union.

###### *Amendment*

(2) In its resolution of 8 February 2018, ***building on petitions and demands received from the citizens, by the Committee on Petitions***, the European Parliament called on the Commission to conduct an assessment of the summer-time arrangements provided by Directive 2000/84/EC and, if necessary, to come up with a proposal for its revision. That resolution also confirmed that it is essential to maintain a harmonised ***and co-ordinated*** approach to time arrangements throughout the Union.

### Amendment 2

#### Proposal for a directive

##### Recital 3

###### *Text proposed by the Commission*

(3) The Commission has examined

###### *Amendment*

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available evidence, which points to the importance of having harmonised Union rules in this area to ensure the proper functioning of the internal market and avoid, inter alia, disruptions to the scheduling of transport operations and the functioning of information and communication systems, higher costs to cross-border trade, or lower productivity for goods and services. ***Evidence is not conclusive as to whether the benefits of summer-time arrangements outweigh the inconveniences linked to a biannual change of time.***

### Amendment 3

#### Proposal for a directive

##### Recital 4

###### *Text proposed by the Commission*

(4) A lively public debate is taking place on summer-time arrangements ***and*** some Member States have already expressed their preference to discontinue the application of such arrangements. In the light of these developments, it is necessary to continue safeguarding the proper functioning of the internal market and to avoid any significant disruptions thereto caused by divergences between Member States in this area. Therefore, it is ***appropriate*** to put an end ***in a coordinated way to summer-time arrangements.***

available evidence, which points to the importance of having harmonised Union rules in this area to ensure the proper functioning of the internal market and avoid, inter alia, disruptions to the scheduling of transport operations and the functioning of information and communication systems, higher costs to cross-border trade, or lower productivity for goods and services.

###### *Amendment*

(4) A lively public debate is taking place on summer-time arrangements, ***as seen by the citizens' response through the petitions lodged calling for an end to the bi-annual change in time, and the public consultation on EU summertime arrangements, which generated the largest amount of responses ever received in any Commission consultation.*** Some Member States have already expressed their preference to discontinue the application of such arrangements. In the light of these developments, it is necessary to continue safeguarding the proper functioning of the internal market and to avoid any significant disruptions thereto caused by divergences between Member States in this area, ***which could impact both the economic and political integration of the Union. Many citizens have advocated putting an end to seasonal clock changes, primarily based on health concerns. In the petitions received by the European Parliament, citizens maintain that the clock change has a particularly negative impact on vulnerable groups, such as children and the elderly.***

*Furthermore, several studies have shown, that negative consequences exist related to the bi-annual change of time in various areas, such as health issues with effects on the circadian rhythm ; road safety whereas an increase in the accident rate in the days following the change in time has been observed; and, administrative burdens and additional costs for many sectors within the economy. Therefore, it is crucial to have a harmonized approach that is well-coordinated to put an end to the bi-annual changes of time.*

#### **Amendment 4**

##### **Proposal for a directive Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

*(4 a) It is crucial to take into consideration the large north-south extension of the European Union meaning that daylight effects of time vary across the European Union. As such we must consider the geographical aspects of time, while retaining the existing time zones.*

#### **Amendment 5**

##### **Proposal for a directive Recital 5**

*Text proposed by the Commission*

*Amendment*

*(5) This Directive should not prejudice the right of each Member State to decide on the standard time or times for the territories under its jurisdiction and falling under the territorial scope of the Treaties, and on further changes thereto. However, in order to ensure that the application of summer-time arrangements by some Member States only does not*

*deleted*

*disrupt the functioning of the internal market, Member States should refrain from changing the standard time in any given territory under their jurisdiction for reasons related to seasonal changes, be such change presented as a change of time zone. Moreover, in order to minimise disruptions, inter alia, to transport, communications and other concerned sectors, they should notify the Commission in due time of their intention to change their standard time and subsequently apply the notified changes. The Commission should, on the basis of that notification, inform all other Member States so that they can take all necessary measures. It should also inform the general public and stakeholders by publishing this information.*

## Amendment 6

### Proposal for a directive Recital 6

#### *Text proposed by the Commission*

(6) Therefore, it is necessary to put an end to the harmonisation of the period covered by summer-time arrangements as laid down in Directive 2000/84/EC and to introduce common rules preventing Member States from applying different seasonal time arrangements by changing their standard time more than once during the year and establishing the obligation to notify envisaged changes of the standard time. This Directive aims at contributing in a determined manner to the smooth functioning of the internal market and should, consequently, be based on Article 114 of the Treaty on the Functioning of the European Union, as interpreted in accordance with the consistent case-law of the Court of Justice of the European Union.

#### *Amendment*

(6) Therefore, it is necessary to put an end to the harmonisation of the period covered by summer-time arrangements as laid down in Directive 2000/84/EC and to introduce common rules preventing Member States from applying different seasonal time arrangements by changing their standard time more than once during the year and establishing the obligation to notify envisaged changes of the standard time. ***For the smooth functioning of the internal market, it is essential that while the existing time zones are retained, all Member States should apply the same time arrangement, in order to avoid a patchwork of time arrangements within the internal market.*** This Directive aims at contributing in a determined manner to the smooth functioning of the internal market and should, consequently, be based on Article 114 of the Treaty on the

Functioning of the European Union, as interpreted in accordance with the consistent case-law of the Court of Justice of the European Union.

## Amendment 7

### Proposal for a directive Recital 7

#### *Text proposed by the Commission*

(7) This Directive should ***apply from 1 April 2019, so that the last summer-time period subject to the rules of Directive 2000/84/EC should start, in every Member State, at 1.00 a.m., Coordinated Universal Time, on 31 March 2019. Member States that, after that summer-time period, intend to adopt a standard time corresponding to the time applied during the winter season in accordance with Directive 2000/84/EC should change their standard time at 1.00 a.m., Coordinated Universal Time, on 27 October 2019, so that similar and lasting changes occurring in different Member States take place simultaneously. It is desirable that Member States take the decisions on the standard time that each of them will apply as from 2019 in a concerted manner.***

#### *Amendment*

(7) This Directive should ***enter into force and be applied on the eighteenth month following that of its publication in the Official Journal of the European Union, giving sufficient time for the society and economical actors to adapt to the new situation. For the smooth functioning of the internal market, it is crucial to avoid a patchwork of time arrangements within the internal market. The Member States should therefore agree on a harmonised time arrangement of standard times in the EU.***

## Amendment 8

### Proposal for a directive Article 1

#### *Text proposed by the Commission*

- 1. Member States shall not apply seasonal changes to their standard time or times.***
- 2. Notwithstanding paragraph 1, Member States may still apply a seasonal change of their standard time or times in 2019,***

#### *Amendment*

- 1. From [xx] Member States shall not apply any bi-annual change to time.***
- 2. Deleted***



*provided that they do so at 1.00 a.m., Coordinated Universal Time, on 27 October 2019. The Member States shall notify this decision in accordance with Article 2.*

## Amendment 9

### Proposal for a directive Article 2

*Text proposed by the Commission*

*1. Without prejudice to Article 1, if a Member State decides to change its standard time or times in any territory under its jurisdiction, it shall notify the Commission at least 6 months before the change takes effect. Where a Member State has made such a notification and has not withdrawn it at least 6 months before the date of the envisaged change, the Member State shall apply this change.*

*2. Within 1 month of the notification, the Commission shall inform the other Member States thereof and publish that information in the Official Journal of the European Union.*

*Amendment*

*1. In accordance with Article 1, Member States shall apply a harmonised and coordinated time arrangement to the standard times of the Union.*

*2. Deleted*

## Amendment 10

### Proposal for a directive Article 4 paragraph 1

*Text proposed by the Commission*

1. Member States shall adopt and publish, by **1 April 2019** at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions. They shall apply those provisions **from 1 April 2019**.

*Amendment*

1. Member States shall adopt and publish, by **[date of application of the Directive]** at the latest, the laws, regulations and administrative provisions necessary to comply with this Directive. They shall forthwith communicate to the Commission the text of those provisions.

They shall apply those provisions

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

*according to Article 1 of this Directive.*

When Member States adopt those provisions, they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. Member States shall determine how such reference is to be made.

## **Amendment 11**

### **Proposal for a directive Article 5**

*Text proposed by the Commission*

Directive 2000/84/EC is repealed with effect from **1 April 2019**.

*Amendment*

Directive 2000/84/EC is repealed with effect from ***the entering into force of the Directive on discontinuing seasonal changes of time.***

## **Amendment 12**

### **Proposal for a directive Article 6**

*Text proposed by the Commission*

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

*Amendment*

This Directive shall enter into force ***and be applied*** on the ***eighteenth month*** following that of its publication in the Official Journal of the European Union.

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Discontinuing seasonal changes of time
<b>References</b>	COM(2018)0639 – C8-0408/2018 – 2018/0332(COD)
<b>Committee responsible</b> Date announced in plenary	TRAN 13.9.2018
<b>Opinion by</b> Date announced in plenary	PETI 25.10.2018
<b>Rapporteur</b> Date appointed	Cecilia Wikström 24.9.2018

## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

14	+
ALDE	Beatriz Becerra Basterrechea, Ilhan Kyuchyuk
PPE	Pál Csáky, Svetoslav Hristov Malinov, Lukas Mandl, Roberta Metsola, László Tőkés, Jarosław Wałęsa, Rainer Wieland
S&D	Soledad Cabezón Ruiz, Jude Kirton-Darling, Marlene Mizzi, Gabriele Preuß
VERTS/ALE	Igor Šoltes

4	-
ECR	Notis Marias
S&D	Virginie Rozière
VERTS/ALE	Margrete Auken, Ana Miranda

1	0
GUE/NGL	Takis Hadjigeorgiou

Key to symbols:

+ : in favour

- : against

0 : abstention