



17.1.2019

DRAFT OPINION

of the Committee on Legal Affairs

for the Committee on Transport and Tourism

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

Rapporteur for opinion: Pavel Svoboda

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SHORT JUSTIFICATION

Your rapporteur welcomes the Commission's proposal to put an end to seasonal time changes in a harmonised manner in all Member States, thereby taking Parliament up on its numerous calls for such measures over the last several years.

The practice of bi-annual clock changes, which has been prescribed by Union legislation for close to 40 years, has recently been met with much opposition by citizens and civil society.

It is important to underline that such seasonal changes of time affect not only the functioning of the internal market but also raise multiple public health concerns, not least related to the protection of specific minority groups which are disproportionately affected by the disruption of the circadian cycle. Studies have furthermore shown that the number of accidents and heart attacks increase during the days following a clock change.

While it is clear that action is needed at Union level in order to harmonise the end of seasonal time changes, rules in the form of a directly applicable Regulation which would prescribe the use of either standard time or summer time in all Member States would be needlessly over-reaching and would not take into account different needs and conditions in different parts of the EU. The Member States should therefore be free to make their own choice. They should however be given more time before the Directive starts to apply in order to prepare for the change, which should be implemented in a concerted and coordinated manner.

Your rapporteur regrets that the Commission did not conduct any proper impact assessment and did not hold a full 12 weeks long public and stakeholder consultation before it presented the proposal to update Directive 2000/84/EC. It must be underlined that in the Interinstitutional Agreement on Better Law-Making, the institutions have committed to the understanding that impact assessments and consultations constitute essential tools for improving the quality of Union legislation.

This rapporteur nevertheless fully agrees with the rapporteur in the lead committee that this directive should be adopted as soon as possible, and preferably before the end of the current legislature in order to ensure legal certainty and to allow Member States to well prepare for the upcoming changes.

AMENDMENTS

The Committee on Legal Affairs 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

Amendment

(2) In its resolution of 8 February 2018,

(2) ***Against the background of several***

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.

petitions from citizens, parliamentary questions and a public hearing on the matter, the European Parliament, in its resolution of 8 February 2018, 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.

Or. en

Amendment 2

Proposal for a directive Recital 3

Text proposed by the Commission

(3) The Commission has examined 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) The Commission has examined 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, *although numerous scientific studies, including the European Parliamentary Research Service study of October 2017 on EU summer-time arrangements under Directive 2000/84/EC, have indicated the existence of negative effects on human health.*

Or. en

Amendment 3

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 apply from 1 April **2021**, 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 **2021**. 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 **2021**, 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 **2021** in a concerted **and coordinated** manner.

(The amendment to change 2019 to 2021 applies throughout the text).

Or. en

Amendment 4

Proposal for a directive

Article 1 – paragraph 2

Text proposed by the Commission

2. Notwithstanding paragraph 1, Member States may still apply a seasonal change of their standard time or times in **2019**, 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

2. Notwithstanding paragraph 1, Member States may still apply a seasonal change of their standard time or times in **2021**, provided that they do so at 1.00 a.m., Coordinated Universal Time, on 27 October **2021**. The Member States shall notify this decision in accordance with Article 2.

Amendment 5

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

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.

Amendment

Member States shall adopt and publish, by 1 April **2021** 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.

Or. en

Amendment 6

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

They shall apply those provisions from 1 April **2019**.

Amendment

They shall apply those provisions from 1 April **2021**.

Or. en

Amendment 7

Proposal for a directive

Article 5 – paragraph 1

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 1 April **2021**.

Or. en