



13.12.2018

DRAFT OPINION

of the Committee on Industry, Research and Energy

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: Sven Schulze

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SHORT JUSTIFICATION

The purpose of summer time is to capitalise on natural daylight. By turning the clock one hour forward as the days get longer in spring, sunset is delayed by this same hour, until the clock is set back again in autumn. This practice is applied in over 60 countries worldwide. In the EU, Member States have a long tradition of daylight saving time (DST), and many have developed their own DST schemes. EU-harmonisation attempts began in the 1970s, to facilitate the effective operation of the internal market.

Today, Directive 2000/84 /EC, whose abolishment is intended, governs the uniform EU-wide application of DST. Most European third countries have aligned their summer-time schemes with that of the EU.

Much academic research has been invested in examining the benefits and inconveniences of DST. It appears that summer time benefits the internal market (notably the transport sector) and outdoor leisure activities, and it also generates marginal savings in energy consumption. The impact on other economic sectors remains hence unclear.

One has to admit that the available scientific evidence base and state of knowledge with regard to possible positive or negative implications of DST is still very limited and rather fragmentary.

Health research, however, associates DST with disruption to the human biorhythm ('circadian rhythm'). Scientific findings suggest that the effect on human biorhythm may be more severe than previously thought. Scientific facts are available only to a very limited extent.

The system of bi-annual clock changes has been increasingly questioned by citizens and by the European Parliament. However, no EU government has called for a change to the current DST provisions. Third countries like Russia or more recently Turkey have abolished DST with transition periods of five years and longer.

In its resolution of 8 February 2018¹, 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 not carried out an impact assessment, but 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.

Against this background, this opinion seeks to support the idea that the arrangements for bi-annual clock changes should be terminated under certain conditions.

The main challenge of the removal of the bi-annual clock change is to avoid any major disruption to the internal market caused by the divergences between Member States in this area and the lack of competences to coordinate standard times on European level.

¹ European Parliament resolution of 8 February 2018 on time change arrangements (2017/2968(RSP)) P8_TA(2018)0043

The draftsman is aware of the fact that the EU can put an end to bi-annual clock changes but has no competence to impose a standard time across the EU.

Beyond considerations on the effects, repeal of the Summer-Time Directive would not automatically abolish summer time across the EU. It would just end EU-wide harmonisation and bring the issue of summer time back into the competence of the Member States. Member States would be free to decide about their individual time regimes: they might opt to retain summer time (at the current or a modified DST schedule) or to end summer time. Abolishing summer time would in the first place result in year-round standard time ('winter time'), which by definition entails darker evenings in spring and summer.

To obtain year-round summer time Member States would technically need to change time zones. However, uncoordinated national time arrangements would likely have negative repercussions on the internal market.

In any case, a patchwork of time zones due to the different preference of the Member States to keep either winter or summer time as standard time must be avoided, as this would make the internal market more divergent.

It would make cross-border trade, transport, communication and travel more complicated within the internal market and with third countries having a major impact on the slot system of the aviation industry used to coordinate flights at the busiest airports around the globe. The time change could be used for competing third country airlines to drive European airlines out of the market in order to gain a greater market share outside the EU.

In the remit of legal feasibility, the draftsman therefore proposes to link the entry into force to a prior consensual agreement between all EU member states to a coordination mechanism for a new standard time. It would be best to keep the three existing time zones intact. The draftsman sees the co-decision procedure for this piece of legislation as the instrument to find that agreement among Member States. The Member State in charge of the Presidency of the Council shall coordinate this process.

AMENDMENTS

The Committee on Industry, Research and Energy 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 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

Amendment

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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.

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 *essential, in the context of the codecision procedure for this Directive, that* summer-time arrangements *should only be brought to an end* if the Member States have first reached agreement on a coordination mechanism. *This mechanism should take account of the three existing time zones in the EU when the standard time is set. The relevant Council Presidency will have a leading role to play in establishing this coordination mechanism.*

Or. de

Amendment 2

Proposal for a directive

Recital 5

Text proposed by the Commission

(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 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

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 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, *and in particular aviation, with its established slot system for take-offs and landings,*

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.

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 decision to abolish the clock change should not serve to jeopardise the competitiveness of European airlines and airports with those in third countries.*** 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.

Or. de

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 **2020**, 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 **29 March 2020**. 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 **01 November 2020**, so that similar and lasting changes occurring in different Member States take place simultaneously. It is ***a prerequisite for the implementation of this scheme*** that Member States take the decisions on the standard time that each of them will apply as from **2020** in a concerted ***and consensual*** manner, ***taking account of their need to remain in their current time zone.***

Amendment 4

Proposal for a directive

Recital 8

Text proposed by the Commission

(8) Implementation of this Directive *should* be monitored. The results of this monitoring should be presented by the Commission in a report to the European Parliament and to the Council. That report should be based on the information that is made available to the Commission by the Member States in a timely fashion to allow for the report to be presented at the specified time.

Amendment

(8) Implementation of this Directive *must* be monitored *and shall be covered by the coordination mechanism agreed in advance among the Member States as part of this codecision procedure*. The results of this monitoring should be presented by the Commission in a report to the European Parliament and to the Council. That report should be based on the information that is made available to the Commission by the Member States in a timely fashion to allow for the report to be presented at the specified time.

Or. de

Amendment 5

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 **2020**, provided that they do so at 1.00 a.m., Coordinated Universal Time, on **01 November 2020**. The Member States shall notify this decision in accordance with Article 2.

Or. de

Amendment 6

Proposal for a directive

Article 2 – paragraph 1

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.

Amendment

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 **12** months before the change takes effect. Where a Member State has made such a notification and has not withdrawn it at least **12** months before the date of the envisaged change, the Member State shall apply this change.

Or. de

Amendment 7

Proposal for a directive

Article 3 – paragraph 1

Text proposed by the Commission

1. The Commission shall report to the European Parliament and to the Council on the implementation of this Directive by 31 December **2024** at the latest.

Amendment

1. The Commission shall report to the European Parliament and to the Council on the implementation of this Directive by 31 December **2025** at the latest.

Or. de

Amendment 8

Proposal for a directive

Article 3 – paragraph 2

Text proposed by the Commission

2. Member States shall provide the Commission with the relevant information by 30 April **2024** at the latest.

Amendment

2. Member States shall provide the Commission with the relevant information by 30 April **2025** at the latest.

Amendment 9

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 **2020** 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. de

Amendment 10

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 **2020**.

Or. de

Amendment 11

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 **2020**.

Or. de

