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**A5-0356/2000**

28 November 2000

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## **REPORT**

on the proposal for a European Parliament and Council directive on summer-time arrangements  
(COM(2000) 302 – C5-0322/2000 – 2000/0140(COD))

Committee on Regional Policy, Transport and Tourism

Rapporteur: Mary Honeyball

### ***Symbols for procedures***

- \* Consultation procedure  
*majority of the votes cast*
- \*\*I Cooperation procedure (first reading)  
*majority of the votes cast*
- \*\*II Cooperation procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\* Assent procedure  
*majority of Parliament's component Members except in cases  
covered by Articles 105, 107, 161 and 300 of the EC Treaty and  
Article 7 of the EU Treaty*
- \*\*\*I Codecision procedure (first reading)  
*majority of the votes cast*
- \*\*\*II Codecision procedure (second reading)  
*majority of the votes cast, to approve the common position  
majority of Parliament's component Members, to reject or amend  
the common position*
- \*\*\*III Codecision procedure (third reading)  
*majority of the votes cast, to approve the joint text*

(The type of procedure depends on the legal basis proposed by the Commission)

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## PROCEDURAL PAGE

By letter of 20 June 2000 the Commission submitted to Parliament, pursuant to Article 251(2) and Article 95 of the EC Treaty, the proposal for a European Parliament and Council directive on summer-time arrangements (COM(2000) 302 - 2000/0140 (COD)).

At the sitting of 3 July 2000 the President of Parliament announced that she had referred this proposal to the Committee on Regional Policy, Transport and Tourism as the committee responsible and the Committee on Agriculture and Rural Development, the Committee on the Environment, Public Health and Consumer Policy, the Committee on Industry, External Trade, Research and Energy and the Committee on Legal Affairs and the Internal Market for their opinions (C5-0322/2000).

The Committee on Regional Policy, Transport and Tourism appointed Mary Honeyball rapporteur at its meeting of 11 July 2000.

It considered the Commission proposal and draft report at its meeting(s) of 10 October and 22 November 2000 .

At the last meeting it adopted the draft legislative resolution by 51 votes to 1, with 0 abstentions.

The following were present for the vote: Konstantinos Hatzidakis, chairman; Rijk van Dam, Helmuth Markov, and Emmanouil Mastorakis, vice-chairmen; Mary Honeyball, rapporteur; Sir Robert Atkins, Elspeth Attwooll, Emmanouil Bakopoulos, Rolf Berend, Theodorus J.J. Bouwman, Philip Charles Bradbourn, Martin Callanan, Felipe Camisón Asensio, Carmen Cerdeira Morterero, Luigi Cesaro, Luigi Cocilovo (for Francesco Musotto), Gerard Collins, Francis F.M. Decourrière, Alain Esclopé, Giovanni Claudio Fava, Jacqueline Foster (for Dana Rosemary Scallon), Mathieu J.H. Grosch, Ewa Hedkvist Petersen, Marie Anne Isler Béguin (for Reinhold Messner), Juan de Dios Izquierdo Collado, Georg Jarzembowski, Dieter-Lebrecht Koch, Giorgio Lisi, Arlene McCarthy (for John Hume), Hugues Martin (for Margie Sudre), Sérgio Marques, Erik Meijer, Rosa Miguélez Ramos, Camilo Nogueira Román, Juan Ojeda Sanz, Josu Ortuondo Larrea, Karla M.H. Peijs, Wilhelm Ernst Piecyk, Giovanni Saverio Pittella (for Danielle Darras), Samuli Pohjamo, Adriana Poli Bortone, Alonso José Puerta, Reinhard Rack, Carlos Ripoll i Martínez Bedoya, Isidoro Sánchez García, Marieke Sanders-ten Holte (for Paolo Costa), Gilles Savary, Agnes Schierhuber (for Renate Sommer), Ingo Schmitt, Brian Simpson, Dirk Sterckx, Ulrich Stockmann, Joaquim Vairinhos, Johan Van Hecke (for Ari Vatanen), and Mark Francis Watts.

The opinion of the Committee on Committee on Industry, External Trade, Research and Energy is attached.

The Committee on Agriculture and Rural Development decided on 29 August 2000, and the Committee on the Environment, Public Health and Consumer Policy and the Committee on Legal Affairs and the Internal Market decided on 12 July 2000 not to deliver an opinion.

The report was tabled on 28 November 2000.

The deadline for tabling amendments will be indicated in the draft agenda for the relevant part-session.

## LEGISLATIVE PROPOSAL

### **Proposal for a European Parliament and Council directive on summer-time arrangements (COM(2000) 302 – C5-0322/2000 – 2000/0140(COD))**

The proposal is approved.

## DRAFT LEGISLATIVE RESOLUTION

### **European Parliament legislative resolution on the proposal for a European Parliament and Council directive on summer-time arrangements (COM(2000) 302– C5-0322/2000 – 2000/0140(COD))**

#### **(Codecision procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to the European Parliament and the Council (COM(2000) 302<sup>1</sup>),
  - having regard to Article 251(2) of the EC Treaty and Article 95 of the Treaty, pursuant to which the Commission submitted the proposal to Parliament (C5-0322/2000),
  - having regard to Rule 67 of its Rules of Procedure,
  - having regard to the report of the Committee on Regional Policy, Transport and Tourism and the opinion of the Committee on Industry, External Trade, Research and Energy (A5-0356/2000),
1. Approves the Commission proposal;
  2. Asks to be consulted again should the Commission intend to amend its proposal substantially or replace it with another text;
  3. Instructs its President to forward its position to the Council and Commission.

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<sup>1</sup> OJ C not published yet.

## **EXPLANATORY STATEMENT**

### **1) Introduction**

The proposed directive COM(2000) 302 deals with three issues:

- a) The desirability or otherwise of member states having the six spring/summer months one hour ahead of the autumn/winter half of the year, i.e. summer time;
- b) The dates when summer time begins and ends;
- c) Whether the start and end dates should be made permanent.

### **2) The desirability of summer time**

This is the aspect of the draft Directive which causes fewest problems. The draft Directive, which if agreed would become the 9<sup>th</sup> Directive on summer time, is quite clear that matters concerning time zones together with issues about whether or not to have summer time at all are entirely matters for member states to decide. Harmonisation comes with putting the arrangements into practice, which is the substance of the draft Directive.

Having accepted the desirability of summer time and the fact that member states make their own decisions regarding time zones and whether or not they introduce or maintain summer time, there remain important considerations about the dates each year when summer time begins and ends and whether or not these should be made permanent.

### **3) Summer time start and end dates**

The proposed Directive continues the requirements of the 8th Directive 97/44/EC, due to come to an end in October 2001, that summer time starts on the last Sunday in March and ends on the last Sunday in October. It also proposes that the Directive should run indefinitely and that the dates should be published in the Official Journal of the European Communities. The Commission will, in addition, be required to report on the impact of the Directive after five years.

According to the explanatory memorandum to the proposed Directive, no member state has expressed a wish to alter the timetable currently in force, i.e. that summer time begins and ends on the last Sundays in March and October across the whole of the European Union. Indeed, member states have continued to show that they believe it important to act in concert on both the principle and period of summer time in the interests of the effective functioning of the internal market, which was the original justification for agreeing a common European Union start and end date for summer time.

#### **4) Permanent start and end dates for summer time**

The Commission makes the point that the proper functioning of certain sectors of the European economy, notably transport, communications, tourism and computer and other technology, requires stable, long term planning. The Commission has, in fact, received a considerable number of representations from different areas of industry requesting long-term stability in summer time dates. It is also worth noting that the Commission has said that no new points are ever raised when summer time is reviewed and the process of renewing the start and end dates goes through virtually unremarked.

The majority of the Committee on Regional Policy, Transport and Tourism voted in favour of an unmodified Commission's proposal. The main argument being that this might be the best for the proper functioning of the internal market. However there was no overwhelming majority when the committee voted on the individual amendments tabled and therefore it is worthwhile to mention a minority point of view.

## Minority Opinion

To go straight from the current position whereby summer time directives last for five years to one Directive for an indefinite period may be to take the matter one step too far at the present time. The Commission has recognised this in that it has suggested that the 9<sup>th</sup> Directive, were it to be accepted, be monitored by means of a report on the impact of its provisions to be produced no later than five years after the Directive comes into force. This report would be submitted to the European Council, the European Parliament and the Economic and Social Committee by the Commission.

Whilst the Commission's suggestion of such a report is helpful, it does not fully address the nature of the change from summer time start and end dates renewal every five years to these summer time dates being in existence *ad infinitum*. In order to deal with this issue in a thorough way, it would be far better if it were a requirement for the Commission to review the impact of the summer time start and end dates every five years (rather than only in 2007 as currently proposed) and bring forward proposals for change, if necessary, following the review. This should ensure that account continues to be taken of the view of member states and that there is a mechanism for bringing about change which does not rely solely on the Commission.

Several Members from different groups do think that

- Member states should have the possibility to opt out of the summer time arrangements if they wish to do so.
- a regular review should be possible on the basis of a Commission study with a mechanism for changing the arrangements set out in the 9<sup>th</sup> Directive should member states require this.



## **OPINION OF THE COMMITTEE ON INDUSTRY, EXTERNAL TRADE, RESEARCH AND ENERGY**

for the Committee on Regional Policy, Transport and Tourism

on the proposal for a directive of the European Parliament and of the Council on summer-time arrangements

(COM(2000) 302 – C5-0322/2000 – 2000/0140 (COD))

Draftsman: Dominique Vlasto

### **PROCEDURE**

The Committee on Industry, External Trade, Research and Energy appointed Dominique Vlasto draftsman at its meeting of 13 September 2000.

It considered the draft opinion at its meetings of 7 and 22 November 2000.

At the last meeting it adopted the following amendments by 39 votes to 1.

The following were present for the vote: Carlos Westendorp y Cabeza, chairman; Dominique Vlasto, draftsman; and Yves Butel, Gérard Caudron, Giles Bryan Chichester, Nicholas Clegg, Willy C.E.H. De Clercq, Claude J.-M.J. Desama, Jonathan Evans (for John Purvis), Concepció Ferrer, Francesco Fiori (for Guido Bodrato), Colette Flesch, Glyn Ford, Jacqueline Foster (for Malcolm Harbour), Pat the Cope Gallagher, Norbert Glante, Lisbeth Grönfeldt Bergman (for Anders Wijkman), Michel Hansenne, Philippe A.R. Herzog, Hans Karlsson, Helmut Kuhne (for Mechtild Rothe), Rolf Linkohr, Caroline Lucas, Eryl Margaret McNally, Nelly Maes, Erika Mann, Marjo Tuulevi Matikainen-Kallström, Elizabeth Montfort, Angelika Niebler, Yves Piétrasanta, Elly Plooi-j-van Gorsel, Imelda Mary Read, Paul Rübig, Konrad K. Schwaiger, Esko Olavi Seppänen, Helle Thorning-Schmidt (for Reino Kalervo Paasilinna), Astrid Thors, Jaime Valdivielso de Cué, Alejo Vidal-Quadras Roca, Myrsini Zorba.

## **SHORT JUSTIFICATION**

The proposed Directive on summer-time arrangements is intended to consolidate European policy in this area. It is designed to confirm that summer-time arrangements will be a permanent instrument of European policy, to establish the relevant period as that between the end of March and the end of October, to harmonise the arrangements throughout the EU, and to provide for a report by the end of 2007 on the impact of the Directive.

The proposal put forward is accompanied by a survey of the wide-ranging research which has been done in different parts of Europe on the impact of summer-time arrangements in numerous sectors, ranging from agriculture to road transport. The Commission is to be applauded for the efforts it has undertaken to ensure that this policy is based on scientific evidence, and it should also be encouraged to continue its work in this direction.

In the proposal, the Commission has drawn attention to areas of research which are still hampered by a lack of reliable, comparable data from all parts of the European Union.

The Committee on Industry, External Trade, Research and Energy can support the Commission's proposal in all its main aspects. It can be agreed that for economic and social reasons there is a need to announce European policy on summer time clearly and well in advance so that advance planning can proceed without fear that this policy will suddenly be reversed.

At the same time, the effects of the policy, and the arguments in favour of it, should be kept under review. There is a need for more than just a report on the impact of the measure itself. It is also necessary to monitor the context in which the policy operates. For example, it is often said that in the information society working hours are becoming more flexible. Could the future see changes in people's economic and social behaviour that will come to alter our perspective on this matter? Only by continuing to pursue research into this area can we be sure.

Moreover, European objectives regarding pollution control and energy-saving require that these aspects of the question also be monitored. The research reported in the Commission's document refers to the problem of ozone generation. It will be prudent to monitor such phenomena.

For these reasons, the Committee on Industry, External Trade, Research and Energy wishes to give the Commission the task of continuing to promote and monitor scientific and social research designed to keep these matters under review.

## **AMENDMENTS**

The Committee on Industry, External Trade, Research and Energy calls on the Committee on Regional Policy, Transport and Tourism, as the committee responsible, to incorporate the following amendments in its report:

## (Amendment 1)

## Recital 6

Implementation of this Directive should, moreover, be monitored by means of a report on the impact of the provisions of this Directive in all of the areas concerned submitted to the European Council and the Economic and Social Committee by the Commission. That report should be based on the information made available to the Commission by the Member States in sufficient time to enable the report to be presented at the specified time.

Implementation of this Directive should, moreover, be monitored by means of a report on the impact of the provisions of this Directive in all of the areas concerned submitted to the European **Parliament, the<sup>2</sup>** Council and the Economic and Social Committee by the Commission. That report should be based on the information made available to the Commission by the Member States in sufficient time to enable the report to be presented at the specified time, **and on the research conducted by the Commission. The research should highlight energy-saving and pollution prevention measures and should take account of the ongoing changes in customs and working patterns in modern-day society.**

*Justification:*

*The effects of the policy, and the arguments in favour of it, should be kept under review. There is a need for more than just a report on the impact of the measure itself. It is also necessary to monitor the context in which the policy operates. For example, it is often said that in the information society working hours are becoming more flexible. Could the future see changes in people's economic and social behaviour that will come to alter our perspective on this matter? Only by continuing to pursue research into this area can we be sure.*

*Moreover, European objectives regarding pollution control and energy-saving require that these aspects of the question also be monitored. The research reported in the Commission's document refers to the problem of ozone generation. It will be prudent to monitor such phenomena.*

*For these reasons, the Committee on Industry, External Trade, Research and Energy wishes to give the Commission the task of continuing to promote and monitor scientific and social research designed to keep these matters under review.*

<sup>1</sup> OJ C not yet published<sup>2</sup> Translator's note: applies to English text only; text in question omitted from English version of COM document.<sup>3</sup> OJ C not yet published

(Amendment 2)  
Article 5

The Commission shall report to the European Parliament, the Council and the Economic and Social Committee on the impact of the provisions of this Directive on the sectors concerned by 31 December 2007 at the latest. That report shall be drawn up on the basis of the information made available to the Commission by each Member State by 30 April 2007 at the latest.

The Commission shall report to the European Parliament, the Council and the Economic and Social Committee on the impact of the provisions of this Directive on the sectors concerned ***and the findings of the research conducted by the Commission*** by 31 December 2007 at the latest. That report shall be drawn up on the basis of the information made available to the Commission by each Member State by 30 April 2007 at the latest.

*Justification:*

*The effects of the policy, and the arguments in favour of it, should be kept under review. There is a need for more than just a report on the impact of the measure itself. It is also necessary to monitor the context in which the policy operates.*