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Teema:	Ettepanek: Euroopa Parlamendi ja nõukogu direktiiv, millega lõpetatakse aastaaegadega seotud kellakeeramine ja tunnistatakse kehtetuks direktiiv 2000/84/EÜ – Eduaruanne

I. SISSEJUHATUS

1. Ettepaneku esitas Euroopa Komisjoni president Jean-Claude Junkcer oma 12. septembril 2018 Strasbourgis peetud iga-aastases kõnes Euroopa Parlamendile Euroopa Liidu olukorra kohta.
2. Ettepaneku põhielemendid on järgmised:
 - lõpetada aastaaegadega seotud kellakeeramine ühtlustatud viisil kõikides liikmesriikides alates 1. aprillist 2019 pärast viimast üleminekut suveajale 31. märtsil 2019;

- anda liikmesriikidele võimalus viimaseks aastaegade seotud üleminekuks tagasi võõndiajale (talveaeg) 2019. aasta oktoobri viimasel pühapäeval;
- ilma et see mõjutaks liikmesriikide õigust otsustada oma võõndiaja üle, kehtestada teavitussüsteem, mille puhul liikmesriik, kes soovib tulevikus oma võõndiaega veelgi muuta, peaks sellest komisjoni teavitama vähemalt kuus kuud enne muudatuse jõustumist.

II. TÖÖ TEISTES INSTITUTSIOONIDES

3. Euroopa Parlament määras selle dokumendi eest vastutavaks komisjoniks transpordi- ja turismikomisjoni ning raportööriks Marita ULVSKOGI (S&D, SE). Raporti projekt ei ole veel kättesaadav. Ettepaneku kohta esitavad arvamuse veel kuus komisjoni (keskkonna-, rahvatervise ja toiduohutuse komisjon, tööstuse, teadusuuringute ja energeetikakomisjon, siseturu- ja tarbijakaitsekomisjon, põllumajanduse ja maaelu arengu komisjon, õiguskomisjon ning petitsioonikomisjon).
4. Euroopa Majandus- ja Sotsiaalkomitee võttis vastu arvamuse täiskogu istungil 17. oktoobril 2018.

III. TÖÖ NÕUKOGU ETTEVALMISTAVATES ORGANITES

5. Ettepanek esitati maismaatranspordi töörühmale 13. septembril 2018 ja seda arutati veel viiel korral 2018. aasta septembris ja oktoobris.
6. Praeguses etapis on kõik delegatsioonid säilitanud selle ettepaneku, samuti arutluste käigus esitatud eesistujariigi kompromissteksti ning ka lisas esitatud kompromissteksti suhtes üldise analüüsi reservatsiooni.
7. Mitmes maismaatranspordi töörühma aruteluvoorus toodi eelkõige välja järgmised punktid.

8. Delegatsioonid olid üldiselt avatud arutama ettepanekuga tõstatatud peamist küsimust, nimelt kas kaks korda aastas toimuv aastaaegadega seotud kellakeeramine peaks lõppema kõikides ELi liikmesriikides. Enamik neist märkis siiski, et nad ei ole veel lõpetanud asjaomaseid riiklikke konsultatsioone ministeeriumide vahel ja sidusrühmadega ning seega ei ole neil veel lõplikku seisukohta. Mitu delegatsiooni avaldasid ettepanekule toetust, kuid mõned delegatsioonid olid aastaaegadega seotud kellakeeramise jätkamise poolt oma territooriumil, peamiselt seetõttu, et puuduvad usutavad kättesaadavad tõendid kellakeeramise lõpetamisest tuleneva kasu kohta. Mõned liikmesriigid osutasid kättesaadavatele tõenditele, mis näitavad, et kehtiv süsteem on kõige asjakohasem. Kuna ettepanekule ei ole mõjuhinna lisatud, innustasid mitu delegatsiooni komisjoni tegema põhjaliku mõjuhinna, mis võiks aidata liikmesriikidel võtta vastu teadliku ja kooskõlastatud otsuse.
9. Mis puudutab küsimust, missuguse vööndiaja ELi liikmesriigid kehtestaksid, kui kaks korda aastas toimuv kellakeeramine lõpetataks, rõhutasid kõik delegatsioonid, et väga tähtis on ühtlustatud ja hästi kooskõlastatud lähenemisviis kogu ELis, et vältida killustumist, ajavööndite vaheldumist ning tagada ELi siseturu nõuetekohane toimimine.
10. Võttes arvesse aega, mida on vaja kõikide riiklike konsultatsioonide pidamiseks, nende tulemuste hindamiseks ning täielikult kooskõlastatud lähenemisviisi leidmiseks naaberriikide ja teiste ELi liikmesriikidega, pidas enamik delegatsioone 1. aprilliks 2019 ette nähtud kohaldamise kuupäeva liialt ambitsioonikaks.
11. Kaks delegatsiooni, keda toetasid mitmed teised, tõstasid õiguslikku laadi küsimusi seoses ettepaneku artiklitega 1 ja 2 ning ELi toimimise lepingu artikli 114 valimisega õiguslikuks aluseks. Neid küsimusi arutati koos mõne muu õigusliku küsimusega 25. oktoobril 2018 toimunud töörühma koosolekul.

12. Et võtta arvesse liikmesriikide muret seoses direktiivi kohaldamise tähtajaga, esitas eesistujariik tööühma 22. oktoobri 2018. aasta koosolekul kompromisettepaneku,¹ millega lükatakse direktiivi kohaldamine edasi 1. aprillini 2021. Delegatsioonid pidasid seda lähenemisviisi tervitatavaks ja nägid selles sammu õiges suunas.
13. 29. oktoobril 2018 Grazis toimunud transpordiministrite mitteametlikul kohtumisel tunnustasid liikmesriikide esindajad ettepaneku üle arutelude algatamist, kuid rõhutasid täiendavate konsultatsioonide vajadust enne, kui nõukogu ettevalmistavad organid saavad menetlusega edasi liikuda.

IV. **KOKKUVÕTE**

14. Eeltoodut arvesse võttes võib järeldada, et liikmesriigid vajavad ettepaneku põhielementide suhtes lõpliku seisukoha kujundamiseks rohkem aega. Nõukogul palutakse seetõttu võtta teadmiseks kavandatud direktiivi läbivaatamisel saavutatud edu.

¹ Dok 13036/18.

Proposal for a
DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL
discontinuing seasonal changes of time and repealing Directive 2000/84/EC
(Text with EEA relevance)

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 114 thereof,

Having regard to the proposal from the European Commission,

After transmission of the draft legislative act to the national parliaments,

Having regard to the opinion of the European Economic and Social Committee²,

Acting in accordance with the ordinary legislative procedure,

Whereas:

- (1) Member States chose in the past to introduce summer-time arrangements at national level. It was, therefore, important for the functioning of the internal market that a common date and time for the beginning and end of the summer-time period be fixed throughout the Union. In accordance with Directive 2000/84/EC of the European Parliament and of the Council³, all Member States currently apply summer-time arrangements from the last Sunday in March until the last Sunday in October of the same year.

² OJ C , , p. .

³ Directive 2000/84/EC of the European Parliament and of the Council on summer-time arrangements (OJ L 31, 2.2.2001, p. 21).

- (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.
- (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.
- (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.
- (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 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.

- (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.
- (7) This Directive should apply from 1 April ~~2019~~ **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~~ **28** March ~~2019~~ **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~~ **31** October ~~2019~~ **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 ~~2019~~ **2021** in a concerted manner.
- (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.
- (9) Since the objectives of this Directive as regards harmonised time arrangements cannot be sufficiently achieved by the Member States but can rather be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality, as set out in that Article, this Directive does not go beyond what is necessary to achieve those objectives.

(10) The harmonised time arrangements should be applied in accordance with the provisions on the territorial scope of the Treaties specified in Article 355 of the Treaty on the Functioning of the European Union.

(11) Directive 2000/84/EC should therefore be repealed,

HAVE ADOPTED THIS DIRECTIVE:

Article 1

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~~ 2021, provided that they do so at 1.00 a.m., Coordinated Universal Time, on ~~27~~ 31 October ~~2019~~ 2021. The Member States shall notify this decision in accordance with Article 2.

Article 2

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~~ 18 months before the change takes effect. Where a Member State has made such a notification and has not withdrawn it at least ~~6~~ 18 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*.

Article 3

3. The Commission shall report to the European Parliament and to the Council on the implementation of this Directive by 31 December ~~2024~~ 2026 at the latest.
4. Member States shall provide the Commission with the relevant information by 30 April ~~2024~~ 2026 at the latest.

Article 4

5. Member States shall adopt and publish, by 1 April ~~2019~~ **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.

They shall apply those provisions from 1 April ~~2019~~ **2021**.

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.

6. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.
7. **Article 2 shall apply as from 1 April 2020.**

Article 5

Directive 2000/84/EC is repealed with effect from 1 April ~~2019~~ **2021**.

Article 6

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

Article 7

This Directive is addressed to the Member States.

Done at Brussels,

For the European Parliament

The President

For the Council

The President
