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Dalykas: Pasiūlymas dėl Europos Parlamento ir Tarybos direktyvos, kuria
panaikinamas sezoninis laiko keitimas ir panaikinama
Direktyva 2000/84/EB
– Pažangos ataskaita

I. IVADAS

1. Pasiūlymą pateikė Europos Komisijos pirmininkas J. C. Junckeris, kai 2018 m. rugsėjo 12 d. Strasbūre Europos Parlamentui skaitė savo metinį pranešimą apie Sąjungos padėtį.
2. Pagrindiniai pasiūlymo elementai:
 - paskutinį kartą pakeitus sezoninį laiką 2019 m. kovo 31 d., nuo 2019 m. balandžio 1 d. visose valstybėse narės suderintai panaikinti sezoninį laiko keitimą;

- suteikti visoms valstybėms narėms galimybę paskutinį 2019 m. spalio mėn. sekmadienį dar vieną paskutinį kartą atlikti laiko keitimą į standartinį laiką („žiemos laiką“);
- nepriklausomai nuo valstybių narių teisės priimti sprendimus dėl jų standartinio laiko, įvesti pranešimo sistemą, kurią taikant valstybė narė, norinti ateityje padaryti papildomų savo standartinio laiko pakeitimų, turėtų apie tai pranešti Komisijai bent prieš 6 mėnesius iki to pakeitimo įsigaliojimo.

II. DARBAS KITOSE INSTITUCIJOSE

3. Europos Parlamente Transporto ir turizmo komitetas buvo paskirtas už šią bylą atsakingu komitetu, o Marita ULVSKOG (S&D, SE) buvo paskirta pranešėja. Ataskaitos projektas dar nėra parengtas. Kiti šeši komitetai (ENVI, ITRE, IMCO, AGRI, JURI ir PETI) pateiks nuomonę dėl pasiūlymo.
4. Europos ekonomikos ir socialinių reikalų komitetas priėmė nuomonę 2018 m. spalio 17 d. plenariniame posėdyje.

III. DARBAS TARYBOS PARENGIAMUOSIUOSE ORGANUOSE

5. 2018 m. rugsėjo 13 d. pasiūlymas buvo pateiktas Sausumos transporto darbo grupei, kurioje buvo nagrinėjamas per penkis paskesnius 2018 m. rugsėjo ir spalio mėnesiais vykusius posėdžius.
6. Šiame etape visos delegacijos laikosi bendros tikrinimo išlygos dėl pasiūlymo ir dėl diskusijų metu pirmininkaujančios valstybės narės pateikto ir priede išdėstyto kompromiso.
7. Keliose Sausumos transporto darbo grupės diskusijose buvo pabrėžti šie aspektai:

8. Dėl pagrindinio pasiūlyme iškelto klausimo, ar reikėtų visose ES valstybėse narėse panaikinti kasmet du kartus atliekamą laiko keitimą, delegacijos iš esmės buvo pasirengusios diskutuoti šiuo klausimu. Tiesa, dauguma jų nurodė, kad dar nėra surengusios atitinkamų tarpusavio konsultacijų tarp ministerijų ir su suinteresuotaisiais subjektais, todėl galutinės pozicijos dar nėra priėmusios. Kelios delegacijos pareiškė pritarančios pasiūlymui, o kelios kitos buvo linkusios savo teritorijose toliau taikyti sezoninį laiko keitimą, daugiausia todėl, kad trūksta įtikinamų įrodymų dėl to, kokios naudos galėtų duoti laiko keitimo panaikinimas. Kai kurios valstybės narės atkreipė dėmesį į turimus įrodymus, kad dabartinė sistema yra pati tinkamiausia. Atsižvelgiant į tai, kad kartu su pasiūlymu nepateikiamas poveikio vertinimas, kelios delegacijos ragino Komisiją atlikti išsamų poveikio vertinimą, kuris galėtų padėti valstybėms narėms priimti informacija pagrįstą ir nuoseklų sprendimą.
9. Dėl klausimo, kurio „standartinio laiko“ ES valstybės narės turėtų laikytis, jei būtų panaikinti du kartus per metus atliekami laiko keitimai, visos delegacijos pabrėžė, kad bus labai svarbu laikytis visoje ES suderinto ir gerai koordinuoto požiūrio, siekiant išvengti susiskaidymo, nenuoseklaus laiko zonų pasiskirstymo ir apsaugoti ES vidaus rinkos tinkamą veikimą.
10. Atsižvelgiant į laiką, kurio reikia visoms nacionalinėms konsultacijoms atlikti bei įvertinti ir nuosekliai su kaimyninėmis šalimis ir kitomis ES valstybėmis narėmis koordinuojamam požiūriui parengti, dauguma delegacijų laikėsi nuomonės, kad numatoma taikymo data – 2019 m. balandžio 1 d. – yra pernelyg drąsi.
11. Dvi delegacijos, kurioms pritarė kelios kitos, iškėlė teisinio pobūdžio klausimų, susijusių su pasiūlymo 1 ir 2 straipsniais ir su SESV 114 straipsnio kaip teisinio pagrindo pasirinkimu. Šie klausimai ir kai kurie kiti teisiniai klausimai buvo aptarti 2018 m. spalio 25 d. darbo grupės posėdyje.

12. Siekiant atsižvelgti į valstybių narių susirūpinimą dėl direktyvos taikymo pradžios, pirmininkaujanti valstybė narė 2018 m. spalio 22 d. darbo grupės posėdyje pateikė kompromisinį pasiūlymą¹, pagal kurį direktyvos taikymo pradžia atidedama iki 2021 m. balandžio 1 d. Delegacijos palankiai įvertino šį požiūrį ir laikėsi nuomonės, kad tai yra žingsnis tinkama linkme.
13. 2018 m. spalio 29 d. Grace įvykusiame neformaliame transporto ministrų posėdyje valstybių narių atstovai palankiai įvertino tai, kad pradėtos diskusijos dėl pasiūlymo, tačiau pabrėžė, kad reikia papildomų konsultacijų, kad būtų galima toliau plėtoti diskusijas Tarybos parengiamuosiuose organuose.

IV. IŠVADA

14. Atsižvelgiant į išdėstytas aplinkybes, galima daryti išvadą, kad galutinei pozicijai dėl pagrindinių pasiūlymo elementų parengti valstybėms narėms reikės daugiau laiko. Todėl Tarybos prašoma susipažinti su pažanga, padaryta nagrinėjant siūlomą direktyvą.

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

1. 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.
2. Member States shall provide the Commission with the relevant information by 30 April ~~2024~~ 2026 at the latest.

Article 4

1. 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.

2. 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.
3. **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
