



Mr. Jean-Claude Juncker
President of the European Commission
Rue de la Loi 200
B-1049 Brussels

**Reasoned opinion regarding the Commission's proposed measures to
discontinue seasonal changes of time KOM (2018) 0639**

13. november 2018

File no.: 18-001294-1

Dear Mr. Juncker,

On 18 September 2018, the Danish Parliament received the Commission's proposals for a directive to discontinue seasonal changes of time that, in accordance with the current Directive 2000/84/EC, take place across the European Union on the last Sunday in March and October.

The European Affairs Committee and the Transport, Building and Housing Committee of the Danish Parliament have debated the proposed measures and examined whether they comply with the principle of subsidiarity laid down in TEU Article 5(3). Under the principle of subsidiarity, the Union shall act only if and in so far as the objectives of the proposed action cannot be sufficiently achieved by the Member States and can be better achieved via measures taken at Union level. Furthermore, in accordance with Protocol no 2 of the Treaty, the Commission's proposals shall contain a detailed statement that makes it possible to appraise compliance with the principle of subsidiarity. The reasons shall be substantiated by qualitative and, wherever possible, quantitative indicators.

On this basis, **a majority representing the Social Democratic Party, the Danish People's Party and the Unity List** believes that the Commission's proposed measures to discontinue seasonal changes of time contravene the principle of subsidiarity. The three parties' conviction is based on the three reasons (see below) attached to the reasoned opinion.

The Social Democratic Party recognises that the overall goal of the Commission's proposed measures is to harmonise in order to ensure a proper functioning of the internal market. However, the Social Democratic Party

**The European Affairs
Committee of the Danish
Parliament**
Christiansborg Palace
DK-1240 Copenhagen K
33375500
ft@ft.dk
www.ft.dk



believes that the proposed measures fail to provide adequate reasons to explain why proper functioning of the internal market is best achieved by discontinuing the currently harmonised six-monthly clock changes. On the contrary, the Commission's proposed measures risk creating more fragmented time zones within the European Union with negative consequences for commerce and consumers, the extent of which, however, has still to be established and which can be expected to depend on the extent to which neighbouring countries subsequently decide to make summer or winter time their standard time.

The Social Democratic Party also questions the Commission's second reason for its proposed measures, i.e. that the current system of bi-annual clock changes has been increasingly questioned by citizens, by the European Parliament, and by a growing number of Member States. The Commission drew this conclusion from a public consultation conducted in the period 4 July to 16 August 2018. The party questions whether the Commission's public consultation was a representative poll as 70 % of the 4.6 million or so replies came from Germany, followed by 8.6 % from France and 6 % from Austria.

In its memorandum explaining the proposed measures, the Commission states that the impacts of using summer or winter time on a permanent basis are likely to differ depending on the geographical situation of each Member State. Denmark and other North European countries experience big seasonal changes. They have dark winters with very little daylight and bright summers with short nights. Moreover, the Commission states that the location of countries within their time zone is also likely to be of great significance. While these regional disparities call for coordination at Union level, they also suggest that it would be unwise to prevent Member States from making seasonal clock changes of their respective standard times.

The Danish Government has conducted a public hearing regarding the Commission's proposed measures. Responses indicate that interests are diverging. The Social Democratic Party notes that there is no consensus in favour of discontinuing summer time, and no consensus as to whether Denmark should go for summer or winter time on a permanent basis. Furthermore, there is no clear indication that the Danes believe that time zones should be harmonised across the Union or that they should continue to be a national issue. For example, should Denmark decide to make standard time permanent, the hospitality market (hotels, restaurants and commercial tourism) and sport and cultural organisations all express concern about the prospect of losing one hour of



daylight during summer evenings. By contrast, representatives from industrial, commercial and transport associations prefer us to either make winter time our standard time or coordinate our choice of time zone with neighbouring countries’.

Finally, the financial impacts of the proposed measures on Denmark remain uncertain because the Commission has not prepared an impact assessment for this area. Therefore, more time must be allowed for further investigation of the impacts of the proposed measures, to include their energy-related impacts.

The Danish People’s Party believes that the proposed measures do not comply with the principle of subsidiarity because the Commission’s proposed measures prevent individual Member States from deciding for themselves whether they wish to switch between summer and winter time. Even though the Danish People’s Party does not essentially believe that clock changing is necessary, the party does believe that the individual Member State should decide for itself. The Commission’s proposed measures do not allow for this. Moreover, the Danish People’s Party states that the Commission’s explanatory memorandum fails adequately to substantiate that the goals the proposed measures aim to achieve can be better achieved at Union level.

The Unity List believes that the proposed measures contravene the principle of subsidiarity. The Unity List believes that the individual Member States – not the EU – should decide whether to change between summer and winter time. This does not preclude countries from reaching a voluntary international agreement to coordinate their choice of a model for switching between summer and winter time. Therefore, the Unity List encourages the EU Commission to table new proposals that rescind EU harmonisation of summer-time arrangements to enable the Member States once again to decide this issue for themselves.

The last time the Danish Parliament debated the current European Directive regarding summer-time arrangements (in 2000), the Unity List voted against the government’s proposals for negotiations on grounds of non-compliance with the principle of subsidiarity. The Unity List still believes that the proposed measures contravene the principle of subsidiarity because the Commission’s latest proposed measures force Member States to go for either summer time or winter time on a permanent basis all year round.



FOLKETINGET

Yours sincerely,

A handwritten signature in blue ink, reading "Erik Christensen". The signature is written in a cursive, flowing style with a long, sweeping underline.

Erik Christensen

Chairman, The European Affairs Committee of the Danish Parliament