



EUROPEAN COMMISSION
DIRECTORATE-GENERAL FOR MOBILITY AND TRANSPORT

The Director-General

Brussels,
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By registered letter with acknowledgment of receipt

Joachim Schueth
Am Paulshof 5
53127 Bonn
Germany

Advance copy by email: ask+request-8699-35657096@asktheeu.org

Dear Sir,

Subject: Your application for access to documents – GESTDEM 2020/6536

We refer to your e-mail of 24 October 2020 in which you make a request for access to documents, registered on 5 November 2020 under the above-mentioned reference number.

In particular, you request the access to the following: *“In the position of the EU Parliament adopted on 26 March 2019 concerning the end of seasonal clock changes, EP-PE_TC1-COD(2018)0332, it was agreed in section (5) that member states should notify the EU Commission by 1 April 2020 at the latest in the event that they intend to change their standard time on the last Sunday in October 2021. Please provide a list that states, for each member state, if it has notified the Commission of its decision, and if so, what this decision is (i.e. to change or not to change its standard time).”*

We regret to inform you that the Commission does not hold any documents that would correspond to the description given in your application.

On 12 September 2018, the European Commission proposed a Directive on abolishing seasonal time changes (COM(2018) 639). You refer in your application to the position of the European Parliament adopted on 26 March 2019 in response to the Commission proposal. However, the Parliament’s first reading position of last year is only one step in the legislative procedure for the new Directive to come into force. The second co-legislator, the Council of the European Union, did not adopt any position on the Commission proposal yet. Once we would have a Council position, European Parliament

and Council would still need to negotiate a common text both institutions can agree to. Only then, the new Directive would be ready to enter into force and take legal effect. And only then, Member States will have to indicate their future standard time (according to the provisions set out in the final text agreed by Parliament and Council).

As specified in Article 2(3) of Regulation (EC) No 1049/2001, the right of access as defined in that regulation applies only to existing documents in the possession of the institution.

Given that no such documents, corresponding to the description given in your application, are held by the Commission, the Commission is not in a position to fulfil your request.

In accordance with Article 7(2) of Regulation (EC) No 1049/2001, you are entitled to make a confirmatory application requesting the Commission to review this position.

Such a confirmatory application should be addressed within 15 working days upon receipt of this letter to the Secretariat-General of the Commission at the following address:

European Commission

Secretariat-General

Transparency, Document Management & Access to Documents (SG.C.1)
BERL 7/076

B-1049 Brussels

or by email to: sg-acc-doc@ec.europa.eu

Yours faithfully,

A handwritten signature in black ink, consisting of stylized letters and a long horizontal stroke extending to the right.

Henrik HOLLEI