

**Y Pwyllgor Materion Cyfansoddiadol a Deddfwriaethol  
Constitutional and Legislative Affairs Committee**

Ms Kay Swinburne MEP  
European Parliament  
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Cynulliad  
Cenedlaethol  
Cymru

National  
Assembly for  
Wales



20 March 2013

Dear Ms Swinburne

**Proposal for a directive of the European Parliament and of the Council on the deployment of alternative fuels infrastructure (COM(2013)0018)**

The Constitutional and Legislative Affairs Committee considered the European Commission's above proposal for a directive on the deployment of an alternative fuels infrastructure at its meeting on 18 March 2013.

In doing so, the Committee acknowledged that the House of Commons' European Scrutiny Committee has already recommended that the provisions contained in the proposed directive do not warrant the House issuing a Reasoned Opinion on this occasion.

We note however that the UK Government Department for Transport's EM on the proposed directive states the following in relation to subsidiarity:

The Government accepts that in matters such as common standards for alternative fuels infrastructure, action at an EU level will be required to ensure market harmonisation and acceptance of refuelling equipments by road users across the EU.

However the Government does not agree that the principle of subsidiarity is being respected in all areas of this proposal. We are of the view that the setting of targets within individual Member States is a matter for national policymakers to decide. They know best the market situation within their territory and should be free to implement

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those measures necessary to deliver the desired outcomes in the most cost-effective manner without the need to set mandatory targets.<sup>1</sup>

We share these concerns and wish to draw them to your attention. In particular, we believe that Member States and devolved institutions have a better knowledge of their own market requirements in this area and are therefore in a better position to set targets.

We would be grateful therefore if you could note the Committee's views as part of the European Parliament's future consideration of the Commission's proposal.

I am copying this letter to William Cash MP, Chair of the European Scrutiny Committee in the House of Commons.

Yours sincerely

A handwritten signature in blue ink that reads "David Melding". The signature is written in a cursive style with a long, sweeping tail that extends to the right.

**David Melding AM**  
**Chair**

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<sup>1</sup> Department for Transport, *Explanatory Memorandum: Proposal for a Directive of the European Parliament and of the Council on the Deployment of Alternative Fuels Infrastructure (COM(2013)0018)*, 15 February 2013, Paragraphs 21 and 22