



## COURTESY TRANSLATION

To Mr José Manuel Barroso  
President of the European Commission  
B-1049 Brussels  
BELGIUM

Plaats en Datum            The Hague 7 February 2012  
Betreft                      Reasoned opinion (subsidiarity) on the Regulation on noise-related operating restrictions  
                                    at Union airports COM (2011) 828  
Ons kenmerk                2012Z01897/ 2012D04391

Dear Mr Barroso,

The House of Representatives of the States General has, in accordance with the prescribed procedure, tested the above proposal to the principles of subsidiarity. Application was thus given to Article 5 of the EU Treaty and Protocol 2 of the Treaty of Lisbon concerning the application of the subsidiarity and the proportionality principle.

This letter serves to inform you of the opinion of the House of Representatives of the States General. Identical letters have been sent to the European Parliament, the Council and the Dutch government.

The House of Representatives of the States General is of the opinion that the need to grant the European Commission the right to institute an inquiry into the decision of a Member State to impose noise-related operating restrictions, is insufficiently substantiated. The European Commission has not demonstrated sufficiently how the possible advantages of such supervision by the Commission outweigh the way this would limit the possibility of Member States to arrive at a different conclusion regarding noise-related operating restrictions, on the basis of national circumstances.

For that reason, this Regulation (COM (2011) 828) is not compatible with the principle of subsidiarity, in the view of the Dutch House of Representatives.

Yours sincerely,

(signed)

Gerdi A. Verbeet  
Voorzitter van de Tweede Kamer der Staten-Generaal

Tweede Kamer  
der Staten-Generaal  
Lange Poten 4  
Den Haag

Postbus 20018  
2500 EA Den Haag