

(English version)

**Question for written answer E-000647/26  
to the Commission  
Gerald Hauser (P/E)  
(16 February 2026)**

*Subject:* Proportionality assessment criteria for residence-based tariffs

In its answer to my Question E-000051/2025/rev.1 <sup>(1)</sup> on local resident ski lift tariffs, the Commission states that residence-based price differences may be compatible with EU law under certain conditions, while also referring to a case-by-case assessment. In practice, this creates significant legal uncertainty for Member States, regions and municipalities.

1. What objective and verifiable criteria — e.g. capacity utilisation and limits, strain on infrastructure, public co-financing, geographical scope, features such as quotas or time limitations — does the Commission use to assess whether a residence-based price difference is appropriate, necessary and proportionate?
2. What EU tourism projects involving residence-based tariffs is the Commission aware of (please provide a full list) and what is its assessment of each from an EU-law perspective?
3. What specific reasons in the public interest does the Commission recognise for residence-based price differences, in particular when it comes to protecting the quality of life and housing of the local population, dealing with excessive strain from tourism and in relation to public services of general interest and the (co-)financing or cost burden of public infrastructure?

Submitted: 16.2.2026

**Answer given by Executive Vice-President Séjourné on behalf of the European Commission  
(20 April 2026)**

The Commission does not systematically assess situations involving residence-based price differences. Where relevant, criteria for assessment may include capacity constraints, strain on infrastructure, the extent of public financing, geographical scope, and any quotas or time limitations.

Such measures must aim to achieve a legitimate public interest objective and be appropriate, necessary and proportionate to that aim. Accordingly, such assessments are done on a case-by-case basis.

The Commission is not aware of any EU projects involving residence-based tariffs.

The European Court of Justice has recognised a range of public interest objectives which may justify restrictions of fundamental freedoms under the Treaty on the Functioning of the European Union, including when they affect recipients of services.

These include public policy, public security, public health, consumer protection, the protection of the environment, the preservation of fair market conditions and the protection of recipients of services, among others.

Member States are free to choose measures to protect these objectives, provided such measures are non-discriminatory, necessary, and proportionate in accordance with EU law <sup>(1)</sup>.

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<sup>1</sup> [https://www.europarl.europa.eu/doceo/document/E-10-2025-000051\\_EN.html](https://www.europarl.europa.eu/doceo/document/E-10-2025-000051_EN.html).

<sup>(1)</sup> <https://eur-lex.europa.eu/legal-content/EN/TXT/HTML/?uri=CELEX:32006L0123>.