

AMENDMENT 76

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 76

Article 6, paragraph 2, point (b)

(b) ensure that voluntary agreements and/or other market-oriented schemes, such as white certificates, with an equivalent effect to one or more of the requirements referred to in point (a) exist or are set up. **These** voluntary agreements shall be supervised and followed up by the Member State **concerned** in order to ensure that they have in practice an equivalent effect to one or more of the requirements referred to in point (a).

(b) ensure that voluntary agreements and/or other market-oriented schemes, such as white certificates, with an equivalent effect to one or more of the requirements referred to in point (a) exist or are set up. Voluntary agreements shall be **assessed**, supervised and followed up by the Member State in order to ensure that they have in practice an effect equivalent to one or more of the requirements referred to in point (a).

To that effect, the voluntary agreements shall have clear and unambiguous objectives, and monitoring and reporting requirements linked to procedures that can lead to revised and/or additional measures when the objectives are not achieved or are not likely to be achieved. With a view to ensuring transparency, the voluntary agreements shall be made available to the public and published prior to application to the extent that applicable confidentiality provisions allow, and contain an invitation for stakeholders to comment.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triilogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 77

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
Amendment 77 Article 6, paragraph 3	
<p>3. Member States shall ensure that there are sufficient incentives, equal competition and level playing fields for market actors other than energy distributors, distribution system operators and/or retail energy sales companies, such as ESCOs, energy equipment installers, energy advisors and energy consultants, to independently offer and implement the energy services, energy audits and energy efficiency improvement measures described in <i>paragraph 2(a)(ii)</i>.</p>	<p>3. Member States shall ensure that there are sufficient incentives, equal competition and level playing fields for market actors other than energy distributors, distribution system operators and/or retail energy sales companies, such as ESCOs, installers, energy advisors and energy consultants, to independently offer and implement the energy services, energy audits and energy efficiency improvement measures described in <i>paragraph 2(a) (i) and (ii)</i>.</p>

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal dialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 78

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 78
Article 7, paragraph 1a (new)

Member States shall ensure that greater efforts are made to promote energy end-use efficiency. They shall establish appropriate conditions and incentives for market operators to provide more information and advice to final customers on energy end-use efficiency.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 79

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 79
Article 7, paragraph 1b (new)

The Commission shall ensure that information on best energy-saving practices in Member States is exchanged and broadly disseminated.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 80

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
Amendment 80 Article 8	
With a view to achieving a high level of technical competence, objectivity and reliability, Member States shall ensure, where they deem it necessary, the availability of appropriate qualification, accreditation and/or certification schemes for providers of energy services, energy audits and energy efficiency improvement measures as referred to in Article 6(2)(a)(ii) .	With a view to achieving a high level of technical competence, objectivity and reliability, Member States shall ensure, where they deem it necessary, the availability of appropriate qualification, accreditation and/or certification schemes for providers of energy services, energy audits and energy efficiency improvement measures as referred to in Article 6(2)(a) (i) and (ii) .

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triologue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 81

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 81
Article 12, paragraph 3

3. Certification in accordance with Article 7 of Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings shall be regarded as equivalent to an energy audit meeting the requirements set out in paragraphs 1 and 2 of this Article and as equivalent to an energy **efficiency improvement measure** as referred to in *Annex V* to this Directive. Furthermore, audits resulting from schemes based on voluntary agreements between organisations of stakeholders and a body appointed, supervised and followed up by the Member State concerned shall likewise be considered as having fulfilled the requirements set out in paragraphs 1 and 2.

3. Certification in accordance with Article 7 of Directive 2002/91/EC of the European Parliament and of the Council of 16 December 2002 on the energy performance of buildings shall be regarded as equivalent to an energy audit meeting the requirements set out in paragraphs 1 and 2 of this Article and as equivalent to an energy **audit** as referred to in *Annex V(e)* to this Directive. Furthermore, audits resulting from schemes based on voluntary agreements between organisations of stakeholders and a body appointed, supervised and followed up by the Member State concerned shall likewise be considered as having fulfilled the requirements set out in paragraphs 1 and 2.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triologue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 82

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
Amendment 82 Article 13, paragraph 1	
<p>1. Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for electricity, natural gas, district heating and/or cooling and domestic hot water are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.</p>	<p>1. Member States shall ensure that, in so far as it is technically possible, financially reasonable and proportionate in relation to the potential energy savings, final customers for electricity, natural gas, district heating and/or cooling and domestic hot water are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.</p> <p><i>When an existing meter is replaced, such competitively priced individual meters shall always be provided, unless this is technically impossible or not cost-effective in relation to the estimated potential savings in the long term. When a new connection is made in a new building or a building undergoes major renovations as set out in Directive 2002/91/EC, such competitively priced individual meters shall always be provided.</i></p>

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triilogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

7.12.2005

A6-0343/83

AMENDMENT 83

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading

A6-0343/2005

Mechtild Rothe

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
<p>Amendment 83 Article 13, paragraph 2</p>	
<p>2. Member States shall ensure that, where appropriate, billing performed by energy distributors, distribution system operators and retail energy sales companies is based on actual energy consumption, and is presented in clear and understandable terms. Appropriate information shall be made available with the bill to provide final customers with a comprehensive account of current energy costs. <i>Where appropriate, depending on the amount of energy consumption of the customer concerned,</i> billing shall be performed frequently enough to enable customers to regulate their own energy consumption.</p>	<p>2. Member States shall ensure that, where appropriate, billing performed by energy distributors, distribution system operators and retail energy sales companies is based on actual energy consumption, and is presented in clear and understandable terms. Appropriate information shall be made available with the bill to provide final customers with a comprehensive account of current energy costs. Billing <i>on the basis of actual consumption</i> shall be performed frequently enough to enable customers to regulate their own energy consumption.</p>

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

7.12.2005

A6-0343/84

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AMENDMENT 84

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading

A6-0343/2005

Mechtild Rothe

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 84 Article 14, paragraph 2

2. Not later than **, Member States shall submit to the Commission *an interim report on the overall administration and implementation of this Directive. The report shall include information on the measures taken or planned. A final report showing progress in the period of six years after *** shall be submitted to the Commission not later than ****. The interim report shall be based on available data, supplemented with estimates, and shall include inter alia the estimated progress to date with respect to the intermediate national indicative energy savings target set out in Article 4(2) and to the aim set out in Article 5(1). The final report shall include definitive results with regard to the fulfilment of the overall national indicative energy savings target set out in Article 4(1) and to the aim set out in Article 5(1).*

2. Not later than **30 June 2007** Member States shall submit to the Commission *a first Energy Efficiency Action Plan (EEAP)*. Not later than **30 June 2011** Member States shall submit to the Commission *a second EEAP*.

Not later than 30 June 2014 Member States shall submit to the Commission a third EEAP.

All EEAPs shall describe the energy efficiency measures planned to reach the targets set out in Articles 4(1), 4(2), as well as to meet the provisions on the exemplary role of the public sector and provision of information and advice to final customers set out in Articles 5(1) and 7(2) respectively.

The second and third EEAPs shall:

- include a thorough analysis and evaluation of the preceding plan;

** *Five years after the date of entry into force of this Directive.*

*** *Two years after the date of entry into force of this Directive.*

**** *Ten years after the date of entry into force of this Directive.*

- include the final results with regard to the fulfilment of the energy savings targets set out in Article 4(1) and 4(2);

- include plans for - and anticipated effects of - additional measures which address any existing or expected shortfall of the target;

- in accordance with Article 15(4), use and gradually increase the use of harmonised efficiency indicators and benchmarks, both for the evaluation of past measures as well as for the estimated effects of planned future measures;

- be based on available data, supplemented with estimates.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 85

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 85

Article 14, paragraph 2 a (new)

2a. Not later than 2 years after the date of entry into force of this Directive, the Commission shall publish a cost-benefit impact assessment examining the linkages between EU standards, regulations, policies and measures on end-use energy efficiency.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 86

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 86

Article 14, paragraph 2 b (new)

2b. The EEAPs shall be assessed in accordance with the procedure referred to in Article 16. The first EEAP shall be reviewed before 1 January 2008. The second EEAP shall be reviewed before 1 January 2012. The third EEAP shall be reviewed before 1 January 2015.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 87

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 87

Article 14, paragraph 3

3. On the basis of the *Member States' interim and final reports*, the Commission shall assess the extent to which Member States have made progress towards achieving their national indicative energy savings target. The Commission shall publish a report with its conclusions on the *first interim reports* not later than * *Not later than one year after receipt of the final reports from Member States, the Commission shall publish its conclusions in a final report. These reports shall be accompanied*, as appropriate and where necessary, by proposals to the European Parliament and to the Council for additional measures including a possible extension of the period of *validity* of *the* targets *set out in this Directive*.

3. On the basis of the *EEAPs*, the Commission shall assess the extent to which Member States have made progress towards achieving their national indicative energy savings targets. The Commission shall publish reports with its conclusions:

- on the first *EEAPs* not later than *1 January 2008*;

- on the second *EEAPs* before *1 January 2012*;

- on the third *EEAPs* before *1 January 2015*.

These reports shall include information on related action at Community level, including on legislation currently in force and future legislation. The reports shall take into account the benchmarking system referred to in Article 15(4), identify best practices and identify cases where Member States and/or the Commission are not making enough progress, and may contain recommendations.

* *Six years after the date of entry into force of this Directive.*

The second report shall be followed, as appropriate and where necessary, by proposals to the European Parliament and to the Council for additional measures including a possible extension of the period of application of targets . If the report concludes that insufficient progress has been made towards achieving the national indicative targets, these proposals shall address the level and nature of the targets.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 88

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 88

Article 15, paragraph 2

2. Until, the Commission, in accordance with the procedure referred to in Article 16(2), shall further refine and complement as required points 2 to 6 of Annex IV, whilst respecting the general framework set out in Annex IV

2. Before 1 January 2008, the Commission, in accordance with the procedure referred to in Article 16(2), shall further refine and complement as required points 2 to 6 of Annex IV, whilst respecting the general framework set out in Annex IV.

** ***18 months after the date of entry into force of this Directive.***

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 89

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 89
Article 15, paragraph 3

3. After*, the Commission, in accordance with the procedure referred to in Article 16(2), **may** decide to raise the percentage of harmonised bottom-up calculations used in the harmonised calculation model referred to in point 1 of Annex IV without prejudice to Member State schemes that already have a higher percentage. **The Commission shall take the following factors into account and justify its decision accordingly:**

- (a) experience with the harmonised calculation model during its first years of application;**
- (b) expected potential increase in accuracy as a result of replacing a part of the top-down calculations with bottom-up calculations;**
- (c) estimated potential added cost and/or administrative burden.**

If the Commission thus decides to increase the percentage of harmonised bottom-up calculations, the new harmonised calculation model shall first be

3. Before 1 January 2012, the Commission, in accordance with the procedure referred to in Article 16(2), **shall** raise the percentage of harmonised bottom-up calculations used in the harmonised calculation model referred to in point 1 of Annex IV, without prejudice to Member State schemes that already have a higher percentage. **The new harmonised calculation model with a significantly higher percentage of bottom-up calculations shall first be used as from 1 January 2012.**

Wherever practicable and possible, the measurement of total savings over the total period of application of the Directive shall use this harmonised calculation model, without prejudice to Member State schemes that have a higher percentage of bottom-up calculations.

*used as from**.*

* *Three years after the date of entry
into force of this Directive.*

** *Four years after the date of entry
into force of this Directive*

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

** Four years after the date of entry into force of this Directive.

AMENDMENT 90

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 90

Article 15, paragraph 3 a (new)

3a. By 30 June 2008, the Commission, in accordance with the procedure set out in Article 16, shall develop a set of harmonised energy efficiency indicators and benchmarks based upon them, taking into account available data or data that can be collected in a cost-effective manner for each Member State. For the development of these harmonised energy efficiency indicators and benchmarks the Commission shall use as a reference guide the indicative list set out in Annex IVa. Member States shall gradually integrate these indicators and benchmarks in the statistical data included in their Energy Efficiency Action Plans as referred to in Article 14, and use them as one of the tools at their disposal to decide future priority areas in the Energy Efficiency Action Plans.

The Commission shall present to the European Parliament and the Council not later than five years after the entry into force of the Directive a report on the progress on setting indicators and benchmarks.

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 91

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
Amendment 91 Article 18, paragraph 1, subparagraph 1	
<p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before*. They shall forthwith inform the Commission thereof.</p>	<p>1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive before <i>two years after the date of entry into force of the Directive, with the exception of the provisions of Article 14(1), 14(2) and 14(4), for which the date of transposition shall be at the latest the date referred to in Article 19.</i> They shall forthwith inform the Commission thereof.</p>

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

* ***Two years after the date of entry into force of this Directive.***

AMENDMENT 92

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
Amendment 92 Annex I, point 1	
<p>1. Member States shall use the annual final inland energy consumption of all energy users within the scope of this Directive for the most recent <i>six-year</i> period previous to the implementation of this Directive for which official data are available, to calculate an annual average amount of consumption. This final energy consumption shall be the amount of energy distributed or sold to final customers during the <i>six-year</i> period, not adjusted for degree days, structural changes or production changes.</p> <p>On the basis of this annual average amount of consumption, the national indicative energy savings target shall be calculated once and the resulting absolute amount of energy to be saved applied for the total duration of this Directive.</p> <p>The national indicative energy savings target shall:</p> <ul style="list-style-type: none"> (a) consist of 6% of the annual average amount of consumption referred to above; (b) be measured after the <i>sixth year</i> of application of this Directive; (c) be the result of cumulative annual 	<p>1. Member States shall use the annual final inland energy consumption of all energy users within the scope of this Directive for the most recent <i>five-year</i> period previous to the implementation of this Directive for which official data are available, to calculate an annual average amount of consumption. This final energy consumption shall be the amount of energy distributed or sold to final customers during the <i>five-year</i> period, not adjusted for degree days, structural changes or production changes.</p> <p>On the basis of this annual average amount of consumption, the national indicative energy savings target shall be calculated once and the resulting absolute amount of energy to be saved applied for the total duration of this Directive.</p> <p>The national indicative energy savings target shall:</p> <ul style="list-style-type: none"> (a) consist of 9% of the annual average amount of consumption referred to above; (b) be measured after the <i>ninth year</i> of application of this Directive;

energy savings achieved throughout the *six-year* application period of this Directive;

(d) be reached by way of energy services and other energy efficiency improvement measures.

This methodology for measuring energy savings ensures that the total energy savings prescribed by this Directive is a fixed amount, and is thus independent of future GDP growth and of any future increase in energy consumption.

(c) be the result of cumulative annual energy savings achieved throughout the *nine-year* application period of this Directive;

(d) be reached by way of energy services and other energy efficiency improvement measures.

This methodology for measuring energy savings ensures that the total energy savings prescribed by this Directive is a fixed amount, and is thus independent of future GDP growth and of any future increase in energy consumption.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triilogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 93

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
	Amendment 93 Annex I, point 3
<p>3. Energy savings in a particular year following the entry into force of this Directive that result from energy efficiency improvement measures initiated in a previous year not earlier than 1995 and that have a lasting effect may be taken into account in the calculation of the annual energy savings. In certain cases, where circumstances can justify it, measures initiated before 1995 but not earlier than 1991 may be taken into account. In all cases, the resulting energy savings must still be verifiable and measurable or estimable, in accordance with the general framework in Annex IV.</p>	<p>3. Energy savings in a particular year following the entry into force of this Directive that result from energy efficiency improvement measures initiated in a previous year not earlier than 1995 and that have a lasting effect may be taken into account in the calculation of the annual energy savings. In certain cases, where circumstances can justify it, measures initiated before 1995 but not earlier than 1991 may be taken into account. <i>Measures of a technological nature should either have been updated to take account of technological progress, or be assessed in relation to the benchmark for such measures. The Commission shall provide guidelines on how the effect of all such energy efficiency improving measures should be measured or estimated, based, wherever possible, on existing Community legislation such as Directive 2004/8/EC on the promotion of cogeneration and Directive 2002/91/EC on the energy performance of buildings.</i></p> <p>In all cases, the resulting energy savings must still be verifiable and measurable or</p>

estimable, in accordance with the general framework in Annex IV.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 94

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position	Amendment by Parliament
Amendment 94 Annex III, point (b)	
(b) insulation and ventilation (e.g. wall cavity and roof insulation, double/triple glazing of windows);	(b) insulation and ventilation (e.g. wall cavity and roof insulation, double/triple glazing of windows, <i>passive heating and cooling etc.</i>);

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 95

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading

A6-0343/2005

Mechtild Rothe

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 95
Annex III, point (na) (new)

(na) car-free days;

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 96

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 96

Annex IV, point 1.1, subtitle "Bottom-up calculations", paragraph 1

Part of the annual final inland energy consumption for sectors falling within the scope of this Directive **shall be covered by using a harmonised bottom-up model**. In developing this harmonised bottom-up model in accordance with Article 15(2), the Committee shall aim to use standardised methods which entail a minimum of administrative burden and cost, notably by using the measurement methods referred to in points 2.1 and 2.2 and by focusing on those sectors where the harmonised bottom-up model can be most cost-efficiently applied.

Before the date specified in Article 15(2), the Commission shall develop a harmonised bottom-up model. This model shall cover a level between 20 and 30% of the annual final inland energy consumption for sectors falling within the scope of this Directive, subject to due consideration of the factors referred to in points (a), (b) and (c) below ; Until 1 January 2012, the Commission shall continue to develop this harmonised bottom-up model, which shall cover a significantly higher level of the annual final inland energy consumption for sectors falling within the scope of this Directive, subject to due consideration of the factors referred to in points (a), (b) and (c) below.

In the development of the harmonised bottom-up model, the Commission shall take the following factors into account and justify its decision accordingly

(a) experience with the harmonised calculation model during its first years of application;

(b) expected potential increase in accuracy as a result of a larger share of bottom-up

calculations;

(c) estimated potential added cost and/or administrative burden.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 97

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 97

Annex IV, point 5, paragraph 1

The implementation of one energy efficiency improvement measure, e.g. hot water tank and pipe insulation in a building, or another measure with equivalent effect, may have future multiplier effects in the market, meaning that the market will implement a measure automatically without any further involvement from the authorities or agencies referred to in Article 4(3) or any private based energy services provider. A measure with multiplier potential would in most cases be more cost-effective than measures that need to be repeated on a regular basis. Member States shall estimate the energy savings potential of such measures including their multiplier effects and verify the total effects in an ex-post evaluation using indicators when appropriate.

The implementation of one energy efficiency improvement measure, e.g. hot water tank and pipe insulation in a building, or another measure with equivalent effect, may have future multiplier effects in the market, meaning that the market will implement a measure automatically without any further involvement from the authorities or agencies referred to in Article 4(3) or any private based energy services provider. A measure with multiplier potential would in most cases be more cost-effective than measures that need to be repeated on a regular basis. Member States shall estimate the energy savings potential of such measures including their multiplier effects and verify the total effects in an ex-post evaluation using indicators when appropriate.

With regard to the evaluation of horizontal measures, energy efficiency indicators may be used provided that the way in which they would have developed without the horizontal measures can be determined. However, it must be possible to rule out, as far as possible, double counting with savings achieved through targeted energy

efficiency programmes, energy services and other policy instruments. This applies particularly to energy or CO₂ taxes and information campaigns.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 98

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 98
Annex IV a (new)

Annex IV a

Indicative list of energy conversion markets and sub-markets for which benchmarks can be worked out:

1. The market for household appliances/information technology and lighting:

1.1 Kitchen appliances (white goods);

1.2 Entertainment/information technology;

1.3 Lighting.

2. The market for domestic heating technology:

2.1 Heating;

2.2 Hot water provision;

2.3 Air conditioning;

2.4 Ventilation;

2.5 Heat insulation;

2.6 Windows.

3. The market for industrial ovens.

4. The market for motorised power in industry.

5. The market for public-sector institutions:

5.1 Schools/public administration;

5.2 Hospitals;

5.3 Swimming pools;

5.4 Street lighting.

6. The market for transport services.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triilogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 99

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 99

Annex V, title

Indicative list of *examples of* energy *efficiency improvement* measures *for the public sector*

List of *eligible* energy *efficient public procurement* measures

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal trialogue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

AMENDMENT 100

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading**A6-0343/2005****Mechtild Rothe**

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

 Amendment 100
 Annex V, paragraph 1

Without prejudice to the national and Community public procurement legislation, Member States *may* ensure that the public sector applies requirements from the following *indicative* list in the context of the exemplary role of the public sector as referred to in Article 5:

Without prejudice to the national and Community public procurement legislation, Member States *shall* ensure that the public sector applies *at least two* requirements from the following list in the context of the exemplary role of the public sector as referred to in Article 5:

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triologue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.

7.12.2005

A6-0343/101

AMENDMENT 101

by Mechtild Rothe on behalf of the PPE-DE Group, Alejo Vidal-Quadras Roca on behalf of the PPE-DE Group, Fiona Hall on behalf of the ALDE Group, Claude Turmes on behalf of the Verts/ALE Group and Umberto Guidoni on behalf of the GUE/NGL Group

Recommendation for second reading

A6-0343/2005

Mechtild Rothe

Energy end-use efficiency

Council common position (10721/3/2005 – C6-0298/2005 – 2003/0300(COD))

Council common position

Amendment by Parliament

Amendment 101
Annex V, point ea (new)

(ea) requirements to purchase or rent energy-efficient buildings or parts thereof, or requirements to replace or retrofit purchased or rented buildings or parts thereof in order to render them more energy-efficient.

Or. en

Justification

This is one of the 49 compromise package amendments negotiated with the Council during the last informal triologue of 30 November which will permit the agreement in the second reading if adopted by the European Parliament.