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2009 - 2014

Committee on the Environment, Public Health and Food Safety

2011/0172(COD)

07.11.2011

AMENDMENTS

18 - 195

Draft opinion
Peter Liese
(PE472.304v01-00)

Proposal for a directive of the European Parliament and of the Council on energy efficiency and repealing Directives 2004/8/EC and 2006/32/EC

Proposal for a directive
(COM2011)0370 – C7-0168/2011 – 2011/0172(COD))

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EN

United in diversity

EN

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Amendment 18
Oreste Rossi

Proposal for a directive
Proposal for rejection

Text proposed by the Commission

Amendment

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Industry, Research and Energy, as the committee responsible, to propose rejection of the Commission proposal.

Or. it

Justification

The proposal for a directive conflicts with the second paragraph of Article 194(2) of the TFEU and the conclusions of the extraordinary Energy Council of 4 February 2011. In particular, the combined provisions of Articles 3, 10 and 19(7) conflict with the principles of subsidiarity and proportionality, in that they impose on Member States, in advance, binding national energy efficiency targets and the technology required to achieve them.

Amendment 19
Theodoros Skylakakis

Proposal for a directive
Recital 1

Text proposed by the Commission

Amendment

(1) The Union is facing unprecedented challenges resulting from increased dependence on energy imports and scarce energy resources, and the need to limit climate change and to overcome the economic crisis. Energy efficiency is a valuable means to address these challenges. It improves the Union's security of supply by reducing primary energy consumption and decreasing energy imports. It helps to reduce greenhouse gas emissions in a cost-effective way and thereby to mitigate climate change.

(1) The Union is facing unprecedented challenges resulting from increased dependence on energy imports and scarce energy resources, and the need to limit climate change and to overcome the economic crisis. Energy efficiency is a valuable means to address these challenges. It improves the Union's security of supply by reducing primary energy consumption and decreasing energy imports. It helps to reduce greenhouse gas emissions in a cost-effective way and thereby to mitigate climate change.

Shifting to a more energy-efficient economy should also accelerate the spread of innovative technological solutions and improve the competitiveness of industry in the Union, boosting economic growth and creating high quality jobs in several sectors related to energy efficiency.

Shifting to a more energy-efficient economy should also accelerate the spread of innovative technological solutions and improve the competitiveness of industry in the Union, boosting economic growth and creating high quality jobs in several sectors related to energy efficiency, ***that can be defensible in the medium and long term in terms of global competition.***

Or. en

Justification

Energy efficiency, when done properly, can lead to job creation on a local level, which can be maintained in the medium and long term period and withstand global competition.

Amendment 20

Christa Klaß, Peter Liese

Proposal for a directive

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1 a) In this context, a specific emphasis should be placed on local European producers and SMEs fulfilling high quality standards for their products and services. To this end, the European Union should effectively control related imports from third countries to guarantee that such products and services fulfill the same high quality standards as local producers and service providers in the European Union.

Or. en

Amendment 21

Åsa Westlund, Marita Ulvskog

Proposal for a directive

Recital 5

Text proposed by the Commission

(5) In its Resolution of 15 December 2010 on the Revision of the Energy Efficiency Action Plan¹⁹, the European Parliament called on the Commission to include in its revised Energy Efficiency Action Plan measures to close the gap to reach the overall EU energy *efficiency* objective in 2020.

Amendment

(5) In its Resolution of 15 December 2010 on the Revision of the Energy Efficiency Action Plan, the European Parliament called on the Commission to include in its revised Energy Efficiency Action Plan ***a binding energy efficiency target, alongside*** measures to close the gap to reach the overall EU energy ***savings*** objective in 2020.

Or. en

Amendment 22

Åsa Westlund, Marita Ulvskog

Proposal for a directive

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) On 22 June 2011 the European Commission impact assessment[1] demonstrated that national binding energy efficiency targets for primary energy consumption would be more appropriate than indicative national energy efficiency targets in order to ensure the fulfilment of the overall 20% energy savings target. Furthermore, the impact assessment indicated that binding targets would allow more flexibility for Member States in designing energy savings measures appropriated to the diversity of Member States.

[1] SEC(2011) 779

Or. en

Amendment 23

Åsa Westlund, Marita Ulvskog

Proposal for a directive

Recital 10

Text proposed by the Commission

(10) In this context it is necessary to update the Union's legal framework for energy efficiency with a Directive pursuing the overall objective of the energy efficiency target of saving 20% of the Union's primary energy consumption by 2020, and of **making further energy efficiency improvements after 2020**. To this end, it should establish a common framework to promote energy efficiency within the Union and lay down specific actions to implement some of the proposals included in the Energy Efficiency Plan 2011 and achieve the significant unrealised energy saving potentials it identifies.

Amendment

(10) In this context it is necessary to update the Union's legal framework for energy efficiency with a Directive pursuing the overall objective of the energy efficiency target of saving 20% of the Union's primary energy consumption by 2020, and of **establishing additional energy savings targets for 2025 and 2030**. To this end, it should establish a common framework to promote energy efficiency within the Union and lay down specific actions to implement some of the proposals included in the Energy Efficiency Plan 2011 and achieve the significant unrealised energy saving potentials it identifies.

Or. en

Amendment 24

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) It would be preferable for the 20% energy efficiency target to be achieved as a result of the cumulative implementation of specific national and European measures promoting energy efficiency in different fields. If that approach does not succeed, it would however be necessary to reinforce the policy framework by adding a system of binding targets. In a first stage, therefore, Member States should be required to set national energy efficiency targets, schemes and programmes. It

Amendment

(13) It would be preferable for the 20% energy efficiency target to be achieved as a result of the cumulative implementation of specific national and European measures promoting energy efficiency in different fields. If that approach does not succeed, it would, however, be necessary to reinforce the policy framework by adding a system of binding targets. In a first stage, therefore, Member States should be required to set national energy efficiency targets, schemes and programmes. It

should be for them to decide whether these targets should be binding or indicative in their territory. In a second stage, these targets and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal. The Commission should therefore closely monitor the implementation of national energy efficiency programmes through its revised legislative framework and within the Europe 2020 process. If this assessment shows that the overall Union target is unlikely to be achieved, then the Commission *should* propose mandatory national targets for 2020, taking into account the individual starting points of Member States, their economic performance and early action taken.

should be for them to decide whether these targets should be binding or indicative in their territory. In a second stage, these targets and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal. The Commission should therefore closely monitor the implementation of national energy efficiency programmes through its revised legislative framework and within the Europe 2020 process. If this assessment shows that the overall Union target is unlikely to be achieved, then the Commission *will have to* propose **additional action** for 2020, taking into account the individual starting points of Member States, their economic performance and early action taken.

Or. fi

Amendment 25

Åsa Westlund, Marita Ulvskog

Proposal for a directive

Recital 13

Text proposed by the Commission

(13) It would be preferable for the 20% energy efficiency target to be achieved as a result of the cumulative implementation of specific national and European measures promoting energy efficiency in different fields. ***If that approach does not succeed, it would however be necessary to reinforce the policy framework by adding a system of binding targets. In a first stage, therefore, Member States should be required to set national energy efficiency targets, schemes and programmes. It should be for them to decide whether***

Amendment

(13) It would be preferable for the 20% energy efficiency target to be achieved as a result of the cumulative implementation of specific national and European measures promoting energy efficiency in different fields. ***By establishing mandatory national energy savings targets, based on an effort sharing mechanism between Member States, the union can ensure the fulfilment of the EU-wide energy savings target which is essential to climate policy, competitiveness, green transformation and job creation. Meanwhile such an***

these targets should be binding or indicative in their territory. In a second stage, these targets and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal. The Commission should therefore closely monitor the implementation of national energy efficiency programmes through its revised legislative framework and within the Europe 2020 process. If this assessment shows that the overall Union target is unlikely to be achieved, then the Commission should propose mandatory national targets for 2020, taking into account the individual starting points of Member States, their economic performance and early action taken.

approach would have the benefit of allowing member states to tailor energy efficiency measures according to national circumstances and priorities.

Or. en

Amendment 26
Richard Seeber, Peter Liese

Proposal for a directive
Recital 13

Text proposed by the Commission

(13) It would be preferable for the 20% energy efficiency target to be achieved as a result of the cumulative implementation of specific national *and European* measures promoting energy efficiency in different fields. *If that approach does not succeed, it would however be necessary to reinforce the policy framework by adding a system of binding targets.* In a first stage, therefore, Member States should be required to set national energy efficiency targets, schemes and programmes. *It should be for them to decide whether*

Amendment

(13) It would be preferable for the 20% energy efficiency target to be achieved as a result of the cumulative implementation of specific national measures, *on the basis of binding national targets*, promoting energy efficiency in different fields. In a first stage, therefore, Member States should be required to set *binding* national energy efficiency targets, schemes and programmes *based on a clear effort-sharing agreement.* The Commission should therefore closely monitor *and, if necessary, amend* the implementation of

these targets should be binding or indicative in their territory. In a second stage, these targets and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal. The Commission should therefore closely monitor the implementation of national energy efficiency programmes through its revised legislative framework and within the Europe 2020 process. *If this assessment shows that the overall Union target is unlikely to be achieved, then the Commission should propose mandatory national targets for 2020, taking into account the individual starting points of Member States, their economic performance and early action taken.*

national energy efficiency programmes through its revised legislative framework and within the Europe 2020 process.

Or. en

Amendment 27

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive

Recital 15

Text proposed by the Commission

(15) The rate of building renovation needs to be increased, as the existing building stock represents the single biggest potential sector for energy savings. Moreover, buildings are crucial to achieving the EU objective of reducing greenhouse gas emissions by 80-95% by 2050 compared to 1990. Buildings owned by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate *to set an annual rate of renovation of all* buildings owned by public bodies to

Amendment

(15) The rate of building renovation needs to be increased, as the existing building stock represents the single biggest potential sector for energy savings. Moreover, buildings are crucial to achieving the EU objective of reducing greenhouse gas emissions by 80-95% by 2050 compared to 1990. Buildings owned by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate *for each Member State to lay down its own cost-effective and otherwise sound*

upgrade their energy performance. This renovation rate should be without prejudice to the obligations with regard to nearly-zero energy buildings set in Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings. **The obligation to renovate** public buildings complements the provisions of that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet minimum energy performance requirements.

energy-saving and energy efficiency measures as regards buildings owned by public bodies **in order** to upgrade their energy performance. This renovation rate should be without prejudice to the obligations with regard to nearly-zero energy buildings set in Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings. **Energy-saving and energy efficiency measures for** public buildings **complement** the provisions of that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet minimum energy performance requirements. **Building materials also play a crucial role, as an increasingly substantial proportion of the total energy consumption accounted for by buildings arises at the construction stage. Promoting the use of low-emission building materials, such as wood, on a Europe-wide scale would reduce the environmental burden resulting from construction.**

Or. fi

Justification

The energy efficiency directive should also encourage cost-effectiveness. The Member States' public finances cannot cope with unnecessary and, in cost terms, uneconomical renovation. Wider ranging renovation for energy efficiency purposes should be linked to the routine overhauls carried out during the lifetime of a building. In addition, building materials should be taken into account in the directive.

Amendment 28
Sirpa Pietikäinen

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) The rate of building renovation needs to be increased, as the existing building stock represents the single biggest potential sector for energy savings. Moreover, buildings are crucial to achieving the EU objective of reducing greenhouse gas emissions by 80-95% by 2050 compared to 1990. Buildings owned by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate to set an annual rate of **renovation of all buildings owned by public bodies to upgrade their energy performance**. This renovation rate should be without prejudice to the obligations with regard to nearly-zero energy buildings set in Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings²⁷. The obligation to renovate public buildings complements the provisions of that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet minimum energy performance requirements.

Amendment

(15) The rate of building renovation needs to be increased, as the existing building stock represents the single biggest potential sector for energy savings. Moreover, buildings are crucial to achieving the EU objective of reducing greenhouse gas emissions by 80-95% by 2050 compared to 1990. **To ensure this, it is essential that this Directive maintains a long-term view and establishes roadmaps for drastically reducing the energy use of both private and public buildings by 2050.** Buildings owned **or occupied** by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate to set **a long-term target and an annual rate of energy performance improvement for buildings owned or occupied by public bodies. This measure would require an increased renovation rate and deep renovations, while it** should be without prejudice to the obligations with regard to nearly-zero energy buildings set in Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings **it will in fact serve to facilitate meeting these obligations**. The obligation to renovate public buildings complements the provisions of that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet minimum energy performance requirements.

Or. en

Amendment 29
Frédérique Ries

Proposal for a directive
Recital 15

Text proposed by the Commission

(15) The rate of building renovation needs to be increased, as the existing building stock represents the single biggest potential sector for energy savings. Moreover, buildings are crucial to achieving the EU objective of reducing greenhouse gas emissions by 80-95% by 2050 compared to 1990. Buildings owned by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate to set an annual rate of renovation of all buildings owned by public bodies to upgrade their energy performance. This renovation rate should be without prejudice to the obligations with regard to nearly-zero energy buildings set in Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings²⁷. The obligation to renovate public buildings complements the provisions of that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet minimum energy performance requirements.

Amendment

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Or. en

Justification

Europeans spend the majority of their time indoors. The quality of the indoor air is a crucial determinant of their health, and a factor for chronic diseases such as asthma and allergies. When renovating buildings for better energy efficiency, potential health risks should be addressed, that is risks arising from insufficient ventilation because of greater air-tightness and harmful emissions from building material and construction products.

Amendment 30

Linda McAvan, Åsa Westlund

Proposal for a directive

Recital 18

Text proposed by the Commission

(18) An assessment of the possibility of establishing a ‘white certificate’ scheme at Union level has shown that, in the current situation, such a system would create excessive administrative costs and that there is a risk that energy savings would be concentrated in a number of Member States and not introduced across the Union. The latter objective can better be achieved, at least at this stage, by means of national energy efficiency obligation schemes or other alternative measures that achieve the same amount of energy savings. ***The Commission should however define, by a delegated act, the conditions under which a Member State could in future recognise the energy savings achieved in another Member State. It is appropriate for the level of ambition of such schemes to be established in a common framework at Union level while providing significant flexibility to Member States to take full account of the national organisation of market actors, the specific context of the energy sector and final customers' habits.*** The common framework should give energy utilities the option of offering energy services to all final customers, not only to those to whom they sell energy. This increases competition in the energy

Amendment

(18) An assessment of the possibility of establishing a ‘white certificate’ scheme at Union level has shown that, in the current situation, such a system would create excessive administrative costs and that there is a risk that energy savings would be concentrated in a number of Member States and not introduced across the Union. The latter objective can better be achieved, at least at this stage, by means of national energy efficiency obligation schemes or other alternative measures that achieve the same amount of energy savings. The common framework should give energy utilities the option of offering energy services to all final customers, not only to those to whom they sell energy. This increases competition in the energy market because energy utilities can differentiate their product by providing complementary energy services. The common framework should allow Member States to include requirements in their national scheme that pursue a social aim, notably in order to ensure that vulnerable customers have access to the benefits of higher energy efficiency. It should also allow Member States to exempt small companies from the energy efficiency obligation. The Commission Communication ‘Small

market because energy utilities can differentiate their product by providing complementary energy services. The common framework should allow Member States to include requirements in their national scheme that pursue a social aim, notably in order to ensure that vulnerable customers have access to the benefits of higher energy efficiency. It should also allow Member States to exempt small companies from the energy efficiency obligation. The Commission Communication 'Small Business Act'²⁸ sets out principles that should be taken into account by Member States that decide to abstain from applying this possibility.

Business Act'²⁸ sets out principles that should be taken into account by Member States that decide to abstain from applying this possibility.

Or. en

Justification

A system of mutual recognition of energy savings would effectively mean that consumers in one Member State could end up paying for savings counted towards a target in another member state. This is not fair, as consumers in all Member States must benefit. It could also lead to gaming by energy companies.

Amendment 31 **Vladko Todorov Panayotov**

Proposal for a directive **Recital 19**

Text proposed by the Commission

(19) To tap the energy savings potential in certain market segments where energy audits are generally not offered commercially (such as households or small and medium-sized enterprises), Member States should ensure that energy audits are available. Energy audits should be mandatory and regular for large enterprises, as energy savings can be significant.

Amendment

(19) To tap the energy savings potential in certain market segments where energy audits are generally not offered commercially (such as households or small and medium-sized enterprises), Member States should ensure that energy audits are available **and affordable**. Energy audits should be mandatory and regular for large enterprises, as energy savings can be significant.

Amendment 32
Radvilė Morkūnaitė-Mikulėnienė

Proposal for a directive
Recital 21

Text proposed by the Commission

(21) When designing energy efficiency improvement measures, account should be taken of efficiency gains and savings obtained through the widespread application of cost-effective technological innovations such as smart meters. To maximise the saving benefits of these innovations, final customers should be able to visualise indicators of cost and consumption and have regular individual billing based on actual consumption.

Amendment

(21) When designing energy efficiency improvement measures, account should be taken of efficiency gains and savings obtained through the widespread application of cost-effective technological innovations such as smart meters. To maximise the saving benefits of these innovations, final customers should be able to visualise indicators of cost and consumption and have regular individual billing based on actual consumption.
Meters of this kind should only be installed, however, if the potential benefit outweighs the cost of installing them, and their installation does not result in significant additional expense for the final consumer;

Or. It

Amendment 33
Vladko Todorov Panayotov

Proposal for a directive
Recital 27

Text proposed by the Commission

(27) Most EU businesses are small and medium-sized enterprises (SMEs). They represent an enormous energy saving potential for the EU. To help them adopt energy efficiency measures, Member States should establish a favourable framework

Amendment

(27) Most EU businesses are small and medium-sized enterprises (SMEs). They represent an enormous energy saving potential for the EU. To help them adopt energy efficiency measures, Member States should establish a favourable framework

aimed at providing SMEs with technical assistance **and** targeted information.

aimed at providing SMEs with technical assistance, targeted information **and simplified procedures and application forms for applying for funds and / or inclusion in the national energy grid.**

Or. en

Amendment 34
Oreste Rossi

Proposal for a directive
Recital 28

Text proposed by the Commission

Amendment

(28) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions²⁹ includes energy efficiency among the criteria for determining the Best Available Techniques that should serve as a reference for setting the permit conditions for installations within its scope, including combustion installations with a total rated thermal input of 50 MW or more. However, that Directive gives Member States the option not to impose requirements relating to energy efficiency on combustion units or other units emitting carbon dioxide on the site, for the activities listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community³⁰. To ensure that significant energy efficiency improvements are achieved in electricity and heat generation installations and mineral oil and gas refineries, actual energy efficiency levels should be monitored and compared with the relevant energy efficiency levels associated with the application of the Best Available Techniques. The Commission should compare energy efficiency levels

deleted

and consider proposing additional measures if significant discrepancies exist between the actual energy efficiency levels and the levels associated with the application of the Best Available Techniques. The information collected on the actual energy efficiency values should also be used in reviewing the harmonised efficiency reference values for separate production of heat and electricity set out in Commission Decision 2007/74/EC of 21 December 2006³¹.

³¹. OJ L 32, 06.02.07, p. 183.

Or. it

(See amendment deleting Article 19(5)).

Amendment 35
János Áder

Proposal for a directive
Recital 28

Text proposed by the Commission

(28) Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions²⁹ includes energy efficiency among the criteria for determining the Best Available Techniques that should serve as a reference for setting the permit conditions for installations within its scope, including combustion installations with a total rated thermal input of 50 MW or more. However, that Directive gives Member States the option not to impose requirements relating to energy efficiency on combustion units or other units emitting carbon dioxide on the site, for the activities listed in Annex I to Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a

Amendment

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scheme for greenhouse gas emission allowance trading within the Community³⁰. To ensure that significant energy efficiency improvements are achieved in electricity and heat generation installations **and mineral oil and gas refineries**, actual energy efficiency levels should be monitored and compared with the relevant energy efficiency levels associated with the application of the Best Available Techniques. The Commission should compare energy efficiency levels and consider proposing additional measures if significant discrepancies exist between the actual energy efficiency levels and the levels associated with the application of the Best Available Techniques. The information collected on the actual energy efficiency values should also be used in reviewing the harmonised efficiency reference values for separate production of heat and electricity set out in Commission Decision 2007/74/EC of 21 December 2006³¹.

scheme for greenhouse gas emission allowance trading within the Community³⁰. To ensure that significant energy efficiency improvements are achieved in electricity and heat generation installations, actual energy efficiency levels should be monitored and compared with the relevant energy efficiency levels associated with the application of the Best Available Techniques. The Commission should compare energy efficiency levels and consider proposing additional measures if significant discrepancies exist between the actual energy efficiency levels and the levels associated with the application of the Best Available Techniques. The information collected on the actual energy efficiency values should also be used in reviewing the harmonised efficiency reference values for separate production of heat and electricity set out in Commission Decision 2007/74/EC of 21 December 2006³¹.

Or. en

Amendment 36

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive

Recital 30

Text proposed by the Commission

(30) A sufficient number of reliable professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should therefore put in place certification schemes for the providers of energy services, energy

Amendment

(30) A sufficient number of reliable **qualified** professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should therefore put in place certification schemes for the providers of energy services, energy

audits and other energy efficiency improvement measures.

audits and other energy efficiency improvement measures.

Or. fi

Amendment 37
Vladko Todorov Panayotov

Proposal for a directive
Recital 30

Text proposed by the Commission

(30) A sufficient number of reliable professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should therefore put in place certification schemes for the providers of energy services, energy audits and other energy efficiency improvement measures.

Amendment

(30) A sufficient number of reliable professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should therefore put in place certification schemes for the providers of energy services, energy audits and other energy efficiency improvement measures. ***Member States should ensure compliance with mandatory milestone requirements for certification, proposed by the Commission.***

Or. en

Amendment 38
Anja Weisgerber, Peter Liese

Proposal for a directive
Recital 30 a (new)

Text proposed by the Commission

Amendment

(30a) The necessary increase in energy efficiency will only be achieved through a comprehensive change in society's

thinking. Today's children are tomorrow's workers, engineers, architects, entrepreneurs and energy users. The decisions they take will influence the way in which society produces and uses energy in the future. Energy education is therefore important so that future generations can be instructed in how to contribute to efficient energy consumption through their lifestyle and personal behaviour. The Member States should therefore take targeted action to promote energy education in schools, with particular stress on how each individual can contribute to more efficient, sustainable energy use through their personal behaviour.

Or. de

Justification

If we want energy use to be sustainable we must start with future generations. In them lies the potential for major savings, as long as children are brought up from an early age to use energy responsibly.

Amendment 39
Sophie Auconie, Elisabetta Gardini

Proposal for a directive
Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) Under the Commission's legislative proposals of 6 October 2011 concerning the future of the European Union's cohesion policy, it is likely that there will be a significant increase in the financial support for energy efficiency provided by the Structural Funds and the Cohesion Fund in the 2014-2020 period compared to the 2007-2013 period. Such funding will make a decisive contribution to the

attainment of this Directive's objectives

Or. fr

Amendment 40
Cristina Gutiérrez-Cortines

Proposal for a directive
Recital 33 a (new)

Text proposed by the Commission

Amendment

(33a) The Commission and the Member States should seek to establish research schemes to come up with technology for use in historic buildings, covering all aspects connected with the use of renewable energy, the installation of smart meters and other technologies that would need to be installed in such buildings. The Commission and the Member States should also undertake to disseminate the findings of research that has already been carried out.

Or. es

Amendment 41
Cristina Gutiérrez-Cortines

Proposal for a directive
Recital 33 b (new)

Text proposed by the Commission

Amendment

(33b) Given the special characteristics of historic buildings, research would need to be carried out into the different energy consumption profile involved, taking into account the insulation qualities of traditional architecture, the way in which it is adapted to its environment and the good practices employed in the past with regard to the use and function of such

buildings.

Or. es

Amendment 42
Kriton Arsenis

Proposal for a directive
Recital 34

Text proposed by the Commission

(34) ***In the*** implementation of the 20% energy efficiency target, the Commission ***will have to monitor the impact*** of new measures on Directive 2003/87/EC establishing the EU's emissions trading directive (ETS) in order to ***maintain the*** incentives in the emissions trading system rewarding low carbon investments and preparing the ETS sectors for the innovations needed in the future.

Amendment

(34) ***The*** implementation of the 20% energy efficiency target ***could result in reduced demand for EU ETS allowances and entail distortions in the EU carbon price,*** the Commission ***shall conduct an assessment report of the impacts that the*** new measures ***will have*** on Directive 2003/87/EC establishing the EU's emissions trading directive (ETS), in order to ***create*** incentives in the emissions trading system ***triggering additional energy efficiency measures,*** rewarding low carbon investments and preparing the ETS sectors for the innovations needed in the future.

Or. en

Amendment 43
Bas Eickhout

Proposal for a directive
Recital 34 a (new)

Text proposed by the Commission

Amendment

(34 a) In order to provide for a framework for long term energy efficiency improvements and to be consistent with the European Council objective to achieve 80-95% greenhouse gas reductions by 2050, it is necessary to adjust the linear

factor under the Directive 2003/87/EC establishing the EU Emissions Trading System.

Or. en

Amendment 44
Richard Seeber, Peter Liese

Proposal for a directive
Recital 35

Text proposed by the Commission

(35) Directive 2006/32/EC requires Member States to adopt and ***aim to*** achieve an overall national indicative energy savings target of 9% by 2016, to be reached by deploying energy services and other energy efficiency improvement measures. That Directive states ***that*** the second Energy Efficiency Plan adopted by the Member States shall be followed, ***as appropriate and where necessary***, by Commission proposals for additional measures, ***including extending the period of application of targets. If a report concludes that insufficient progress has been made towards achieving the indicative national targets laid down by that Directive, these proposals are to address the level and nature of the targets.*** The impact assessment accompanying ***this*** Directive finds that the Member States are on track to achieve the 9% target, which is substantially less ambitious than the subsequently adopted 20% energy saving target for 2020, and therefore there is ***no*** need to address the level of the targets.

Amendment

(35) Directive 2006/32/EC requires Member States to adopt and achieve an overall national indicative energy savings target of 9 % by 2016, to be reached by deploying energy services and other energy efficiency improvement measures. That Directive states the second Energy Efficiency Plan adopted by the Member States shall be followed by Commission proposals for additional measures. The impact assessment accompanying ***the*** Directive finds that the Member States are on track to achieve the 9 % target, which is substantially less ambitious than the subsequently adopted 20 % energy saving target for 2020 and ***that*** therefore there is need to address the level of the ***individual national*** targets ***as quickly as possible.***

Or. en

Justification

The overall approach to in the Directive is to be changed. Whereas the Commission did not

propose binding targets but instead suggested a multitude of binding measures, this decreases the flexibility for Member States without ensuring that the overall 20%-target is achieved. Therefore, this is reversed in order to achieve the target while giving the Member States freedom to choose from several non-binding measures.

Amendment 45

Radvilė Morkūnaitė-Mikulėnienė

Proposal for a directive

Recital 37 a (new)

Text proposed by the Commission

Amendment

(37a) When targets and indicators are established, account should be taken of the differences between the respective situations of the various Member States and, in particular, their climatic conditions, economic situation and predicted growth;

Or. It

Amendment 46

Vladko Todorov Panayotov

Proposal for a directive

Recital 38

Text proposed by the Commission

Amendment

(38) In order to permit adaptation to technical progress and changes in the distribution of energy sources, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of certain matters. ***It will be of particular importance that the Commission carry out consultations during its preparatory work, including at expert level.***

(38) In order to permit adaptation to technical progress and changes in the distribution of energy sources, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of certain matters. ***The Commission shall carry out consultations during its preparatory work, including with the corresponding committee at the European Parliament, and at expert level.***

Amendment 47

Dan Jørgensen, Kathleen Van Brempt, Vladko Todorov Panayotov, Corinne Lepage, Bas Eickhout, Sabine Wils

Proposal for a directive

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's target of 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond that date.

Amendment

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of **at least** the Union's target of 20% primary energy savings by 2020 **compared to 2007** and to pave the way for further energy efficiency improvements beyond that date.

Or. en

Amendment 48

Oreste Rossi

Proposal for a directive

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's **target of 20% primary energy savings by 2020** and to pave the way for further energy efficiency improvements beyond that date.

Amendment

This Directive establishes a common framework **of measures** for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's **2020 20% headline target on energy efficiency** and to pave the way for further energy efficiency improvements beyond that date.

Or. en

Justification

This amendments better reflects the legal basis and the conclusions of the extraordinary Energy Council of 4 February 2011. Furthermore, it aims to reflect also the principle that energy efficiency makes energy savings and not vice versa.

Amendment 49

Pavel Poc, Kriton Arsenis, Sirpa Pietikäinen, Vladko Todorov Panayotov

Proposal for a directive

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's target of 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond that date.

Amendment

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of the Union's target of 20% primary energy savings by 2020, ***which amounts to an annual primary energy consumption of 1474 Mtoe in 2020***, and to pave the way for further energy efficiency improvements beyond that date.

Or. en

Justification

Since the question of how to measure energy efficiency and progress towards the 20% target has been one of the main sticking points, it is helpful to explicitly state what is meant by the target in an Article.

Amendment 50

Åsa Westlund, Marita Ulvskog

Proposal for a directive

Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to

Amendment

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to

ensure the achievement of the Union's target of 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond *that date*.

ensure the achievement of the Union's target of *at least* 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements *for 2025, 2030 and* beyond.

Or. en

Amendment 51
Linda McAvan, Åsa Westlund

Proposal for a directive
Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement *of the Union's target* of 20% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond that date.

Amendment

This Directive establishes a common framework for the promotion of energy efficiency within the Union in order to ensure the achievement of 25% primary energy savings by 2020 and to pave the way for further energy efficiency improvements beyond that date.

Or. en

Justification

The Energy Efficiency Directive should introduce a binding target for the reduction of energy consumption by 25% by 2020 - in line with the 2010 ENVI Opinion on the Energy Efficiency Action Plan.

Amendment 52
Anja Weisgerber,

Proposal for a directive
Article 1 – paragraph 1 – subparagraph 1

Text proposed by the Commission

This Directive establishes a common framework for the promotion of energy

Amendment

This Directive establishes a common framework for the promotion of energy

efficiency within the Union in order to ensure the achievement of the Union's target of 20% primary energy savings *by* 2020 and to pave the way for further energy efficiency improvements beyond that date.

efficiency within the Union in order to ensure the achievement, *by means of improved energy efficiency*, of the Union's target of 20% primary energy savings *compared to projections for* 2020 and to pave the way for further energy efficiency improvements beyond that date.

Or. de

Justification

The wording of the aim of the directive should be based on the conclusions adopted by the Heads of State and Government at the March 2007 European Council.

Amendment 53

Oreste Rossi

Proposal for a directive

Article 1 – paragraph 1 – subparagraph 2

Text proposed by the Commission

It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and provides for the establishment of national energy efficiency targets for 2020.

Amendment

It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and provides for the establishment of *indicative* national energy efficiency targets for 2020.

Or. en

Justification

This amendments better reflects the legal basis and the conclusions of the extraordinary Energy Council of 4 February 2011.

Amendment 54

Marita Ulvskog, Åsa Westlund

Proposal for a directive

Article 1 – paragraph 1 – subparagraph 2

Text proposed by the Commission

It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and ***provides for the establishment of*** national energy efficiency targets for 2020.

Amendment

It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and ***lays down binding*** national energy efficiency targets for 2020.

Or. en

Amendment 55
Theodoros Skylakakis

Proposal for a directive
Article 1 – paragraph 1 – subparagraph 2

Text proposed by the Commission

It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and provides for the establishment of national energy efficiency targets for 2020.

Amendment

It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, ***especially as regards small consumers, small and micro enterprises and perverse incentives for large energy producers promoting energy efficiency***, and provides for the establishment of national energy efficiency targets for 2020.

Or. el

Justification

There must be guidelines for policy implementation where market failure is particularly widespread and massive and generates great economic, environmental and social costs.

Amendment 56
Cristina Gutiérrez-Cortines

Proposal for a directive
Article 1 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Buildings of special architectural, historical or cultural merit shall be exempted from the minimum requirements set by this Directive due to their particular technical and aesthetic characteristics. Therefore Member States should be free to decide on a case by case basis, in consultation with representative experts of cultural heritage in each country, when a specific building of such a nature would require this exemption.

Or. en

Amendment 57
Sabine Wils

Proposal for a directive
Article 2 – paragraph 1 – point 2 a (new)

Text proposed by the Commission

Amendment

2 a. 'energy savings' means an amount of saved energy determined by measuring and/or estimating consumption before and after implementation of one or more energy efficiency improvement measures, whilst ensuring normalization for external conditions that affect energy consumption;

Or. en

Amendment 58
Oreste Rossi

Proposal for a directive
Article 2 – paragraph 1 – point 3

Text proposed by the Commission

3. ‘energy service’ means the physical benefit, utility or good derived from a combination of energy with energy efficient technology or with action, which may include the operations, maintenance and control necessary to deliver the service, which is delivered on the basis of a contract and in normal circumstances has proven to result in verifiable and measurable or estimable energy efficiency improvement or **primary** energy savings;

Amendment

3. ‘energy service’ means the physical benefit, utility or good derived from a combination of energy with **energy management systems and/or** energy efficient technology or with action, which may include the operations, maintenance and control necessary to deliver the service, which is delivered on the basis of a contract and in normal circumstances has proven to result in verifiable and measurable or estimable energy efficiency improvement or **final** energy savings;

Or. en

Amendment 59
Judith A. Merkies

Proposal for a directive
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

4. ‘public bodies’ means ‘contracting authorities’ as defined in Directive 2004/18/EC;

Amendment

4. ‘public bodies’ means ‘contracting authorities’ as defined in Directive 2004/18/EC **and bodies that provide housing as part of a service of general interest, which is characterised by regulated rent or means-tested access for tenants;**

Or. en

Amendment 60
Anja Weisgerber

Proposal for a directive
Article 2 – paragraph 1 – point 4

Text proposed by the Commission

Amendment

4. 'public bodies' means 'contracting authorities' as defined in Directive 2004/18/EC;

4. 'public bodies' means 'contracting authorities' as defined in Directive 2004/18/EC, ***with the exception of municipal housing corporations;***

Or. de

Justification

Municipal housing corporations should not be subject to the renovation obligation. This leads to distortions of competition to the detriment of public housing corporations as compared with private competitors in the housing market. Municipal housing corporations must be able to decide for themselves on economically feasible renovation in order to avoid untenable, antisocial rent increases for tenants in municipal housing.

Amendment 61

Karl-Heinz Florenz

Proposal for a directive

Article 2 – paragraph 1 – point 6 a (new)

Text proposed by the Commission

Amendment

6 a. "closed distribution system" means a system which distributes energy products within a geographically confined industrial, commercial or shared service site and does not supply household customers except incidental use by a smaller number of households with employment or similar associations with the owner of the distribution system and located within the area served by a closed system.

Or. en

Justification

This is a consequence of the amendment on Article 6 paragraph 1 new- subparagraph. The definition relates to Article 28 of the Directive 2009/72/EC and Article 28 of the Directive 2009/73/EC on the internal market in electricity and natural gas.

Amendment 62
Oreste Rossi

Proposal for a directive
Article 2 – paragraph 1 – point 11

Text proposed by the Commission

11. ‘energy service **provider**’ means a natural or legal person who delivers energy services or other energy efficiency improvement measures in a final customer's facility or premises;

Amendment

11. ‘energy service **company (ESCO)**’ means a natural or legal person who delivers energy services or other energy efficiency improvement measures in a final customer's facility or premises;

(This amendment applies throughout the text.)

Or. en

Justification

The term "ESCO" is an accepted nomenclature in the market and is used by those offering services, customers, policy-makers and other stakeholders. Its use also ensures consistency in the Directive and with other EU legislation. To use another term would cause confusion, and is open to different interpretations and abuse.

Amendment 63
Peter Liese

Proposal for a directive
Article 2 – paragraph 1 – point 11 a (new)

Text proposed by the Commission

Amendment

11 a. "Demand Response" means changes in electric usage by end-use customers/micro generators from their current/normal consumption/injection patterns in response to changes in electricity prices and/or incentive payments designed to adjust electricity usage, or in response to acceptance of the consumer's bid, alone or through aggregation, to sell demand reduction at a

price in an organized electricity markets or to a retail provider. Demand Response programs are designed to increase the efficiency of the energy value chain and/or increase the consumption and integration of intermittent renewables.

Or. en

Justification

Demand response is a key concept which shall be defined in the Directive since it is relatively new but has a huge potential both economically and environmentally. Demand response improves energy efficiency of supply and demand by unlocking demand-side capacity.

Amendment 64
Sirpa Pietikäinen

Proposal for a directive
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

12. ‘energy audit’ means a systematic **procedure** to obtain adequate knowledge of the **existing energy consumption profile of a building or group of buildings, an industrial or commercial operation or installation or** a private or public service, **identify and quantify** cost-effective **energy savings opportunities**, and **report the findings**;

Amendment

12. ‘energy audit’ means a systematic **high quality investment grade audit** to obtain adequate knowledge of the **actual energy performance of industrial facilities, industrial processes and buildings**, or a private or public service. **The audit identifies and quantifies** cost-effective savings, and **makes recommendations for realizing these savings and improving energy performance. The basis for these calculations must be life-cycle costs and benefits, while also taking into account variable elements such as user or occupiers’ behaviour. This provides facility and buildings owners and managers, utilities, energy services companies and investors with a high level of certainty about project costs and expected savings and risks.**

Or. en

Amendment 65
Frédérique Ries

Proposal for a directive
Article 2 – paragraph 1 – point 12

Text proposed by the Commission

12. ‘energy audit’ means a systematic procedure to obtain adequate knowledge of the existing energy consumption profile of a building or group of buildings, an industrial or commercial operation or installation or a private or public service, identify and quantify cost-effective energy savings opportunities, and report the findings;

Amendment

12. ‘energy audit’ means a systematic procedure to obtain adequate knowledge of the existing energy consumption profile of a building or group of buildings, an industrial or commercial operation or installation or a private or public service, identify and quantify cost-effective energy savings opportunities, **taking into account health impacts**, and report the findings;

Or. en

Justification

When assessing cost-effective energy savings opportunities, impacts on health should be taken into account in order to ensure a balance between good indoor air quality, moisture control and comfort and an increase in energy efficiency.

Amendment 66
Oreste Rossi

Proposal for a directive
Article 2 – paragraph 1 – point 13

Text proposed by the Commission

13. ‘energy performance contracting’ means a contractual arrangement between the beneficiary and the provider of an energy efficiency improvement measure, according to which the payment for the investment made by the provider is in relation to a contractually agreed level of energy efficiency improvement or other agreed energy performance criterion, such

Amendment

13. ‘energy performance contracting’ means a contractual arrangement between the beneficiary and the provider of an energy efficiency improvement measure, according to which the payment for the investment made by the provider is in relation to a contractually agreed **guaranteed** level of energy efficiency improvement or other agreed energy performance criterion, such as financial

as financial savings;

savings *or kilowatt hour savings*;

Or. en

Justification

The guarantee they offer when marketing and selling energy performance contracts is an important part of an ESCo's relationship with the customer. Furthermore, the savings guaranteed are not only financial but also include kilowatt hours.

Amendment 67

Vladko Todorov Panayotov

Proposal for a directive

Article 2 – paragraph 1 – point 13

Text proposed by the Commission

13. 'energy performance contracting' means a contractual arrangement between the beneficiary and the provider of an energy efficiency improvement measure, ***according to which the payment for the investment made by the provider is*** in relation to a contractually agreed level of energy efficiency improvement or other agreed energy performance criterion, ***such as financial savings***;

Amendment

13. 'energy performance contracting' means a contractual arrangement between the beneficiary and the provider (***normally an ESCO***) of an energy efficiency improvement measure, ***verified and monitored during the whole term of the contract, where investments (work, supply or service) in that measure are paid*** for in relation to a contractually agreed level of energy efficiency improvement or other agreed energy performance criterion.

Or. en

Amendment 68

Judith A. Merkies

Proposal for a directive

Article 2 – paragraph 1 - point 24a (new)

Text proposed by the Commission

Amendment

'micro technologies to generate energy' means a variety of small-scale electrical and heat generation technologies that can

be installed and used in individual households;

Or. en

Amendment 69

Jolanta Emilia Hibner, Andrzej Grzyb

Proposal for a directive

Article 2 – paragraph 1 – point 26

Text proposed by the Commission

26. ‘efficient district heating and cooling’ means a district heating or cooling system using at least 50% renewable, waste or cogenerated heat or a combination thereof **and** having a primary energy factor, as referred to in Directive 2010/31/EU, of at least 0.8;

Amendment

26. ‘efficient district heating and cooling’ means a district heating or cooling system using at least 50% renewable, waste or cogenerated heat or a combination thereof **or** having a primary energy factor, as referred to in Directive 2010/31/EU, of at least 0.8;

Or. pl

Amendment 70

Bas Eickhout

Proposal for a directive

Article 2 – paragraph 1 – point 27 a (new)

Text proposed by the Commission

Amendment

27 a. ‘Deep renovation’ means a refurbishment that reduces both the delivered and the final energy consumption of a building by at least 80% compared with the pre-renovation levels.

Or. en

Amendment 71

Judith A. Merkies

Proposal for a directive
Article 2 – paragraph 1 – point 27a (new)

Text proposed by the Commission

Amendment

‘demand response program’ means an ICT-application allowing energy consumers to adjust their demand for electricity to fluctuations in price and supply;

Or. en

Amendment 72
Sirpa Pietikäinen

Proposal for a directive
Article 2 – paragraph 1 – point 27 a (new)

Text proposed by the Commission

Amendment

27 a. (new) “Deep renovation” means a comprehensive energy refurbishment of a building or group of buildings, improving the energy performance by at least 75% as compared to pre-renovation levels.

Or. en

Amendment 73
Dan Jørgensen, Kathleen Van Brempt, Vladko Todorov Panayotov, Corinne Lepage, Bas Eickhout, Sabine Wils

Proposal for a directive
Article 3 – paragraph 1

Text proposed by the Commission

Amendment

1. Member ***States*** shall ***set a national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. When setting these targets, they shall take into account the Union’s target of 20 % energy savings, the***

1. ***Each Member State shall ensure that its national absolute level of primary energy consumption in 2020 is at least below its target as set out in Annex -1. Such mandatory national targets are consistent with the Union’s target of at least 20 %***

measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.

energy savings *referred to in* Article 1 *which limit EU primary energy consumption to maximum 1353,50 Mtoe in 2020, representing 80% of the energy consumption in 2007.*

Or. en

Amendment 74

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall set a national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.

Amendment

1. Member States shall set a national energy efficiency target expressed as an absolute level of ***either final energy or*** primary energy consumption in 2020. When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level. ***Measures reducing greenhouse gas emissions and increasing the use of renewable energy shall in addition be taken into account.***

Or. fi

Justification

Using primary energy as an energy-saving indicator is problematic and at odds with the EU's renewable energy targets. In Member States that are increasing their use of, for example, bio-energy, primary energy consumption may rise because bio-energy has a lower energy content than fossil fuels.

Amendment 75
Holger Krahmer

Proposal for a directive
Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall set a national energy efficiency target ***expressed as an absolute level of primary energy consumption in 2020***. When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.

Amendment

1. Member States shall set a national energy efficiency target. When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.

Or. en

Justification

The focus should be set on energy efficiency rather than on pure absolute savings, and that growth is made possible in the EU economy provided that growth is based on highly efficient businesses.

Amendment 76
Oreste Rossi

Proposal for a directive
Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall set ***a*** national energy efficiency target ***expressed as an absolute level of*** primary energy consumption in 2020. When setting these targets, they shall take into account the Union's ***target of*** 20 % energy ***savings***, the

Amendment

1. Member States shall set ***an indicative*** national energy efficiency target ***on*** primary energy consumption in 2020. When setting these targets, they shall take into account the Union's ***2020*** 20% ***headline target of*** energy ***efficiency***, the

measures provided for in this Directive, the measures adopted to reach the national energy **saving** targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.

measures provided for in this Directive, the measures adopted to reach the national energy **efficiency** targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level. ***When setting the national energy efficiency targets, Member States may take account of national circumstances affecting primary energy consumption: changes of energy imports and exports, development of biomass utilisation as well as wind and solar energy, and carbon capture and storage.***

Or. en

Justification

This amendments better reflects the legal basis and the conclusions of the extraordinary Energy Council of 4 February 2011. Furthermore, it aims to reflect also the principle that energy efficiency makes energy savings and not vice versa.

Amendment 77

Pavel Poc, Kriton Arsenis, Sirpa Pietikäinen, Vladko Todorov Panayotov

Proposal for a directive

Article 3 – paragraph 1

Text proposed by the Commission

1. Member States shall **set** a national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. ***When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.***

Amendment

1. Member States shall **adopt a binding** national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. ***These*** targets shall ***be set according to the methodology set out in Annex Ia (new).***

Justification

It is already clear that the 20% target will not be achieved based on Member States' self-selected indicative national targets. Waiting until 2014 to confirm this just means more lost time. A European methodology on how to set the national targets must be laid down in the Directive to guarantee their summing to 20%, and so that they can become binding targets already upon entry into force of the Directive.

Amendment 78

Åsa Westlund, Marita Ulvskog

**Proposal for a directive
Article 3 – paragraph 1***Text proposed by the Commission*

1. **Member States shall set a national energy efficiency target** expressed as an absolute level of primary energy consumption in 2020. **When setting** these targets, **they shall take into account** the Union's target of 20 % energy savings, **the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.**

Amendment

1. **This directive establishes binding national energy efficiency targets** expressed as an absolute level of primary energy consumption in **the years 2020, 2025 and 2030. As laid out in Annex I** these **national targets will ensure the fulfillment of the** Union's target of 20 % energy savings to **2020 and beyond.**

Amendment 79

Linda McAvan, Åsa Westlund

**Proposal for a directive
Article 3 – paragraph 1***Text proposed by the Commission*

1. Member States shall **set** a national energy efficiency target expressed as an

Amendment

1. Member States shall **adopt a binding** national energy efficiency target expressed

absolute level of primary energy consumption in 2020. *When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.*

as an absolute level of primary energy consumption in 2020. *These targets shall together enable the EU to reduce its primary energy consumption by 25% by 2020.*

Or. en

Justification

The Energy Efficiency Directive should introduce a binding target for the reduction of energy consumption by 25% by 2020 - in line with the 2010 ENVI Opinion on the Energy Efficiency Action Plan.

Amendment 80 **Richard Seeber, Peter Liese**

Proposal for a directive **Article 3 – paragraph 1**

Text proposed by the Commission

1. Member States shall *set a* national energy efficiency target expressed as an absolute level of primary energy consumption in 2020. *When setting these targets, they shall take into account the Union's target of 20 % energy savings, the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.*

Amendment

1. *By 30 June 2013 at the latest*, Member States shall *agree to* national energy efficiency *targets, based on a Commission proposal, taking into account the methodology as laid down in Annex Ia so as to ensure the achievement of the Union's target of 20 % primary energy savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020. The national energy efficiency targets shall be* expressed as an absolute level of primary energy consumption in 2020 *and* shall take into account the measures provided for in this Directive, the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive

2006/32/EC and other measures to promote energy efficiency within Member States and at Union level.

Or. en

Amendment 81
Richard Seeber, Peter Liese

Proposal for a directive
Article 3 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. The Member States shall ensure that policies and measures are implemented to achieve the national energy efficiency targets set in accordance with Paragraph 1 of this Article.

Or. en

Amendment 82
Linda McAvan, Pavel Poc, Åsa Westlund, Kriton Arsenis

Proposal for a directive
Article 3 – paragraph 2

Text proposed by the Commission

Amendment

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4). *deleted*

Or. en

Amendment 83
Richard Seeber, Peter Liese

Proposal for a directive
Article 3 – paragraph 2

Text proposed by the Commission

Amendment

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

deleted

Or. en

Amendment 84
Dan Jørgensen, Kathleen Van Brempt, Vladko Todorov Panayotov, Corinne Lepage, Bas Eickhout, Sabine Wils

Proposal for a directive
Article 3 – paragraph 2

Text proposed by the Commission

Amendment

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

2. Member States shall introduce measures to ensure that their primary energy consumption equals or is below an annual linear trajectory to the 2020 target in Annex -1.

Or. en

Amendment 85
Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive
Article 3 – paragraph 2

Text proposed by the Commission

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

Amendment

2. By 30 June 2014 ***or no later than the time when up-to-date reliable statistics are available***, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

Or. fi

Justification

Eurostat statistics are produced with a two- to three-year time lag and by 2014 will not, therefore, be sufficiently up to date to measure the impact of the energy efficiency directive in terms of energy use.

Amendment 86
Holger Krahmer

Proposal for a directive
Article 3 – paragraph 2

Text proposed by the Commission

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by ***2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in*** 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

Amendment

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

Or. en

Justification

The foreseen 368 Mtoe annual energy efficiency saving will not be the adequate target in case of both a lower or higher growth than now assumed for the EU economy. Adaptation during the course of years is necessary in order to streamline the target and the related policy measures.

Amendment 87

Oreste Rossi

Proposal for a directive

Article 3 – paragraph 2

Text proposed by the Commission

2. By 30 June 2014, the Commission shall assess whether the Union is **likely** to achieve its **target of 20 % primary energy savings by 2020**, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the **evaluation** referred to in Article 19(4).

Amendment

2. By 30 June 2014, the Commission shall assess whether the Union is **on track** to achieve its **2020 20% headline target on energy efficiency**, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the **assessment** referred to in Article 19(7).

Or. en

Justification

This amendments better reflects the legal basis and the conclusions of the extraordinary Energy Council of 4 February 2011. Furthermore, it aims to reflect also the principle that energy efficiency makes energy savings and not viceversa.

Amendment 88

Åsa Westlund, Marita Ulvskog

Proposal for a directive

Article 3 – paragraph 2

Text proposed by the Commission

2. **By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy**

Amendment

2. **Member states are obliged to realise their energy savings obligations laid out in Annex I through the implementation of**

savings by 2020, requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).

measures prescribed by this directive, but also through national, regional and local measures.

Or. en

Amendment 89

Jolanta Emilia Hibner, Andrzej Grzyb

Proposal for a directive Article 3 – paragraph 2

Text proposed by the Commission

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020, *requiring a reduction of EU primary energy consumption of 368 Mtoe in 2020, taking into account the sum of the national targets referred to in paragraph 1 and the evaluation referred to in Article 19(4).*

Amendment

2. By 30 June 2014, the Commission shall assess whether the Union is likely to achieve its target of 20 % primary energy savings by 2020.

Or. pl

Amendment 90

Richard Seeber, Peter Liese

Proposal for a directive Article 3 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

By 31 December 2013, the Commission shall establish, by means of delegated acts in accordance with Article 18, a common and cost-effective methodology for monitoring and verifying energy savings, which will permit to quantify efforts of Member States on an equivalent basis by

drawing on available statistical indicators.

Or. en

Amendment 91
Bas Eickhout

Proposal for a directive
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a - Renovation of Building Stock

1. Member States shall aim to reduce, by 31 December 2050, the energy consumption of the existing building stock by 80% compared to 2010 levels.

2. As part of the national plans referred to in Article 9 of Directive 2010/31/EU, and without prejudice paragraph 1 thereof, Member States shall develop programmes and policies to renovate the existing building stock in order to achieve the objective of paragraph 1.

The programmes shall include deep renovation targets for 2020, 2030 and 2040 differentiated according to the category of building.

Member States shall make these programmes public by 1 January 2014.

Or. en

Amendment 92
Judith A. Merkies

Proposal for a directive
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a - Building stock

1. Member States shall aim to reduce energy use in their building stock by 80% by 2050.

2. By January 2013, Member States shall develop national roadmaps on how to reach the target as referred to in paragraph 1. These shall include at least:

(a) intermediate targets on the reduction of energy use in building stock by 2020, 2030 and 2040,

(b) strategies and measures on how to reach the targets as referred to in paragraph 2.a.

(c) strategies and measures on how to support tenants and give them control over their energy consumption and make sure that the benefits of the energy efficiency measures exceed the costs

(d) strategies and measures on how to address energy efficiency in social housing

Or. en

Amendment 93

Pavel Poc, Sirpa Pietikäinen, Linda McAvan, Vladko Todorov Panayotov

Proposal for a directive

Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a - Building stock

1. Member States shall draft national strategies to reduce the energy consumption of the national existing building stock.

2. The national strategies shall include legislative, financial, and training measures to achieve a reduction of energy consumption of the existing building stock by 80% compared to 2010 levels by 31 December 2050, mainly through deep

renovations..

3. The national strategies shall also include the following intermediate objectives:

(a) A reduction of energy consumption of the existing building stock by 30% compared to 2010 levels by 31 December 2030.

(b) A reduction of energy consumption of the existing building stock by 60% compared to 2010 levels by 31 December 2040.

4. Member States may adopt differentiated approaches for commercial, residential and public buildings and may start by tackling the worst performing buildings first.

Or. en

Justification

Member States should define comprehensive national strategies to reduce the energy consumption of the existing building stock with a long-term perspective.

Amendment 94
Kriton Arsenis

Proposal for a directive
Article 3 a (new)

Text proposed by the Commission

Amendment

Article 3a - Building stock

1. Member States shall draft national strategies to reduce the energy consumption of the national existing building stock.

2. The national strategies shall include legislative, financial, and training measures to achieve a reduction of energy consumption of the existing building stock by 80% compared to 2010 levels by 31 December 2050, mainly through deep

renovations.

3. The national strategies shall also include the following intermediate objectives:

(a) A reduction of energy consumption of the existing building stock by 30% compared to 2010 levels by 31 December 2030.

(b) A reduction of energy consumption of the existing building stock by 60% compared to 2010 levels by 31 December 2040.

4. Member States may adopt differentiated approaches for commercial, residential and public buildings and may start by tackling the worst performing buildings first.

Or. en

Amendment 95
Richard Seeber

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in

deleted

*application of Article 4 of Directive
2010/31/EU.*

Or. en

Amendment 96
Bas Eickhout

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to ***meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU.*** The 3% rate shall be calculated on the total floor area of buildings ***with a total useful floor area over 250 m²*** owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned ***or occupied*** by their public bodies is renovated each year ***subject annually to deep renovation.*** The 3% rate shall be calculated on the total floor area of buildings owned ***or occupied*** by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Or. en

Amendment 97
Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014,

Amendment

1. Member States shall ensure that as from 1 January 2014, ***the public sector in every country can systematically implement***

3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

cost-effective and otherwise sound energy-saving and energy efficiency measures. This may be achieved under national programmes or agreements to promote energy audits of buildings owned by public bodies or of other activities and the renovation measures to be carried out on the basis of such audits. Cost-effective measures may include, for example, the promotion of consumption monitoring or improvements to energy management systems and space efficiency.

Or. fi

Justification

The energy efficiency directive should also encourage cost-effectiveness. The Member States' public finances cannot cope with unnecessary and, in cost terms, uneconomical renovation. Wider ranging renovation for energy efficiency purposes should be linked to the routine overhauls carried out during the lifetime of a building.

Amendment 98 **Oreste Rossi**

Proposal for a directive **Article 4 – paragraph 1**

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 1% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 1% rate shall be calculated on the total floor area of buildings with a total useful floor area over 500 m² owned by the public

bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Or. en

Amendment 99
Linda McAvan

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned **or occupied** by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned **or occupied** by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Or. en

Justification

In a number of countries, public bodies lease buildings from the private sector.

Amendment 100
Holger Krahmer

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU, ***provided that sufficient funding is ensured***. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Or. en

Amendment 101
Jolanta Emilia Hibner, Andrzej Grzyb

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 2% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The **2%** rate shall be calculated on the total floor

area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

area of buildings with a total useful floor area over **500m², and, after 9 July 2015, over** 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Or. pl

Amendment 102
Sirpa Pietikäinen

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. ***Without*** prejudice to Article 7 of Directive 2010/31/EU, Member States shall ***ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.***

Amendment

1. ***1. In order to reach the long-term target mentioned in Article 3a (new) and without*** prejudice to Article 7 of Directive 2010/31 /EU, Member States shall ***implement dedicated national roadmaps for the renovation of the buildings owned or occupied by public bodies. These roadmaps shall ensure measured reductions of delivered or final energy consumption (kWh and kWh/m² or equivalent), as defined in Directive 2010/31 EU, Annex I, of at least 20%, 40% and 80% by 2020, 2030 and 2045, respectively.***

As part of these plans, all buildings owned or occupied by the national, regional and local authorities which - as from 1 January 2014 - are subject to periodic modernization works (for instance, because of age, poor quality or bad performance) will also be subject to energy renovation leading to the reduction

of energy consumption mentioned above.

2. When fulfilling requirements set *out* in *paragraph 1*, *Member States shall ensure that deep renovations are carried out whenever technically feasible, starting first with the worst performing buildings, and encompassing all economically justifiable measures. These renovations shall be carried out at a rate and a depth that leads to a deemed or estimated annual cumulative energy performance improvement of at least 3.5% on average per year for the stock of public buildings as a whole until 2030, and beyond.*

Or. en

Amendment 103
Anja Weisgerber

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 2% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 2% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU. ***The Member States may decide that the total useful floor area of public buildings, in the case of which the national minimum***

requirements set out in Article 4 of Directive 2010/31/EU on the estimated economic lifecycle of a building are not cost-efficient, is not included in the renovation quota.

Or. de

Justification

According to the Commission, the renovation obligation 'does not lead to particularly high energy savings' (p. 4 of the summary of the Commission's impact assessment). This can be set against a considerable financial burden on public finances. The renovation obligation can lead to mandatory renovation which is of dubious environmental and economic value and might endanger the European objective of saving energy, as funding would then be lacking for other areas.

Amendment 104

Vladko Todorov Panayotov

Proposal for a directive Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Member States shall provide for the implementation of measures concerning the building envelope, the building

equipment, operation and maintenance and consumers' behaviour. This will include connection to efficient district heating networks when technically and economically feasible (for buildings being renovated and when heating installations need retrofitting).

Or. en

Amendment 105
Frédérique Ries

Proposal for a directive
Article 4 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

Amendment

1. Without prejudice to Article 7 of Directive 2010/31/EU, Member States shall ensure that as from 1 January 2014, 3% of the total floor area owned by their public bodies is renovated each year to meet at least the minimum energy performance requirements set by the Member State concerned in application of Article 4 of Directive 2010/31/EU. The 3% rate shall be calculated on the total floor area of buildings with a total useful floor area over 250 m² owned by the public bodies of the Member State concerned that, on 1 January of each year, does not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU. ***Specific attention shall be paid to ensuring good indoor air quality through adequate ventilation requirements and the use of low-emission building materials, equipment and products.***

Or. en

Amendment 106
Frédérique Ries

Proposal for a directive
Article 4 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

1.(a) Where energy efficiency measures concern public buildings such as day care centers, kindergardens or schools a health impact assessment shall be carried out.

Or. en

Justification

Children are especially sensitive to potential harmful effects from insufficient indoor air quality. For energy efficiency measures in public buildings where they spend their time, a mandatory health impact assessment should be carried out in order to assess potential risks and decide on measures to balance energy efficiency and indoor air quality needs.

Amendment 107
Oreste Rossi

Proposal for a directive
Article 4 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Member States may decide not to set or apply the requirements referred to in paragraph 1 to buildings officially protected as part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character of appearance.

Or. en

Amendment 108
Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the two previous or following years. **deleted**

Or. fi

Justification

If the mandatory renovation percentage is removed from paragraph 1 of Article 4, paragraph 2 becomes superfluous.

Amendment 109
Richard Seeber

Proposal for a directive
Article 4 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the two previous or following years. **deleted**

Or. en

Justification

The overall approach to in the Directive is to be changed. Whereas the Commission did not propose binding targets but instead suggested a multitude of binding measures, this decreases the flexibility for Member States without ensuring that the overall 20%-target is achieved. Therefore, this is reversed in order to achieve the target while giving the Member States

freedom to choose from several non-binding measures.

Amendment 110

Jolanta Emilia Hibner, Andrzej Grzyb

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the two previous **or** following years.

Amendment

2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the two previous **and/or** following years.

Or. pl

Amendment 111

Anja Weisgerber

Proposal for a directive

Article 4 – paragraph 2

Text proposed by the Commission

2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the **two** previous or following years.

Amendment

2. Member States may allow their public bodies to count towards their annual renovation rate the excess of renovated building floor area in a given year as if it has instead been renovated in any of the **three** previous or following years.

Or. de

Justification

A fixed annual renovation rate is inflexible and unrealistic. Public bodies should have the possibility of spreading renovation work over a multiannual period, thereby ensuring achievement of the renovation rate over the whole period.

Amendment 112
Richard Seeber

Proposal for a directive
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. For the purposes of paragraph 1, by 1 January 2014, Member States shall establish and make publicly available an inventory of buildings owned by their public bodies indicating:

(a) the floor area in m²; and

(b) the energy performance of each building.

deleted

Or. en

Justification

The overall approach to in the Directive is to be changed. Whereas the Commission did not propose binding targets but instead suggested a multitude of binding measures, this decreases the flexibility for Member States without ensuring that the overall 20%-target is achieved. Therefore, this is reversed in order to achieve the target while giving the Member States freedom to choose from several non-binding measures.

Amendment 113
Bas Eickhout

Proposal for a directive
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

Amendment

3. For the purposes of paragraph 1, by 1 January 2014, Member States shall establish and make publicly available an inventory of buildings owned by their public bodies indicating:

3. For the purposes of paragraph 1, by 1 January 2014, Member States shall establish and make publicly available an inventory of buildings owned *or occupied* by their public bodies indicating:

Or. en

Amendment 114
Oreste Rossi

Proposal for a directive
Article 4 – paragraph 3 – introductory part

Text proposed by the Commission

3. For the purposes of paragraph 1, by 1 January 2014, Member States shall establish and make publicly available an inventory of buildings owned by their public bodies *indicating*:

Amendment

3. For the purposes of paragraph 1, by 1 January 2014, Member States shall establish and make publicly available an inventory of buildings owned by their public bodies *with a total useful floor area as referred to in paragraph 1 containing the following data*:

Or. en

Amendment 115
Richard Seeber

Proposal for a directive
Article 4 – paragraph 3 – point a

Text proposed by the Commission

(a) the floor area in m²; and

Amendment

deleted

Or. en

Justification

The overall approach to in the Directive is to be changed. Whereas the Commission did not propose binding targets but instead suggested a multitude of binding measures, this decreases the flexibility for Member States without ensuring that the overall 20%-target is achieved. Therefore, this is reversed in order to achieve the target while giving the Member States freedom to choose from several non-binding measures.

Amendment 116
Oreste Rossi

Proposal for a directive
Article 4 – paragraph 3 – point a

Text proposed by the Commission

Amendment

(a) the floor area in m²; **and**

(a) the **useful** floor area in m²;

Or. en

Amendment 117
Richard Seeber

Proposal for a directive
Article 4 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the energy performance of each building.

deleted

Or. en

Amendment 118
Oreste Rossi

Proposal for a directive
Article 4 – paragraph 3 – point b

Text proposed by the Commission

Amendment

(b) the energy performance of each building.

(b) the energy performance of each building; **and**

Or. en

Justification

The overall approach to in the Directive is to be changed. Whereas the Commission did not propose binding targets but instead suggested a multitude of binding measures, this decreases the flexibility for Member States without ensuring that the overall 20%-target is achieved. Therefore, this is reversed in order to achieve the target while giving the Member States freedom to choose from several non-binding measures.

Amendment 119
Oreste Rossi

Proposal for a directive
Article 4 – paragraph 3 – point b a (new)

Text proposed by the Commission

Amendment

(b a) the use of ESCOs and energy performance contracting.

Or. en

Amendment 120
Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive
Article 4 – paragraph 3 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

The compilation of such inventories shall not, however, apply to buildings important to national security or, for example, buildings owned by the armed forces.

Or. fi

Justification

For reasons of national security it is important that buildings owned by, say, the armed forces should be excluded from the scope of the inventories.

Amendment 121
Oreste Rossi

Proposal for a directive
Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. As an alternative approach to paragraphs 1 and 2, Member States may take other measures to achieve an

equivalent annual improvement of the energy performance of the buildings owned by their public bodies as required in paragraph 1. Member States may prioritise renovation of the buildings owned by their public bodies, based on the most cost-effective improvement of the energy performance of their building stock. For the purpose of this alternative approach, they may estimate the energy savings that paragraphs 1 and 2 would result in by using appropriate standard values for the energy consumption of a building before and after renovation.

Member States opting for an alternative approach shall notify to the Commission, by 1 January 2014 at the latest, the alternative measures that they plan to adopt and showing how they would achieve an equivalent improvement of the energy performance of the buildings owned by their public bodies.

Or. en

Amendment 122
Rolandas Paksas

Proposal for a directive
Article 4 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States shall **encourage** public bodies **to**:

Amendment

4. Member States shall **ensure that** public bodies:

Or. en

Amendment 123
Frédérique Ries

Proposal for a directive
Article 4 – paragraph 4 – point b

Text proposed by the Commission

(b) put in place an energy management system as part of the implementation of their plan.

Amendment

(b) put in place an energy management system as part of the implementation of their plan.

The energy efficiency plan and management system shall take due account of health risks and beneficial measures.

Or. en

Amendment 124

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive

Article 4 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(ba) allow, when constructing public buildings, for carbon dioxide emissions from building materials, for the energy consumption brought about by the manufacture of building materials, and for the lifetime environment-friendliness of building materials, and promote the use of renewable natural resources, such as wood, in construction work.

Or. fi

Justification

Building materials are also a decisive factor to the extent that an increasingly substantial proportion of the total energy consumption accounted for by buildings arises at the construction stage. Promoting the use of low-emission environment-friendly building materials, such as wood, would reduce the environmental burden resulting from construction.

Amendment 125

Vladko Todorov Panayotov

Proposal for a directive
Article 4 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(b a) (c) put in place contracts for energy services aimed at keeping or improving energy efficiency in the long term, including energy performance contracting

Or. en

Amendment 126
Rolandas Paksas

Proposal for a directive
Article 4 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(b a)(c) the contents and frame of these plans shall be defined at national level and developed and adopted at regional and local level, adapted to the specificities of the public bodies;

Or. en

Amendment 127
Frédérique Ries

Proposal for a directive
Article 4 – paragraph 4 – point b a (new)

Text proposed by the Commission

Amendment

(b a) (c) Member States shall encourage the development of criteria for energy efficient and healthy buildings, checklists, information campaigns and exchange of good practice.

Or. en

Justification

The development of criteria, checklists and exchange of good practice should be facilitated in order to establish buildings that are both energy efficient and healthy.

Amendment 128
Rolandas Paksas

Proposal for a directive
Article 4 – paragraph 4 – point b b (new)

Text proposed by the Commission

Amendment

(b b) the energy efficiency plans adopted by the regional and local public bodies should be legally binding.

Or. en

Amendment 129
Peter Liese, Anne Delvaux, Vladko Todorov Panayotov, Jo Leinen, Sophie Auconie

Proposal for a directive
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a (new) Member States shall draw up national roadmaps to provide details about national strategies to reduce carbon emission of the building stock by 80% in 2050 compared to 1990 levels. These national shall be adopted by January 1, 2014 (for public buildings), by January 1, 2015 (for commercial buildings), and by January 1, 2017 (for private buildings), and will also establish intermediary targets for average energy consumption of the building stock 2020, 2030, and 2040.

Or. en

Justification

The private building stock should also be addressed by this directive, but not in form of a rigid target in absolute terms. Member States should be able to be flexible to achieve the target.

Amendment 130
Theodoros Skylakakis

Proposal for a directive
Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Any action specified in Article 4 shall be accompanied by a feasibility study showing the financial results of the investment, bearing in mind the current use and possible future uses of the public building in question.

Or. el

Justification

In a period of austerity, in all public budgets decisions must be environmentally and economically rational and there must be no cases in which specific companies gain monopolistic advantages without this providing additional benefits in terms of public interest.

Amendment 131
Oreste Rossi

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, ***taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition, as*** referred to in Annex III.

Amendment 132
Holger Krahrmer

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Amendment

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance ***in a cost-effective manner***, as referred to in Annex III.

Or. en

Amendment 133
Anja Weisgerber, Peter Liese

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Amendment

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III. ***Public bodies will thus be taking into account cost-effectiveness, economical feasibility and technical arrangements as well as sufficient competition.***

Or. de

Justification

Public procurement must be able to take into account other factors apart from energy efficiency, thereby enabling the selection criteria properly to be evaluated in individual cases.

Amendment 134
Vladko Todorov Panayotov

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Amendment

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Member States shall encourage the development and uptake of energy services, as defined in Article 2.3. In this respect, public bodies shall assess the possibility of concluding long term energy performance contracts as referred to in Article 14b.

Or. en

Amendment 135
Richard Seeber

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Member States shall ***ensure*** that public bodies purchase only products, services and buildings with high energy efficiency performance, ***as referred to in Annex III.***

Amendment

Member States shall ***encourage*** that public bodies purchase only products, services and buildings with high energy efficiency performance.

Or. en

Justification

The overall approach to in the Directive is to be changed. Whereas the Commission did not propose binding targets but instead suggested a multitude of binding measures, this decreases the flexibility for Member States without ensuring that the overall 20%-target is achieved. Therefore, this is reversed in order to achieve the target while giving the Member States freedom to choose from several non-binding measures.

Amendment 136
Theodoros Skylakakis

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Amendment

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III., ***provided that the additional cost involved in the purchase in question is a financially efficient decision, taking into account the financial efficiency of the purchase from the point of view of the investment and the benefit in reducing greenhouse gas emissions.***

Or. el

Justification

In a period of austerity to all the public budget, decisions must be environmentally and economically rational and there must be no cases in which specific companies gain monopolistic advantages, without providing additional benefit in terms of public interest.

Amendment 137
Sophie Auconie, Elisabetta Gardini, Françoise Grossetête

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

Member States shall ensure that public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Amendment

Member States shall ensure that, ***as far as possible***, public bodies purchase only products, services and buildings with high energy efficiency performance, as referred to in Annex III.

Or. fr

Amendment 138
Richard Seeber

Proposal for a directive
Article 6

Text proposed by the Commission

Amendment

[...]

deleted

Or. en

Amendment 139
Bas Eickhout

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either **all** energy distributors **or all** retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to **1.5%** of their energy sales, by volume, **in the previous year in** that Member State **excluding energy used in transport**. This amount of energy savings shall be achieved by the obligated parties among final customers.

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either energy distributors **and/or** retail energy sales companies operating on the Member State's territory achieve **cumulative** annual **end-use** energy savings equal to **at least 2 %** of their **annual** energy sales, by volume, **averaged over the most recent three-year period for** that Member State. This amount of energy savings shall be achieved by the obligated parties among final customers.

Or. en

Amendment 140
Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

Amendment

1. Each Member State shall set up an

1. Each Member State shall set up an

energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings ***equal to 1.5% of their energy sales, by volume, in the previous year in that Member State*** excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among final customers.

energy efficiency obligation scheme. ***The scheme may also take the form of an alternative agreement-based energy efficiency scheme, as referred to in paragraph 9, along the lines of those already in use in many Member States.*** This scheme, ***or alternative schemes as referred to in paragraph 9,*** shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings, ***to be determined by each Member State according to its energy efficiency starting point,*** excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among final customers. ***Member States may fulfil an energy saving obligation, wholly or in part, by means of an alternative agreement-based energy efficiency scheme, including where energy end users are directly concerned.***

Or. fi

Justification

Many Member States already have functioning, effective energy efficiency schemes based on agreement. The energy efficiency directive should allow for these successful schemes rather than obliging Member States to set up new schemes. Member States should lay down their annual savings targets, based on their starting points, in their chosen energy efficiency schemes within a view to meeting their national targets as referred to in Article 3.

Amendment 141

Elisabetta Gardini, Paolo Bartolozzi, Sergio Berlato, Cristian Silviu Buşoi, Salvatore Tatarella

Proposal for a directive Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This

Amendment

1. ***1.*** Each Member State shall set up an energy efficiency obligation scheme. This

scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings **equal to 1.5%** of their energy sales, by volume, in the previous year in that Member State **excluding energy used in transport**. This amount of energy savings shall be achieved by the obligated parties among final customers.

scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings **as a quota** of their energy sales by volume, in the previous year in that Member State, **as contribution to the national target as set pursuant to Article 3 of this Directive, taking into account the Union's target of 20% energy savings by 2020**. This amount of energy savings shall be achieved by the obligated parties among final customers. **The energy saving target shall be introduced gradually and with a starting level differentiated on a national basis in order to take into full account early actions and results achieved so far, including efficiency measures already adopted in the fuel sector.**

Measures that target long-term savings or structured programs proposed by operators in the energy efficiency sector should be encouraged through incentives or specific fiscal treatment.

Or. en

Justification

The amendment aims to introduce the principle of flexibility and subsidiarity. A “one fits all” approach is not advisable in the implementation of ambitious energy efficiency targets. Member States shall set a national energy efficiency target according to specific national circumstances such as energy scenario, primary energy consumption, early actions and progress achieved in the implementation of energy efficiency policies so far. Member States must set up the most appropriate measures to reach this target. The Fuel Quality Directive and the ETS already foresee strict efficiency targets for fuels.

Amendment 142
Holger Krahrmer

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

1. **Each Member State shall** set up an energy efficiency **obligation** scheme. This scheme shall ensure that **either all energy distributors or all retail energy sales companies operating on the Member State's territory** achieve annual energy savings **equal to 1.5% of their energy sales, by volume, in the previous year in that Member State excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties** among final customers.

Amendment

1. **In order to achieve the objectives referred to in paragraph 1 of Article 3,** Member States **may** set up an energy efficiency scheme. This scheme shall ensure that **obliged parties** achieve annual energy savings among final customers.

Or. en

Justification

The proposed 1.5% national target disregards energy efficiency increases achieved earlier on in some Member States (early actions).

Amendment 143

Peter Liese, Anne Delvaux, Vladko Todorov Panayotov

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State **excluding energy used in transport**. This amount of energy savings shall be achieved by the obligated parties among final customers.

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State. This amount of energy savings shall be achieved by the obligated parties among final customers. **The Member States shall apply the scheme to all sectors.**

Justification

Energy efficiency is more cost-efficient if every sector is involved. In the case of transport, electro-mobility could contribute a lot to energy efficiency.

Amendment 144
Oreste Rossi

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings **equal to 1.5%** of their energy sales, by volume, in the previous year in that Member State **excluding energy used in transport**. This amount of energy savings shall be achieved by the obligated parties among final customers.

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings **as a quota** of their energy sales, by volume, in the previous year in that Member State. This amount of energy savings shall be achieved by the obligated parties among final customers. **The energy saving target shall be introduced gradually, with a starting level differentiated on a national basis in order to take into full account of early actions and results achieved so far, including efficiency measures already adopted in the fuel sector.**

Measures that target long-term savings or structured programs proposed by operators in the energy efficiency sector should be encouraged through incentives or specific fiscal treatment.

Justification

The amendment aims to introduce the principle of subsidiarity. A "one fits all" approach is not advisable in the implementation of ambitious energy efficiency targets. Member States

shall set a national energy efficiency target according to specific national circumstances (primary energy consumption, energy scenario, etc.). Member States must set up the most appropriate measures to reach this target. The Fuel Quality Directive and the ETS already foresee strict efficiency targets for fuels.

Amendment 145

Pavel Poc, Vladko Todorov Panayotov

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State ***excluding energy used in transport***. This amount of energy savings shall be achieved by the obligated parties among final customers.

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State. This amount of energy savings shall be achieved by the obligated parties among final customers.

Or. en

Justification

The proposed 1.5% annual savings obligation must apply to the economy as a whole, the transport sector which holds a significant economic but yet unrealised saving potential should therefore be included.

Amendment 146

Miroslav Ouzký

Proposal for a directive

Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme. This

scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings **equal to 1.5%** of their energy sales, by volume, in the previous year in that Member State excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among final customers.

scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings **set by Member state as a percentage** of their energy sales, by volume, in the previous year in that Member State excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among **distributors and** final customers. **This annual energy savings shall lead to achievement of the target set in Article 3(2).**

Or. en

Justification

Member states should be able to set their own national target including previous and ongoing saving efforts, that incorporates other significant internal (their potential in both technology advancement and economic performance) and external (economic growth and industrial activities) factors, instead of setting one-for-all savings target at EU level. In this way it will be able to accomplish the overall directive target (Article 3) and consider their national energy efficiency specificities.

Amendment 147 **Anja Weisgerber**

Proposal for a directive **Article 6 – paragraph 1**

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of **their** energy sales, by volume, in the previous year in that Member State **excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among final customers.**

Amendment

1. The Member States shall be obliged to set up incentives schemes to increase energy efficiency among end users in order to achieve annual energy savings equal to 1.5% of **the** energy sales, by volume, in the previous year in that Member State.

Justification

It should be possible for the Member States to achieve the mandatory 1.5% target of energy savings among end users in other ways apart from energy efficiency obligation schemes.

Amendment 148
Vladko Todorov Panayotov

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among final customers.

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme. This scheme shall ensure that either all energy distributors or all retail energy sales companies operating on the Member State's territory achieve annual energy savings equal to 1.5% of their energy sales, by volume, in the previous year in that Member State excluding energy used in transport ***and sold to ETS installations*** . This amount of energy savings shall be achieved by the obligated parties among final customers ***or via an equivalent primary energy saving in the supply chain***.

Amendment 149
Rolandas Paksas

Proposal for a directive
Article 6 – paragraph 1

Text proposed by the Commission

1. Each Member State shall set up an energy efficiency obligation scheme. ***This*** scheme shall ensure that either all energy

Amendment

1. Each Member State shall set up an energy efficiency obligation scheme ***or take other measures to achieve energy***

distributors or all retail energy sales companies operating on the Member State's territory **achieve annual** energy savings **equal** to 1.5% of their energy sales, by volume, in the previous **year** in that Member State **excluding energy used in transport. This amount of energy savings shall be achieved by the obligated parties among final customers.**

savings among final customers. Either the obligation scheme or the other measures shall ensure that either all energy distributors or all retail energy sales companies **or other relevant party** operating on the Member State's territory **take measures which represent** energy savings **equivalent [adjusted to average years and other relevant factors like economic growth] to 4.5%** of their energy **distributed or energy** sales, by volume, in the previous **three years** in that Member State.

Member States may include measures in the **transport sector in their national schemes.**

Or. en

Amendment 150
Karl-Heinz Florenz

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

Sales or deliveries of energy products shall not result in energy savings obligations of paragraph 1 of this article, if

- they consist of energy by-products or energy products derived by energy recovery; or

- they are delivered or sold mainly to own sites and subsidiaries; or

- they are conducted within "closed distribution systems".

Or. en

Justification

Industrial, commercial or shared services sites such as train station buildings, airports, hospitals or certain industry sites can include closed distribution systems because of the specialised nature of their operations. Their primary function is to use the energy that is gained through the industrial process and not the energy supply as such. Therefore it is in their own interest to increase their efficiency.

Amendment 151

Vladko Todorov Panayotov

Proposal for a directive

Article 6 – paragraph 2

Text proposed by the Commission

2. Member States shall express the amount of energy savings required from each obligated party in terms of either final or primary energy consumption. The method chosen for expressing the required amount of energy savings shall also be used for calculating the savings claimed by obligated parties. The conversion factors in Annex IV shall apply.

Amendment

2. Member States shall express the amount of energy savings required from each obligated party in terms of either final or primary energy consumption. The method chosen for expressing the required amount of energy savings shall also be used for calculating the savings claimed by obligated parties. The conversion factors in Annex IV shall apply. ***Switches of fuel have to be taken into account in the energy savings calculation, using a guideline to be adopted by the Commission.***

Member States shall authorize energy distributors or all retail energy sales companies involved either directly or via connected undertakings in the supply side, to count the energy savings achieved in the transformation, transmission and distribution of energy towards the achievement of the requirement of paragraph.

Or. en

Amendment 152

Linda McAvan, Pavel Poc

Proposal for a directive
Article 6 – paragraph 4

Text proposed by the Commission

4. Member States shall ensure that the savings claimed by obligated parties are calculated in accordance with Annex V(2). They shall put in place control systems under which at least a statistically significant **proportion** of the energy efficiency improvement measures put in place by the obligated parties is independently verified.

Amendment

4. Member States shall ensure that the savings claimed by obligated parties are calculated in accordance with Annex V(2). They shall put in place **independent measurement, control and verification** systems under which at least a statistically significant **and representative sample** of the energy efficiency improvement measures put in place by the obligated parties is independently verified.

Or. en

Justification

Proper verification of the energy savings is crucial to ensure that consumers are receiving a fair deal and to provide confidence that savings predicted are actually being achieved. The system must ensure that savings attributed to each type of measure (ex ante) are accurate and based on real-life consumer behaviour and that monitoring (ex post) of samples of measures are carried out, with independent verification. The latter is particularly important for measures whose impact is dependent on consumer behaviour, such as appliances, light bulbs or ‘do-it-yourself’ loft insulation.

Amendment 153
Linda McAvan

Proposal for a directive
Article 6 – paragraph 5 – introductory part

Text proposed by the Commission

5. Within the energy efficiency obligation scheme, Member States **may**:

Amendment

5. Within the energy efficiency obligation scheme, Member States **shall**:

Or. en

Justification

There must be a requirement with a social aim to ensure that households affected by energy poverty are targeted by the schemes.

Amendment 154
Sabine Wils

Proposal for a directive
Article 6 – paragraph 5 – introductory part

Text proposed by the Commission

5. Within the energy efficiency obligation scheme, Member States *may*:

Amendment

5. Within the energy efficiency obligation scheme, Member States *must*:

Or. de

Amendment 155
Sophie Auconie, Elisabetta Gardini, Françoise Grossetête

Proposal for a directive
Article 6 – paragraph 5 – introductory part

Text proposed by the Commission

5. Within the energy efficiency obligation scheme, Member States *may*:

Amendment

5. Within the energy efficiency obligation scheme, Member States *shall be asked to*:

Or. fr

Amendment 156
Linda McAvan

Proposal for a directive
Article 6 – paragraph 5 – point a

Text proposed by the Commission

(a) include requirements with a social aim in the saving obligations they impose, including by requiring measures to be implemented in households affected by energy poverty or in social housing;

Amendment

(a) include requirements with a social aim in the saving obligations they impose, including by requiring measures to be implemented in households affected by energy poverty or in social housing. *These measures must be decided in consultation with the public authorities.*

Justification

Public authorities will be able to advise on which measures are most needed in social housing and in households affected by energy poverty.

Amendment 157
Sabine Wils

Proposal for a directive
Article 6 – paragraph 5 – point a

Text proposed by the Commission

(a) include requirements with a social aim in the saving obligations they impose, including by requiring measures to be implemented in households *affected by energy poverty* or in social housing;

Amendment

(a) include *mandatory* requirements with a social aim in the saving obligations they impose, including by requiring measures to be implemented in *low-income* households or in social housing;

Or. de

Amendment 158
Linda McAvan

Proposal for a directive
Article 6 – paragraph 5 – point a a (new)

Text proposed by the Commission

Amendment

a a(new) Within the energy efficiency obligation scheme, Member States may:

Or. en

Amendment 159
Oreste Rossi

Proposal for a directive
Article 6 – paragraph 5 – point b

Text proposed by the Commission

(b) permit obligated parties to count towards their obligation certified energy savings achieved by energy service providers or other third parties; in this case they shall **establish** an accreditation process that is clear, transparent and open to all market actors, and that aims at minimising the costs of certification;

Amendment

(b) permit obligated parties to count towards their obligation certified energy savings achieved by energy service providers or other third parties; in this case they shall **ensure that** an accreditation process **is in place** that is clear, transparent and open to all market actors, and that aims at minimising the costs of certification;

Or. en

Amendment 160

Vladko Todorov Panayotov

Proposal for a directive

Article 6 – paragraph 5 – point b

Text proposed by the Commission

(b) permit obligated parties to count towards their obligation certified energy savings achieved by energy **service providers or other third parties; in this case they shall establish an accreditation process that is clear, transparent and open to all market actors, and that aims at minimising the costs of certification;**

Amendment

(b) permit obligated parties to count towards their obligation certified energy savings achieved by **companies providing energy efficiency services with contractually guaranteed energy savings.**

Or. en

Amendment 161

Sabine Wils

Proposal for a directive

Article 6 – paragraph 5 – point c

Text proposed by the Commission

(c) allow obligated parties to count savings obtained in a given year as if they had instead been obtained in any of the

Amendment

deleted

two previous or two following years.

Or. de

Amendment 162
Vladko Todorov Panayotov

Proposal for a directive
Article 6 – paragraph 5 – point c

Text proposed by the Commission

(c) allow obligated parties to count savings obtained in a given year as if they had instead been obtained in any of the two previous or two following years.

Amendment

(c) allow obligated parties to count ***toward their obligation switch to renewable and waste heat recovery (considering in this case "non renewable energy" savings).***

In case of energy efficiency obligation schemes, obligated parties will be allowed to count savings obtained in a given year as if they had instead been obtained in any of the two previous or two following years.

Or. en

Amendment 163
Sophie Auconie, Elisabetta Gardini, Françoise Grossetête

Proposal for a directive
Article 6 – paragraph 5 – point c

Text proposed by the Commission

(c) allow obligated parties to count savings obtained in a given year as if they had instead been obtained in any of the two previous or two following years.

Amendment

(c) allow obligated parties to count savings obtained in a given year as if they had instead been obtained in any of the two previous or two following years, ***so as to enhance the system's flexibility.***

Or. fr

Amendment 164
Theodoros Skylakakis

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Proposal for a directive
Article 6 – paragraph 5 – point c a (new)

Text proposed by the Commission

Amendment

ca. take special measures to address the perverse incentives that exist when energy distributors and retail energy sales companies are also energy producers.

Or. el

Justification

In many cases there is still an identity of business interests between energy producers and distributors which leads to perverse incentives due to the very large entrepreneurial scale that production entails.

Amendment 165
Linda McAvan, Pavel Poc

Proposal for a directive
Article 6 – paragraph 6 – point c a (new)

Text proposed by the Commission

Amendment

c a (new) any costs passed through to their customers, while preserving the integrity and confidentiality of private or commercially sensitive information in compliance with applicable European Union legislation

Or. en

Justification

Robust monitoring of costs passed through to consumers is essential as all or most of the cost of energy efficiency obligation schemes is likely to be passed through to consumers, including households. To monitor whether schemes are being delivered in a cost-effective manner, obligated parties must provide NRAs with the data needed to monitor the cost-effectiveness of the schemes. This is particularly important given the context of rising domestic energy prices. The need to minimise administrative costs should be respected but without this requirement it will not be possible to monitor the costs to consumers.

Amendment 166
Linda McAvan

Proposal for a directive
Article 6 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. Using all the information in Article 6.6, national regulatory authorities shall publish annual reports on whether energy efficiency obligation schemes are meeting their objectives at the lowest possible cost to consumers. The national regulatory authorities shall also regularly commission independent reviews on the impacts that the scheme has on energy bills and fuel poverty as well as the energy savings from the scheme to ensure maximum cost-effectiveness. Member States shall be required to take these impacts into account through scheme adjustments.

Or. en

Justification

The need to minimise administrative costs should be respected but without this requirement it will not be possible to monitor the costs to consumers. This is particularly important given the context of rising domestic energy prices.

Amendment 167
Cristian Silviu Buşoi

Proposal for a directive
Article 6 – paragraph 8

Text proposed by the Commission

Amendment

8. Member States may exempt small energy distributors and small retail energy sales companies, namely those that distribute or sell less than the equivalent of 75 GWh of energy per year, employ

deleted

fewer than 10 persons or have an annual turnover or annual balance sheet total that does not exceed EUR 2 000 000, from the application of this Article. Energy produced for self use shall not count towards these thresholds.

Or. en

Justification

There should be no discrimination between market participants which could distort competition on the energy market.

Amendment 168

Dan Jørgensen

Proposal for a directive

Article 6 – paragraph 8

Text proposed by the Commission

Amendment

8. Member States may exempt small energy distributors and small retail energy sales companies, namely those that distribute or sell less than the equivalent of 75 GWh of energy per year, employ fewer than 10 persons or have an annual turnover or annual balance sheet total that does not exceed EUR 2 000 000, from the application of this Article. Energy produced for self use shall not count towards these thresholds.

deleted

Or. en

Justification

This article should be deleted as all distributors or retailers regardless of their size should have an obligation. If they do not want an obligation, they should be allowed to pass it on to another energy distributor or a third party market-based actor.

Amendment 169
Vladko Todorov Panayotov

Proposal for a directive
Article 6 – paragraph 8

Text proposed by the Commission

8. Member States may exempt small energy distributors and small retail energy sales companies, namely those that distribute or sell less than the equivalent of 75 GWh of energy per year, employ fewer than 10 persons or have an annual turnover or annual balance sheet total that does not exceed EUR 2 000 000, from the application of this Article. Energy produced for self use shall not count towards **these thresholds**.

Amendment

8. Member States may exempt small energy distributors and small retail energy sales companies, namely those that distribute or sell less than the equivalent of 75 GWh of energy per year, employ fewer than 10 persons or have an annual turnover or annual balance sheet total that does not exceed EUR 2 000 000, from the application of this Article. Energy produced for self use shall not count towards **this article**.

Or. en

Amendment 170
Bas Eickhout

Proposal for a directive
Article 6 – paragraph 9 – subparagraph 1

Text proposed by the Commission

As an alternative to paragraph 1, Member States may **opt to take other measures to achieve energy savings among final customers. The annual amount of energy savings achieved through this approach shall be equivalent to the amount of energy savings required in paragraph 1.**

Amendment

Member States may **allow obligated parties to fulfil annually up to 50% of their obligation by paying into energy saving financing facilities set up to facilitate and leverage financing for energy efficiency investments. This shall be done by contributing to the financing facility an amount equal to the investment costs estimated to achieve the corresponding share of their obligation.**

Or. en

Amendment 171

Pavel Poc, Linda McAvan, Vladko Todorov Panayotov

Proposal for a directive

Article 6 – paragraph 9 – subparagraph 1

Text proposed by the Commission

*As an alternative to paragraph 1, Member States may **opt to take other measures to achieve energy savings among final customers. The annual amount of energy savings achieved through this approach shall be equivalent to the amount of energy savings required in paragraph 1.***

Amendment

Member States may *allow the obligated parties to pay into the funds established by Article 17a (new) to fulfill no more than 40% of their obligation. This annual payment shall be calculated on the basis of the investment costs estimated to achieve the corresponding share of their obligation.*

Or. en

Justification

This approach will increase flexibility: obligated parties need not directly carry out all the energy efficiency improvement themselves. If the monies contributed are accessible by third parties this will help to spread the benefits of the supplier obligations in terms of opening up the energy services market to a greater range of actors, including SMEs.

Amendment 172

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive

Article 6 – paragraph 9 – subparagraph 2

Text proposed by the Commission

Member States opting for this option shall notify to the Commission, **by 1 January 2013 at the latest**, the alternative measures that they plan to adopt, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the required amount of savings. **The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the alternative approach shall not**

Amendment

Member States opting for this option shall notify to the Commission, **no later than two years from the date of adoption of this Directive**, the alternative measures that they plan to adopt, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the required amount of savings.

be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.

Or. fi

Justification

Member States have to be given enough time to draw up alternative measures.

Amendment 173
Oreste Rossi

Proposal for a directive
Article 6 – paragraph 9 – subparagraph 2

Text proposed by the Commission

Member States opting for this option shall notify to the Commission, by 1 January 2013 at the latest, the alternative measures that they plan to adopt, including the rules on penalties referred to in Article 9, and **demonstrating** how they would achieve the required amount of savings. **The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the alternative approach shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.**

Amendment

Member States opting for this option shall notify to the Commission, by 1 January 2013 at the latest, the alternative measures that they plan to adopt, including the rules on penalties referred to in Article 9, and **showing** how they would achieve the required amount of savings.

Or. en

Amendment 174
Linda McAvan

Proposal for a directive
Article 6 – paragraph 9 – subparagraph 2

Text proposed by the Commission

Member States ***opting for this option*** shall notify to the Commission, by 1 January 2013 at the latest, the ***alternative measures that*** they plan to ***adopt***, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the ***required*** amount of savings. The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the ***alternative approach*** shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.

Amendment

Member States shall notify to the Commission, by 1 January 2013 at the latest, the ***share of their obligation*** they plan to ***fulfil by allowing obligated parties to contribute to the financing facility***, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the ***proposed*** amount of savings ***using the contributed share of the funds***. The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the ***programmes and measures*** shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures..

Or. en

Justification

The energy efficiency obligation should be mandatory, to create a level playing field across the EU.

Amendment 175
Bas Eickhout

Proposal for a directive
Article 6 – paragraph 9 – subparagraph 2

Text proposed by the Commission

Member States ***opting for this option*** shall notify to the Commission, by 1 January 2013 at the latest, the ***alternative measures that*** they plan to ***adopt***, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the ***required*** amount of savings. The Commission may refuse such measures or make suggestions for modifications in the

Amendment

Member States shall notify to the Commission, by 1 January 2013 at the latest, the ***share of their obligation*** they plan to ***fulfil by allowing obligated parties to contribute to the financing facility***, including the rules on penalties referred to in Article 9, and demonstrating how they would achieve the ***proposed*** amount of savings ***using the contributed share of the***

3 months following notification. In such cases, the **alternative approach** shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.

funds. The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the **programmes and measures** shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.

Or. en

Amendment 176
Pavel Poc, Vladko Todorov Panayotov

Proposal for a directive
Article 6 – paragraph 9 – subparagraph 2

Text proposed by the Commission

Member States opting for this option shall notify to the Commission, by 1 January 2013 at the latest, the **alternative measures** that **they plan to adopt**, including the rules on penalties referred to in Article 9, and **demonstrating how** they **would** achieve the required amount of savings. The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the **alternative approach** shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.

Amendment

Member States opting for this option shall notify to the Commission, by 1 January 2013 at the latest, the **part of their obligation that will be fulfilled with payments into the funds by the obligated parties**, including the rules on penalties referred to in Article 9, and **illustrate what programmes and measures they plan to put in place using the payment collected into the fund to** achieve the required amount of savings. The Commission may refuse such measures or make suggestions for modifications in the 3 months following notification. In such cases, the **programmes and measures** shall not be applied by the Member State concerned until the Commission expressly accepts the resubmitted or modified draft measures.

Or. en

Justification

This approach will increase flexibility: obligated parties need not directly carry out all the energy efficiency improvement themselves. If the monies contributed are accessible by third parties this will help to spread the benefits of the supplier obligations in terms of opening up

the energy services market to a greater range of actors, including SMEs.

Amendment 177

Riikka Manner, Hannu Takkula, Anneli Jäätteenmäki

Proposal for a directive

Article 6 – paragraph 10

Text proposed by the Commission

Amendment

10. If appropriate, the Commission shall establish, by means of a delegated act in accordance with Article 18, a system of mutual recognition of energy savings achieved under national energy efficiency obligation schemes. Such a system shall allow obligated parties to count energy savings achieved and certified in a given Member State towards their obligations in another Member State.

deleted

Or. fi

Justification

A system based on mutual recognition of energy savings would be administratively cumbersome and very costly.

Amendment 178

Linda McAvan, Åsa Westlund

Proposal for a directive

Article 6 – paragraph 10

Text proposed by the Commission

Amendment

10. If appropriate, the Commission shall establish, by means of a delegated act in accordance with Article 18, a system of mutual recognition of energy savings achieved under national energy efficiency obligation schemes. Such a system shall allow obligated parties to count energy savings achieved and certified in a given

deleted

Member State towards their obligations in another Member State.

Or. en

Justification

A system of mutual recognition of energy savings would effectively mean that consumers in one Member State could end up paying for savings counted towards a target in another member state. This is not fair, as consumers in all Member States must benefit. It could also lead to gaming by energy companies.

Amendment 179
Anja Weisgerber

Proposal for a directive
Article 6 – paragraph 10

Text proposed by the Commission

Amendment

10. If appropriate, the Commission shall establish, by means of a delegated act in accordance with Article 18, a system of mutual recognition of energy savings achieved under national energy efficiency obligation schemes. Such a system shall allow obligated parties to count energy savings achieved and certified in a given Member State towards their obligations in another Member State.

deleted

Or. de

Justification

The decision on whether to introduce a trade in energy-efficiency certificates between the Member States is not a point of technical detail which can be settled by the Commission outside the ordinary legislative procedure by means of a delegated act. A decision such as this must be taken by the co-legislators (Parliament and the Council) under the ordinary legislative procedure.

Amendment 180
Sabine Wils

**Proposal for a directive
Article 6 – paragraph 10**

Text proposed by the Commission

Amendment

10. If appropriate, the Commission shall establish, by means of a delegated act in accordance with Article 18, a system of mutual recognition of energy savings achieved under national energy efficiency obligation schemes. Such a system shall allow obligated parties to count energy savings achieved and certified in a given Member State towards their obligations in another Member State.

deleted

Or. de

**Amendment 181
Matthias Groote**

**Proposal for a directive
Article 6 – paragraph 10 a (new)**

Text proposed by the Commission

Amendment

10a. When encouraging energy companies to achieve the energy efficiency objectives set out in Article 1(2), Member States should be urged to include the whole value-creation chain, from energy production through distribution to consumption.

Or. de

**Amendment 182
Cristina Gutiérrez-Cortines**

**Proposal for a directive
Article 6 – paragraph 10 a (new)**

Text proposed by the Commission

Amendment

10a. The Member States shall ensure that, where historic buildings are concerned, public funding provided for window renewal schemes may also be used for roof insulation.

Or. es

Amendment 183
Sirpa Pietikäinen

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall promote the availability to all final customers of energy audits **which are affordable** and carried out in an independent manner by qualified or accredited experts.

Member States shall promote the availability to all final customers of **investment grade audits in order to assess and ensure the energy performance of industrial facilities, industrial processes and buildings. These audits will be economically and technically adapted to each industrial facility or building, depending on the complexity of the audited facility, process or building, and** carried out in an independent manner by qualified or accredited experts.

Or. en

Amendment 184
Rolandas Paksas

Proposal for a directive
Article 7 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that energy distributors and retailers can participate

in this market.

Or. en

Amendment 185
Sirpa Pietikäinen

Proposal for a directive
Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. (new) Member States shall ensure that national incentive schemes are put in place to refund audit costs to those companies that implement an acceptable share of proposed measures from the recommendations of their energy audits, and to provide further incentives to implement those measures.

Or. en

Amendment 186
Elisabetta Gardini, Paolo Bartolozzi, Sergio Berlato, Salvatore Tatarella

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall ensure that enterprises not included in the second subparagraph of paragraph 1 are subject to an energy audit carried out in ***an independent and cost-effective*** manner by qualified or accredited experts at the latest by 30 June 2014 and every three years from the date of the previous energy audit.

2. Member States shall ensure that enterprises not included in the second subparagraph of paragraph 1 are subject ***and encouraged*** to an energy audit carried out in ***cost effective*** manner by qualified or accredited experts at the latest by 30 June 2014 and every three years from the date of the previous energy audit.

Or. en

Amendment 187

Peter Liese, Anne Delvaux, Radvilė Morkūnaitė-Mikulėnienė, Vladko Todorov Panayotov, Sophie Auconie, Elisabetta Gardini

Proposal for a directive Article 7 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that enterprises not included in the second subparagraph of paragraph 1 are subject to an energy audit carried out in an independent and cost-effective manner by qualified *or* accredited experts at the latest by 30 June 2014 and every three years from the date of the previous energy audit.

Amendment

2. Member States shall ensure that enterprises not included in the second subparagraph of paragraph 1 are subject to an energy audit carried out in an independent and cost-effective manner by qualified *and/or* accredited experts at the latest by 30 June 2014 and every three years from the date of the previous energy audit. *Audits may be carried out by in-house experts, provided that these are qualified and accredited, that they are not directly engaged in the activity audited, and that the Member state has put in place a scheme to assure and check their quality.*

Or. en

Justification

For large companies, in which energy is a major part of operating costs, energy audits or energy/environmental management systems are already recognised as essential tools to monitor and optimise energy consumption. It is therefore important to allow the possibility for these large enterprises to be able to carry out energy audits by in-house staff, as long as they are appropriately trained and certified to do so.

Amendment 188

Oreste Rossi

Proposal for a directive Article 7 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that enterprises not included in the second

Amendment

2. Member States shall ensure that enterprises not included in the second

subparagraph of paragraph 1 are subject to an energy audit carried out in ***an independent and*** cost-effective manner by qualified or accredited experts at the latest by 30 June 2014 and every three years from the date of the previous energy audit.

subparagraph of paragraph 1 are subject to ***and encouraged*** an energy audit carried out in ***a*** cost-effective manner by qualified or accredited experts at the latest by 30 June 2014 and every three years from the date of the previous energy audit.

Or. en

Amendment 189

Jolanta Emilia Hibner, Andrzej Grzyb, Radvilė Morkūnaitė-Mikulėnienė

Proposal for a directive Article 7 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that enterprises not included in the second subparagraph of paragraph 1 are subject to an energy audit carried out in an independent and cost-effective manner by qualified or accredited experts at the latest ***by 30 June 2014*** and every ***three*** years from the date of the previous energy audit.

Amendment

2. Member States shall ensure that enterprises not included in the second subparagraph of paragraph 1 are subject to an energy audit carried out in an independent and cost-effective manner by qualified or accredited experts at the latest ***two years after the entry into force of this Directive*** and ***at least every five*** years from the date of the previous energy audit.

Or. pl

Amendment 190 Holger Krahmer

Proposal for a directive Article 7 – paragraph 3

Text proposed by the Commission

3. Energy audits carried out in an independent manner resulting from energy management systems or implemented under voluntary agreements concluded between organisations of stakeholders and an appointed body and supervised by the Member State concerned or by the

Amendment

3. Energy audits carried out in an independent manner resulting from energy management systems or implemented under voluntary agreements concluded between organisations of stakeholders and an appointed body and supervised by the Member State concerned or by the

Commission, shall be considered as fulfilling the requirements of paragraph 2.

Commission, shall be considered as fulfilling the requirements of paragraph 2. ***The requirement for independence allows the audits to be carried out by in-house experts, provided that these are qualified or accredited, that they are not directly engaged in the activity audited, and that the Member State has put in place a scheme to assure and check their quality and to impose sanctions if needed.***

Or. en

Justification

The provision of Recital 20 on in-house experts should also be included in the article.

Amendment 191
Holger Krahmer

Proposal for a directive
Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Compliance with standards such as EMAS or EN 14001 shall also be considered as fulfilling the requirements of paragraph 2.

Or. en

Amendment 192
Frédérique Ries

Proposal for a directive
Article 7 – paragraph 4

Text proposed by the Commission

Amendment

4. Energy audits may stand alone or be part of a broader environmental audit.

4. Energy audits may stand alone or be part of a broader environmental audit. ***As a minimum requirement, such audits shall***

include a health impact assessment.

Or. en

Amendment 193
Karl-Heinz Florenz

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Energy audits and energy management systems implemented under this article shall not exclude the same or similar measures to be used as a justification for existing or future financial incentive and support schemes such as tax rebates. If necessary, the European state aid guidelines in this field and the EU energy taxations directive 2003/96/EC are to be adapted accordingly.

Or. en

Justification

The energy audits and energy management systems should not prevent existing or future incentive and support schemes of Member States. Tax rebates have proven to be a good incentive to establish energy management systems.

Amendment 194
Holger Kraemer

Proposal for a directive
Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Energy audits and energy management systems implemented under this article do not exclude the same or

similar measures to be used as a justification for existing or future incentive and support schemes such as tax rebates. If necessary, European state aid guidelines in this field and the EU energy taxation directive are to be adapted accordingly.

Or. en

Justification

The Article should not prevent existing or future incentive and support schemes of Member States.

Amendment 195

Daciana Octavia Sârbu, Claudiu Ciprian Tănăsescu

Proposal for a directive

Article 7 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. No later than 30 June 2013, the Commission shall adopt, by means of delegated acts, general criteria on which energy audits shall be based.

Or. en