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*Committee on Industry, Research and Energy*

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**2011/0172(COD)**

22.11.2011

# **AMENDMENTS 1478 - 1637**

**Draft report**  
**Claude Turmes**  
(PE472.358v01-00)

on the 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  
(COM(2011)0370 – C7-0168/2011 – 2011/0172(COD))



**Amendment 1478**  
**Vicky Ford**

**Proposal for a directive**  
**Article 16 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Member States may take account of anticipated future changes in fuel mix and efficiency of electricity generation when determining the primary energy coefficient for electricity.***

Or. en

*Justification*

*The 2.5 coefficient is already outdated and is inappropriate for assessing performance to 2020, by which time considerably more low- and zero-carbon capacity will have entered the electricity mix. Setting a default coefficient of 2.5 could incentivise a switch away from electricity towards direct fossil fuel heating, reducing the opportunities for low-carbon and energy efficient technologies such as heat pumps and electric vehicles. Greenhouse gas emissions could rise as a result.*

**Amendment 1479**  
**Vicky Ford**

**Proposal for a directive**  
**Article 16 – paragraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***Additionally, Member States may apply a primary energy coefficient of 1 for electricity in assessing energy efficient measures in circumstances where this would avoid a net increase in greenhouse gas emissions.***

Or. en

### *Justification*

*The 2.5 coefficient is already outdated and is inappropriate for assessing performance to 2020, by which time considerably more low- and zero-carbon capacity will have entered the electricity mix. Setting a default coefficient of 2.5 could incentivise a switch away from electricity towards direct fossil fuel heating, reducing the opportunities for low-carbon and energy efficient technologies such as heat pumps and electric vehicles. Greenhouse gas emissions could rise as a result.*

#### **Amendment 1480**

**Vicky Ford**

#### **Proposal for a directive Article 17 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

***1. The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish the system of mutual recognition of energy savings achieved under the national energy efficiency obligation schemes referred to in Article 6(9).***      ***deleted***

***The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish the methodology for cost-benefit analysis referred to in Article 10(9).***

***The Commission shall be empowered to adopt delegated act in accordance with Article 18 to review the harmonised efficiency reference values referred to in Article 10(10) third indent.***

Or. en

### *Justification*

*Given the significant difference in interest rates in Member States, it may not be appropriate to have a one-size-fits-all methodology.*

**Amendment 1481**  
**Hannu Takkula, Riikka Manner, Anneli Jäätteenmäki**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*The Commission shall be empowered to  
adopt a delegated act in accordance with  
Article 18 to establish the system of  
mutual recognition of energy savings  
achieved under the national energy  
efficiency obligation schemes referred to  
in Article 6(9).* **deleted**

Or. fi

*Justification*

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

**Amendment 1482**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*The Commission shall be empowered to  
adopt a delegated act in accordance with  
Article 18 to establish the system of  
mutual recognition of energy savings  
achieved under the national energy  
efficiency obligation schemes referred to  
in Article 6(9).* **deleted**

Or. en

**Amendment 1483**  
**Claude Turmes**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish the **system of mutual recognition of energy savings achieved under the national energy efficiency obligation schemes** referred to in Article 6(9).

*Amendment*

The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish **a harmonised calculation model for the purpose of measuring, monitoring and verifying energy savings attained primarily through energy efficiency improvement measures and programmes in all end-use sectors** referred to in Article 6.

Or. en

**Amendment 1484**  
**András Gyürk**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish the system of mutual recognition of energy savings achieved under the national energy efficiency obligation schemes referred to in Article 6(9).

*Amendment*

The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish the system of mutual recognition of energy savings achieved under the national energy efficiency obligation schemes referred to in Article 6(10).

Or. en

**Amendment 1485**  
**András Gyürk**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

**The Commission shall be empowered to**

*Amendment*

**deleted**

*adopt a delegated act in accordance with Article 18 to establish the methodology for cost-benefit analysis referred to in Article 10(9).*

Or. en

**Amendment 1486**  
**Silvia-Adriana Țicău**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 2**

*Text proposed by the Commission*

The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish *the methodology* for cost-benefit analysis referred to in Article 10(9).

*Amendment*

The Commission shall be empowered to adopt a delegated act in accordance with Article 18 to establish *a common general framework* for *conducting the* cost-benefit analysis *as* referred to in Article 10(9).

Or. ro

**Amendment 1487**  
**András Gyürk**

**Proposal for a directive**  
**Article 17 – paragraph 1 – subparagraph 3**

*Text proposed by the Commission*

*The Commission shall be empowered to adopt delegated act in accordance with Article 18 to review the harmonised efficiency reference values referred to in Article 10(10) third indent.*

*Amendment*

*deleted*

Or. en

**Amendment 1488**  
**Bernd Lange**

**Proposal for a directive**  
**Article 17 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

**2. The Commission shall be empowered to adopt delegated acts in accordance with Article 18 to adapt to technical progress the values, calculation methods, default primary energy coefficient and requirements in Annexes I to XV and to adapt to competitive conditions the performance requirements in Annex III.**

**deleted**

Or. de

**Amendment 1489**  
**Vicky Ford**

**Proposal for a directive**  
**Article 17 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 18 to adapt to technical progress the values, calculation methods, default primary energy coefficient and requirements in Annexes I to XV **and to adapt to competitive conditions the performance requirements in Annex III.**

2. The Commission shall be empowered to adopt delegated acts in accordance with Article 18 to adapt to technical progress the values, calculation methods, default primary energy coefficient and requirements in Annexes I to XV.

Or. en

**Amendment 1490**  
**Fiona Hall, Corinne Lepage, Vladko Todorov Panayotov**

**Proposal for a directive**  
**Article 17 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

**2a. No later than 6 months after the**



*entering into force of this Directive, the Commission shall adopt a regulation to reduce the number of allowances pursuant to Article 9 of Directive 2003/87/EC by 1.4bn allowances so as to maintain the incentives for investment in energy efficiency measures and low carbon technologies and the level of ambition envisaged in Directive 2003/87/EC.*

Or. en

*Justification*

*There is a need to compensate for the reduced demand for ETS allowances that will result from the implementation of this Directive and the 20% energy saving objective to restore the price mechanism to levels envisaged in the impact assessment on which basis Directive 2003/87/EC was agreed, and to maintain incentives for investments in energy efficiency measures and low carbon energy technologies in installations covered by the ETS.*

**Amendment 1491**  
**Silvia-Adriana Țicău**

**Proposal for a directive**  
**Article 18 – paragraph 2**

*Text proposed by the Commission*

2. The delegation of power referred to in Article 17 shall be conferred on the Commission for *an indeterminate* period of *time* from [the date of entry into force of this Directive].

*Amendment*

2. The delegation of power referred to in Article 17 shall be conferred on the Commission for *a* period of *five years* from [the date of entry into force of this Directive].

Or. ro

**Amendment 1492**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Article 18 – paragraph 2**

*Text proposed by the Commission*

2. The delegation of power referred to in Article 17 shall be conferred on the Commission for ***an indeterminate period of time*** from [the date of entry into force of this Directive].

*Amendment*

2. The delegation of power referred to in Article 17 shall be conferred on the Commission for **2 years** from [the date of entry into force of this Directive].

Or. en

**Amendment 1493**

**Vicky Ford**

**Proposal for a directive**

**Article 18 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States should avoid imposing unrealistic targets for industries where the direct result is a significant risk of carbon leakage. Member States should instead negotiate tailored and achievable energy efficiency strategies with such industries.***

Or. en

**Amendment 1494**

**Silvia-Adriana Țicău**

**Proposal for a directive**

**Article 18 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. The delegated act may be published in the Official Journal of the European Union and enter into force before the expiry of that period if the European Parliament and the Council have both informed the Commission of their intention not to raise objections.***

**Amendment 1495**  
**Silvia-Adriana Țicău**

**Proposal for a directive**  
**Article 18 – paragraph 5 b (new)**

*Text proposed by the Commission*

*Amendment*

***5b. If either the European Parliament or the Council objects to the delegated act, it shall not enter into force. The institution which objects shall state the reasons for objecting to the delegated act.***

**Amendment 1496**  
**Markus Pieper, Pilar del Castillo Vera, Paul Rübig, Lambert van Nistelrooij, Amalia Sartori, Antonio Cancian, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Krahmer, Romana Jordan Cizelj**

**Proposal for a directive**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

1. By 30 April each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1).

1. By 30 April each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1). ***Every three years the national reports shall be accompanied by supplementary information in accordance with Annex XIV(2).***

**Amendment 1497**  
**Bendt Bendtsen**

**Proposal for a directive**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

1. By **30 April** each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1).

*Amendment*

1. By **31 December** each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1).

Or. en

**Amendment 1498**  
**Fiona Hall, Kent Johansson, Antonyia Parvanova, Corinne Lepage**

**Proposal for a directive**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

1. By 30 April each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1).

*Amendment*

1. By 30 April each year, Member States shall report on the progress achieved towards ***their binding*** national energy efficiency targets, in accordance with Annex XIV(1).

Or. en

**Amendment 1499**  
**Francisco Sosa Wagner**

**Proposal for a directive**  
**Article 19 – paragraph 1**

*Text proposed by the Commission*

1. By 30 April each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1).

*Amendment*

1. By 30 April each year, Member States shall report on the progress achieved towards ***their binding*** national energy efficiency targets, in accordance with Annex XIV(1).

Or. en

*Justification*

*Adjusting Article 19 to align with changes to Article 3*

**Amendment 1500**

**Marita Ulvskog**

**Proposal for a directive**

**Article 19 – paragraph 1**

*Text proposed by the Commission*

1. By 30 April each year, Member States shall report on the progress achieved towards national energy efficiency targets, in accordance with Annex XIV(1).

*Amendment*

1. By 30 April each year, Member States shall report on the progress achieved towards ***the binding*** national energy efficiency targets, in accordance with Annex XIV(1).

Or. en

**Amendment 1501**

**Markus Pieper, Pilar del Castillo Vera, Paul Rübig, Françoise Grossetête, Lambert van Nistelrooij, Amalia Sartori, Antonio Cancian, Bogdan Kazimierz Marcinkiewicz, Werner Langen, Vladimir Urutchev, Holger Krahrmer, Krišjānis Kariņš, Romana Jordan Cizelj**

**Proposal for a directive**

**Article 19 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

By ***30 April 2014, and every three years thereafter***, Member ***State*** shall ***submit supplementary reports*** with ***information on*** national energy efficiency ***policies, action plans, programmes and*** measures implemented or planned at national, regional and local level to improve energy efficiency ***in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated***

*Amendment*

By ***31 October 2013, the*** Member ***States*** shall ***provide the Commission*** with national energy efficiency plans ***which describe how the Member States intend to achieve the national energy efficiency targets referred to in Article 3(1). These plans shall include*** measures implemented or planned at national, regional and local level to improve energy efficiency. ***The national energy efficiency plans shall be assessed by the Commission. The Commission may refuse a plan or suggest amendments to it the measures laid down***

*levels of primary energy consumption in the sectors indicated in Annex XIV(1).*

*in the plan are not sufficient to achieve the national energy efficiency target.*

Or. en

**Amendment 1502**  
**Fiona Hall, Antonia Parvanova, Corinne Lepage**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

By 30 April **2014**, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

*Amendment*

By 30 April **2013**, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1). ***The reports shall indicate whether the Member State's improvement in energy efficiency is in line with the trajectory set by the Member State under Article 3.1.***

Or. en

**Amendment 1503**  
**Romana Jordan Cizelj**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

By 30 April 2014, and every three years

*Amendment*

By 30 April 2014, and every three years

thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1). ***The reports shall indicate whether the Member State's improvement in energy efficiency is in line with the trajectory set by the Member State under Article 3.2.***

Or. en

**Amendment 1504**  
**Francisco Sosa Wagner**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

By 30 April 2014, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

*Amendment*

By 30 April 2014, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1). ***The reports shall indicate whether the Member State's improvement in energy efficiency***

*is in line with the trajectory set by the  
Member State under Article 3.2.*

Or. en

*Justification*

*Adjusting Article 19 to align with changes to Article 3*

**Amendment 1505**  
**Giles Chichester**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

By 30 April 2014, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

*Amendment*

By 30 April 2014, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3 (1), ***and of implementing the national roadmaps referred to in Article 3.2 a new.*** The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

Or. en

**Amendment 1506**  
**Bendt Bendtsen**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 1**



*Text proposed by the Commission*

By **30 April 2014**, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

*Amendment*

By **31 December 2013**, and every three years thereafter, Member State shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

Or. en

**Amendment 1507**

**Gaston Franco**

**Proposal for a directive**

**Article 19 – paragraph 2 – subparagraph 1**

*Text proposed by the Commission*

By 30 April 2014, and every three years thereafter, Member *State* shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

*Amendment*

By 30 April 2014, and every three years thereafter, Member *States* shall submit supplementary reports with information on national energy efficiency policies, action plans, programmes and measures implemented or planned at national, regional and local level to improve energy efficiency in view of achieving the national energy efficiency targets referred to in Article 3(1). The reports shall be complemented with updated estimates of expected overall primary **or final** energy consumption in 2020, as well as estimated levels of primary energy consumption in the sectors indicated in Annex XIV(1).

Or. fr

*Justification*

*Final energy is the only energy which directly affects consumers: measures relating to final energy have a visible impact on end-users' bills and therefore help to combat energy poverty and, more generally, to boost ordinary citizens' purchasing power and companies' competitiveness.*

**Amendment 1508**

**Bendt Bendtsen, Ioannis A. Tsoukalas, Maria Da Graça Carvalho**

**Proposal for a directive**

**Article 19 – paragraph 2 – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***The Commission shall assess the plans, and may give recommendations to their improvement and the practical implementation of the 20% headline target, if the plans are unrealistic or it is deemed unlikely that the target will be reached based on the measures in the plans.***

Or. en

**Amendment 1509**

**Markus Pieper, Pilar del Castillo Vera, Paul Rübig, Lambert van Nistelrooij, Amalia Sartori, Antonio Cancian, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Vladimir Urutchev, Werner Langen, Jan Březina, Ioannis A. Tsoukalas, Holger Kraemer, Romana Jordan Cizelj**

**Proposal for a directive**

**Article 19 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The Commission shall, not later than 1 January 2014, provide a template as guidance for the supplementary reports. This template shall be adopted in accordance with the advisory procedure referred to in Article 20(2). The supplementary reports shall in any case

The Commission shall, not later than 1 January 2014, provide a template as guidance for the supplementary reports. This template shall be adopted in accordance with the advisory procedure referred to in Article 20(2). The supplementary reports shall in any case

include the information specified in Annex XIV.

include the information specified in Annex XIV. ***While setting their national energy efficiency plans, the Member States shall take into account cost-effective energy efficiency measures and the risk of carbon leakage.***

Or. en

**Amendment 1510**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 2**

*Text proposed by the Commission*

The Commission shall, not later than 1 January **2014**, provide a template as guidance for the supplementary reports. This template shall be adopted in accordance with the advisory procedure referred to in Article 20(2). The supplementary reports shall in any case include the information specified in Annex XIV.

*Amendment*

The Commission shall, not later than 1 January **2013** provide a template as guidance for the supplementary reports. This template shall be adopted in accordance with the advisory procedure referred to in Article 20(2). The supplementary reports shall in any case include the information specified in Annex XIV.

Or. en

**Amendment 1511**  
**Giles Chichester**

**Proposal for a directive**  
**Article 19 – paragraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a. Member States should not set targets for any industry sector which is exposed to a significant risk of carbon leakage, as determined in Commission Decision 2010/2/EU. If they anyhow decide to do so, Member States shall express possible sectoral targets for production processes***

*in these industries in energy use per output unit so as to avoid impeding industrial growth.*

Or. en

**Amendment 1512**  
**Konrad Szymański**

**Proposal for a directive**  
**Article 19 – paragraph 2 – subparagraph 2 a (new)**

*Text proposed by the Commission*

*Amendment*

*Member States should not set targets for the industry which is exposed to a significant risk of carbon leakage, as determined in Commission Decision 2010/2/EU. If they anyhow decide to do so, Member States shall express possible sectoral targets for production processes in these industries in energy use per output unit so as to avoid impeding industrial growth.*

Or. en

**Amendment 1513**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Article 19 – paragraph 4**

*Text proposed by the Commission*

*Amendment*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and

the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States. ***In particular, if a Member State is not keeping to the trajectory set under Article 3.1 then the Commission shall require that Member State to set out adequate and proportionate measures to rejoin the trajectory within a reasonable timescale.***

Or. en

#### *Justification*

*The 2009/28/EC Renewable Energy Directive requires Member States to adopt effective measures in line with a trajectory of improvement. This approach is working well in practice and therefore should be adopted in relation to energy efficiency also.*

#### **Amendment 1514 Francisco Sosa Wagner**

#### **Proposal for a directive Article 19 – paragraph 4**

##### *Text proposed by the Commission*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

##### *Amendment*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States. ***If a Member State is out of line with the trajectory set under Article 3.2 then the Commission shall require that Member State to propose measures to get back on track within a reasonable timescale.***

Or. en

## *Justification*

*The 2009/28/EC Renewable Energy Directive requires Member States to adopt measures in line with a trajectory, with good results so far, suggesting that a similar method should be adopted for energy efficiency.*

### **Amendment 1515**

**Lena Kolarska-Bobińska**

#### **Proposal for a directive Article 19 – paragraph 4**

##### *Text proposed by the Commission*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

##### *Amendment*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. ***This assessment shall take into account developments in energy intensity calculated using the indicators in Annex XIV, Part 1, paragraph (a).*** The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

Or. en

### **Amendment 1516**

**Giles Chichester**

#### **Proposal for a directive Article 19 – paragraph 4**

##### *Text proposed by the Commission*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member

##### *Amendment*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member

States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1), **towards the target established in Article 3.2 a new** and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

Or. en

#### **Amendment 1517**

**Markus Pieper, Paul Rübiger, Lambert van Nistelrooij, Antonio Cancian, Amalia Sartori, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Kraemer, Maria Da Graça Carvalho**

#### **Proposal for a directive Article 19 – paragraph 4**

##### *Text proposed by the Commission*

4. The Commission shall evaluate the annual reports and supplementary **reports** and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

##### *Amendment*

4. The Commission shall evaluate the annual reports and supplementary **information** and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

Or. en

#### **Amendment 1518 Ioan Enciu**

**Proposal for a directive**  
**Article 19 – paragraph 4**

*Text proposed by the Commission*

4. The Commission shall evaluate the annual reports and supplementary reports and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports the Commission may issue recommendations to Member States.

*Amendment*

4. The Commission shall evaluate the annual reports and supplementary reports, ***including the estimates referred to in paragraph 2***, and assess the extent to which Member States have made progress towards the achievement of the national energy efficiency targets required by Article 3(1) and towards the implementation of this Directive. The Commission shall send its assessment to the European Parliament and the Council. Based on its assessment of the reports, the Commission may ***adjust the energy savings amount referred to in Article 3(2) and may*** issue recommendations to Member States.

Or. ro

**Amendment 1519**  
**Fiorello Provera**

**Proposal for a directive**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

***5. The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels***

*Amendment*

***deleted***



*of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.*

*The Commission shall also monitor the impact of implementing this Directive on Directive 2003/87/EC, Directive 2009/28/EC as well as Directive 2010/31/EC.*

Or. en

#### *Justification*

*The possibility of introducing after 2014 stringent energy efficiency “Best Available Technologies” (BAT) requirements for thermal power plants is an example of double regulation as it is in conflict with the existing EU legislation. The new Industrial Emissions Directive 2010/75/UE approved in 2010 has established provisions for regulating these aspects. In particular, it has highlighted the key principle that the target of guaranteeing improved efficiency in the management of the installation (adoption of Best Available Techniques) has to be adapted to specific environmental and local conditions where the installation operates and that it has to take into account the potential improvements realistically achievable in the upgrading of the installation. Therefore, any changes in the process of setting BAT requirements for industrial plants would create regulatory uncertainty and is bound to increase administrative costs and hinder new investments.*

**Amendment 1520**  
**Eija-Riitta Korhola**

**Proposal for a directive**  
**Article 19 – paragraph 5**

*Text proposed by the Commission*

*Amendment*

***5. The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations***

***deleted***

*undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.*

*The Commission shall also monitor the impact of implementing this Directive on Directive 2003/87/EC, Directive 2009/28/EC as well as Directive 2010/31/EC.*

Or. en

#### *Justification*

*Energy efficiency improvements of existing and new installations shall be based on feasibility studies. It is not always economical or technically possible to achieve the level of the best available techniques BAT. The amount of allowances of EU emission trading scheme (so-called cap) is determined by ETS directive, so this energy efficiency directive is not a right place to try to change the cap. ETS is chosen to be a market-based instrument for decreasing the CO<sub>2</sub>-emission, and there should be no other acts to manipulate the price of allowances and to create uncertainties to CO<sub>2</sub>-market.*

**Amendment 1521**  
**András Gyürk**

**Proposal for a directive**  
**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.***

*deleted*

Or. en

**Amendment 1522**

**Gaston Franco, Françoise Grossetête**

**Proposal for a directive**

**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

***The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the***

*deleted*

*refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.*

Or. fr

#### *Justification*

*Afin de garantir la réalisation des investissements programmés pour la période 2013-2020, il est nécessaire de maintenir la stabilité des règles relatives au système ETS, qui viennent à peine d'être transposées en droit national. Modifier ces règles à ce stade risque de miner la confiance de tous les acteurs et sera nuisible à la crédibilité et l'efficacité du système. Par conséquent, le considérant 34 et l'article 19, paragraphe 5 devraient être supprimés. Par ailleurs, la directive Efficacité énergétique ne devrait pas empiéter sur les dispositions de la directive relative aux émissions industrielles. IED vise à limiter les émissions polluantes dans l'air, l'eau et le sol. Elle donne aux Etats membres la possibilité de ne pas imposer d'exigences en matière d'efficacité énergétique pour les installations émettant du dioxyde de carbone dans le cadre des activités répertoriées à l'annexe I de la directive ETS. Afin de respecter cette disposition, il serait nécessaire de supprimer l'article 19, paragraphe 5.*

#### **Amendment 1523**

**Amalia Sartori, Antonio Cancian**

#### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

*The Commission's assessment of the first  
supplementary report shall include an* **deleted**

*assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.*

Or. en

*Justification*

*The possibility of introducing after 2014 stringent energy efficiency “Best Available Technologies” (BAT) requirements for thermal power plants is an example of double regulation as it is in conflict with the existing EU legislation. The new Industrial Emissions Directive 2010/75/UE approved in 2010 has established provisions for regulating these aspects.*

**Amendment 1524**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels

*Amendment*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels

of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.

of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose **by 31 December 2015**, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review **or updating** of the permits for existing installations.

Or. en

#### *Justification*

*This date is consistent with the Directive 2010/75/EU on industrial emissions.*

#### **Amendment 1525**

**Britta Thomsen**

#### **Proposal for a directive**

#### **Article 19 – paragraph 5 – subparagraph 1**

##### *Text proposed by the Commission*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining

##### *Amendment*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining

of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, *if appropriate*, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.

of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall *by 31 December 2015* propose requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.

Or. en

**Amendment 1526**  
**Edit Herczog**

**Proposal for a directive**  
**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more *and installations undertaking the refining of mineral oil and gas*, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the

*Amendment*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy

Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.

efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.

Or. en

**Amendment 1527**  
**Marian-Jean Marinescu**

**Proposal for a directive**  
**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new ***installations and for the periodic review of the permits for existing*** installations.

*Amendment*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations or that the use of such techniques shall in future be a condition for the permitting of new installations.

Or. en



**Amendment 1528**  
**Herbert Reul**

**Proposal for a directive**  
**Article 19 – paragraph 5 – subparagraph 1**

*Text proposed by the Commission*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations ***or that the use of such techniques shall in future be a condition for the permitting of new installations and for the periodic review of the permits for existing installations.***

*Amendment*

The Commission's assessment of the first supplementary report shall include an assessment of the energy efficiency levels of existing and new installations undertaking the combustion of fuels with a total rated thermal input of 50 MW or more and installations undertaking the refining of mineral oil and gas, in the light of the relevant best available techniques as developed in accordance with Directive 2010/75/EU and Directive 2008/1/EC. Where this assessment identifies significant discrepancies between the actual energy efficiency levels of such installations and energy efficiency levels associated with the application of the relevant best available techniques, the Commission shall propose, if appropriate, requirements to improve the energy efficiency levels achieved by such installations.

Or. de

*Justification*

*The Commission is not responsible for the permit procedures, but under the approach proposed here it would acquire an indirect influence over those procedures. Moreover, this represents a disproportionate intervention in the economic planning possibilities for existing installations.*

**Amendment 1529**

**Sari Essayah**

**Proposal for a directive**

**Article 19 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

***The Commission shall also monitor the impact of implementing this Directive on Directive 2003/87/EC, Directive 2009/28/EC as well as Directive 2010/31/EC.***

***deleted***

Or. en

*Justification*

*EU Emission Trading Scheme (ETS) is a market based tool for decreasing CO<sub>2</sub>-emission. During the next phase of ETS 2013-2020 the gradually decreasing cap (maximum amount of allowances) will conduct the CO<sub>2</sub>-emissions to the set target. The price of allowances shall not be influenced by any authorities to avoid confusion in the market.*

**Amendment 1530**

**Markus Pieper, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Krahmer, Romana Jordan Cizelj**

**Proposal for a directive**

**Article 19 – paragraph 5 – subparagraph 2**

*Text proposed by the Commission*

*Amendment*

The Commission shall also monitor the impact of implementing this Directive on Directive 2003/87/EC, Directive 2009/28/EC as well as Directive 2010/31/EC.

The Commission shall also monitor the impact of implementing this Directive on Directive 2003/87/EC, Directive 2009/28/EC as well as Directive 2010/31/EC. ***If the Commission considers that adjustment measures are necessary, these adjustment measures shall not interfere with the implementation of Directive 2003/87/EC, Directive 2009/28/EC as well as Directive 2010/31/EC.***

Or. en

### *Justification*

*It should be clarified that an intervention by the Commission such as setting aside CO2-allowances of the ETS trading period 2013-2020 is not possible. Otherwise, market actors and authorities wouldn't have legal certainty, future-orientated investment decisions, including on energy efficiency would be more difficult.*

#### **Amendment 1531** **Konrad Szymański**

##### **Proposal for a directive** **Article 19 – paragraph 5 – subparagraph 2**

###### *Text proposed by the Commission*

The Commission shall also monitor the impact of implementing this Directive on **Directive 2003/87/EC**, Directive 2009/28/EC **as well as** Directive 2010/31/EC.

###### *Amendment*

The Commission shall also monitor the impact of implementing this Directive on Directive 2009/28/EC **and** Directive 2010/31/EC.

Or. en

#### **Amendment 1532** **Bendt Bendtsen**

##### **Proposal for a directive** **Article 19 – paragraph 5 – subparagraph 2 a (new)**

###### *Text proposed by the Commission*

###### *Amendment*

***Specifically on Directive 2003/87/EC (ETS) Member States shall report information, which the Commission shall use for its monitoring of the impact on ETS.***

***The monitoring of the Commission with respect to ETS shall be in place "in order to maintain incentives in the ETS rewarding low carbon investments and preparing the ETS sectors for the innovations needed in the future" as stated in the impact assessment and recital (34).***

*These measures needs to be taken including recalibrating the ETS by setting aside a corresponding number of allowances from the part to be auctioned during the period 2013 to 2020 as also stated in the impact assessment.*

*The principles for these measures will be as follows:*

*If the monitoring in 19 (4) shows that the impact on ETS in form of a too low CO<sub>2</sub> quota price compared to the expectation in the Low Carbon Roadmap, the Commission shall analyse the need for setting aside a corresponding number of allowances from the total amount that are to be auctioned during the period 2013 to 2020. The rules for how many allowances shall be set aside shall be decided in a legislative proposal, which are to be proposed before the end of 2013. The amount to set aside shall be calculated by reducing the amount the Member States are auctioning (ETS directive article 10 (1) and shall be divided between the Member States in same manner as done in the ETS directive article 10 (2).*

Or. en

#### *Justification*

*It is urgent and necessary to ensure a mechanism that can be used if the EED has negative impacts on ETS. Therefore the Commission should start the process of establishing rules regarding how and when to set a side allowances and evaluate the impact of possible burden and efforts sharing between member states.*

**Amendment 1533**

**Britta Thomsen**

**Proposal for a directive**

**Article 19 – paragraph 5 a (new)**

*Text proposed by the Commission*

*Amendment*

***5a. No later than 6 months after the entering into force of this Directive, the Commission shall adopt a regulation amending the Regulation referred to in Article 10 (4) of Directive 2003/87/EC in order to withhold no less than 1.4bn allowances so as to maintain the incentives for investment in energy efficiency measures and low carbon technologies; and the level of ambition envisaged in Directive 2003/87/EC.***

Or. en

*Justification*

*There is a need to adjust the ETS to impacts arising from the economic recession affecting the long term scarcity of allowances in order to maintain incentives for investments in energy efficiency measures and low carbon energy technologies in installations covered by the ETS. There is a need to compensate for the reduced demand for ETS allowances that will result from the implementation of this Directive to restore the price mechanism to levels envisaged in the impact assessment on which basis Directive 2003/87/EC was agreed.*

**Amendment 1534**

**Marita Ulvskog**

**Proposal for a directive  
Article 19 – paragraph 7**

*Text proposed by the Commission*

*Amendment*

***7. By 30 June 2014 the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down mandatory national targets.***

***deleted***

Or. en

**Amendment 1535**  
**Konrad Szymański**

**Proposal for a directive**  
**Article 19 – paragraph 7**

*Text proposed by the Commission*

7. By 30 June 2014 the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by *a legislative proposal laying down mandatory national targets*.

*Amendment*

7. By 30 June 2014 the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by *proposals for further measures. The assessment shall also be based on the evaluation of the first annual report referred to in paragraph 1.*

Or. en

**Amendment 1536**  
**Fiona Hall**

**Proposal for a directive**  
**Article 19 – paragraph 7**

*Text proposed by the Commission*

7. By 30 June **2014** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, *followed*, if appropriate, by a legislative proposal laying down mandatory national targets.

*Amendment*

7. By 30 June **2013** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, *accompanied*, if appropriate, by a legislative proposal laying down *additional* mandatory national targets *and measures*.

Or. en

**Amendment 1537**  
**Eija-Riitta Korhola**

**Proposal for a directive**  
**Article 19 – paragraph 7**

*Text proposed by the Commission*

7. By **30 June 2014** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down **mandatory national targets**.

*Amendment*

7. By **December 2016** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down **additional measures**.

Or. en

*Justification*

*There should be enough time to verify the successful implementation of this directive. According to the assessment to be made 2016 commission shall propose additional measures if needed to meet the European target of 20 % improvement in energy efficiency by 2020.*

**Amendment 1538**

**Markus Pieper, Amalia Sartori, Antonio Cancian, Bogdan Kazimierz Marcinkiewicz, Jolanta Emilia Hibner, Ioannis A. Tsoukalas, Werner Langen, Vladimir Urutchev, Holger Krahmer, Romana Jordan Cizelj**

**Proposal for a directive  
Article 19 – paragraph 7**

*Text proposed by the Commission*

7. By **30 June 2014** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down mandatory national targets.

*Amendment*

7. By **31 December 2013** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down mandatory national targets.

Or. en

**Amendment 1539**

**Herbert Reul**

**Proposal for a directive  
Article 19 – paragraph 7**

*Text proposed by the Commission*

7. By 30 **June 2014** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down mandatory national targets.

*Amendment*

7. By 30 **March 2016** the Commission shall submit the assessment referred to in Article 3(2) to the European Parliament and to the Council, followed, if appropriate, by a legislative proposal laying down mandatory national targets.

Or. de

*Justification*

*If the Directive does not have to be transposed until 2013, the Commission cannot seriously expect to assess whether national measures in conjunction with the additional measures set out here are sufficient to achieve the overall EU target as early as mid-2014. This would be objectively impossible.*

**Amendment 1540**

**Fiona Hall, Corinne Lepage**

**Proposal for a directive**

**Article 19 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. By 30 June **2018**, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:

*Amendment*

8. By 30 June **2017**, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:

Or. en

**Amendment 1541**

**Marita Ulvskog**

**Proposal for a directive**

**Article 19 – paragraph 8 – introductory part**



*Text proposed by the Commission*

8. By 30 June **2018**, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:

*Amendment*

8. By 30 June **2016**, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:

Or. en

**Amendment 1542**  
**Francisco Sosa Wagner**

**Proposal for a directive**  
**Article 19 – paragraph 8 – introductory part**

*Text proposed by the Commission*

8. By 30 June **2018**, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:

*Amendment*

8. By 30 June **2016**, the Commission shall report to the European Parliament and the Council on the implementation of Article 6. That report shall be followed, if appropriate, by a legislative proposal for one or more of the following purposes:

Or. en

*Justification*

*Justification: in order to achieve the 2020 goal, a revision of Article 6 should be made earlier.*

**Amendment 1543**  
**Ivo Belet**

**Proposal for a directive**  
**Article 19 – paragraph 8 – point a**

*Text proposed by the Commission*

a) to **change the** saving rate laid down in

*Amendment*

a) to **continue or set a new** saving rate laid

Article 6(1);

down in Article 6(1);

Or. en

**Amendment 1544**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Article 19 – paragraph 9**

*Text proposed by the Commission*

9. By 30 June **2018**, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by a legislative proposal.

*Amendment*

9. By 30 June **2017**, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by a legislative proposal.

Or. en

**Amendment 1545**  
**Francisco Sosa Wagner**

**Proposal for a directive**  
**Article 19 – paragraph 9**

*Text proposed by the Commission*

9. By 30 June **2018**, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by a legislative proposal.

*Amendment*

9. By 30 June **2016**, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by a legislative proposal.

Or. en

*Justification*

*Justification: in order to achieve the 2020 goal, the assessment of the removal of barriers should be made earlier.*

**Amendment 1546**  
**Konrad Szymański**

**Proposal for a directive**  
**Article 19 – paragraph 9**

*Text proposed by the Commission*

9. By 30 June 2018, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by *a legislative proposal*.

*Amendment*

9. By 30 June 2018, the Commission shall assess the progress made by Member States in removing the regulatory and non-regulatory barriers referred to in Article 15(1); this assessment shall be followed, if appropriate, by *recommendations*.

Or. en

**Amendment 1547**  
**Bendt Bendtsen, Maria Da Graça Carvalho**

**Proposal for a directive**  
**Article 19 – paragraph 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***10a. If the carbon price drops as a result of new measures in this directive, the Commission shall take rolling measures such as taking quotas out of the market to ensure that the Emissions Trading Scheme works as it would have done without the extra set of measures, and according to its original purpose of creating incentives for investments in energy efficiency and RES.***

Or. en

**Amendment 1548**  
**Silvia-Adriana Țicău**

**Proposal for a directive**  
**Article 20 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 20a**

**Review**

***The Commission, assisted by the Committee established by Article 20, shall evaluate this Directive by 1 January 2018 at the latest, in the light of the experience gained and progress made during its application, and, if necessary, make proposals.***

Or. ro

**Amendment 1549**

**Herbert Reul**

**Proposal for a directive**

**Article 22 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [12 months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

*Amendment*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [24 months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

Or. de

*Justification*

*Realistic targets should be set.*

**Amendment 1550**

**Ioan Enciu**

**Proposal for a directive**  
**Article 22 – paragraph 1 – subparagraph 1**

*Text proposed by the Commission*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [12 months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

*Amendment*

Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive by [24 months after the entry into force of this Directive] at the latest. They shall forthwith communicate to the Commission the text of those provisions and a correlation table between those provisions and this Directive.

Or. ro

**Amendment 1551**  
**Fiona Hall, Corinne Lepage, Vladko Todorov Panayotov**

**Proposal for a directive**  
**Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22a**

**Amendments to Directive 2003/87/EC**

**In Article 9 of Directive 2003/87/EC the following paragraph shall be added after the second paragraph :**

**"From 2014 onwards the linear reduction factor shall be 2.25%."**

Or. en

*Justification*

*The linear factor of the ETS cap should be adjusted to the energy efficiency measures as well as to the EU climate objective of achieving at least 80% domestic greenhouse gas emissions reductions by 2050. The 2.25% represents a linear reduction based on shares of emissions of sectors covered by the ETS in 2050 as outlined in the Commission Climate Roadmap 2050.*

**Amendment 1552**

**Kathleen Van Brempt**

**Proposal for a directive  
Article 22 a (new)**

*Text proposed by the Commission*

*Amendment*

**Article 22a**

***In Directive 2003/87/EC, the following paragraph shall be added at the end of Article 9: "From 2014 and in each subsequent year the linear reduction factor referred to in the first paragraph shall be 2.43%"***

Or. en

*Justification*

*To improve a key long-term incentive for energy efficiency and low-carbon investments while also aligning the yearly allocation of ETS allowances at a level consistent the Commission's Roadmap for a Competitive Low-Carbon Economy in 2050 (COM/11/112)*

**Amendment 1553  
Silvia-Adriana Țicău**

**Proposal for a directive  
Article 24 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

This Directive is addressed to the Member States.

This Directive is addressed to the Member States, ***institutions, bodies, offices and agencies of the European Union.***

Or. ro

**Amendment 1554  
Claude Turmes**

**Proposal for a directive  
Annex -I (new)**

PE475.997

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## Amendment

<b>ANNEX -I</b>		
<b><u>National Energy Savings Targets</u></b>		
<b>A. National Energy Saving target in 2020 (in primary energy)</b>		
	<b>Maximum primary energy consumption in 2020 (Mtoe) (1)</b>	<b>Minimum energy saving target - Reduction of primary energy consumption in 2020 (Mtoe) (S<sub>2020</sub>)</b>
<b>Belgium</b>	<b>43.55</b>	<b>9.80</b>
<b>Bulgaria</b>	<b>18.57</b>	<b>3.20</b>
<b>Czech Republic (2)</b>	<b>36.50</b>	<b>9.12</b>
<b>Denmark</b>	<b>19.17</b>	<b>0.83</b>
<b>Germany(3) (4)</b>	<b>241.16</b>	<b>58.69</b>
<b>Estonia</b>	<b>4.89</b>	<b>0.71</b>
<b>Ireland</b>	<b>15.92</b>	<b>2.75</b>
<b>Greece</b>	<b>33.26</b>	<b>2.70</b>
<b>Spain (4)</b>	<b>131.71</b>	<b>31.12</b>
<b>France (3) (4)</b>	<b>211.50</b>	<b>64.88 (5)</b>
<b>Italy (3) (4)</b>	<b>159.82</b>	<b>48.97 (5)</b>
<b>Cyprus</b>	<b>2.31</b>	<b>0.46</b>
<b>Latvia</b>	<b>6.16</b>	<b>0.67</b>
<b>Lithuania</b>	<b>8.56</b>	<b>1.14</b>
<b>Luxembourg</b>	<b>5.40</b>	<b>0.20</b>
<b>Hungary</b>	<b>26.67</b>	<b>2.96</b>
<b>Malta</b>	<b>0.70</b>	<b>0.24</b>
<b>Netherlands (2)(4)</b>	<b>57.99</b>	<b>17.75 (5)</b>
<b>Austria</b>	<b>29.20</b>	<b>7.16</b>
<b>Poland (4)</b>	<b>91.71</b>	<b>18.12</b>
<b>Portugal</b>	<b>24.01</b>	<b>6.00</b>
<b>Romania</b>	<b>40.07</b>	<b>10.00</b>
<b>Slovenia (2)</b>	<b>7.02</b>	<b>1.76</b>
<b>Slovak Republic</b>	<b>18.51</b>	<b>1.65</b>
<b>Finland</b>	<b>33.17</b>	<b>4.21</b>
<b>Sweden</b>	<b>43.01</b>	<b>12.80 (5)</b>

<i>United Kingdom (2)(4)</i>	<i>163.43</i>	<i>50.04 (5)</i>
<i>EU</i>	<i>1474</i>	<i>368</i>

where

*S<sub>2020</sub> = the energy saving for that Member State in 2020*

*(1) All energy saving targets are based on own Member States submission in their respective National Reform Programmes (NRP) in April 2011, except for (2) which have not submitted any energy saving targets under their NRP.*

*(2) Member State which has not submitted any energy saving targets in their NRPs. The respective targets for these four Member States are directly taken from the methodology used for determining the EU energy savings target, which is defined as 20% below the 2007 projections.*

*(3) DE target has been corrected in order to take into account the national German Energykonzept which establishes a reduction target of 20% of primary energy compared to 2008; FR target has been corrected in order to take into account of the conversion factor of 1.63 between final and primary energy consumption; IT target has been corrected in order to take into account the imprecise projections done under PRIMES 2007.*

*(4) The gap of 47.45 Mtoe between the estimated EU 2020 target (sum of national targets after corrections) and the EU headline target - requiring a reduction of EU primary energy consumption of at least 368 Mtoe in 2020 -, has been equally distributed amongst the Member States which will consume more than 50 Mtoe of primary energy in 2020. Seven Member States will therefore have to do an extra effort in reducing their energy consumption by 4.3% in 2020.*

*(5) Member State which has to do a bigger effort on its primary energy consumption in 2020 than under the -20% flat rate calculated reduction based on PRIMES 2007.*



**B. Indicative trajectory**

**The indicative trajectory referred to in Article 3(2) shall respect the following primary energy saving path towards each Member State's 2020 target:**

**25%\* ( $S_{2020}$ ), in 2014;**

**50%\* ( $S_{2020}$ ), in 2016;**

**75%\* ( $S_{2020}$ ), in 2018;**

**where**

**$S_{2020}$  = the energy saving for that Member State in 2020 as indicated in the right column of the table in Part A.**

Or. en

*Justification*

*Member States have set energy saving targets in their National Reform Programmes, and/or at national level. The gap between the estimated EU 2020 target (sum of national targets) and the EU headline target - requiring a reduction of EU primary energy consumption of at least 368 Mtoe in 2020 -, has been equally (-4.3%) distributed amongst the seven biggest energy consumers. To ensure that the 2020 saving targets are achieved, Member States should work towards an indicative trajectory tracing a path towards the achievement of their targets. It will allow the Commission to make the necessary monitoring and verification towards the achievement of the overall EU energy saving target. The Rapporteur is of the opinion that this path could be a linear one.*

**Amendment 1555**

**Marita Ulvskog**

**Proposal for a directive**

**Annex -I (new)**

*Text proposed by the Commission*

*Amendment*

**ANNEX -I**

**National Energy Savings Targets**

**A. National Energy Saving target in 2020 (in primary energy)**

	<b><i>Minimum energy saving target - Reduction of primary energy consumption in 2020 (Mtoe)</i></b>	<b><i>Minimum energy saving target - Reduction of primary energy consumption in 2025 (Mtoe)</i></b>	<b><i>Minimum energy saving target - Reduction of primary energy consumption in 2030 (Mtoe)</i></b>
<b><i>Belgium</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Bulgaria</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Czech Republic</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Denmark</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Germany</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Estonia</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Ireland</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Greece</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Spain</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>France</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Italy</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Cyprus</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Latvia</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Lithuania</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Luxembourg</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Hungary</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Malta</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Netherlands</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Austria</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Poland</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>
<b><i>Portugal</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>	<b><i>tbd</i></b>

<i>Romania</i>	<i>tbd</i>	<i>tbd</i>	<i>tbd</i>
<i>Slovenia</i>	<i>tbd</i>	<i>tbd</i>	<i>tbd</i>
<i>Slovak Republic</i>	<i>tbd</i>	<i>tbd</i>	<i>tbd</i>
<i>Finland</i>	<i>tbd</i>	<i>tbd</i>	<i>tbd</i>
<i>Sweden</i>	<i>tbd</i>	<i>tbd</i>	<i>tbd</i>
<i>United Kingdom</i>	<i>tbd</i>	<i>tbd</i>	<i>tbd</i>
<i>EU</i>	<i>368</i>	<i>tbd</i>	<i>tbd</i>

*Where "tbd" means "to be determined"*

Or. en

**Amendment 1556**  
**Fiona Hall, Corine LePage**

**Proposal for a directive**  
**Annex -I (new)**

*Text proposed by the Commission*

*Amendment*

<b>ANNEX -I</b>				
<b><u>National primary energy consumption levels in 2020 required to meet the EU's 20% energy savings target</u></b>				
<i>Member States shall refer to the following values when setting the targets referred to in Article 3(1). Any Member State submitting a target which deviates from the value in the table shall provide adequate justification.</i>				
<i>Member State</i>	<i>Primary energy consumption, in Mtoe</i>			
	<i>2007</i>	<i>Projection to 2020</i>	<i>-20%</i>	<i>Absolute reduction</i>
<i>Belgium</i>	<i>50,2</i>	<i>53,4</i>	<i>42,7</i>	<i>10,7</i>
<i>Bulgaria</i>	<i>19,3</i>	<i>21,8</i>	<i>17,4</i>	<i>4,4</i>

<i>Czech Republic</i>	<i>43,6</i>	<i>45,6</i>	<i>36,5</i>	<i>9,1</i>
<i>Denmark</i>	<i>20,2</i>	<i>20,0</i>	<i>16,0</i>	<i>4,0</i>
<i>Germany</i>	<i>314,9</i>	<i>299,9</i>	<i>239,9</i>	<i>60,0</i>
<i>Estonia</i>	<i>5,9</i>	<i>5,6</i>	<i>4,5</i>	<i>1,1</i>
<i>Ireland</i>	<i>15,8</i>	<i>18,7</i>	<i>14,9</i>	<i>3,7</i>
<i>Greece</i>	<i>32,6</i>	<i>36,0</i>	<i>28,8</i>	<i>7,2</i>
<i>Spain</i>	<i>138,9</i>	<i>162,8</i>	<i>130,3</i>	<i>32,6</i>
<i>France</i>	<i>254,8</i>	<i>276,4</i>	<i>221,1</i>	<i>55,3</i>
<i>Italy</i>	<i>173,3</i>	<i>208,8</i>	<i>167,0</i>	<i>41,8</i>
<i>Cyprus</i>	<i>2,7</i>	<i>2,8</i>	<i>2,2</i>	<i>0,6</i>
<i>Latvia</i>	<i>4,7</i>	<i>6,8</i>	<i>5,5</i>	<i>1,4</i>
<i>Lithuania</i>	<i>7,8</i>	<i>9,7</i>	<i>7,8</i>	<i>1,9</i>
<i>Luxembourg</i>	<i>4,6</i>	<i>5,6</i>	<i>4,5</i>	<i>1,1</i>
<i>Hungary</i>	<i>24,7</i>	<i>29,6</i>	<i>23,7</i>	<i>5,9</i>
<i>Malta</i>	<i>0,9</i>	<i>0,9</i>	<i>0,7</i>	<i>0,2</i>
<i>Netherlands</i>	<i>70,3</i>	<i>75,7</i>	<i>60,6</i>	<i>15,1</i>
<i>Austria</i>	<i>32,0</i>	<i>36,4</i>	<i>29,1</i>	<i>7,3</i>
<i>Poland</i>	<i>93,1</i>	<i>109,8</i>	<i>87,9</i>	<i>22,0</i>
<i>Portugal</i>	<i>23,8</i>	<i>30,0</i>	<i>24,0</i>	<i>6,0</i>
<i>Romania</i>	<i>37,5</i>	<i>50,1</i>	<i>40,1</i>	<i>10,0</i>
<i>Slovenia</i>	<i>7,0</i>	<i>8,8</i>	<i>7,0</i>	<i>1,8</i>
<i>Slovak Republic</i>	<i>16,8</i>	<i>20,3</i>	<i>16,3</i>	<i>4,1</i>
<i>Finland</i>	<i>36,2</i>	<i>37,4</i>	<i>29,9</i>	<i>7,5</i>
<i>Sweden</i>	<i>48,1</i>	<i>55,8</i>	<i>44,6</i>	<i>11,2</i>
<i>United Kingdom</i>	<i>212,2</i>	<i>213,5</i>	<i>170,8</i>	<i>42,7</i>
<i>EU27</i>	<i>1692,0</i>	<i>1842,1</i>	<i>1473,6</i>	<i>368,4</i>

Or. en

#### *Justification*

*The EU's energy saving objective for 2020 was derived by applying a 20% reduction to projected primary energy consumption levels in 2020. The above table applies the same method to the projected primary energy consumption levels per Member State. The modelling used to project the baseline consumption takes into the account the macro-economic*

development drivers for energy consumption. The resultant 2020 consumption levels therefore represent the fair shares of effort required from each Member State in order to meet the objectives of this Directive as set out in Article 1.

**Amendment 1557**  
**Francisco Sosa Wagner**

**Proposal for a directive**  
**Annex -I (new)**

*Text proposed by the Commission*

*Amendment*

<b>ANNEX -I</b>		
<i>Member State</i>	<i>2007 primary energy consumption</i>	<i>2020 primary energy consumption</i>
<i>Belgium</i>	<i>50.2</i>	<i>40.2</i>
<i>Bulgaria</i>	<i>19.3</i>	<i>15.4</i>
<i>Czech Republic</i>	<i>43.6</i>	<i>34.9</i>
<i>Denmark</i>	<i>20.2</i>	<i>16.2</i>
<i>Germany</i>	<i>314.9</i>	<i>251.9</i>
<i>Estonia</i>	<i>5.9</i>	<i>4.7</i>
<i>Ireland</i>	<i>15.8</i>	<i>12.6</i>
<i>Greece</i>	<i>32.6</i>	<i>26.1</i>
<i>Spain</i>	<i>138.9</i>	<i>111.1</i>
<i>France</i>	<i>254.8</i>	<i>203.8</i>
<i>Italy</i>	<i>173.3</i>	<i>138.6</i>
<i>Cyprus</i>	<i>2.7</i>	<i>2.2</i>
<i>Latvia</i>	<i>4.7</i>	<i>3.8</i>
<i>Lithuania</i>	<i>7.8</i>	<i>6.2</i>
<i>Luxembourg</i>	<i>4.6</i>	<i>3.7</i>
<i>Hungary</i>	<i>24.7</i>	<i>19.8</i>
<i>Malta</i>	<i>0.9</i>	<i>0.7</i>
<i>Netherlands</i>	<i>70.3</i>	<i>56.2</i>

<i>Austria</i>	<i>32.0</i>	<i>25.6</i>
<i>Poland</i>	<i>93.1</i>	<i>74.5</i>
<i>Portugal</i>	<i>23.8</i>	<i>19.0</i>
<i>Romania</i>	<i>37.5</i>	<i>30.0</i>
<i>Slovenia</i>	<i>7.0</i>	<i>5.6</i>
<i>Slovak Republic</i>	<i>16.8</i>	<i>13.4</i>
<i>Finland</i>	<i>36.2</i>	<i>29.0</i>
<i>Sweden</i>	<i>48.1</i>	<i>38.5</i>
<i>United Kingdom</i>	<i>212.2</i>	<i>169.8</i>
<i>EU</i>	<i>1691.9</i>	<i>1353.5</i>

Or. en

*Justification*

*Member States shall refer to the following values when setting the targets referred to in Article 3(1). Any Member State submitting a target which deviates from the value in the table shall provide adequate justification.*

**Amendment 1558**

**Britta Thomsen**

**Proposal for a directive**

**Annex -I (new)**

*Text proposed by the Commission*

*Amendment*

<i>ANNEX -I</i>				
<i><u>National Energy Savings Targets</u></i>				
<i>Primary energy consumption, in Mtoe</i>				
<i>Member State</i>	<i>2007</i>	<i>Projection to 2020</i>	<i>Reduction amount</i>	<i>Absolute reduction</i>
<i>Belgium</i>	<i>50,2</i>	<i>53,4</i>	<i>tbd</i>	<i>tbd</i>
<i>Bulgaria</i>	<i>19,3</i>	<i>21,8</i>	<i>tbd</i>	<i>tbd</i>

<i>Czech Republic</i>	<i>43,6</i>	<i>45,6</i>	<i>tbd</i>	<i>tbd</i>
<i>Denmark</i>	<i>20,2</i>	<i>20,0</i>	<i>tbd</i>	<i>tbd</i>
<i>Germany</i>	<i>314,9</i>	<i>299,9</i>	<i>tbd</i>	<i>tbd</i>
<i>Estonia</i>	<i>5,9</i>	<i>5,6</i>	<i>tbd</i>	<i>tbd</i>
<i>Ireland</i>	<i>15,8</i>	<i>18,7</i>	<i>tbd</i>	<i>tbd</i>
<i>Greece</i>	<i>32,6</i>	<i>36,0</i>	<i>tbd</i>	<i>tbd</i>
<i>Spain</i>	<i>138,9</i>	<i>162,8</i>	<i>tbd</i>	<i>tbd</i>
<i>France</i>	<i>254,8</i>	<i>276,4</i>	<i>tbd</i>	<i>tbd</i>
<i>Italy</i>	<i>173,3</i>	<i>208,8</i>	<i>tbd</i>	<i>tbd</i>
<i>Cyprus</i>	<i>2,7</i>	<i>2,8</i>	<i>tbd</i>	<i>tbd</i>
<i>Latvia</i>	<i>4,7</i>	<i>6,8</i>	<i>tbd</i>	<i>tbd</i>
<i>Lithuania</i>	<i>7,8</i>	<i>9,7</i>	<i>tbd</i>	<i>tbd</i>
<i>Luxembourg</i>	<i>4,6</i>	<i>5,6</i>	<i>tbd</i>	<i>tbd</i>
<i>Hungary</i>	<i>24,7</i>	<i>29,6</i>	<i>tbd</i>	<i>tbd</i>
<i>Malta</i>	<i>0,9</i>	<i>0,9</i>	<i>tbd</i>	<i>tbd</i>
<i>Netherlands</i>	<i>70,3</i>	<i>75,7</i>	<i>tbd</i>	<i>tbd</i>
<i>Austria</i>	<i>32,0</i>	<i>36,4</i>	<i>tbd</i>	<i>tbd</i>
<i>Poland</i>	<i>93,1</i>	<i>109,8</i>	<i>tbd</i>	<i>tbd</i>
<i>Portugal</i>	<i>23,8</i>	<i>30,0</i>	<i>tbd</i>	<i>tbd</i>
<i>Romania</i>	<i>37,5</i>	<i>50,1</i>	<i>tbd</i>	<i>tbd</i>
<i>Slovenia</i>	<i>7,0</i>	<i>8,8</i>	<i>tbd</i>	<i>tbd</i>
<i>Slovak Republic</i>	<i>16,8</i>	<i>20,3</i>	<i>tbd</i>	<i>tbd</i>
<i>Finland</i>	<i>36,2</i>	<i>37,4</i>	<i>tbd</i>	<i>tbd</i>
<i>Sweden</i>	<i>48,1</i>	<i>55,8</i>	<i>tbd</i>	<i>tbd</i>
<i>United Kingdom</i>	<i>212,2</i>	<i>213,5</i>	<i>tbd</i>	<i>tbd</i>
<i>EU</i>	<i>1691,9</i>	<i>1842,2</i>	<i>tbd</i>	<i>tbd</i>

Or. en

#### *Justification*

*2007 energy consumption and 2020 projections from PRIMES model. The actual reductions are left blank so as to leave it open for debate how to divide up individual member state saving comments.*

**Amendment 1559**  
**Adam Gierek**

**Proposal for a directive**  
**Annex I – Part I – point b – subparagraph 1**

*Text proposed by the Commission*

C is the *power to heat* ratio

*Amendment*

C is the ratio *between electricity obtained and the total amount of heat with further conversion taken into account*

Or. pl

*Justification*

*Clarification.*

**Amendment 1560**  
**Vicky Ford**

**Proposal for a directive**  
**Annex I – Part I – point f a (new)**

*Text proposed by the Commission*

*Amendment*

*fa) Member States may use different ratios provided they can justify it.*

Or. en

**Amendment 1561**  
**Paul Rübzig**

**Proposal for a directive**  
**Annex I – Part III**

*Text proposed by the Commission*

When implementing and applying the general principles for the calculation of electricity from cogeneration, Member

*Amendment*

When implementing and applying the general principles for the calculation of electricity from cogeneration, Member



States shall use the detailed Guidelines established by *Decision 2008/952/EC*<sup>38</sup>.

States shall use the detailed Guidelines established by *the manual for determination of combined heat and power (CEN/CENELEC-CWA 45547) or Guidelines for Implementation of the CHP Directive 2004/8/EC - March 2007*.

Or. en

#### *Justification*

*The calculation method based on 2008/952/EG is not specific enough and provides no equation calculations; therefore we propose these two guidelines which include detailed calculating methods and examples.*

#### **Amendment 1562**

**Markus Pieper, Pilar del Castillo Vera, Vladimir Urutchev, Werner Langen, Holger Kraemer, Krišjānis Kariņš, Jolanta Emilia Hibner,**

#### **Proposal for a directive Annex I a (new)**

*Text proposed by the Commission*

*Amendment*

#### **ANNEX I a**

#### **Calculation methodology for national energy efficiency targets**

***When proposing national energy efficiency targets, the Commission shall use the baseline for the 2020 primary energy consumption projection within the Primes 2007 model and shall take into account specific parameters such as the national economic structure, the relative starting position and climatic conditions. The following methodology shall apply:***

***Primes 2007 Baseline Projection 2020 in Mtoe - 20% savings***

***The reduction targets for 2020 in absolute terms as compared to their 2007 level of primary energy consumption shall include correction factors for the following categories:***

*- a maximum reduction threshold for the group of the nine EU countries with the lowest real household per capita income (L9[1]),*

*- a maximum reduction threshold for the group of the 15 countries that are eligible under the Cohesion Fund (C15),*

*- a maximum reduction threshold for any country,*

*- a minimum reduction threshold for any country not eligible under the Cohesion Fund (EU-27 minus C15[2]),*

*- a minimum reduction threshold for any country eligible under the Cohesion Fund (C15),*

*- a maximum threshold for an absolute increase in energy consumption.*

*Member States may, in accordance with Article 3 paragraph 1 translate their national energy efficiency target expressed in terms of absolute reductions into an energy intensity target expressed in tonnes of oil equivalent primary energy consumption per million euro gross domestic product expressed in 2005 prices.*

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*[1] L9 countries include Bulgaria, Romania, Latvia, Poland, Estonia, Hungary, Lithuania, Slovakia and the Czech Republic, see Eurostat, Statistics in Focus, 16/2011.*

*[2] C15 countries: L9 countries and Slovenia, Portugal, Malta, Greece, Cyprus, and Spain.*

Or. en

**Amendment 1563**  
**Marian-Jean Marinescu**

**Proposal for a directive**  
**Annex II – point a – indent 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***– production from Incineration facilities dedicated to the processing of municipal solid waste if their energy efficiency is equal to or above the thresholds mentioned in Annex II R1\* of Directive 2008/98/EC on waste.***

Or. en

**Amendment 1564**  
**Adam Gierek**

**Proposal for a directive**  
**Annex II – point b – subparagraph 6**

*Text proposed by the Commission*

*Amendment*

CHP  $E_{\eta}$  is the electrical efficiency of the cogeneration production defined as annual electricity from cogeneration divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration maybe increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element will not create a right to issue guarantees of origin in accordance with Article 10(10).

*(Does not affect English version.)*

Or. pl

*Justification*

*(Does not affect English version.)*

**Amendment 1565**  
**Adam Gierek**

**Proposal for a directive**  
**Annex II – point b – subparagraph 7**

*Text proposed by the Commission*

*Amendment*

Ref  $E\eta$  is the efficiency reference value for separate electricity production.

*(Does not affect English version.)*

Or. pl

*Justification*

*(Does not affect English version.)*

**Amendment 1566**  
**Paul Rübzig**

**Proposal for a directive**  
**Annex II – point f – subparagraph 3 – point 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***4a. The reference values for the separate electricity production and heat production shall reflect the average load of the cogeneration plant during the reference period.***

Or. en

*Justification*

*The increased use of renewable energies for electricity production could render for high efficient plants to operate in part load. Such part load operation leads to a reduction of the plant's efficiency. A factor is to be introduced for the reference value of electricity generation separately, that reflects the operation load of combined heat and power plants.*

**Amendment 1567**  
**Marian-Jean Marinescu**

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**Proposal for a directive**  
**Annex III – title**

*Text proposed by the Commission*

Energy efficiency requirements for purchasing products, services and buildings by public bodies

*Amendment*

Energy efficiency requirements for purchasing ***or renting*** products, services and buildings by public bodies

Or. en

**Amendment 1568**  
**Vicky Ford**

**Proposal for a directive**  
**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products, services or buildings shall:

*Amendment*

Public bodies that purchase products, services or buildings, ***taking into account cost-effectiveness, economical and practical feasibility and technical suitability, as well as sufficient competition***, shall:

Or. en

**Amendment 1569**  
**Claude Turmes**

**Proposal for a directive**  
**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products, services or buildings shall:

*Amendment*

Public bodies that purchase products, services or buildings shall ***by setting energy efficiency performance requirements as technical specifications***:

Or. en

*Justification*

*Identification of the mechanisms to incorporate energy performance requirements into public procurement contributes to creating more legal certainty for public authorities. The use of technical specifications is the most effective way to ensure the purchase of energy efficient products, services and buildings.*

**Amendment 1570**

**Lena Kolarska-Bobińska**

**Proposal for a directive**

**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products, services or buildings shall:

*Amendment*

Public bodies that purchase products, services or buildings shall, ***taking into account cost-effectiveness as well as sufficient competition***:

Or. en

**Amendment 1571**

**Hermann Winkler**

**Proposal for a directive**

**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products, services or buildings shall:

*Amendment*

Public bodies that purchase products, services or buildings shall, ***as far as the state of public finances and the principle of economic viability allow***:

Or. de

**Amendment 1572**

**Markus Pieper, Pilar del Castillo Vera, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Kraemer**

**Proposal for a directive**  
**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products,  
services or buildings shall:

*Amendment*

Public bodies that purchase products,  
services or buildings shall ***take due  
account of the following guidelines:***

Or. en

**Amendment 1573**  
**Markus Pieper, Hermann Winkler**

**Proposal for a directive**  
**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products,  
services or buildings shall:

*Amendment*

Public bodies that purchase products,  
services or buildings shall, ***taking account  
of the principle of economic viability:***

Or. de

**Amendment 1574**  
**Angelika Niebler**

**Proposal for a directive**  
**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products,  
services or buildings shall:

*Amendment*

Public bodies that purchase products,  
services or buildings shall ***take due  
account of the following guidelines:***

Or. de

*Justification*

*In line with the amendment to Article 5, public procurement must be able to take into account  
other factors apart from energy efficiency, so that the selection criteria can be suitably*

*weighted and due consideration can be given to economic viability.*

**Amendment 1575**

**Ioan Enciu**

**Proposal for a directive**

**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products, services or buildings **shall**:

*Amendment*

Public bodies that purchase products, services or buildings **should**:

Or. ro

**Amendment 1576**

**Marian-Jean Marinescu**

**Proposal for a directive**

**Annex III – introductory part**

*Text proposed by the Commission*

Public bodies that purchase products, services or buildings shall:

*Amendment*

Public bodies that purchase **or rent** products, services or buildings shall:

Or. en

**Amendment 1577**

**Vicky Ford**

**Proposal for a directive**

**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the



highest energy efficiency class **while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition**;

highest energy efficiency class;

Or. en

**Amendment 1578**  
**Claude Turmes**

**Proposal for a directive**  
**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the **crit~~erion~~** of belonging to the highest energy efficiency class **while taking** into account cost-effectiveness, economical feasibility **and technical suitability, as well as sufficient competition**;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the **crit~~erion~~** of belonging to the highest energy efficiency class. **Public bodies may take** into account cost-effectiveness **and** economical feasibility **by using award criteria with weighting for energy performance at least equal to the weighting accorded to price**;

Or. en

*Justification*

*Identification of the mechanisms to incorporate energy performance requirements into public procurement contributes to creating more legal certainty for public authorities. The use of technical specifications is the most effective way to ensure the purchase of energy efficient products, services and buildings. In order to take into account concerns about cost-effectiveness and economic feasibility of products referred in point a), public authorities may use award criteria.*

**Amendment 1579**  
**Lena Kolarska-Bobińska**

**Proposal for a directive**  
**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class **while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;**

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class **subject to a minimum of three national supplier and a greater life-cycle cost efficiency over the next available energy efficiency class;**

Or. en

**Amendment 1580**  
**Angelika Niebler**

**Proposal for a directive**  
**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase **only the** products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, **they should** purchase products that comply with the criterion of belonging to the highest energy efficiency class while **duly** taking into account, **in the relevant stages of the procurement process**, cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

Or. de

*Justification*

*The additional criteria listed alongside energy efficiency may be significant at different stages*

of the procurement procedure, and they should therefore be given different weightings in the different stages.

**Amendment 1581**  
**Fiona Hall, Corinne Lepage**

**Proposal for a directive**  
**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account **cost-effectiveness, economical feasibility and** technical suitability, as well as sufficient competition;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account technical suitability, as well as sufficient competition;

Or. en

**Amendment 1582**  
**Gaston Franco**

**Proposal for a directive**  
**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase **only** the products that comply with the criterion of belonging to the highest energy efficiency **class** while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase the products that comply with the criterion of belonging to the highest energy efficiency **classes** while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

**Amendment 1583**

**Markus Pieper, Pilar del Castillo Vera, Françoise Grossetête, Vladimir Urutchev, Bogdan Kazimierz Marcinkiewicz, Werner Langen, Jan Březina, Holger Krahmer**

**Proposal for a directive**

**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, **public bodies should** purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

**Amendment 1584**

**Ioan Enciu**

**Proposal for a directive**

**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase **only** the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase, **in principle**, the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

**Amendment 1585**  
**Frédérique Ries**

**Proposal for a directive**  
**Annex III – point a**

*Text proposed by the Commission*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, economical feasibility and technical suitability, as well as sufficient competition;

*Amendment*

a) where a product is covered by a delegated act adopted under Directive 2010/30/EU or Commission Directive implementing Directive 92/75/EEC, purchase only the products that comply with the criterion of belonging to the highest energy efficiency class while taking into account cost-effectiveness, **health impact**, economical feasibility and technical suitability, as well as sufficient competition;

Or. en

*Justification*

*Health concerns should also be taken into account when deciding on purchasing, to facilitate for example the purchase of products which do not contain substances harmful to human health.*

**Amendment 1586**  
**Ioan Enciu**

**Proposal for a directive**  
**Annex III – point b**

*Text proposed by the Commission*

b) where a product not covered under point a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase **only** products that comply with energy efficiency benchmarks specified in

*Amendment*

b) where a product not covered under point a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase, **in principle**, products that comply with energy efficiency benchmarks

that implementing measure;

specified in that implementing measure;

Or. ro

**Amendment 1587**

**Markus Pieper, Pilar del Castillo Vera, Françoise Grossetête, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Holger Krahmer, Vladimir Urutchev**

**Proposal for a directive  
Annex III – point b**

*Text proposed by the Commission*

b) where a product not covered under point a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase only products that comply with energy efficiency benchmarks specified in that implementing measure;

*Amendment*

b) where a product not covered under point a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, **public bodies should** purchase only products that comply with energy efficiency benchmarks specified in that implementing measure;

Or. en

**Amendment 1588**

**Angelika Niebler**

**Proposal for a directive  
Annex III – point c**

*Text proposed by the Commission*

c) purchase office equipment products covered by Council Decision [2006/1005/EC<sup>39</sup>] that comply with energy efficiency requirements not less demanding than those listed in Annex C of the Agreement attached to that Decision;

*Amendment*

c) **they should** purchase office equipment products covered by Council Decision [2006/1005/EC] that comply with energy efficiency requirements not less demanding than those listed in Annex C of the Agreement attached to that Decision;

Or. de

*Justification*

*In line with the amendment to Article 5, public procurement must be able to take into account other factors apart from energy efficiency, so that the selection criteria can be suitably weighted and due consideration can be given to economic viability.*

**Amendment 1589**

**Markus Pieper, Pilar del Castillo Vera, Françoise Grossetête, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Krahmer**

**Proposal for a directive  
Annex III – point c**

*Text proposed by the Commission*

c) purchase office equipment products covered by Council Decision [2006/1005/EC<sup>39</sup>] that comply with energy efficiency requirements not less demanding than those listed in Annex C of the Agreement attached to that Decision;

*Amendment*

c) **public bodies should** purchase office equipment products covered by Council Decision [2006/1005/EC] that comply with energy efficiency requirements not less demanding than those listed in Annex C of the Agreement attached to that Decision;

Or. en

**Amendment 1590**

**Bernd Lange**

**Proposal for a directive  
Annex III – point c a (new)**

*Text proposed by the Commission*

*Amendment*

***ca) where national energy efficiency standards and/or energy efficiency labelling systems identify information and communication technology equipment as being more efficient than described in Annex III, Section 1, points a and b of this Directive, this equipment must be purchased by public bodies.***

Or. de

### *Justification*

*The aim is to achieve the greatest possible improvement in energy efficiency. To this end, information and communication technology equipment which the Member States have already identified as being highly efficient must be used.*

#### **Amendment 1591**

**Ivo Belet**

#### **Proposal for a directive**

#### **Annex III – point d**

##### *Text proposed by the Commission*

d) purchase only tyres that comply with the criterion ***of having the highest fuel energy efficiency class, as*** defined by Regulation (EC) No 1222/2009<sup>40</sup>. ***This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;***

##### *Amendment*

d) purchase only tyres that comply with the criterion defined by ***article 10 of*** Regulation (EC) No 1222/2009<sup>40</sup> ***when available on the market;***

Or. en

#### **Amendment 1592**

**Angelika Niebler**

#### **Proposal for a directive**

#### **Annex III – point d**

##### *Text proposed by the Commission*

d) purchase only tyres that comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EC) No 1222/2009<sup>40</sup>. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;

##### *Amendment*

d) ***they should*** purchase only tyres that comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EC) No 1222/2009<sup>40</sup>. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;



*Justification*

*In line with the amendment to Article 5, public procurement must be able to take into account other factors apart from energy efficiency, so that the selection criteria can be suitably weighted and due consideration can be given to economic viability.*

**Amendment 1593**

**Markus Pieper, Pilar del Castillo Vera, Françoise Grossetête, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Krahmer**

**Proposal for a directive  
Annex III – point d**

*Text proposed by the Commission*

d) purchase only tyres that comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EC) No 1222/2009<sup>40</sup>. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;

*Amendment*

d) **public bodies should** purchase only tyres that comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EC) No 1222/2009. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons;

**Amendment 1594**

**Marita Ulvskog**

**Proposal for a directive  
Annex III – point e**

*Text proposed by the Commission*

***e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in***

*Amendment*

***deleted***

*question;*

Or. en

**Amendment 1595**

**Angelika Niebler**

**Proposal for a directive**

**Annex III – point e**

*Text proposed by the Commission*

e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;

*Amendment*

e) *they may* require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;

Or. de

*Justification*

*In line with the amendment to Article 5, public procurement must be able to take into account other factors apart from energy efficiency, so that the selection criteria can be suitably weighted and due consideration can be given to economic viability.*

**Amendment 1596**

**Herbert Reul**

**Proposal for a directive**

**Annex III – point e**

*Text proposed by the Commission*

e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;

*Amendment*

e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (c), when providing the services in question;

*Justification*

*In the transport sector it is almost impossible - or extremely costly - to verify whether service providers are using the most energy efficient tyres. The reference to point d should therefore be deleted here.*

**Amendment 1597**

**Britta Thomsen**

**Proposal for a directive**

**Annex III – point e**

*Text proposed by the Commission*

e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;

*Amendment*

e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question; ***when tendering service contracts, public bodies shall assess the possibility of concluding long term energy performance contracts as referred to in Article 14 b);***

*Justification*

*In important part of this directive is to strengthen the market for energy services in order to leverage private capital for energy efficiency investments. Therefore it is crucial that public bodies are encouraged to use energy performance contracting among other measures to achieve the mandated energy savings.*

**Amendment 1598**

**Markus Pieper, Pilar del Castillo Vera, Françoise Grossetête, Lena Kolarska-Bobińska, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Kraemer**

**Proposal for a directive**

**Annex III – point e**

*Text proposed by the Commission*

e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;

*Amendment*

e) **public bodies should** require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a) to (d), when providing the services in question;

Or. en

**Amendment 1599**

**Marita Ulvskog**

**Proposal for a directive**

**Annex III – point f**

*Text proposed by the Commission*

**f) purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.**

*Amendment*

**deleted**

Or. en

**Amendment 1600**

**Bernd Lange**

**Proposal for a directive**

**Annex III – point f**

*Text proposed by the Commission*

**f) purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these**

*Amendment*

**f) take account of their energy efficiency class as a mandatory criterion when purchasing or renting buildings, giving due consideration to cost-effectiveness,**

requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

***economical feasibility and technical suitability, as well as competition in the area covered by the local authority concerned.*** Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU

Or. de

## **Amendment 1601**

**Claude Turmes**

### **Proposal for a directive Annex III – point f**

#### *Text proposed by the Commission*

f) purchase or rent only buildings that comply at least with the ***minimum energy performance*** requirements ***referred to*** in ***Article 4(1)***. Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

#### *Amendment*

f) ***without prejudice to Article 9(1) of Directive 2010/31/EU***, purchase or rent only buildings that comply at least with the requirements ***set out in the highest energy efficiency classes as defined in the country where the building is located.*** Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

Or. en

## **Amendment 1602**

**Lena Kolarska-Bobińska**

### **Proposal for a directive Annex III – point f**

#### *Text proposed by the Commission*

f) purchase or ***rent*** only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these

#### *Amendment*

f) purchase, or ***make new rental agreements for***, only buildings that comply at least with the minimum energy performance requirements referred to in

requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

Article 4(1) *or that will comply at the time of occupation*. Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

Or. en

**Amendment 1603**  
**Angelika Niebler**

**Proposal for a directive**  
**Annex III – point f**

*Text proposed by the Commission*

f) purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

*Amendment*

f) *they should* purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

Or. de

*Justification*

*In line with the amendment to Article 5, public procurement must be able to take into account other factors apart from energy efficiency, so that the selection criteria can be suitably weighted and due consideration can be given to economic viability.*

**Amendment 1604**  
**Markus Pieper, Pilar del Castillo Vera, Françoise Grossetête, Bogdan Kazimierz Marcinkiewicz, Jan Březina, Werner Langen, Vladimir Urutchev, Holger Kraemer**

**Proposal for a directive**  
**Annex III – point f**

*Text proposed by the Commission*

f) purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

*Amendment*

f) **public bodies should** purchase or rent only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1). Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.

Or. en

**Amendment 1605**  
**Lena Kolarska-Bobińska**

**Proposal for a directive**  
**Annex III – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***These requirements shall not prejudice the articles set out in Directive 2004/18/EC and Directive 2004/17/EC and any possible further revision of these directives. If deemed in conflict, these directives shall have priority over this annex.***

Or. en

**Amendment 1606**  
**Lena Kolarska-Bobińska**

**Proposal for a directive**  
**Annex III – subparagraph 1 b (new)**

*Text proposed by the Commission*

*Amendment*

***If it is not possible to ensure the cost-effectiveness, economical feasibility and technical suitability or sufficient competition for the products set out in***

*points (a) to (d), public bodies may purchase the next best available energy efficiency product were these conditions are met;*

Or. en

**Amendment 1607**  
**Lena Kolarska-Bobińska**

**Proposal for a directive**  
**Annex III – subparagraph 1 c (new)**

*Text proposed by the Commission*

*Amendment*

*Point f) shall not apply to the purchase or rental of buildings officially protected as part of a designated environment or because of their special architectural or historical merit;*

Or. en

**Amendment 1608**  
**Claude Turmes**

**Proposal for a directive**  
**Annex III – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*The EU Institutions shall rent or purchase only buildings which meet the requirements set out in the highest energy efficiency class as defined in the country where the building is located.*

Or. en

**Amendment 1609**  
**Ivo Belet**



**Proposal for a directive**  
**Annex III – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Additional buildings the EU Institutions will rent or purchase in the future will systematically be purchased or rented in the best available energy performance class.***

Or. en

**Amendment 1610**  
**Kathleen Van Brempt, Judith A. Merkies, Britta Thomsen, Anni Podimata**

**Proposal for a directive**  
**Annex III – subparagraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***Additional buildings the EU Institutions will rent or purchase in future will systematically be in the best available energy performance class***

Or. en

**Amendment 1611**  
**András Gyürk**

**Proposal for a directive**  
**Annex IV – footnote 3**

*Text proposed by the Commission*

[3] Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,5. Member States may apply a different coefficient provided they can justify it.

*Amendment*

[3] Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,5 ***reflecting the estimated current EU average efficiency for thermal electricity production***. Member States ***shall*** apply a different coefficient ***if the plants are more efficient and adapt this regularly***.

Or. en

**Amendment 1612**

**Vicky Ford**

**Proposal for a directive**  
**Annex IV – footnote 3**

*Text proposed by the Commission*

[3] Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,5. Member States may apply a different coefficient provided they can justify it.

*Amendment*

[3] Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,5 ***reflecting the estimated current EU average efficiency for thermal electricity production***. Member States may apply a different coefficient provided they can justify it. ***Member States shall apply a different coefficient if the plants are more efficient. This should be adapted regularly***.

Or. en

**Amendment 1613**

**Britta Thomsen**

**Proposal for a directive**  
**Annex IV – footnote 3**

*Text proposed by the Commission*

[3] Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,5. Member States may apply a different coefficient provided they can justify it.

*Amendment*

[3] Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,5. Member States may apply a different coefficient provided they can justify it, ***or one such coefficient has already been established in national legislation.***

Or. en

*Justification*

*The directive should not interfere with definitions already established and adhered to for conversion of electricity into primary energy terms.*

**Amendment 1614**  
**Henri Weber**

**Proposal for a directive**  
**Annex V**

*Text proposed by the Commission*

*Amendment*

***deleted***

Or. fr

**Amendment 1615**  
**Bendt Bendtsen**

**Proposal for a directive**  
**Annex V – section 1**

*Text proposed by the Commission*

*Amendment*

**1. Measures that target short-term savings** *deleted*

***The following measures shall be considered as targeting short-term savings:***

- a) distribution or installation of energy efficient compact fluorescent light bulbs;***
- b) distribution or installation of energy efficient shower heads;***
- c) energy audits;***
- d) information campaigns.***

Or. en

*Justification*

*Most of the suggested short term savings either are under the ECO-design or would not alone (e.g. Information campaigns) provide any savings because the savings most often come from products campaigns (e.g.. white goods) except few initiatives (e.g. reduction of indoor temperature, standby losses etc.), which often are difficult and often expensive to assess.*

**Amendment 1616**

**Britta Thomsen**

**Proposal for a directive**

**Annex V – introductory part (new)**

*Text proposed by the Commission*

*Amendment*

***The following are the guiding principles which shall be used by Member States when determining energy saving above those which would have occurred naturally.***

Or. en

**Amendment 1617**

**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 1 - title**

*Text proposed by the Commission*

*Amendment*

1. Measures that target *short-term savings*

1. Measures that *do not count towards the energy saving target*

Or. en

**Amendment 1618**  
**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 1 - introductory part**

*Text proposed by the Commission*

*Amendment*

The following measures shall be *considered as targeting short-term savings*:

The following measures shall be *excluded from the energy savings target* :

Or. en

**Amendment 1619**  
**Fiona Hall**

**Proposal for a directive**  
**Annex V – section 1 – point a**

*Text proposed by the Commission*

*Amendment*

*a) distribution or installation of energy efficient compact fluorescent light bulbs;*

*deleted*

Or. en

**Amendment 1620**  
**Vicky Ford**

**Proposal for a directive**  
**Annex V – section 1 – point d**

*Text proposed by the Commission*

*Amendment*

**d) information campaigns.**

**deleted**

Or. en

**Amendment 1621**  
**Bernd Lange**

**Proposal for a directive**  
**Annex V – section 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**da) distribution and installation of household appliances belonging to the highest energy efficiency class which have reached 15% market penetration but which have less than 30% market penetration.**

Or. de

*Justification*

*Appliances with market penetration between 15% and 30% can be regarded as 'short-term energy savings'.*

**Amendment 1622**  
**Mario Pirillo**

**Proposal for a directive**  
**Annex V – section 1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

**da) distribution or installation of smart meters;**

Or. it

**Amendment 1623**  
**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 2**

*Text proposed by the Commission*

**2. Calculation of energy savings**

***The calculation of energy savings in national energy efficiency obligation schemes shall take into account the lifetime of measures. Where no national values for lifetimes are fixed the default values in point 4 shall apply.***

Obligated parties may use one or more of the following methods for calculating energy savings for the purposes of Article 6(2):

***a) engineering estimates;***

***b) metering;***

***c) standard values and lifetimes that Member States have adopted on a clear and sound basis. Such values shall be notified to the Commission. The Commission may request that such values are modified, where they are likely to distort competition or where they show less ambition than the default values and lifetimes in points 3 and 4.***

*Amendment*

**2. Energy saving methodology**

Obligated parties may use one or more of the following methods for calculating energy savings for the purposes of Article 6(2):

***a) Deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The principles set out in point 3 shall apply when determining deemed savings. The generic approach is termed “ex-ante”;***

***b) Metered savings, whereby the savings from the installation of a measure, or package of measures, is determined by recording the actual reduction in energy use, taking due account of factors such as occupancy, production levels and the weather which may affect consumption. The generic approach is termed “ex-post”.***

***c) Scaled savings, whereby it may be appropriate to use engineering estimates of savings where establishing robust measured data for a specific installation is difficult or disproportionately too expensive e.g. replacing a compressor or electric motor with a different kWh rating than that for which independent information on savings has been***

*d) the default values and lifetimes in points 3 and 4 where no national standard values and lifetimes have been established;*

*measured.*

*d) Surveyed savings, where consumers' response to advice, information campaigns, or smart metering is determined. This approach may only be used for savings resulting from changes in consumer behaviour. It may not be used for savings resulting from the installation of physical measures. Savings from installations should either come from the deemed saving catalogue or engineering methods. When deemed savings are chosen, the use of engineering methods are excluded.*

Or. en

**Amendment 1624**  
**Fiona Hall**

**Proposal for a directive**  
**Annex V – section 2 – subparagraph 2 – point a**

*Text proposed by the Commission*

*Amendment*

a) engineering estimates;

*a) Scaled savings, whereby it may be appropriate to use engineering estimates of savings where establishing robust measured data for a specific installation is difficult or disproportionately too expensive e.g. replacing a compressor or electric motor with a different kWh rating than that for which independent information on savings has been measured;*

Or. en

**Amendment 1625**  
**Fiona Hall**

**Proposal for a directive**  
**Annex V – section 2 – subparagraph 2 – point a (new)**



*Text proposed by the Commission*

*Amendment*

***aa) Deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The generic approach is termed “ex-ante”;***

Or. en

**Amendment 1626**

**Fiona Hall**

**Proposal for a directive**

**Annex V – section 2 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

**b) *metering*;**

***b) Metered savings, whereby the savings from the installation of a measure, or package of measures, is determined by recording the actual reduction in energy use, taking due account of factors such as occupancy, production levels and the weather which may affect consumption. The generic approach is termed “ex-post”;***

Or. en

**Amendment 1627**

**Claude Turmes**

**Proposal for a directive**

**Annex V – section 2 – subparagraph 2 – point b**

*Text proposed by the Commission*

*Amendment*

**b) *metering*;**

***b) real time monitoring, controlling and metering***

Or. en

**Amendment 1628**  
**Bendt Bendtsen, Maria Da Graça Carvalho**

**Proposal for a directive**  
**Annex V – section 2 – subparagraph 2 – point b**

*Text proposed by the Commission*

b) metering;

*Amendment*

b) metering, *measurement equipment*

Or. en

**Amendment 1629**  
**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 2 a (new)**

*Text proposed by the Commission*

*Amendment*

***2a) Principles to apply in the calculation of energy savings***

***In determining the energy saving for an energy efficiency measure, the following principles shall apply:***

***a) Only savings that are additional to those that would be expected from an average product placed in the market can be counted. Due account of the following shall be taken in determining the additional energy savings:***

***i. the prevailing energy performance and energy label of fabric measures (walls, roofs, floors, windows and doors) in the existing building stock;***

***ii. prevailing regulations relating to minimum energy performance requirements of new buildings or vehicles or the removal of certain products e.g. the banning of certain incandescent light bulbs meaning that compact fluorescent light bulbs are the norm;***

*iii. EU minimum energy performance requirements for energy related products as defined by the EU Ecodesign Directive;*

*iv. prevailing market sales, and sales trends, of energy consuming products in the Member State where EU energy labelling criteria exist;*

*b) the activities of the obligated party must be demonstrably material to the achievement of the claimed savings;*

*c) due allowance shall be taken of the increased amenity, or rebound effect, resulting from the installation of measures, for example increased comfort arising from insulation measures;*

*d) the savings achieved in end-use can only if documented be claimed by more than one obligated party;*

*e) savings achieved as a result of other local, regional, national or international policies may not be included e.g. prevailing building regulations;*

*f) to account for climatic variations between regions, Member States may choose to adjust the savings to a standard value or to accord different energy savings in accord with the temperature variations between regions; the adjustment should be clarified and approved by the commission not later than three month after the implementation of this directive.*

*g) where measures result in changes in consumption of more than one fuel type, due account shall be taken of the primary energy content of that fuel as defined in Annex IV;*

*h) calculation of energy savings shall take into account the lifetime of measures;*

*i) where measures result in the accelerated replacement of equipment, products or building components, due account shall be taken of the duration of the energy savings compared to the*

*energy consumption of the original equipment but only for the remaining lifetime of the original equipment;*

*j) actions by obligated parties, either individually or together, which aim to result in lasting transformation of products, equipment, or markets to a higher level of energy efficiency are permitted;*

*k) in promoting the uptake of energy efficiency measures, Member States shall ensure that quality standards for products, services and installation of measures are maintained. Where such standards do not exist, Member States shall work with obligated parties to introduce them.*

*The calculation of energy savings shall be revised at least each two years to take into account of regulatory and technological developments.*

Or. en

**Amendment 1630**  
**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 2 b (new)**

*Text proposed by the Commission*

*Amendment*

***2b) Notification of methodology***

***Member States shall notify the Commission of their proposed detailed methodology for operation of the energy efficiency obligation schemes. Such notification shall include details of:***

- a) obligated parties;***
- b) target sectors;***
- c) the level of the energy saving target;***
- d) the duration of the obligation period;***

- e) eligible measure categories;*
- f) calculation methodology, including how additionality and materiality are to be determined;*
- g) measure lifetimes;*
- h) approach taken to address climatic variations within the Member State;*
- i) treatment of fuels with different carbon or primary energy content;*
- j) quality standards;*
- k) monitoring and verification protocols;*
- l) audit protocols.*

*The Commission may request that methodologies are modified, where they are likely to distort competition or where they are less rigorous than equivalent schemes in other Member States.*

Or. en

**Amendment 1631**  
**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 3**

*Text proposed by the Commission*

*Amendment*

*deleted*

Or. en

**Amendment 1632**  
**Vicky Ford**

**Proposal for a directive**  
**Annex V – section 3 – point 3.1**

*Text proposed by the Commission*

*Amendment*

*deleted*

Or. en

**Amendment 1633**  
**Bernd Lange**

**Proposal for a directive**  
**Annex V – section 3 – point 3.1 – point d a (new)**

*Text proposed by the Commission*

*Amendment*

***da) DOMESTIC CLOTHES DRYERS***  
***From 1 December 2013***  
***Class A deemed savings (kWh/year): tbd***  
***Class A + deemed savings (kWh/year): tbd***  
***Class A ++ deemed savings (kWh/year):***  
***tbd***  
***Class A +++ deemed savings (kWh/year):***  
***tbd***

Or. de

*Justification*

*Annex V, section 3 should be in line with the latest stage reached in implementing energy labelling at the time when the Directive is adopted. The delegated regulation on energy labelling for domestic clothes dryers will be adopted soon, and the deemed savings should match the final energy efficiency classes set.*

**Amendment 1634**  
**Claude Turmes**

**Proposal for a directive**  
**Annex V – section 3 – point 3.2 – subparagraph 1**

*Text proposed by the Commission*

*Amendment*

**Unitary energy savings GLS<sup>42</sup> to CFL 16 kWh/year** *deleted*

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<sup>42</sup> *General Lighting Service or tungsten filament lamps*

Or. en

**Amendment 1635**  
**Britta Thomsen**

**Proposal for a directive**  
**Annex V – section 4**

*Text proposed by the Commission*

*Amendment*

**4. Default lifetimes** *deleted*

<i>Energy efficiency improvement measure through replacement of component</i>	<i>Default lifetime in years</i>
<i>Boiler - condensing</i>	<i>20</i>
<i>Boiler – direct evacuation</i>	<i>20</i>
<i>Burners, oil and gas</i>	<i>10</i>
<i>Control equipment</i>	<i>15-20</i>
<i>Control system – central</i>	<i>15-25</i>
<i>Control system – room control</i>	<i>15-25</i>
<i>Heating control: Control valves, automatic</i>	<i>10</i>
<i>Meters</i>	<i>10</i>

Or. en

**Amendment 1636**  
**Claude Turmes**

*ANNEX V a*

**Minimum criteria to be included in  
energy audits and energy management  
systems**

*The Energy audits and energy management systems referred to in Article 7, shall at least include and observe the following criteria:*

*1. Energy management systems, which shall also include energy audits, shall contain a clear energy policy at enterprise and site level, with action plans that include investments, budgets and operations, together with clear lines of responsibility and accountabilities for energy consumption and improved energy performance, reaching into top management levels.*

*2. Energy audits and energy management systems shall have clearly defined objectives designed to improve and maintain the energy performance of enterprises as well as households at economically optimal levels while respecting environmental loads and technical feasibility. Energy audits for small and medium-sized enterprises (SMEs) and households are normally less complex and required less frequently than those for larger enterprises and larger buildings [1]. However, the general quality criteria set out in this annex apply equally well to the energy audits for SMEs and households.*

*3. These energy audits and management systems shall be based on up-to-date measured operational data on energy consumption and load profiles (for electricity), storable for historical analysis and for tracking performance. The audits shall have scopes based on energy flows*



*into and out of the overall system boundaries of the enterprises, sites and buildings in question. They shall thus include total site energy consumption, as well as individual process, service and system consumption, together with classes of energy (steam, fuel, electricity), as well as past, current and projected energy and operational costs. Data shall be adjusted for extraneous influences such as weather conditions, industrial throughput, etc.*

*4. The energy audits for larger enterprises and for larger buildings shall include both macro-audits for overall energy flows to and from the enterprises and buildings, and micro-audits for individual technical systems, processes and equipment within the system boundaries, carried out comprehensively and systematically and in an independent, transparent and objective manner at intervals of 3 and 2 years, respectively, with annual reporting in enterprises. Site visits shall be an integral part of these audits.*

*5. The energy audits shall also be representative in order to collect reliable and relevant data and replicable, as well as proportionate, traceable and verifiable.*

*6. These energy audits and energy management systems shall build, whenever possible, on life-cycle cost analysis (LCCA), instead of Simple Payback Periods (SPP), in order to take account inter alia of long-term savings, residual values of long-term investments and discount rates.*

*7. All energy auditors and energy management system operators (in-house and external) shall be certified and/or accredited by an official organ(s) appointed and/or recognized by the Member State or regional government.*

*8. In-house energy auditors and in-house energy management system operators shall be given key roles as a means of*

*securing and maintaining in-house competence, awareness, communication and commitment within the obliged and addressed enterprises and buildings.*

*9. Selection and dimensioning of all new and replacement energy-using equipment, processes and other energy-saving measures shall include economic, behavioural and technical analysis, as well as proposals and plans for follow-ups and verification of the impacts of measures once they are implemented. Other possible non-energy gains, such as productivity increases and lower maintenance costs shall also be reported, as well as technical interactions and synergies between combined measures.*

*10. Energy audits shall be of “investment grade quality” in the sense that the economic calculations for the proposed measures must be sufficiently detailed and validated to provide potential investors (internal and external) and fiscal and financial authorities with clear information on potential savings, cash flows and net present values of the measures and packages of measures proposed, and the technical and financial risks involved.*

*11. Energy audits and energy management systems and their recommendations shall build on reviews of enterprise, building, site, system and process status, comparing these to applicable benchmarking and best practice schemes, as well as to continually updated lists of Best Available Technologies (BAT in IPPC brefs[2], for example ) for the sector and sub-sector in question.*

*12. Measures currently used or proposed to improve energy performance shall in no way compromise existing health and safety regulations such as indoor climate and fire safety during implementation, operation and occupancy, or other*

*regulatory constraints.*

*13. The use of EN ISO 50001 (Energy Management Systems) may be recognized as a means of fulfilling the requirements set out in Article 7 of this Directive, provided the standard's application in enterprises and buildings also meets the criteria set out in paragraphs 1 – 12 of this Annex[3].*

*[1] In Directive 2010/31/EU of 19 May 2010, on the energy performance of buildings, the frequency of energy audits for buildings is set by requirements for energy performance certificates, of which energy audits are a necessary part.*

*[2] <http://eippcb.jrc.es/reference/>*

*[3] The use of pr EN 16247-1 (Energy Audits) may also be recognized as a means of fulfilling provisions set out in Article 7 of this Directive, provided the standard's application in enterprises and buildings also meets the criteria set out in paragraphs 1 – 12 of this Annex, upon formal adoption of the standard.*

Or. en

**Amendment 1637**  
**Claude Turmes**

**Proposal for a directive**  
**Annex V b (new)**

*Text proposed by the Commission*

*Amendment*

*Annex V b*

**Minimum Requirements measurement  
and verification of energy savings under  
Article 6**

***1. the energy savings potential is to be  
calculated per sector***

***2. savings effects are to be calculated per  
suggested measure under a bottom up***

*approach, distinguishing between existing, new and planned measures,*

*3. the total savings effects of all measures are to be correlated to the national target, in line with the applied sectoral structure*

*4. annual savings are monitored based on statistical data and compared to the target*

*5. when the monitoring shows deviations from the path for target achievement, measures are to be monitored individually and adjusted accordingly.*

Or. en