



**2016/0376(COD)**

12.6.2017

## **DRAFT OPINION**

of the Committee on the Environment, Public Health and Food Safety

for the Committee on Industry, Research and Energy

on the proposal for a directive of the European Parliament and of the Council  
amending Directive 2012/27/EU on energy efficiency  
COM(2016)0761– C8-0498/2016 – 2016/0376(COD))

Rapporteur: Jytte Guteland

## AMENDMENTS

The Committee on the Environment, Public Health and Food Safety calls on the Committee on Industry, Research and Energy, as the committee responsible, to take into account the following amendments:

### Amendment 1

#### Proposal for a directive

##### Recital 1

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

(1) Moderation of energy demand is one of the five dimensions of the Energy Union Strategy adopted on 25 February 2015. Improving energy efficiency will benefit the environment, reduce greenhouse gas emissions, improve energy security by reducing dependence on energy imports from outside the Union, cut energy costs for households and companies, help alleviate energy poverty and lead to increased jobs and economy-wide economic activity. This is in line with the Union commitments made in the framework of the Energy Union and global climate agenda established by the Paris Agreement of December 2015 by the Parties of the United Nation Framework Convention on Climate Change.

###### *Amendment*

(1) Moderation of energy demand is one of the five dimensions of the Energy Union Strategy adopted on 25 February 2015. Improving energy efficiency will benefit the environment, reduce greenhouse gas emissions, improve energy security by reducing dependence on energy imports from outside the Union, cut energy costs for households and companies, ***benefit public health and*** help alleviate energy poverty and lead to increased jobs and economy-wide economic activity. This is in line with the Union commitments made in the framework of the Energy Union and global climate agenda established by the Paris Agreement of December 2015 by the Parties of the United Nation Framework Convention on Climate Change.

Or. en

###### *Justification*

*Energy efficiency measures have significant public health benefits thanks to improved air quality, warmer indoor environments and improved mental well-being associated with alleviated energy poverty.*

### Amendment 2

#### Proposal for a directive

##### Recital 3

*Text proposed by the Commission*

(3) The European Council of October 2014 set a 27 % energy efficiency target for 2030, to be reviewed by 2020 'having in mind an Union level of 30 %'. In **December 2015**, the European Parliament called upon the Commission to **also assess the viability of a 40 %** energy efficiency target for the same timeframe. It is therefore appropriate to review and consequently amend the Directive to adapt it to the 2030 perspective.

*Amendment*

(3) The European Council of October 2014 set a 27 % energy efficiency target for 2030, to be reviewed by 2020 'having in mind an Union level of 30 %'. In **June 2016**, the European Parliament called upon the Commission to **set a binding 40 %** energy efficiency target for the same timeframe. It is therefore appropriate to review and consequently amend the Directive to adapt it to the 2030 perspective.

Or. en

*Justification*

*The report on the implementation of the Energy Efficiency Directive, adopted on 2 June 2016, contains some clear recommendations and demands by the European Parliament.*

**Amendment 3**

**Proposal for a directive**

**Recital 4**

*Text proposed by the Commission*

(4) There are **no** binding targets at national level in the 2030 perspective. The need for the Union to achieve its energy efficiency targets **at EU level**, expressed in primary and final energy consumption, in 2020 and 2030 should be clearly set out in the form of a binding **30 %** target. This clarification at Union level should not restrict Member States as their freedom is kept to set their national **contributions** based on either primary or final energy consumption, primary or final energy savings, or energy intensity. Member States should set their national **indicative** energy efficiency **contributions** taking into account that the Union's 2030 energy consumption has to be no more than **1 321** Mtoe of primary energy and no more than **987** Mtoe of final energy. This means that

*Amendment*

(4) There are binding targets at **both** national **and Union** level in the 2030 perspective. The need for the Union to achieve its energy efficiency targets, expressed in primary and final energy consumption, in 2020 and 2030 should be clearly set out in the form of a binding **40 %** target. This clarification at Union level should not restrict Member States as their freedom is kept to set their national **targets** based on either primary or final energy consumption, primary or final energy savings, or energy intensity. Member States should set their national **binding** energy efficiency **targets** taking into account that the Union's 2030 energy consumption has to be no more than **1 129** Mtoe of primary energy and no more than **825** Mtoe of final energy. This means that

primary energy consumption should be reduced by **23** % and final energy consumption should be reduced by **17** % in the Union compared to 2005 levels. A regular evaluation of progress towards the achievement of the Union 2030 target is necessary and is provided for in the legislative proposal on Energy Union Governance.

primary energy consumption should be reduced by **34** % and final energy consumption should be reduced by **31** % in the Union compared to 2005 levels. A regular evaluation of progress towards the achievement of the Union 2030 target is necessary and is provided for in the legislative proposal on Energy Union Governance.

Or. en

#### *Justification*

*In line with the European Parliament's position adopted in June 2016. National binding targets of 40% improvements in energy efficiency will have multiple environmental, economic, health and social benefits. Ambitious energy efficiency measures will be key tools in meeting Europe's obligations under the Paris Agreement.*

### **Amendment 4**

#### **Proposal for a directive Recital 6**

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

(6) In view of the climate and energy framework for 2030 the energy savings obligation should be extended beyond 2020. Extending the commitment period beyond 2020 would create greater stability for investors and thus encourage long term investments and long term energy efficiency measures, such as the renovation of buildings.

##### *Amendment*

(6) In view of the climate and energy framework for 2030, ***as well as the Union's climate and energy goals for 2050 and the need for long-term policy measures***, the energy savings obligation should be extended beyond 2020. Extending the commitment period beyond 2020 would create greater stability for investors and thus encourage long term investments and long term energy efficiency measures, such as the renovation of buildings.

Or. en

#### *Justification*

*The EU must have a long-term commitment to energy efficiency measures which reaches beyond 2030 to ensure stability, investment security, and as a key tool in reaching our 2050 goals.*

## Amendment 5

### Proposal for a directive

#### Recital 8

*Text proposed by the Commission*

(8) Long term energy efficiency measures will continue delivering energy savings after 2020 but in order to contribute to the next Union 2030 energy efficiency target, those measures should deliver new savings after 2020. On the other hand, energy savings achieved after 31 December 2020 may not count towards the cumulative savings amount required for the period from 1 January 2014 to 31 December 2020.

*Amendment*

(8) Long term energy efficiency measures will continue delivering energy savings after 2020 but in order to contribute to the next Union 2030 energy efficiency target, ***as well as the Union's climate and energy goals for 2050***, those measures should deliver new savings after 2020. On the other hand, energy savings achieved after 31 December 2020 may not count towards the cumulative savings amount required for the period from 1 January 2014 to 31 December 2020.

Or. en

*Justification*

*The EU must have a long-term commitment to energy efficiency measures which reaches beyond 2030 to ensure stability, investment security, and as a key tool in reaching our 2050 goals.*

## Amendment 6

### Proposal for a directive

#### Recital 10

*Text proposed by the Commission*

(10) Energy savings which result from the implementation of Union legislation may not be claimed unless the measure in question goes beyond the minimum required by the Union legislation in question, whether by setting more ambitious energy efficiency requirements at national level or increasing the take up of the measure. ***Recognising that*** renovation of buildings is an essential and long term element in increasing energy savings, it is necessary to clarify that all energy savings stemming from measures

*Amendment*

(10) Energy savings which result from the implementation of Union legislation may not be claimed unless the measure in question goes beyond the minimum required by the Union legislation in question, whether by setting more ambitious energy efficiency requirements at national level or increasing the take up of the measure. ***Buildings constitute a substantial potential for further increasing energy efficiency and*** renovation of buildings is an essential and long term element in increasing energy

promoting the renovation of existing buildings can be claimed if they are additional to developments that would have happened in the absence of the policy measure and if the Member State demonstrates that the obligated, participating or entrusted party has actually contributed to the achievement of the savings claimed from the measure in question.

savings, *thus* it is necessary to clarify that all energy savings stemming from measures promoting the renovation of existing buildings can be claimed if they are additional to developments that would have happened in the absence of the policy measure and if the Member State demonstrates that the obligated, participating or entrusted party has actually contributed to the achievement of the savings claimed from the measure in question.

Or. en

### *Justification*

*The buildings sector accounts for 40% of Europe's energy consumption, making it a sector of prioritised importance for achieving further substantial energy efficiency gains.*

## **Amendment 7**

### **Proposal for a directive Recital 12**

#### *Text proposed by the Commission*

(12) Improvements to the energy efficiency of buildings should benefit in particular consumers *affected by* energy poverty. Member States can already require obligated parties to include social aims in energy saving measures, in relation to energy poverty, and this possibility should now be extended to alternative measures and transformed into an obligation while leaving full flexibility to Member States with regard to the size, scope and content of such measures. In line with Article 9 of the Treaty, the Union's energy efficiency policies should be inclusive and therefore also ensure accessibility of energy efficiency measures for energy poor consumers.

#### *Amendment*

(12) Improvements to the energy efficiency of buildings should benefit in particular *low-income* consumers *at risk of* energy poverty. Member States can already require obligated parties to include social aims in energy saving measures, in relation to energy poverty, and this possibility should now be extended to alternative measures, *strengthened to require a significant share to be implemented as a priority*, and transformed into an obligation while leaving full flexibility to Member States with regard to the size, scope and content of such measures. In line with Article 9 of the Treaty, the Union's energy efficiency policies should be inclusive and therefore also ensure accessibility of energy efficiency measures for energy poor consumers.

Or. en

*Justification*

*Energy efficiency measures must address those at risk of energy poverty, who will not have the means to make the necessary investments. Investments in households at risk of energy poverty will, however, reap significant benefits for those households and wider society.*

**Amendment 8**

**Proposal for a directive  
Recital 12 a (new)**

*Text proposed by the Commission*

*Amendment*

***(12 a) With around 50 million households in the Union being affected by energy poverty, energy efficiency measures must be central to any cost-effective strategy to address energy poverty and consumer vulnerability and are complementary to social security policies at the Member State level.***

Or. en

*Justification*

*Energy efficiency measures must address those at risk of energy poverty, who will not have the means to make the necessary investments. Investments in households at risk of energy poverty will, however, reap significant benefits for those households and wider society.*

**Amendment 9**

**Proposal for a directive  
Recital 12 b (new)**

*Text proposed by the Commission*

*Amendment*

***(12 b) The Union's building stock will need to become "nearly zero energy buildings" by 2050, in line with the objectives of COP21 (the Paris Agreement). Present building renovation rates are insufficient and those buildings owned or occupied by low-income citizens at risk of energy poverty are the hardest to reach. Therefore, the measures laid down in Articles 7, 7a and 7b are of particular***

*importance.*

Or. en

*Justification*

*Energy efficiency measures must address those at risk of energy poverty, who will not have the means to make the necessary investments. Investments in households at risk of energy poverty will, however, reap significant benefits for those households and wider society.*

**Amendment 10**

**Proposal for a directive**

**Recital 14**

*Text proposed by the Commission*

(14) As part of the measures set out in the Commission's Communication New Deal for Energy Consumers, in the context of the Energy Union and the Heating and Cooling strategy, consumers' minimum rights to clear and timely information about their energy consumption need to be strengthened. Articles 9 to 11 and Annex VII of Directive 2012/27/EU should be amended to provide for frequent and enhanced feedback on energy consumption. It should also be clarified that rights relating to billing and billing information apply for consumers of heating, cooling or hot water supplied from a central source even where they have no direct, individual contractual relationship with an energy supplier. ***Therefore, for the purposes of these provisions, the term 'final user', should cover final customers purchasing heating, cooling or hot water for their own use as well as occupants of individual units of multi-apartment or multi-purpose buildings where such units are supplied from a central source. The term 'sub-metering' should refer to measuring consumption in individual units of such buildings.*** By 1 January 2020 newly installed heat meters and heat cost allocators should be remotely readable to ensure cost-effective, frequent provision of

*Amendment*

(14) As part of the measures set out in the Commission's Communication New Deal for Energy Consumers, in the context of the Energy Union and the Heating and Cooling strategy, consumers' minimum rights to clear and timely information about their energy consumption need to be strengthened. Articles 9 to 11 and Annex VII of Directive 2012/27/EU should be amended to provide for frequent and enhanced feedback on energy consumption. It should also ***be*** clarified that rights relating to billing and billing information apply for consumers of heating, cooling or hot water supplied from a central source even where they have no direct, individual contractual relationship with an energy supplier. The term 'final user', should cover final customers purchasing heating, cooling or hot water for their own use. By 1 January 2020 newly installed heat meters and heat cost allocators should be remotely readable to ensure cost-effective, frequent provision of consumption information. The new Article 9a is intended to apply only to heating, cooling and hot water supplied from a central source.



consumption information. The new Article 9a is intended to apply only to heating, cooling and hot water supplied from a central source.

Or. en

#### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

### **Amendment 11**

#### **Proposal for a directive Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

***(14 a) The Member States should have discretion to decide how best to design the detailed measures providing frequent and enhanced feedback on energy consumption for occupants living in individual units of multi-apartment or multi-purpose buildings supplied with heating, cooling or hot water from a central source. The term 'sub-metering' should refer to measuring consumption in individual units of such buildings.***

Or. en

#### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

## Amendment 12

### Proposal for a directive Recital 18

*Text proposed by the Commission*

(18) *In order to be able to evaluate the effectiveness of Directive 2012/27/EU, a requirement for a general review of the Directive and a report to the European Parliament and the Council by 28 February 2024 should be introduced.*

*Amendment*

(18) *Energy and climate law is complementary and should be mutually reinforcing. Thus, as part of the obligations under the Paris Agreement, within six months of the UNFCCC global stocktake in 2023 the Commission should undertake a general review of Directive 2012/27/EU and introduce a report to the European Parliament and the Council assessing the general effectiveness of Directive 2012/27/EU and the need to adjust the Union's energy efficiency policy according to the objectives of the Paris Agreement. Such a review and report should be undertaken in subsequent global stocktakes thereafter.*

Or. en

*Justification*

*The revision of this Directive must be seen in the new global context following the adoption of the Paris Agreement. Ambitious energy efficiency measures will be key tools in meeting Europe's obligations and must be updated every 5 years.*

## Amendment 13

### Proposal for a directive Article 1 – paragraph 1 – point 1 Directive 2012/27/EU Article 1 – paragraph 1

*Text proposed by the Commission*

1. This Directive establishes a common framework of measures to promote energy efficiency within the Union in order to ensure that the Union's 2020 20 % headline targets and its 2030 **30** % binding headline targets on energy efficiency are met and paves the way for

*Amendment*

1. This Directive establishes a common framework of measures to promote energy efficiency within the Union in order to ensure that the Union's 2020 20 % headline targets and its 2030 **40** % binding headline targets on energy efficiency are met and paves the way for

further energy efficiency improvements beyond those dates. It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and provides for the establishment of indicative national energy efficiency targets and contributions for 2020 and 2030.

further energy efficiency improvements beyond those dates. It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and provides for the establishment of indicative national energy efficiency targets and contributions for 2020 and ***binding national energy efficiency targets and contributions for 2030.***

Or. en

#### *Justification*

*In line with the European Parliament's position adopted in June 2016. National binding targets of 40% improvements in energy efficiency will have multiple environmental, economic, health and social benefits. Ambitious energy efficiency measures will be key tools in meeting Europe's obligations under the Paris Agreement.*

#### **Amendment 14**

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

##### **Article 1 – paragraph 1 – point 2**

Directive 2012/27/EU

Article 3 – paragraph 1 – point d a (new)

*Text proposed by the Commission*

*Amendment*

***(da) the Paris Agreement of December 2015, which requires the Union and the Member States to limit the increase in average global temperature to well below 2°C and preferably to no more than 1,5°C; and***

Or. en

#### *Justification*

*The revision of this Directive must be seen in the new global context following the adoption of the Paris Agreement. Ambitious energy efficiency measures will be key tools in meeting Europe's obligations.*

## Amendment 15

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2012/27/EU

Article 3 – paragraph 1 – point d b (new)

*Text proposed by the Commission*

*Amendment*

*(db) the Union's climate and energy goals for 2050.*

Or. en

## Amendment 16

### Proposal for a directive

#### Article 1 – paragraph 1 – point 2

Directive 2012/27/EU

Article 3 – paragraph 4

*Text proposed by the Commission*

*Amendment*

4. Each Member State shall set *indicative* national energy efficiency *contributions* towards the Union's 2030 target referred to in Article 1 paragraph 1 in accordance with Articles [4] and [6] of Regulation (EU) XX/20XX [Governance of the Energy Union]. When setting those *contributions*, Member States shall take into account that the Union's 2030 energy consumption has to be no more than **1 321** Mtoe of primary energy and no more than **987** Mtoe of final energy. Member States shall notify those *contributions* to the Commission as part of their integrated national energy and climate plans in accordance with the procedure pursuant to Articles [3] and [7] to [11] of Regulation (EU) XX/20XX [Governance of the Energy Union].

4. Each Member State shall set *binding* national energy efficiency *targets* towards the Union's 2030 target referred to in Article 1 paragraph 1 in accordance with Articles [4] and [6] of Regulation (EU) XX/20XX [Governance of the Energy Union]. When setting those *targets*, Member States shall take into account that the Union's 2030 energy consumption has to be no more than **1 129** Mtoe of primary energy and no more than **825** Mtoe of final energy. Member States shall notify those *targets* to the Commission as part of their integrated national energy and climate plans in accordance with the procedure pursuant to Articles [3] and [7] to [11] of Regulation (EU) XX/20XX [Governance of the Energy Union].

Or. en

## Justification

*In line with the European Parliament's position adopted in June 2016. National binding targets of 40% improvements in energy efficiency will have multiple environmental, economic, health and social benefits. Ambitious energy efficiency measures will be key tools in meeting Europe's obligations under the Paris Agreement.*

### Amendment 17

#### Proposal for a directive

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

Directive 2012/27/EU

Article 5

#### *Present text*

#### “Article 5

Exemplary role of public bodies' buildings

1. Without prejudice to Article 7 of Directive 2010/31/EU, each Member State shall ensure that, as from 1 January 2014, 3 % of the total floor area of heated and/or cooled buildings owned and occupied by **its central government** is renovated each year to meet at least the minimum energy performance requirements that it has set in application of Article 4 of Directive 2010/31/EU.

The 3 % rate shall be calculated on the total floor area of buildings with a total useful floor area over **500 m<sup>2</sup>** owned and occupied by the **central government** of the Member State concerned that, on 1 January of each year, do not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU. **That threshold shall be lowered to 250 m<sup>2</sup> as of 9 July 2015.**

***Where a Member State requires that the obligation to renovate each year 3 % of the total floor area extends to floor area owned and occupied by administrative departments at a level below central***

#### *Amendment*

***(2 a) Article 5 is replaced by the following:***

#### “Article 5

Exemplary role of public bodies' buildings

1. Without prejudice to Article 7 of Directive 2010/31/EU, each Member State shall ensure that, as from 1 January 2014, 3 % of the total floor area of heated and/or cooled buildings owned and occupied by **public authorities** is renovated each year to meet at least the minimum energy performance requirements that it has set in application of Article 4 of Directive 2010/31/EU.

The 3 % rate shall be calculated on the total floor area of buildings with a total useful floor area over **250 m<sup>2</sup>** owned and occupied by the **public authorities** of the Member State concerned that, on 1 January of each year, do not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.

*government, the 3 % rate shall be calculated on the total floor area of buildings with a total useful floor area over 500 m<sup>2</sup> and, as of 9 July 2015, over 250 m<sup>2</sup> owned and occupied by central government and by these administrative departments of the Member State concerned that, on 1 January of each year, do not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU.*

When implementing measures for the comprehensive renovation of **central government** buildings in accordance with the first subparagraph, Member States may choose to consider the building as a whole, including the building envelope, equipment, operation and maintenance.

Member States shall require that **central government** buildings with the poorest energy performance be a priority for energy efficiency measures, where cost-effective and technically feasible.

2. Member States may decide not to set or apply the requirements referred to in paragraph 1 to the following categories of buildings:

- (a) buildings officially protected as part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance;
- (b) buildings owned by the armed forces or central government and serving national defence purposes, apart from single living quarters or office buildings for the armed forces and other staff employed by national defence authorities;
- (c) buildings used as places of worship and for religious activities.

3. If a Member State renovates more than 3 % of the total floor area of central government buildings in a given year, it

When implementing measures for the comprehensive renovation of **public authority** buildings in accordance with the first subparagraph, Member States may choose to consider the building as a whole, including the building envelope, equipment, operation and maintenance.

Member States shall require that **public authority** buildings with the poorest energy performance be a priority for energy efficiency measures, where cost-effective and technically feasible.

2. Member States may decide not to set or apply the requirements referred to in paragraph 1 to the following categories of buildings:

- (a) buildings officially protected as part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance;
- (b) buildings owned by the armed forces or central government and serving national defence purposes, apart from single living quarters or office buildings for the armed forces and other staff employed by national defence authorities;
- (c) buildings used as places of worship and for religious activities.

3. If a Member State renovates more than 3 % of the total floor area of public authorities' buildings in a given year, it

may count the excess towards the annual renovation rate of any of the three previous or following years.

4. Member States may count towards the annual renovation rate of **central government** buildings new buildings occupied and owned as replacements for specific **central government** buildings demolished in any of the two previous years, or buildings that have been sold, demolished or taken out of use in any of the two previous years due to more intensive use of other buildings.

5. For the purposes of paragraph 1, by 31 December 2013, Member States shall establish and make publicly available an inventory of heated and/or cooled **central government** buildings with a total useful floor area over **500 m<sup>2</sup>** and, as of **9 July 2015**, over **250 m<sup>2</sup>**, excluding buildings exempted on the basis of paragraph 2. The inventory shall contain the following data:

- (a) the floor area in m<sup>2</sup>; and
- (b) the energy performance of each building or relevant energy data.

6. Without prejudice to Article 7 of Directive 2010/31/EU, Member States may opt for an alternative approach to paragraphs 1 to 5 of this Article, whereby they take other cost-effective measures, including deep renovations and measures for behavioural change of occupants, to achieve, by 2020, an amount of energy savings in eligible buildings owned and occupied by their **central government** that is at least equivalent to that required in paragraph 1, reported on an annual basis.

For the purpose of the alternative approach, Member States may estimate the energy savings that paragraphs 1 to 4 would generate by using appropriate standard values for the energy consumption of reference central government buildings before and after renovation and according to estimates of the surface of their stock. The categories of reference **central**

may count the excess towards the annual renovation rate of any of the three previous or following years.

4. Member States may count towards the annual renovation rate of **public authority** buildings new buildings occupied and owned as replacements for specific **public authority** buildings demolished in any of the two previous years, or buildings that have been sold, demolished or taken out of use in any of the two previous years due to more intensive use of other building.

5. For the purposes of paragraph 1, by 31 December 2013, Member States shall establish and make publicly available an inventory of heated and/or cooled **public authority** buildings with a total useful floor area over **250 m<sup>2</sup>**, excluding buildings exempted on the basis of paragraph 2. The inventory shall contain the following data:

- (a) the floor area in m<sup>2</sup>; and
- (b) the energy performance of each building or relevant energy data.

6. Without prejudice to Article 7 of Directive 2010/31/EU, Member States may opt for an alternative approach to paragraphs 1 to 5 of this Article, whereby they take other cost-effective measures, including deep renovations and measures for behavioural change of occupants, to achieve, by 2030, an amount of energy savings in eligible buildings owned and occupied by their **public authorities** that is at least equivalent to that required in paragraph 1, reported on an annual basis.

For the purpose of the alternative approach, Member States may estimate the energy savings that paragraphs 1 to 4 would generate by using appropriate standard values for the energy consumption of reference public authorities' buildings before and after renovation and according to estimates of the surface of their stock. The categories of reference **public**

**government** buildings shall be representative of the stock of such buildings.

Member States opting for the alternative approach shall notify to the Commission, by **31 December 2013**, the alternative measures that they plan to adopt, showing how they would achieve an equivalent improvement in the energy performance of the buildings within the **central government** estate.

7. Member States shall encourage public bodies, including at regional and local level, and social housing bodies governed by public law, with due regard for their respective competences and administrative set-up, to:

(a) adopt an energy efficiency plan, freestanding or as part of a broader climate or environmental plan, containing specific energy saving and efficiency objectives and actions, with a view to following the exemplary role of **central government** buildings laid down in paragraphs 1, 5 and 6;

(b) put in place an energy management system, including energy audits, as part of the implementation of their plan;

(c) use, where appropriate, energy service companies, and energy performance contracting to finance renovations and implement plans to maintain or improve energy efficiency in the long term.

**authority** buildings shall be representative of the stock of such buildings.

Member States opting for the alternative approach shall notify to the Commission, by **[XXXX]**, the alternative measures that they plan to adopt, showing how they would achieve an equivalent improvement in the energy performance of the buildings within the **public authority** estate.

7. Member States shall encourage public bodies, including at regional and local level, and social housing bodies governed by public law, with due regard for their respective competences and administrative set-up to:

(a) adopt an energy efficiency plan, freestanding or as part of a broader climate or environmental plan, containing specific energy saving and efficiency objectives and actions, with a view to following the exemplary role of **public authority** buildings laid down in paragraphs 1, 5 and 6;

(b) put in place an energy management system, including energy audits, as part of the implementation of their plan;

(c) use, where appropriate, energy service companies, and energy performance contracting to finance renovations and implement plans to maintain or improve energy efficiency in the long term.”

Or. en

#### *Justification*

*Not just central government but all public authorities have a key responsibility to drive energy efficiency improvements in buildings. Hence, the scope of Article 5 is extended so as to cover all public authorities' buildings.*



## Amendment 18

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 2012/27/EU

Article 7 – title

*Text proposed by the Commission*

*Amendment*

Energy savings **obligation**

Energy savings **support schemes**

Or. en

## Amendment 19

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 2012/27/EU

Article 7 – paragraph 1 – subparagraph 4

*Text proposed by the Commission*

*Amendment*

The sales of energy, by volume, used in transport **may be partially or fully excluded from** these calculations.

The sales of energy, by volume, used in transport **shall be fully included in** these calculations.

Or. en

### *Justification*

*Analyses show that the potential for increased energy savings in the transport sector is large. The EC proposal allows Member States to use policy measures which deliver energy savings in the transport sector in order to achieve their energy efficiency target, while at the same time providing derogations for the sales of energy used in the calculations of energy savings. This constitutes a loophole that effectively undermines the effective energy savings possible in the transport sector.*

## Amendment 20

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 2012/27/EU

Article 7 – paragraph 2 – point c

*Text proposed by the Commission*

*Amendment*

(c) allow energy savings achieved in

(c) allow energy savings **from**

the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in Article 14(4), point (b) of Article 14(5) and Article 15(1) to (6) and (9), to be counted towards the amount of energy savings required under paragraph 1;

**renewable energy sources** achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in Article 14(4), point (b) of Article 14(5) and Article 15(1) to (6) and (9), to be counted towards the amount of energy savings required under paragraph 1;

Or. en

#### *Justification*

*Increasing the uptake of RES is essential to achieve the European Union's energy transition to a 100 % sustainable renewable energy system. District heating from RES shall be taken into consideration.*

### **Amendment 21**

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

#### **Article 1 – paragraph 1 – point 3**

Directive 2012/27/EU

Article 7 – paragraph 2 – point d

*Text proposed by the Commission*

*Amendment*

***(d) count energy savings resulting from individual actions newly implemented since 31 December 2008 that continue to have an impact in 2020 and beyond and which can be measured and verified, towards the amount of energy savings referred to in paragraph 1; and***

***deleted***

Or. en

#### *Justification*

*Analyses show that flexibilities provided under Article 7 reduces the actual rate of average energy savings from 1.5% to 0.75% per year. Increased additionality is required to meet the established binding energy efficiency targets.*

## Amendment 22

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 2012/27/EU

Article 7 – paragraph 2 – point e

#### *Text proposed by the Commission*

(e) exclude from the calculation of the energy savings requirement referred to in paragraph 1 the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies.

#### *Amendment*

(e) exclude from the calculation of the energy savings requirement referred to in paragraph 1 the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies, ***so as to ensure improved energy performance of buildings in line with the guiding principle of achieving nearly zero energy buildings.***

Or. en

#### *Justification*

*Increasing the uptake of RES is essential to achieve the European Union's energy transition to a 100 % sustainable renewable energy system. However, it is also important to ensure that this exemption does not create a situation where buildings that leak and waste energy are incorrectly considered as energy efficient buildings.*

## Amendment 23

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 2012/27/EU

Article 7 – paragraph 3 – point a

#### *Text proposed by the Commission*

(a) for the calculation of the amount of energy savings required for the period referred to in point (a) of paragraph 1 Member States may make use of points (a), (b), (c), ***and*** (d) of paragraph 2;

#### *Amendment*

(a) for the calculation of the amount of energy savings required for the period referred to in point (a) of paragraph 1 Member States may make use of points (a), (b) ***and*** (c) of paragraph 2;

Or. en

## Amendment 24

### Proposal for a directive

#### Article 1 – paragraph 1 – point 3

Directive 2012/27/EU

Article 7 – paragraph 3 – point b

*Text proposed by the Commission*

(b) for the calculation of the amount of energy savings required for the period referred to in point (b) of paragraph 1 Member States may make use of points (b), (c), (d) and (e) of paragraph 2, provided individual actions in the meaning of point (d) continue to have a verifiable and measurable impact after 31 December 2020.

*Amendment*

(b) for the calculation of the amount of energy savings required for the period referred to in point (b) of paragraph 1 Member States may make use of points (b), (c) and (e) of paragraph 2, provided individual actions in the meaning of point (d) continue to have a verifiable and measurable impact after 31 December 2020.

Or. en

## Amendment 25

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 2012/27/EU

Article 7a – title

*Text proposed by the Commission*

Energy efficiency **obligation** schemes

*Amendment*

Energy efficiency **support** schemes

Or. en

## Amendment 26

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 2012/27/EU

Article 7a – paragraph 2

*Text proposed by the Commission*

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties

*Amendment*

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties

among energy distributors and/or retail energy sales companies operating in its territory and **may** include transport fuel distributors **or** transport fuel retailers operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point (b) of paragraph 5.

among energy distributors and/or retail energy sales companies operating in its territory and **shall** include transport fuel distributors **and** transport fuel retailers operating in its territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 7(1), or, if Member States so decide, through certified savings stemming from other parties as described in point (b) of paragraph 5.

Or. en

## Amendment 27

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

Directive 2012/27/EU

Article 7a – paragraph 5 – point a

#### *Text proposed by the Commission*

(a) shall include requirements with a social aim in the saving obligations they impose, including by requiring a share of energy efficiency measures to be implemented as a priority in households **affected by** energy poverty **and** in social housing;

#### *Amendment*

(a) shall include **and make public** requirements with a social aim in the saving obligations they impose, including by requiring a **significant** share of energy efficiency measures to be implemented as a priority in **low-income** households **at risk of** energy poverty **or** in social housing;

Or. en

#### *Justification*

*Energy efficiency measures must address those at risk of energy poverty, who will not have the means to make the necessary investments. Investments in households at risk of energy poverty will, however, reap significant benefits for those households and wider society.*

## Amendment 28

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4

*Text proposed by the Commission*

2. In designing alternative policy measures to achieve energy savings, Member States shall take into account the effect on households affected by energy poverty.

*Amendment*

2. In designing alternative policy measures to achieve energy savings, Member States shall take into account the effect on households affected by energy poverty **and ensure a significant share of such measures are implemented in low-income households at risk of energy poverty or in social housing. Those measures shall be made public.**

Or. en

*Justification*

*Energy efficiency measures must address those at risk of energy poverty, who will not have the means to make the necessary investments. Investments in households at risk of energy poverty will, however, reap significant benefits for those households and wider society.*

**Amendment 29**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 4 a (new)**

Directive 2012/27/EU

Article 8 – paragraph 4

*Present text*

4. Member States shall ensure that enterprises that are not SMEs are subject to an energy audit carried out in an independent and cost-effective manner by qualified and/or accredited experts or implemented and supervised by independent authorities under national legislation by 5 December 2015 and at least every four years from the date of the previous energy audit.

*Amendment*

**(4 a) In Article 8, paragraph 4 is replaced by the following:**

“4. Member States shall ensure that enterprises that are not SMEs **and enterprises that are SMEs with high energy consumption per employee or per turnover** are subject to an energy audit carried out in an independent and cost-effective manner by qualified and/or accredited experts or implemented and supervised by independent authorities under national legislation by 5 December 2015 and at least every four years from the date of the previous energy audit.”

**Amendment 30****Proposal for a directive****Article 1 – paragraph 1 – point 4 b (new)**

Directive 2012/27/EU

Article 8 – paragraph 6

*Present text*

6. Enterprises that are not SMEs and that are implementing an energy or environmental management system - certified by an independent body according to the relevant European or International Standards - shall be exempted from the requirements of paragraph 4, provided that Member States ensure that the management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.

*Amendment*

**(4 b) In Article 8, paragraph 6 is replaced by the following:**

“6. Enterprises that are not SMEs and **enterprises that are SMEs with high energy consumption per employee or per turnover** and that are implementing an energy or environmental management system - certified by an independent body according to the relevant European or International Standards - shall be exempted from the requirements of paragraph 4, provided that Member States ensure that the management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.”

Or. en

**Amendment 31****Proposal for a directive****Article 1 – paragraph 1 – point 5 – point b**

Directive 2012/27/EU

Article 9 – paragraph 1 – subparagraph 1

*Text proposed by the Commission*

Member States shall ensure that, in so far as it is technically possible, **financially reasonable** and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's

*Amendment*

Member States shall ensure that, in so far as it is technically possible, **cost effective** and proportionate in relation to the potential energy savings, final customers for natural gas are provided with competitively priced individual meters that accurately reflect the final customer's

actual energy consumption and that provide information on actual time of use.

actual energy consumption and that provide information on actual time of use.

Or. en

### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

## **Amendment 32**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 6**

Directive 2012/27/EU

Article 9a – paragraph 1 – subparagraph 2

#### *Text proposed by the Commission*

Where heating **and** cooling or hot water are supplied to a building from a central source servicing multiple buildings or from district heating **and** cooling network, a **heat or hot water** meter shall always be installed at the heat exchanger or point of delivery.

#### *Amendment*

Where heating, cooling or hot water are supplied to a building from a central source servicing multiple buildings or from **a** district heating **or** cooling network, a meter shall always be installed at the heat exchanger or point of delivery.

Or. en

## **Amendment 33**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 6**

Directive 2012/27/EU

Article 9a – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

2. In multi-apartment and multi-purpose buildings with a central heating or cooling source or supplied from district heating and cooling systems, individual

#### *Amendment*

2. In multi-apartment and multi-purpose buildings with a central heating or cooling source or supplied from district heating and cooling systems, individual



meters shall be installed to measure the consumption of heat or cooling or hot water for each building unit.

meters shall be installed to measure the consumption of heat or cooling or hot water for each building unit ***where technically feasible, cost effective and proportionate in relation to the potential energy savings.***

Or. en

#### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

### **Amendment 34**

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

#### **Article 1 – paragraph 1 – point 6**

Directive 2012/27/EU

Article 9a – paragraph 2 – subparagraph 2

#### *Text proposed by the Commission*

Where the use of individual meters is not technically feasible or where it is not cost-efficient to measure heating or cooling in each building unit, individual heat cost allocators shall be used to measure heat consumption at each radiator unless it is shown by the Member State in question that the installation of such heat cost allocators would not be cost efficient. In those cases, alternative cost-efficient methods of heat consumption measurement may be considered. The conditions of technical non-feasibility and non-cost effectiveness shall be clearly set out and published by each Member State.

#### *Amendment*

Where the use of individual meters is not technically feasible or where it is not cost-efficient ***or proportionate in relation to the potential energy savings*** to measure heating or cooling in each building unit, individual heat cost allocators shall be used to measure heat consumption at each radiator unless it is shown by the Member State in question that the installation of such heat cost allocators would not be cost efficient. In those cases, alternative cost-efficient methods of heat consumption measurement may be considered. The conditions of technical non-feasibility and non-cost effectiveness shall be clearly set out and published by each Member State.

Or. en

### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

### **Amendment 35**

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

#### **Article 1 – paragraph 1 – point 6**

Directive 2012/27/EU

Article 9a – paragraph 2 – subparagraph 3

#### *Text proposed by the Commission*

In new buildings of the kind referred to in the first sub-paragraph or when such a building undergoes major renovation, as set out in Directive 2010/31/EU, **individual** meters shall **always** be provided.

#### *Amendment*

In new buildings of the kind referred to in the first sub-paragraph or when such a building undergoes major renovation, as set out in Directive 2010/31/EU, **hot-water** meters shall be provided, **where technically feasible, cost effective and proportionate in relation to the potential energy savings and while ensuring that this does not increase the risk of energy poverty.**

Or. en

### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

### **Amendment 36**

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

#### **Article 1 – paragraph 1 – point 6**

Directive 2012/27/EU

Article 9a – paragraph 3 – introductory part

*Text proposed by the Commission*

3. Where multi-apartment and multi-purpose buildings are supplied from district heating or cooling, or where own common heating or cooling systems for such buildings are prevalent, Member States shall introduce transparent rules on the allocation of the cost of heating, cooling and hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption including:

*Amendment*

3. Where multi-apartment and multi-purpose buildings are supplied from district heating or cooling, or where own common heating or cooling systems for such buildings are prevalent, Member States shall introduce **and make public** transparent **national** rules on the allocation of the cost of heating, cooling and hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption including:

Or. en

*Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

**Amendment 37**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 6**

Directive 2012/27/EU

Article 9a – paragraph 4 – subparagraph 1

*Text proposed by the Commission*

4. For the purposes of this Article, as of 1 January 2020 meters and cost allocators installed shall be remotely readable devices.

*Amendment*

4. For the purposes of this Article, as of 1 January 2020 meters and cost allocators installed shall be remotely readable devices. ***The conditions regarding technical feasibility, cost effectiveness and proportionality set out in the first and second subparagraphs of paragraph 2 shall continue to apply.***

Or. en

### *Justification*

*Customers have a right to clear, understandable and timely information about their energy consumption. However, heat meters and heat cost allocators in multi-apartment or multi-purpose buildings are only justified if technically feasible, cost effective and proportionate in relation to the potential energy savings, and can otherwise lead to undesired consequences such as creating new risks of energy poverty instead of combating it, and impede other measures which would deliver greater energy efficiency results for customers.*

### **Amendment 38**

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

#### **Article 1 – paragraph 1 – point 13**

Directive 2012/27/EU

Article 24 – paragraph 12

#### *Text proposed by the Commission*

12. The Commission shall *evaluate* this Directive **by 28 February 2024** at the latest, and **every five years** thereafter, and shall submit a report to the European Parliament and the Council. **That** report shall be accompanied, if appropriate, by proposals for further measures.

#### *Amendment*

12. The Commission shall **undertake a general review of** this Directive **within six months of the UNFCCC global stocktake in 2023** at the latest, and **after subsequent global stocktakes** thereafter, and shall submit a report to the European Parliament and the Council **assessing the general effectiveness of this Directive and the need to adjust the Union's energy efficiency policy in accordance with the objectives of the Paris Agreement. That** report shall be accompanied, if appropriate, by proposals for further measures.

Or. en

### *Justification*

*The revision of this Directive must be seen in the new global context following the adoption of the Paris Agreement. Ambitious energy efficiency measures will be key tools in meeting Europe's obligations and must be updated every 5 years.*

## **EXPLANATORY STATEMENT**

### **Reaching our goals under the Paris Agreement**

The European Union must lead the way in the global fight against climate change. The historic Paris Agreement has given us a clear framework to mitigate global warming and its dire consequences for this generation and many generations to come. Energy efficiency is our primary tool in decarbonising Europe's energy supply, buildings, transport and industry. The proposals in this report would lead to a projected 47% reduction in greenhouse gas emissions by 2030 in the EU compared to 1990 levels, meaning we should comfortably reach our 40% reduction target under the Paris Agreement. This ensures that Europe's climate protection and energy efficiency targets are mutually reinforcing. However, we need to continue the efforts towards reaching net carbon neutrality by 2050, and therefore we must continue our commitment to energy efficiency beyond 2030.

### **Energy security**

Energy dependency poses serious economic and geopolitical problems for Europe. The EU imports 53% of all the energy it consumes, at a cost of more than €1 billion per day. By reducing the overall amount of energy needed in Europe, energy efficiency measures allow us to reduce our dependency on third countries and hence strengthen our energy security. The proposals in this report would reduce energy imports significantly by 2050: in the period 2021-2030 the reductions in fossil fuel imports would save €288 billion, with savings increasing further in the period up to 2050.

### **Energy poverty**

Between 50 million and 125 million people in the EU are at risk of energy poverty – unable to keep their homes warm or pay their bills. The effect of European energy policy on energy poverty must not be ignored or simply left up to national social policy solutions. Europe has tremendous potential to increase the energy efficiency of buildings, but solutions must be tailored so as to avoid unintended effects which may further increase the risk of energy poverty. The provisions concerning individual metering, for instance, is one issue where such aspects must be carefully considered.

As we move towards decarbonising the building stock in the future, those buildings owned or occupied by low-income households will find it harder to make the investments necessary to reap the benefits. Therefore it is vital that we already start taking targeted actions to assist these groups. Measures taken by Member States should prioritise households affected by energy poverty and social housing, which is why the rapporteur proposes that Member States shall be obliged to require a significant share of measures to be implemented in households affected by energy poverty or social housing.

### **Economic growth**

There has been a misconception that while the economy is growing, energy consumption must simultaneously rise. The success of energy efficiency measures have shown that not only is it possible for energy consumption to fall during economic growth, but that energy efficiency measures can actually significantly contribute to growth. Final energy consumption has been falling since 2010, while EU GDP has been rising. Reducing energy use is the cheapest way of achieving cost-effective energy efficiency. While economic models vary, the proposals in this report would lead to something between net zero effect to a 4.1% increase in GDP, provided suitable financing for investments is available. This is without taking into account other

economic benefits of energy efficiency measures, such as improved air quality and significant health benefits.

The measures in this report are also modelled to give a real boost to employment. With the right financing for investments in place, models show a very significant increase of employment – between 405,000 and 4.8 million people.

### **Closing loopholes**

The update of this Directive gives us an opportunity to fix problems identified in the current law. One important measure of the Directive is the target of 1.5% annual energy savings. However, a number of flexibilities were introduced to this requirement, allowing Member States to reduce ambition by taking past actions into account or by excluding certain sectors from calculations. This has led to a situation where only half of the annual energy saving targets are reached. The undermining of these targets should not continue, and therefore the rapporteur proposes to close many of these loopholes. She also proposes further extending measures which have proved effective, such as the renovations of public buildings and energy audits for enterprises.

### **Standing up for citizens**

The European Parliament has consistently voted for more progressive energy efficiency measures. As the representatives of citizens, Members of the European Parliament have recognised the benefits such measures can have not only for the environment but also for health, consumers and businesses. The most striking example is that the proposals in this report would increase life years by 17 million, thanks to vast improvements in air quality. The Parliament must continue to stand up for the interests of citizens, including consumers who want lower energy bills and warmer houses, businesses which want cheaper, cleaner energy and legal certainty, and entrepreneurs who want to be justly rewarded for the technological advances which constantly improve energy efficiency.