

EUROPEAN PARLIAMENT

2004



2009

Committee on Industry, Research and Energy

2008/0223(COD)

25.2.2009

AMENDMENTS 206 - 360

Draft report
Silvia-Adriana Țicău
(PE418.275v01-00)

on the proposal for a directive of the European Parliament and of the Council
on the energy performance of buildings (recast)

Proposal for a directive
(COM(2008)0780 – C6-0413-2008 – 2008/0223(COD))

AM_Com_LegReport

Amendment 206

Fiona Hall, Lena Ek, Anne Laperrouze

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set ***with a view to achieving*** cost-optimal levels and are calculated in accordance with the methodology referred to in Article 3.

Amendment

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for ***existing*** buildings ***and for components and technical building systems and parts thereof***, are set ***to achieve at least*** cost-optimal levels and are calculated in accordance with the methodology referred to in Article 3.

Or. en

Justification

Minimum energy performance requirements for components and technical building systems and parts thereof have to be set in addition to standards for building as a whole.

Amendment 207

Paul Rübig, Peter Liese

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set with a view to achieving cost-optimal levels and are calculated in accordance with the methodology referred to in Article 3.

Amendment

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set, with a view to achieving cost optimal levels and are calculated in accordance with the ***harmonised*** methodology referred to in Article 3.

Or. en

Amendment 208
Markus Ferber

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

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set ***with a view to achieving cost-optimal levels*** and ***are*** calculated in accordance with the methodology referred to in Article 3.

Amendment

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set and calculated in accordance with the methodology referred to in Article 3.

Or. de

Justification

The construction of buildings whose CO₂ emissions and primary energy consumption are low or equal to zero and which thus go well beyond the minimum standards to be laid down by Member States must be a voluntary matter. For that reason, the Member States cannot themselves give undertakings to ensure that by 2020 such buildings make up a set proportion of the overall stock of buildings. The arrangement proposed in Article 9(5) would seem to represent a first step towards the introduction of specific EU requirements concerning low- and zero-energy houses (subsidiarity).

Amendment 209
Mechtild Rothe

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

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set ***with a view to achieving*** cost-optimal levels and are calculated in accordance with the methodology referred to in Article 3.

Amendment

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set ***for a period of at least 10 years in advance with provision to strengthen such requirements at two year intervals, and are set to achieve as a minimum*** cost-optimal levels and are calculated in

accordance with the methodology referred to in Article 3.

Or. en

Justification

By setting the performance requirements always for at least the coming 10 years, including a clear strengthening every two years, Member States provide reliable innovation incentives: The construction sector knows what requirements will be in place in the future and can develop the next generation of high performing buildings. Cost-optimal levels should be seen as a minimum not as something vague.

Amendment 210

Claude Turmes

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set ***with a view to achieving*** cost-optimal levels and are calculated in accordance with the methodology referred to in Article 3.

Amendment

1. Member States shall take the necessary measures to ensure that minimum energy performance requirements for buildings are set ***to achieve at least*** cost-optimal levels and are calculated in accordance with the methodology referred to in Article 3.

Or. en

Amendment 211

Fiona Hall, Lena Ek, Anne Laperrouze

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

When setting requirements, Member States may differentiate ***between new and existing buildings and*** between different categories of buildings.

Amendment

When setting requirements, Member States may differentiate between different categories of buildings.

Amendment 212
Adam Gierek

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

Text proposed by the Commission

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings.

Amendment

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings. ***Member States shall ensure consistency with existing Community law.***

Or. pl

Justification

Other pieces of Community legislation, such as the Construction Products Directive, introducing solutions in connection with green design, renewable energy sources, gas appliances and so on, establish requirements for technical systems used in buildings, including energy performance requirements. This amendment ensures the consistency of legislation and effective integration of the single market.

Amendment 213
Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

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

Text proposed by the Commission

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings.

Amendment

When setting requirements, member States may differentiate between new and existing buildings and between different categories of buildings. ***They shall ensure that such requirements are consistent with other applicable Community legislation.***

Or. en

Justification

Other European legislation such as Construction Products Directive, implementing measures under eco-design, promotion of renewable energy sources, gas appliances are setting requirements for technical building systems, covering also energy performance requirements. The amendment ensures coherence amongst legislation and ensures the practical integration of the single market.

Amendment 214

Amalia Sartori, Aldo Patriciello

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings.

Amendment

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings ***in accordance with the Community law in force.***

Or. it

Amendment 215

Eluned Morgan

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 2

Text proposed by the Commission

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings.

Amendment

When setting requirements, Member States ***shall consult public authorities and other relevant stakeholders and*** may differentiate between new and existing buildings and between different categories of buildings.

Or. en

Justification

Transparency and proper consultation are essential to ensure the successful public sector

leadership which the proposed recast Directive seeks to achieve. Stakeholders have the first hand knowledge and expertise necessary to assess the technical feasibility of any planned measures and can offer valuable insight into developing more effective and long term improvements in the energy performance of buildings.

Amendment 216
Giles Chichester

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

Text proposed by the Commission

When setting requirements, Member States may differentiate between new and existing buildings and between different categories of buildings.

Amendment

When setting requirements, Member States ***shall consult relevant stakeholders and*** may differentiate between new and existing buildings and between different categories of buildings.

Or. en

Justification

Transparency and proper consultation are essential. Stakeholders have the first hand knowledge and expertise necessary to assess the technical feasibility of any planned measures and can offer valuable insight into developing more effective and long term improvements in the energy performance of buildings.

Amendment 217
Alejo Vidal-Quadras

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

Text proposed by the Commission

When setting requirements, Member States ***may*** differentiate between new and existing buildings and between different categories of buildings.

Amendment

When setting requirements, Member States ***shall*** differentiate between new and existing buildings and between different categories of buildings.

Or. en

Justification

It is essential that Member States differentiate between different types of buildings when setting standards. Buildings have a broad range of uses and very different energy needs and a one-size-fits-all approach cannot work.

Amendment 218

Jan Březina

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Member States shall ensure that building owners, operators and designers are free to choose the cost optimal manner for meeting these requirements.

Or. en

Justification

Important in meeting the requirements is the focus on the total energy performance of the building and not on stand alone solutions. Member States may promote certain technologies, but should not impose them as this would hamper customer's choice. If requirements are too technology prescriptive, it may have an adverse effect to customers who may postpone their investments.

Amendment 219

Fiona Hall, Lena Ek, Anne Laperrouze

Proposal for a directive

Article 4 – paragraph 1 – subparagraph 3

Text proposed by the Commission

Amendment

These requirements shall take account of general indoor climate conditions, in order to avoid possible negative effects such as inadequate ventilation, as well as local conditions and the designated function and the age of the building.

These requirements shall take account of general indoor climate conditions, in order to avoid possible negative effects such as inadequate ventilation, ***inadequate natural lighting***, as well as local conditions and the designated function and the age of the building.

Amendment 220
Paul Rübig, Peter Liese

Proposal for a directive
Article 4 – paragraph 1 – subparagraph 3

Text proposed by the Commission

These requirements shall take account of general indoor climate conditions, in order to avoid possible negative effects such as inadequate ventilation, as well as local conditions and the designated function and the age of the building.

Amendment

These requirements shall take account of general indoor climate **(temperature, moisture, air quality) and indoor and outdoor lighting** conditions, in order to avoid possible negative effects such as inadequate ventilation, **inadequate lighting designs**, as well as local conditions and the designated function and the age of the building.

Or. en

Amendment 221
Claude Turmes

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

Text proposed by the Commission

These requirements shall be reviewed at regular intervals which shall not be longer than five years and, **if necessary**, shall be updated in order to reflect technical progress in the building sector.

Amendment

These requirements shall be reviewed at regular intervals which shall not be longer than five years and shall be updated in order to reflect technical progress in the building sector.

Or. en

Justification

The energy performance requirements of the building must be up-dated towards the best available technologies and systems.

Amendment 222
Cristina Gutiérrez-Cortines

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

Text proposed by the Commission

(a) buildings officially protected as part of a designated environment or because of their special architectural **or** historic merit, where compliance with the minimum energy performance requirements would unacceptably alter their character or appearance;

Amendment

(a) buildings, ***including those in rural areas***, officially protected ***owing to historic or ethnographic interest*** as part of a designated environment or because of their special architectural, historic ***or aesthetic*** merit, where compliance with the minimum energy performance requirements would unacceptably alter their character or appearance;

Or. en

Amendment 223
Fiona Hall, Lena Ek, Anne Laperrouze

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

Text proposed by the Commission

(a) buildings officially protected as part of a designated environment or because of their special architectural or historic merit, ***where*** compliance with ***the*** minimum energy performance ***requirements*** would unacceptably alter their character or appearance;

Amendment

(a) buildings officially protected as part of a designated environment or because of their special architectural or historic merit, ***in so far as*** compliance with ***a specific*** minimum energy performance ***requirement*** would unacceptably alter their character or appearance

Or. en

Justification

Some energy efficiency improvements can be made in historic buildings without adversely affecting the character of the building.

Amendment 224
Claude Turmes

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

Text proposed by the Commission

Amendment

***(b) buildings used as places of worship
and for religious activities;*** ***deleted***

Or. en

Amendment 225
Riitta Myller

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

Text proposed by the Commission

Amendment

***b) buildings used as places of worship and
for religious activities;*** ***deleted***

Or. fi

Justification

There is no justification for allowing the Member States not to apply the requirements referred to in paragraph 1 to all buildings used as places of worship and for religious activities, because these may include buildings in which it would be technically possible to apply these requirements. Buildings of historic value used as places of worship and for religious activities are already covered by point a.

Amendment 226
Adam Gierek

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

Text proposed by the Commission

Amendment

(b) buildings used as places of worship ***(b) places of **religious** worship;***

and for religious activities;

Or. pl

Justification

The wording is too vague, allowing considerable scope for interpretation. Houses of prayer, pilgrimage centres, student halls of residence and lodgings at denominational educational establishments, presbyteries and even schools providing religious education lessons are all facilities used for religious activities among other things. Many such facilities provide religious groups and Churches with a means of earning money by renting out overnight and longer-term accommodation, and from this point of view the exemption does not appear justified.

Amendment 227

Claude Turmes

Proposal for a directive

Article 4 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) temporary buildings with a planned time of use of two years or less, industrial sites, workshops and non-residential agricultural buildings with low energy demand and non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance;

deleted

Or. en

Amendment 228

Fiona Hall, Lena Ek

Proposal for a directive

Article 4 – paragraph 2 – point c

Text proposed by the Commission

Amendment

(c) temporary buildings with a planned time of use of **two years** or less, industrial sites, workshops and non-residential

(c) temporary buildings with a planned time of use of **one year** or less, industrial sites, workshops and non-residential

agricultural buildings with low energy demand and non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance;

agricultural buildings with low energy demand and non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance;

Or. en

Justification

Only strictly temporary buildings should be exempted from energy efficiency standards.

Amendment 229

Mechtild Rothe

Proposal for a directive

Article 4 – paragraph 2 – point c

Text proposed by the Commission

(c) temporary buildings with a planned time of use of ***two years or less***, industrial sites, workshops and non-residential agricultural buildings with low energy demand and non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance;

Amendment

(c) temporary buildings with a planned time of use of ***less than one year***, industrial sites, workshops and non-residential agricultural buildings with low energy demand and non-residential agricultural buildings which are in use by a sector covered by a national sectoral agreement on energy performance;

Or. en

Justification

Only temporary buildings with a clear and short time of use should be exempted from energy performance criteria.

Amendment 230
Claude Turmes

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

Text proposed by the Commission

Amendment

*(d) residential buildings which are deleted
intended to be used less than four months
of the year;*

Or. en

Amendment 231
Mechtild Rothe

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

Text proposed by the Commission

Amendment

*(d) residential buildings which are deleted
intended to be used less than four months
of the year;*

Or. en

Justification

As it is not possible to clearly exclude that these four month fall into the main heating or cooling season this provision is absolutely counterproductive.

Amendment 232
Nikolaos Vakalis

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

Text proposed by the Commission

Amendment

*(d) residential buildings which are deleted
intended to be used less than four months*

of the year;

Or. en

Justification

This category of residential buildings consumes in many cases a great amount of energy.

Amendment 233

Adam Gierek

Proposal for a directive

Article 4 – paragraph 2 – point e a (new)

Text proposed by the Commission

Amendment

(ea) residential buildings constructed prior to 1980, until such time as they undergo major renovation.

Or. pl

Justification

A significant proportion (and in some cases the majority) of local authority housing in Poland was built prior to 1980. The need to issue energy performance certificates for such buildings, irrespective of any renovation plans, generates significant costs for local authorities and complicates the turnover of flats in such buildings. This can make it difficult for local authorities to fulfil their legal obligation to meet local housing needs.

Amendment 234

Markus Ferber

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. These requirements shall take account of general indoor climate conditions, in order to avoid possible negative effects such as inadequate ventilation, as well as local conditions and the designated ***deleted***

function and the age of the building.

Or. de

Justification

The Commission proposal that Member States should be required by 2017 at the latest to bring their minimum requirements concerning the overall energy performance of buildings into line with the 'cost-optimal levels of minimum energy performance requirements' calculated using the compulsory uniform methodology constitutes a breach of the subsidiarity principle.

There would seem to be no reason why the Member States themselves cannot adequately achieve the aim of the recast buildings directive (improving the energy performance of buildings).

Amendment 235
Herbert Reul

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. These requirements shall take account of general indoor climate conditions, in order to avoid possible negative effects such as inadequate ventilation, as well as local conditions and the designated function and the age of the building. ***deleted***

Or. de

Justification

Were it to come into force, the Commission proposal would mean that, from mid-2014 onwards, funding could no longer be provided for alterations needed, for example, to make access to a building 'barrier-free'. In particular in view of our ageing population, such a requirement is anything but sustainable and proportionate.

Amendment 236
Fiona Hall, Lena Ek

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. *As from 30 June 2014* Member States shall not provide incentives for the construction or renovation of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Amendment

3. Member States shall not provide incentives for the construction or renovation of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Or. en

Amendment 237
Claude Turmes

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. As from 30 June **2014** Member States shall **not** provide incentives for the construction or renovation of buildings or parts thereof which **do not** comply with minimum energy performance requirements **achieving the results of the calculation referred to in Article 5(2)**.

Amendment

3. As from 30 June **2011** Member States shall **only** provide incentives for the construction or renovation of buildings or parts thereof which comply **at least** with minimum energy performance requirements **under Articles 5 or 9**.

Or. en

Amendment 238
Mechtild Rothe

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. As from 30 June **2014** Member States

Amendment

3. As from 30 June **2011** Member States

shall not provide incentives for the construction or renovation of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

shall not provide incentives for the construction or renovation of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Or. en

Amendment 239
Angelika Niebler

Proposal for a directive
Article 4 – paragraph 3

Text proposed by the Commission

3. As from 30 June 2014 Member States shall not provide incentives for the construction or renovation of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Amendment

3. As from 30 June 2014 Member States shall not provide incentives for the construction or ***energy-related*** renovation of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Or. de

Justification

Under the terms of the proposal, it would only be possible to provide support for refurbishment measures if those measures are also taken with a view to meeting energy-efficiency standards. This would seriously jeopardise efforts to achieve other legitimate goals, such as bringing existing buildings into line with the needs of an ageing population. Public or private owners wishing to refurbish buildings will not be able to cope with this new requirement and may well refrain from carrying out necessary refurbishment work as a result.

Amendment 240

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 4 – paragraph 3

Text proposed by the Commission

3. As from 30 June 2014 Member States shall not provide incentives for the construction **or renovation** of buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Amendment

(3) As from 30 June 2014 Member States shall not provide incentives for the construction of **new** buildings or parts thereof which do not comply with minimum energy performance requirements achieving the results of the calculation referred to in Article 5(2).

Or. en

Justification

Incentives for renovations should be kept as it is the area where there is most potential for improvements in efficiency.

Amendment 241

Markus Ferber

Proposal for a directive

Article 4 – paragraph 4

Text proposed by the Commission

4. As from 30 June 2017, where Member States review their minimum energy performance requirements set in accordance with paragraph 1 of this Article they shall ensure that these requirements achieve the results of the calculation referred to in Article 5(2).

Amendment

deleted

Or. de

Justification

The Commission proposal that Member States should be required by 2017 at the latest to

bring their minimum requirements concerning the overall energy performance of buildings into line with the ‘cost-optimal levels of minimum energy performance requirements’ calculated using the compulsory uniform methodology constitutes a breach of the subsidiarity principle.

There would seem to be no reason why the Member States themselves cannot adequately achieve the aim of the recast buildings directive (improving the energy performance of buildings).

Amendment 242
Angelika Niebler

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. ***As from 30 June 2017, where*** Member States ***review*** their minimum energy performance requirements set in accordance with paragraph 1 of this Article ***they*** shall ensure that ***these*** requirements ***achieve the results of the calculation referred to in Article 5(2).***

Amendment

4. Member States ***shall ensure that the*** minimum energy performance requirements set in accordance with paragraph 1 of this Article ***are calculated at a cost-optimal level in keeping with the requirements laid down in Article 5.***

Or. de

Justification

Methods of calculating cost-optimal minimum requirements already exist in some Member States. For them, the introduction of a uniform comparative methodology would generate substantial administrative costs if they were required to bring their own valid calculation methods into line with the comparative methodology subsequently laid down by the Commission. In that respect, it is questionable whether a harmonised approach to improving energy performance offers any added value.

Amendment 243
Claude Turmes

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. *As from* 30 June **2017**, *where* Member States **review** their minimum energy performance requirements **set** in accordance with paragraph 1 of this Article **they shall ensure that these requirements achieve the results of the calculation referred to in Article 5(2).**

Amendment

4. **By** 30 June **2013**, Member States **shall set** their minimum energy performance requirements in accordance with paragraph 1 of this Article **and with Article 5.**

Or. en

Amendment 244
Fiona Hall, Lena Ek

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. *As from* 30 June **2017**, *where* Member States review their minimum energy performance requirements set in accordance with paragraph 1 of this Article **they** shall ensure that these requirements achieve the results of the calculation referred to in Article 5(2).

Amendment

4. **No later than** 30 June **2014**, Member States **shall** review their minimum energy performance requirements set in accordance with paragraph 1 of this Article **and** shall ensure that these requirements achieve the results of the calculation referred to in Article 5(2).

Or. en

Justification

This is in line with article 9 and the whole procedure for cost-optimality.

Amendment 245
Mechtild Rothe

Proposal for a directive
Article 4 – paragraph 4

Text proposed by the Commission

4. As from 30 June **2017**, **where** Member States review their minimum energy performance requirements set in accordance with paragraph 1 of this Article **they** shall ensure that these requirements achieve the results of the calculation referred to in Article 5(2).

Amendment

4. As from 30 June **2014**, Member States **shall** review their minimum energy performance requirements set in accordance with paragraph 1 of this Article **and** shall ensure that these requirements achieve the results of the calculation referred to in Article 5(2).

Or. en

Amendment 246
Cristina Gutiérrez-Cortines

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

Text proposed by the Commission

Amendment

4a. Member States shall provide subsidies and technical advice for buildings or historic centres to undertake specific programmes for adaptation to energy efficiency.

Or. en

Amendment 247
Cristina Gutiérrez-Cortines

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

Text proposed by the Commission

Amendment

4b. Systems for the production of energy and insulation measures located in historic centres shall be subject to visual

Amendment 248

Markus Ferber

Proposal for a directive

Article 5

Text proposed by the Commission

1. The Commission shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of **minimum** energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19(2).

2. Member States shall calculate cost-optimal levels of **minimum** energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

They shall report to the Commission all input data and assumptions used for these calculations and all calculation results. The report may be included in the Energy Efficiency Action Plans referred to in Article 21(2) of Directive 2006/32/EC. Member States shall submit to the Commission those reports every three years. The first report shall be submitted by

Amendment

1. The Commission shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19(2).

2. Member States shall calculate cost-optimal levels of energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

They shall report to the Commission all input data and assumptions used for these calculations and all calculation results. The report may be included in the Energy Efficiency Action Plans referred to in Article 21(2) of Directive 2006/32/EC. Member States shall submit to the Commission those reports every three years. The first report shall be submitted by

30 June 2011 at the latest.

3. The Commission shall publish a report on the progress of the Member States in reaching cost-optimal levels of **minimum** energy performance requirements.

30 June 2011 at the latest.

3. The Commission shall publish a report on the progress of the Member States in reaching cost-optimal levels of energy performance requirements.

Or. de

Justification

The Commission proposal that Member States should be required by 2017 at the latest to bring their minimum requirements concerning the overall energy performance of buildings into line with the 'cost-optimal levels of minimum energy performance requirements' calculated using the compulsory uniform methodology constitutes a breach of the subsidiarity principle.

There would seem to be no reason why the Member States themselves cannot adequately achieve the aim of the recast buildings directive (improving the energy performance of buildings).

Amendment 249
Hannes Swoboda

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. The Commission shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. ***The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.***

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19(2).

Amendment

1. Member States shall apply a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof ***in accordance with the general framework set out in Annex III a. The methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof shall include relevant European standards.***

Justification

The current approach to develop a respective methodology until 31 December 2010 seems inappropriate because the directive itself should already come into force on 31 December 2010. This methodology to achieve the cost-optimal levels should be determined before the adoption of the directive by the council and the parliament. This methodology shall use existing European standards (CEN).

Amendment 250
Paul Rübig

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. The Commission shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19(2).

Amendment

1. Member States shall apply a harmonised methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof in accordance with the general framework set out in Annex III a. The methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof shall include relevant European standards.

Justification

The current approach to develop a respective methodology until 31 December 2010 seems inappropriate because the directive itself should already come into force on 31 December 2010. This methodology to achieve the cost-optimal levels should be determined before the adoption of the directive by the council and the parliament. This methodology shall use existing European standards (CEN).

Amendment 251
Angelika Niebler

Proposal for a directive
Article 5 – paragraph 1

Text proposed by the Commission

1. The Commission shall establish by 31 December 2010 **a comparative methodology** for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The **comparative methodology** shall differentiate between new and existing buildings and between different categories of buildings.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19(2).

Amendment

1. The Commission shall establish by 31 December 2010 **guidelines** for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The **guidelines** shall differentiate between new and existing buildings and between different categories of buildings.

Or. de

Justification

Methods of calculating cost-optimal minimum requirements already exist in some Member States. For them, the introduction of a uniform comparative methodology would generate substantial administrative costs if they were required to bring their own valid calculation methods into line with the comparative methodology subsequently laid down by the Commission. In that respect, it is questionable whether a harmonised approach to improving energy performance offers any added value.

Amendment 252
Herbert Reul

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

Text proposed by the Commission

1. The **Commission** shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.

Amendment

1. The **Member States** shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings **and between buildings used by their owner and rented buildings**.

Or. de

Justification

The subsidiarity principle must be observed. In addition, due account must be taken of rented accommodation, since a requirement to treat such buildings in the same way might even hinder the implementation of energy-saving measures, a result which would be at odds with the aim of the directive.

Amendment 253
Claude Turmes

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

Text proposed by the Commission

1. The Commission shall establish by 31 December **2010 a comparative** methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.

Amendment

1. The Commission shall establish by 31 December **2009 a common** methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The methodology shall differentiate between new and existing buildings and between different categories of buildings **and climatic zones**.

Amendment 254

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 5 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. The Commission shall establish by **31 December** 2010 a **comparative** methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. **The comparative** methodology shall differentiate between new and existing buildings and between different categories of buildings.

Amendment

1. The Commission shall establish by **30 June** 2010 a **single** methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. **This** methodology shall differentiate between new and existing buildings and between different categories of buildings.

Or. en

Justification

In order to benefit from modern technologies and keep them in or bring them into the economies of scale EPBD needs a dual legal basis. The present EPBD is allowing for individual markets in Europe where different calculation methods and inspection requirements prevent manufacturers from marketing compliant products across the EU. So there is a need for the European wide introduction of a single calculation method with objective variables to take into account regional climatic differences based on a single market approach (Art 95).

Amendment 255

Eluned Morgan

Proposal for a directive

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in

Amendment

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in

accordance with the procedure referred to in *Article 19(2)*.

accordance with the procedure referred to in *Article 21(2)*. ***Public sector bodies and other relevant stakeholders shall be consulted prior to the adoption of additional supplementing measures.***

Or. en

Justification

Transparency and proper consultation are essential to ensure the successful public sector leadership which the proposed recast Directive seeks to achieve. Stakeholders have the first hand knowledge and expertise necessary to assess the technical feasibility of any planned measures and can offer valuable insight into developing more effective and long term improvements in the energy performance of buildings.

Amendment 256

Giles Chichester

Proposal for a directive

Article 5 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in *Article 19(2)*.

Amendment

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in *Article 21(2)*. ***Relevant stakeholders shall be consulted prior to the adoption of additional supplementing measures.***

Or. en

Justification

Transparency and proper consultation are essential to ensure the successful public sector leadership which the proposed recast Directive seeks to achieve. Stakeholders have the first hand knowledge and expertise necessary to assess the technical feasibility of any planned measures and can offer valuable insight into developing more effective and long term improvements in the energy performance of buildings.

Amendment 257
Silvia-Adriana Țicău

Proposal for a directive
Article 5 – paragraph 1 – subapragraph 2 a (new)

Text proposed by the Commission

Amendment

In defining these measures, the Commission shall consult relevant stakeholders.

Or. en

Justification

It is crucial that the Commission consult the relevant stakeholders in establishing this methodology, and work in a transparent way.

Amendment 258
Angelika Niebler

Proposal for a directive
Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements ***using the comparative methodology established in accordance with*** paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements ***taking account of the guidelines referred t*** in paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

They shall report to the Commission all input data and assumptions used ***for these calculations and all calculation results.*** The report may be included in the Energy Efficiency Action Plans referred to in Article 21(2) of Directive 2006/32/EC. Member States shall submit to the Commission those reports every three

They shall report to the Commission ***the calculation method employed, the results and*** all input data and assumptions used. The report may be included in the Energy Efficiency Action Plans referred to in Article 21(2) of Directive 2006/32/EC. Member States shall submit to the

years. The first report shall be submitted by 30 June 2011 at the latest.

Commission those reports every three years. The first report shall be submitted by 30 June 2011 at the latest.

Or. de

Justification

Methods of calculating cost-optimal minimum requirements already exist in some Member States. For them, the introduction of a uniform comparative methodology would generate substantial administrative costs if they were required to bring their own valid calculation methods into line with the comparative methodology subsequently laid down by the Commission. In that respect, it is questionable whether a harmonised approach to improving energy performance offers any added value.

Amendment 259

Claude Turmes

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. Member States shall ***calculate cost-optimal levels of minimum energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.***

Amendment

2. ***By 30 June 2011***, Member States shall ***adopt and use the*** methodology established in accordance with paragraph 1.

Or. en

Amendment 260
Herbert Reul

Proposal for a directive
Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

Amendment

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant ***national or regional*** parameters ***jointly agreed by two or more Member States***, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

Or. de

Justification

The subsidiarity principle should be observed. In addition, it cannot be ruled out that two or more Member States may reach agreement on common parameters.

Amendment 261
Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis

Proposal for a directive
Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the ***comparative*** methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

Amendment

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the ***single*** methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.

Justification

In order to benefit from modern technologies and keep them in or bring them into the economies of scale EPBD needs a dual legal basis. The present EPBD is allowing for individual markets in Europe where different calculation methods and inspection requirements prevent manufacturers from marketing compliant products across the EU. So there is a need for the European wide introduction of a single calculation method with objective variables to take into account regional climatic differences based on a single market approach (Art 95).

Amendment 262

Peter Liese

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 1

Text proposed by the Commission

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the ***comparative*** methodology established in accordance with paragraph 1 ***and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.***

Amendment

2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the ***single*** methodology established in accordance with paragraph 1. ***They shall respect the lighting requirements laid down in European CEN standards EN 12464-1 and EN 15193.***

Amendment 263

Fiona Hall, Lena Ek

Proposal for a directive

Article 5 – paragraph 2 – subparagraph 2

Text proposed by the Commission

They shall report to the Commission all input data and assumptions used for these calculations and all calculation results. The

Amendment

They shall report to the Commission all input data and assumptions used for these calculations and all calculation results. The

report *may* be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC. Member States shall submit to the Commission those reports every three years. The first report shall be submitted by 30 June 2011 at the latest.

report *shall* be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC. Member States shall submit to the Commission those reports every three years. The first report shall be submitted by 30 June 2011 at the latest.

Or. en

Amendment 264
Claude Turmes

Proposal for a directive
Article 5 – paragraph 3

Text proposed by the Commission

3. The Commission shall publish a report on the progress of the Member States in *reaching cost-optimal levels of minimum energy performance requirements*.

Amendment

3. The Commission shall publish a report on the progress of the Member States in *implementing this Article*.

Or. en

Amendment 265
Mechtild Rothe

Proposal for a directive
Article 5 – paragraph 3

Text proposed by the Commission

3. The Commission shall publish a report on the progress of the Member States in reaching cost-optimal levels of minimum energy performance requirements.

Amendment

3. The Commission shall publish a report on the progress of the Member States in reaching cost-optimal levels of minimum energy performance requirements, *including all input data and assumptions submitted by the Member States*.

Or. en

Amendment 266
Claude Turmes

Proposal for a directive
Article 6

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that new buildings meet the ***minimum*** energy performance requirements set in accordance with ***Article 4***.

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative systems is considered and taken into account:

(a) decentralised energy supply systems based on renewable energy;

(b) cogeneration;

(c) district or block heating or cooling, if available;

(d) heat pumps.

2. Member States shall ensure that the analysis of alternative systems referred to in paragraph 1 is documented in a transparent manner in the application for the building permit or for the final approval of construction works of the building.

Amendment

Member States shall take the necessary measures to ensure that new buildings meet the energy performance requirements set in accordance with ***Articles 4 and 9***.

Or. en

Justification

This demand towards the Member States for additional administrative burdens does not add much and will delay the construction of new energy efficient buildings.

Amendment 267
Fiona Hall, Lena Ek

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

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that new buildings meet the minimum energy performance requirements set in accordance with Article 4.

Amendment

1. Member States shall **prioritise energy efficiency and** take the necessary measures to ensure that new buildings meet the minimum energy performance requirements set in accordance with Article 4.

Or. en

Amendment 268
Nikolaos Vakalis

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

Text proposed by the Commission

1. Member States shall take the necessary measures to ensure that new buildings meet the minimum energy performance requirements set in accordance with Article 4.

Amendment

1. Member States shall take the necessary measures to ensure that new buildings meet the minimum energy performance requirements set in accordance with Article 4 **and that gradually all new buildings are constructed in accordance with Article 9.**

Or. en

Justification

The construction of all the new buildings in a way that both carbon dioxide emissions and primary energy consumption are low or equal to zero will contribute to accelerating the efficient energy performance of the buildings.

Amendment 269
Fiona Hall, Lena Ek

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings, Member States shall ensure that, ***before construction starts, the technical, environmental and economic feasibility of*** the following alternative systems ***is*** considered and taken into account:

Amendment

Member States shall ***also*** ensure that the following alternative systems ***are*** considered and taken into account ***before construction of new buildings starts***:

Or. en

Amendment 270
Paul Rübig

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative systems is considered and taken into account:

Amendment

For new buildings – ***regardless of their size*** – Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative systems is considered and taken into account:

Or. en

Amendment 271
Britta Thomsen

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic

Amendment

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic

feasibility of ***the following*** alternative systems is considered and taken into account:

feasibility of alternative systems is considered and taken into account, ***including, but not limited to:***

Or. en

Amendment 272

Alyn Smith

Proposal for a directive

Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative systems is considered and taken into account:

Amendment

For new buildings ***with a total useful floor area of over 250 metres square***, Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative systems is considered and taken into account:

Or. en

Justification

Completely deleting the derogation for small buildings will make it almost impossible for local authorities to be able to comply, given their current financial and technical capacity. A compromise is therefore offered.

Amendment 273

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of ***the following*** alternative systems is considered and taken into

Amendment

(1) For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of ***high-efficiency*** alternative systems is considered and taken into

account:

account, *pursuant to the principle of first ensuring that energy needs for heating and cooling are reduced to a minimum. These alternative systems may include but are not limited to:*

Or. en

Justification

It is important to realise the full potential of alternative energy supply systems in buildings because new buildings will last many years. However, it is invariably a misallocation of resources to do this without first making sure that

(1) energy demand is reduced as much as can be justified using the same cost-optimal criteria. NB This principle should always be applied before determining the needs for energy supply.) and

(2) that requirements for high efficiency are established, as set out in the recently adopted Renewables Directive.

Amendment 274

Anni Podimata

Proposal for a directive

Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative systems is considered and taken into account:

Amendment

For new buildings, Member States shall ***require the use of minimum levels of on-site energy from renewable sources and*** ensure that, before construction starts, the technical, environmental and economic feasibility of □ the following alternative systems □ is considered and taken into account :

Or. en

Justification

This proposal is in line with the new Renewable Energy Directive.

Amendment 275
Amalia Sartori, Aldo Patriciello

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 - introductory part

Text proposed by the Commission

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility of the following alternative **systems is** considered and taken into account:

Amendment

For new buildings Member States shall ensure that, before construction starts, the technical, environmental and economic feasibility **and functionality** of the following alternative **construction techniques are** considered and taken into account:

Or. it

Justification

The purpose of this Directive is to ensure and provide incentives for the energy efficiency of buildings without technical restrictions.

Amendment 276
Britta Thomsen

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

(a) decentralised energy supply systems based on **renewable energy**;

Amendment

(a) decentralised energy supply systems based on **energy from renewable sources**;

Or. en

Amendment 277
Amalia Sartori, Aldo Patriciello

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

Amendment

(a) ***decentralised energy supply*** systems based on renewable energy;

(a) ***technical*** systems based on renewable energy;

Or. it

Justification

The purpose of this Directive is to ensure and provide incentives for the energy efficiency of buildings without technical restrictions.

Amendment 278
Pia Elda Locatelli, Aldo Patriciello, Amalia Sartori

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point b

Text proposed by the Commission

Amendment

(b) cogeneration;

(b) cogeneration ***and micro-cogeneration***;

Or. it

Justification

The Commission suggests using cogeneration systems for new buildings, but does not mention the use of such systems for existing buildings. Yet, as a means of improving the energy performance of individual buildings micro-cogeneration could be an effective way of attaining the objectives of reducing CO₂ emissions and the amount of electricity consumed from the grid.

Amendment 279
Fiona Hall, Lena Ek

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) district or block heating or cooling, if available;

(c) district or block heating or cooling, if available, ***particularly that based entirely or partially on renewable energy;***

Or. en

Amendment 280
Riitta Myller

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

ca) sun-blocks which make it possible to reduce the need for cooling systems;

Or. fi

Amendment 281
Fiona Hall, Lena Ek

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point d

Text proposed by the Commission

Amendment

(d) heat pumps.

(d) heat pumps ***as defined in Directive 2009/.../EC on the promotion of the use energy from renewable sources.***

Or. en

Amendment 282
Norbert Glante

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point d

Text proposed by the Commission

Amendment

(d) heat pumps.

(d) heat pumps ***which comply with the seasonal performance factors and criteria laid down in Directive 2009/.../EC on promoting the use of energy from renewable sources.***

Or. de

Justification

This amendment is designed to ensure consistency with the directive on promoting the use of energy from renewable sources.

Amendment 283
Dominique Vlasto

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point d a (new)

Text proposed by the Commission

Amendment

(da) insulation systems.

Or. fr

Justification

Insulation systems contribute to the energy performance of buildings. They make possible substantial savings on primary energy consumption and reductions in carbon dioxide emissions. The industry is developing new, increasingly effective products which should be studied, in order to construct new buildings which comply with the highest standards of heat insulation. Any technical system in buildings should moreover take account, from the design stage, of the insulation systems to be used in the building, in order to optimise performance and future use.

Amendment 284
Riitta Myller

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point d a (new)

Text proposed by the Commission

Amendment

da) renewable energy sources producing energy for individual households;

Or. fi

Amendment 285
Jerzy Buzek

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point d a (new)

Text proposed by the Commission

Amendment

da) ICT equipment for monitoring and control purposes.

Or. en

Justification

ICT monitoring equipment may greatly contribute to accurate evaluation of energy performance of electricity-consuming equipment and installations.

Amendment 286
Britta Thomsen

Proposal for a directive
Article 6 – paragraph 1 – subparagraph 2 – point d a (new)

Text proposed by the Commission

Amendment

da) heat recovery ventilation.

Or. en

Justification

Member States should take efficient technologies with short payback times into consideration. "Heat recovery ventilation" means a centralised or decentralised continuous airflow system using heat exchangers to transfer energy from extracted air to inducted air. For a 150 m² located in Danish climate, the annual net energy saving is approximately 5.500 kWh of primary energy when using heat recovery ventilation. This corresponds to approximately 43 percent of the average power consumption.

Amendment 287

Pia Elda Locatelli, Aldo Patriciello, Amalia Sartori

Proposal for a directive

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

Text proposed by the Commission

Amendment

As regards point (d), Member States shall seek to facilitate the dissemination and use of heat pumps by simplifying the procedure for authorising the drilling of wells and defining the levels of the water table and of the network of watercourses into which discharges can be made and the potential for adopting air conditioning systems with heat pumps using water.

In addition, Member States shall make provision for subsidies for the drilling of wells or the inclusion of such operations in urban development projects.

Or. it

Justification

The Commission suggests using cogeneration systems for new buildings, but does not mention the use of such systems for existing buildings. Yet, as a means of improving the energy performance of individual buildings micro-cogeneration could be an effective way of attaining the objectives of reducing CO₂ emissions and the amount of electricity consumed from the grid.

Amendment 288
Claude Turmes

Proposal for a directive
Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements *in so far as this is technically, functionally and economically feasible. Member states shall determine these minimum energy performance requirements* in accordance with *Article 4*. The requirements *may* be set for the renovated building as a whole *or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.*

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet ***at least*** minimum energy performance requirements, in accordance with ***Articles 4 and 9***. The requirements ***shall*** be set ***for the renovated systems or components whenever they are retrofitted or replaced and*** for the renovated building as a whole ***in the case of a major renovation.***

Or. en

Amendment 289
Alyn Smith

Proposal for a directive
Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance

Amendment

Member States shall take the necessary measures to ensure that when buildings ***with a total useful floor area of over 250 metres square*** undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall

requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Or. en

Justification

Completely deleting the derogation for small buildings will make it almost impossible for local authorities to be able to comply, given their current financial and technical capacity. A compromise is therefore offered.

Amendment 290
Fiona Hall, Lena Ek

Proposal for a directive
Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements *in so far as this is technically, functionally and economically feasible*. Member states shall determine these minimum energy performance requirements in accordance with Article 4. The requirements *may* be set for *the renovated building as a whole or* for the renovated systems *or* components *when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof*.

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation *or building components, including envelope components, and technical building systems or parts thereof are retrofitted or replaced*, their energy performance is upgraded in order to meet minimum energy performance requirements. Member states shall determine these minimum energy performance requirements in accordance with Article 4. The requirements *shall* be set for *both* the renovated systems *and* components *whenever they are retrofitted or replaced, and for the renovated building as a whole in the case of a major renovation*.

Member States shall ensure that, as in Article 6, in the event of any major renovation, the following alternative systems are considered and taken into account:

(a) decentralised energy supply systems based on renewable energy;

(b) cogeneration;

(c) district or block heating or cooling, if available, particularly that based entirely or partially on renewable energy;

(d) heat pumps as defined in Directive 2009/.../EC on the promotion of the use of energy from renewable sources.

Or. en

Justification

It is equally important to ensure that the energy performance of individual building envelope components and technical building systems, replaced or renovated independently of a major renovation also meet minimum performance requirements. This is the only way to ensure the improvement of energy performance of the building in the event of partial renovations or replacement of individual components during as well as outside of a major renovation. And it will also encourage deep renovations, as it makes clear that when major renovation, then the whole building has to be brought up to at least cost optimal levels.

Amendment 291

Anni Podimata

Proposal for a directive Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, ***their*** energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, ***developers are required to use minimum levels of on-site energy from renewable sources and the energy performance of these buildings*** is upgraded in order to meet minimum
☐ energy performance ☐ requirements in so far as this is technically, functionally and

requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Or. en

Amendment 292
Françoise Grossetête

Proposal for a directive
Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo **major** renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements **may** be set **either** for the renovated building as a whole **or** for the **renovated** systems **or** components when these are part of a renovation to be carried out within a **limited time** period, with the objective of improving the overall energy performance of the building or parts thereof.

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements **shall** be set for the renovated building as a whole **and** for the **technical** systems **of the building and renovated** components **of the building envelope** when these are part of a renovation to be carried out within a period **of no more than five years**, with the objective of improving the overall energy performance of the building or parts thereof.

Or. fr

Justification

In order to secure the most efficient energy performance it is essential to take account of the individual components of the building. This is the only way of ensuring the general energy performance of a building in the event of partial renovation or replacement of individual components as part of a general renovation. Highly effective technical systems in a poorly insulated building make no economic or environmental sense.

Amendment 293

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements **may** be set **either** for the renovated building as a whole **or** for the renovated systems **or** components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements **shall** be set for the renovated building as a whole **and** for the renovated **technical** systems **and the envelope** components **of the building** when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Or. en

Justification

It is equally important to ensure that the energy performance of individual building envelope components meet minimum performance requirements. Highly performing technical systems in a badly insulated building do not make environmental nor economic sense. Performance requirements for the integrated energy performance of the building as a whole and parts thereof are already prescribed in Articles 1, 3 and 4 and Annex I. Envelope component

requirements are implied by the use of the term “parts thereof” but need to be made clearer and explicit.

Amendment 294

Paul Rübzig

Proposal for a directive

Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Amendment

Member States shall take the necessary measures to ensure that when buildings – ***regardless of their size*** – undergo major renovation, their energy performance is energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Or. en

Amendment 295

Nikolaos Vakalis

Proposal for a directive

Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically,

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically,

functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole *or* for the renovated systems *or* components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set for the renovated building as a whole *and* for the renovated systems *and the envelope* components *of the buildings* when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building or parts thereof.

Or. en

Justification

Member States must also set minimum energy performance requirements for building envelope components and technical systems to ensure that any retrofitting is an opportunity to improve the energy performance of the building.

Amendment 296 **Cristina Gutiérrez-Cortines**

Proposal for a directive **Article 7**

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member states shall determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the

objective of improving the overall energy performance of the building or parts thereof .

objective of improving the overall energy performance of the building or parts thereof. ***Member States and the Commission shall promote research into insulation materials, windows and doors in order to ensure that they are in harmony with the needs and aesthetic heritage of buildings.***

Or. en

Amendment 297

Edit Herczog

Proposal for a directive

Article 7

Text proposed by the Commission

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall derive determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building ***or parts thereof.***

Amendment

Member States shall take the necessary measures to ensure that when buildings undergo major renovation, their energy performance is upgraded in order to meet minimum energy performance requirements in so far as this is technically, functionally and economically feasible. Member States shall derive determine these minimum energy performance requirements in accordance with Article 4. The requirements may be set either for the renovated building as a whole or for the renovated systems or components when these are part of a renovation to be carried out within a limited time period, with the objective of improving the overall energy performance of the building.

Or. en

Justification

The application of this sentence in the present EPBD is already causing trouble. The target shall be the optimisation of the building's overall energy consumption, what only can be achieved by a holistic approach. I.e. there is no difference between new and existing

buildings, when undergoing major renovation.

Amendment 298
Britta Thomsen

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

Text proposed by the Commission

Amendment

Member States shall ensure that, from 1 January 2015, in planning for any major renovation, the technical, environmental and economic feasibility of the following alternative systems are considered and taken into account:

- (a) decentralised energy supply systems based on energy from renewable sources;***
- (b) cogeneration;***
- (c) district or block heating or cooling, if available;***
- (d) heat pumps;***
- (e) heat recovery ventilation.***

Or. en

Justification

It should be a requirement that member states take efficient technologies with short payback times into consideration. For a 150 m² located in Danish climate, the annual net energy saving is 5.500 kWh of primary energy when using heat recovery ventilation. This corresponds to approximately 43 percent of the average power consumption.

Amendment 299
Britta Thomsen

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

Text proposed by the Commission

Amendment

Member States shall in particular provide the necessary means to ensure, for existing buildings occupied by residents subject to residential energy poverty, the fulfilment of the minimum energy performance requirements under Article 4.

Or. en

Justification

In its Opinion on “Towards a European Charter on the Rights of Energy Consumers” of May 7th, 2008, ITRE called for action against “fuel poverty”. In the proposal for definition the term “residential energy poverty” is suggested instead of fuel poverty. Residential energy poverty is impacting citizens caused by the following factors:

- Low energy performance of the home, e.g., caused by poor heating and/or cooling systems or lack of insulation.*
- Low income.*
- High energy prices.*

Residential energy poverty is targeted towards citizens living in existing buildings. A particular effort should therefore be made help citizens subject to residential energy poverty to upgrade their buildings.

Amendment 300
Britta Thomsen

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

Text proposed by the Commission

Amendment

Adequate heating and cooling from renewable energy sources may be used to upgrade a building to meet the minimum energy performance requirements if the minimum requirements cannot be met in a technically, functionally and economically feasible manner by other

means laid down under paragraph 1.

Or. en

Justification

If meeting the minimum requirements for the energy performance cannot be met in a technical, environmental or economical feasible manner by the means laid down under paragraph 1 ; the adequate use of heating and cooling from renewable energy sources as laid out under the RES Directive adopted by the European Parliament's plenary session on December 17th, 2008 should qualify a building.

In Denmark can adequate use of renewable technologies – such as heat pumps and district heating – qualify a less energy efficient buildings to meet minimum energy performance requirements.

Amendment 301
Fiona Hall, Lena Ek

Proposal for a directive
Article 8

Text proposed by the Commission

Technical building systems

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed in buildings. Requirements shall be set for new, replacement and retrofit of technical building systems *and* parts thereof.

The requirements shall in particular cover the following components:

(a) boilers or other heat generators of heating systems;

(b) water heaters in hot water systems;

Amendment

Technical building systems *and building components*

1. Member States shall set *cost-optimal* minimum energy performance requirements in respect of technical building systems which are installed in buildings *and of building components*. Requirements shall be set for new, replacement and retrofit of technical building systems *and building components and parts thereof*.

The requirements shall in particular, *but not exclusively*, cover the following components:

(a) boilers or other heat generators of heating systems *including district or block heating and cooling*;

(b) water heaters in hot water systems;

(c) central air conditioning unit or cold generator in air-conditioning systems.

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with **the** legislation applicable to the product(s) which compose the system and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

(c) central air conditioning unit or cold generator in air-conditioning systems;

(ca) installed lighting

(cb) building components as defined in Article 2(5)

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with **any** legislation applicable to the product(s) which compose the systems **and building components** and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. **In the case of technical building systems**, those requirements shall ensure that a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Or. en

Amendment 302

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 8 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed in buildings. Requirements shall **be set for new, replacement and retrofit of technical building systems and parts thereof**.

The requirements shall in particular cover the following components:

Amendment

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed in buildings. Requirements shall **be consistent with applicable Community legislation and** in particular cover the following components:

Justification

The 2002/91/EC Directive should not request member states to set specific efficiency requirements on products, as they are already dealt within the corresponding legislations (Labelling, BED, EuP, ...). Nevertheless it is shared that EPBD text could encourage Member State to reflect on whether it is worth to set more stringent levels at the point of installation at the condition that their application is subject to an individual assessment of the technical, functional and economical feasibility.

Amendment 303**Werner Langen****Proposal for a directive****Article 8 – paragraph 1 – subparagraph 1***Text proposed by the Commission*

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed in buildings. Requirements shall be set for new, replacement and retrofit of technical building systems and parts thereof.

Amendment

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed ***and brought into operation*** in buildings. Requirements shall be set for new, replacement and retrofit of technical building systems and parts thereof.

Justification

Minimum energy performance requirements should also be laid down for the initial operation phase of technical systems, in order to ensure that they are properly adjusted and that, as a result, their full energy-saving potential can be exploited.

Amendment 304
Herbert Reul

Proposal for a directive
Article 8 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed in buildings. Requirements shall be set for new, replacement and retrofit of technical building systems and parts thereof.

Amendment

1. Member States shall set minimum energy performance requirements in respect of technical building systems which are installed **and brought into operation** in buildings. Requirements shall be set for new, replacement and retrofit of **operating equipment**, technical building systems and parts thereof.

Or. de

Justification

The aim of the amendment is to ensure that equipment is properly adjusted when brought into operation. In addition, the insulation of pipes represents a relatively cheap way of saving energy.

Amendment 305
Adam Gierek

Proposal for a directive
Article 8 – paragraph 1 – point a

Text proposed by the Commission

(a) boilers **or** other heat generators of heating systems;

Amendment

(a) **boilers**, other heat generators **or heat exchangers** of heating systems;

Or. pl

Justification

The amendment seeks to further specify the technical systems covered.

Amendment 306

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 8 – paragraph 1 – point a

Text proposed by the Commission

(a) boilers or other heat generators of heating systems;

Amendment

(a) boilers or other heat generators of heating systems, ***including district or block heating and cooling***;

Or. en

Justification

The 2002/91/EC Directive should not request member states to set specific efficiency requirements on products, as they are already dealt within the corresponding legislations (Labelling, BED, EuP, ...). Nevertheless it is shared that EPBD text could encourage Member State to reflect on whether it is worth to set more stringent levels at the point of installation at the condition that their application is subject to an individual assessment of the technical, functional and economical feasibility.

Amendment 307

Werner Langen

Proposal for a directive

Article 8 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) pipes.

Or. de

Amendment 308

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 8 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) lighting.

Or. en

Amendment 309

Adam Gierek

Proposal for a directive

Article 8 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) ventilation systems together with heat recovery units and heat pumps.

Or. pl

Justification

The amendment seeks to further specify the technical systems covered.

Amendment 310

Herbert Reul

Proposal for a directive

Article 8 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) pipes.

Or. de

Justification

The aim of the amendment is to ensure that equipment is properly adjusted when brought into operation. In addition, the insulation of pipes represents a relatively cheap way of saving energy.

Amendment 311

Riitta Myller

Proposal for a directive

Article 8 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

ca) lighting systems;

Or. fi

Amendment 312

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

Proposal for a directive

Article 8 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Requirements shall be set for new, replacement and retrofitting of technical building systems and parts thereof, and shall be applied in so far as they are technically, functionally and economically feasible. For this purpose, at least the following factors shall be taken into account:

- technical obstacles (for example, major installation difficulties, or negative coexistence of different technologies)***
- economic factors (for example, excessively high installation costs, or economically inaccessible energy supply)***
- political factors (for example, promotion of one specific type of energy)***

Justification

The 2002/91/EC Directive should not request member states to set specific efficiency requirements on products, as they are already dealt within the corresponding legislations (Labelling, BED, EuP, ...). Nevertheless it is shared that EPBD text could encourage Member State to reflect on whether it is worth to set more stringent levels at the point of installation at the condition that their application is subject to an individual assessment of the technical, functional and economical feasibility.

Amendment 313

Silvia-Adriana Țicău

Proposal for a directive**Article 8 – paragraph 1 – subparagraph 1 a (new)**

Text proposed by the Commission

Amendment

Requirements may be set for new, replacement and retrofitting of technical building systems and parts thereof and shall be applied in so far as they are technically, functionally and economically feasible. For this purpose, at least the following aspects shall be taken into account:

- technical obstacles (for example, major installation difficulties or, negative coexistence of different technologies);***
- economic factors (for example, excessively high installation costs, economically inaccessible energy supply);***
- political factors (for example, promotion of one specific type of energy).***

Or. en

Justification

Requirements may be set for new, replacement and retrofit of technical building systems and parts thereof and shall be applied in so far as they are technically, functionally and economically feasible.

Amendment 314
Werner Langen

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with the legislation applicable to the product(s) which compose the system and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Amendment

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with the legislation applicable to the product(s) which compose the system and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that ***technical equipment is properly adjusted when brought into operation, that*** a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Or. de

Justification

Hitherto, insufficient account has been taken of technical building systems in connection with the overall energy performance of buildings. For that reason, minimum energy performance requirements should also be laid down for the initial operation phase of technical systems, in order to ensure that they are properly adjusted and, as a result, that their full energy-saving potential can be exploited.

Amendment 315
Herbert Reul

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with the legislation applicable to the product(s) which compose the system and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Amendment

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with the legislation applicable to the product(s) which compose the system, ***in particular the provisions deriving from Directive 2009/.../EC of the European Parliament and of the Council [establishing a framework for the setting of eco-design requirements for energy-using products]***, and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that ***technical equipment is properly adjusted when brought into service***, that a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Or. de

Justification

The aim of the amendment is to ensure that equipment is properly adjusted when brought into service. In addition, this directive must not lead to the introduction of new standards, hence the importance of the reference to the eco-design directive.

Amendment 316
Britta Thomsen

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with the legislation applicable to the product(s) which compose the system and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that a proper hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Amendment

2. The minimum energy performance requirements set in accordance with paragraph 1 shall be consistent with the legislation applicable to the product(s) which compose the system and be based on proper installation of the product(s) and appropriate adjustment and control of the technical building system. In particular, those requirements shall ensure that a proper ***single room control and*** hydraulic balance of hydraulic wet heating systems is achieved and that the appropriate size and type of the product(s) have been used for the installation having regard to the intended use of the technical building system.

Or. en

Justification

In many new Member States, heating systems can only be turned on or off. Regulation of heating thus has to occur by opening windows which is costly and energy inefficient. Single room control of technical systems, such as heating, cooling, ventilation and lighting, should be included to saving energy at the minimum possible cost.

Amendment 317
Fiona Hall, Lena Ek

Proposal for a directive
Article 8 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. Member States shall ensure that smart meters are installed in all new and renovated buildings and whenever a meter is replaced, and shall encourage the

installation of active control systems such as automation, control and monitoring systems where appropriate, in order to allow consumers to receive proper information on their energy usage; to allow highly efficient output-time control manually and/or by building automation systems; and to serve as a data provider for implementing Articles 3, 4, 5 and 10 and Annex I.

Or. en

Amendment 318
Dominique Vlasto, Alejo Vidal-Quadras

Proposal for a directive
Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

Insulation systems for the building envelope

1. Member States shall lay down minimum requirements concerning the energy performance of insulation systems for the building envelope, which particularly apply to the following components:

- (a) the roof;***
- (b) systems for internal doubling of the building envelope, including floors and ceilings;***
- (c) systems for external doubling of the building envelope;***
- (d) windows, window sills and headboxes for roller blinds;***
- (e) linear treatment of thermal bridges, particularly at junctions between slabs and balconies, of acroters and of junctions between façades and projecting components.***

2. The minimum requirements referred to in paragraph 1 must accord with the law

applicable to products which form part of the system and shall be based on correct installation of the products. These requirements shall in particular ensure that heat losses from the building envelope are low or equal to zero.

Or. fr

Justification

Les Etats membres doivent fixer des exigences minimales en matière de performance énergétiques pour l'installation de nouveaux systèmes d'isolation de l'enveloppe du bâtiment, le remplacement de systèmes existants ou leur modernisation de grande ampleur. Ces exigences doivent être compatibles avec la législation applicable aux produits faisant partie du système et doivent être fondées sur une installation correcte des produits. L'objectif est d'améliorer l'efficacité de systèmes complets. De plus, leur efficacité est primordiale pour assurer l'efficacité optimale des systèmes techniques dans les bâtiments.

Amendment 319

Markus Ferber

Proposal for a directive

Article 9

Text proposed by the Commission

Amendment

Article 9

deleted

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero

1. Member States shall draw up national plans for increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate targets shall be set for:

(a) new and refurbished residential buildings;

(b) new and refurbished non-residential buildings;

(c) buildings occupied by public authorities.

Member States shall set the targets referred to in point (c) taking into account the leading role which public authorities should play in the field of energy performance of buildings.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

(a) the Member State's definition of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero;

(b) intermediate targets expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015;

(c) information on the measures undertaken for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall establish common principles for defining buildings of which both carbon dioxide emissions and primary energy consumption are low

or equal to zero.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

Or. de

Justification

The construction of buildings whose CO₂ emissions and primary energy consumption are low or equal to zero and which thus go well beyond the minimum standards to be laid down by Member States must be a voluntary matter. For that reason, the Member States cannot themselves give undertakings to ensure that by 2020 such buildings make up a set proportion of the overall stock of buildings. The arrangement proposed in Article 9(5) would seem to represent a first step towards the introduction of specific EU requirements for low- and zero-energy houses (subsidiarity).

Amendment 320

Fiona Hall, Lena Ek, Anne Laperrouze

Proposal for a directive

Article 9

Text proposed by the Commission

Buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*

1. Member States shall draw up national plans for increasing the number of buildings ***of which both carbon dioxide emissions and primary energy***

Amendment

Buildings *with net zero energy consumption*

1. Member States shall draw up national plans for increasing the number of buildings ***with net zero energy consumption***.

consumption *are low or equal to zero*.
They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate targets shall be set for:

- (a) *new and refurbished* residential buildings;
- (b) *new and refurbished* non-residential buildings;
- (c) buildings occupied by public authorities.

Member States shall set the targets referred to in point (c) taking into account the leading role which public authorities should play in the field of energy performance of buildings.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

- (a) the Member State's definition of buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*;

(b) intermediate targets expressed as a percentage which those buildings shall constitute of the total number of buildings

1a. By 2012 in the case of buildings occupied by public authorities and otherwise by 2016, Member States shall ensure that all new buildings have net zero energy consumption.

1b. Member States shall set targets for 2015 and for 2020 for the minimum percentage of existing buildings which shall be net zero energy buildings, measured as a percentage of the total number of buildings and as a percentage in relation to the total useful floor area. Member States shall set separate targets for:

- (a) residential buildings;
- (b) non-residential buildings;
- (c) buildings occupied by public authorities.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

- (a) the Member State's definition of buildings *with net zero energy consumption*;

and represent in relation to the total useful floor area in 2015;

(c) information on the measures undertaken for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports *may* be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

(ba) details of the Member State's requirements concerning minimum levels of energy for renewable sources in new buildings and existing buildings undergoing major renovation, as required under Directive 2008/xx/EC on promotion of the use of energy from renewable sources and Article 6 and 7 of this Directive;

(c) information campaigns on the measures undertaken for the promotion of those buildings;

(ca) national, regional or local programmes to support energy performance measures such as fiscal incentives, financial instruments or reduced VAT.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports *shall* be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

3a. Within two months of notification of a national plan by a Member State under paragraph 3, the Commission, taking full account of the subsidiary principle, may reject that plan, or any aspect thereof, on the basis that it does not respect all of the requirements of this Article. In this case, Member State shall propose amendments. Within one month of receiving these proposals, the Commission shall accept the amended plan or request further specific amendments. The Commission and the Member State concerned shall take all reasonable steps to agree the national plan within five months of the

date of the initial notification.

4. The Commission shall establish common principles for defining buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

5. By 2016, the Commission shall publish a report on the progress of Member States in increasing the number of buildings *with net zero energy consumption*. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

Or. en

Justification

Each year, new buildings represent about 1% of the buildings stock. This small percentage should feature the latest technologies in terms of energy efficiency and renewable energies to ensure that new buildings keep the EU reach its climate change objectives and become less dependent on imported, expensive and scarce energy. It is cheaper to introduce these technologies during the initial construction of a building.

Amendment 321

Claude Turmes

Proposal for a directive

Article 9

Text proposed by the Commission

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero

Amendment

Zero-net-primary-energy and surplus-energy Buildings

1. Member States shall draw up national plans for increasing the number of buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*. They shall *set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area*.

Separate targets shall be set for:

- (a) *new and refurbished* residential buildings;
- (b) *new and refurbished* non-residential buildings;
- (c) *buildings occupied by public authorities*.

Member States shall *set the targets referred to in point (c) taking into account the leading role which public authorities should play in the field of energy performance of buildings*.

2. The national plan referred to in paragraph 1 shall include inter alia the

1. Member States shall draw up national plans for increasing the number of buildings *that comply with zero net primary energy or surplus-energy building standards*. They shall *require that all new buildings are at least zero net primary energy by 2014 at the latest*.

Member States shall require that all new and existing buildings that are subject to major renovation and are occupied by public authorities comply with at least zero net primary energy building standards from 2012 onwards taking into account the leading role which public authorities should play in the field of energy performance of buildings.

Member States shall set binding 2012, 2015 and 2020 targets for zero net primary energy or surplus-energy buildings as a minimum percentage of the total number of buildings in relation to the total useful floor area. These shall be set at a minimum of 30% by 2012 and 50% by 2015.

Separate *binding* targets shall be set for:

- (a) *existing* residential buildings;
- (b) *existing* non-residential buildings;

Member States shall *ensure that all existing buildings that are subject to major renovation comply with at least zero net primary energy buildings standards by 2018 at the latest*.

2. The national plan referred to in paragraph 1 shall include inter alia the

following elements:

- (a) the Member State's definition of buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*;
- (b) intermediate targets *expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015*;
- (c) *information on the* measures undertaken for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall *establish common principles for defining* buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*. On the basis of this report the Commission shall develop *a strategy*,

following elements:

- (a) the Member State's definition of *zero-net primary energy and surplus-energy* buildings;
- (b) *the* intermediate *binding* targets *as specified in paragraph 1*;
- (c) *overview of all policies and* measures undertaken for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports *may* be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall *define zero net energy and surplus-energy* buildings *by 2010 at the latest*.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of *zero net energy and surplus-energy* buildings *by 31 June 2012 at the latest and every three years thereafter*. On the basis of this report the Commission shall develop *an action plan*,

and, if necessary, propose measures to increase the number of those buildings.

and, if necessary, propose measures to increase the number of those buildings.

Or. en

Justification

Some Member States have already adopted ambitious targets for high performing buildings. Given the economic, employment and environmental benefits associated, other Member States should set similar targets.

Amendment 322 **Mechtild Rothe**

Proposal for a directive **Article 9**

Text proposed by the Commission

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero

1. Member States shall draw up national plans for increasing the number of buildings ***of which both carbon dioxide emissions and primary energy consumption are low or equal to zero***. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate targets shall be set for:

- (a) new and refurbished residential buildings;
- (b) new and refurbished non-residential buildings;
- (c) buildings occupied by public authorities.

Member States shall ***set the targets*** referred to in point (c) taking into account

Amendment

Surplus-energy buildings

1. Member States shall draw up national plans for increasing the number of buildings ***that comply with surplus-energy building standards***. They shall set ***a binding*** target for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate ***binding*** targets shall be set for:

- (a) new and refurbished residential buildings;
- (b) new and refurbished non-residential buildings;
- (c) buildings occupied by public authorities.

Member States shall ***ensure that all new***

the leading role which public authorities should play in the field of energy performance of buildings.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

(a) the Member State's definition of buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*;

(b) intermediate targets expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015;

(c) *information on the* measures undertaken for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports *may* be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall establish common *principles for defining* buildings

and existing buildings referred to in point (c) *that are subject to major renovation comply with surplus-energy building standards from 2012 onwards* taking into account the leading role which public authorities should play in the field of energy performance of buildings.

Members States shall require that all new buildings comply with surplus-energy building standards by 2015 at the least.

Member States shall ensure that all existing buildings that are subject to major renovation comply with surplus-energy buildings standards by 2020 at the latest.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

(a) the Member State's definition of *surplus-energy* buildings;

(b) intermediate *binding* targets expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015;

(c) a *summary of all policies and* measures undertaken for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall establish *a common definition of surplus-energy*

of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings *of which both carbon dioxide emissions and primary energy consumption are low or equal to zero*. On the basis of this report the Commission shall develop *a strategy*, and, if necessary, propose measures to increase the number of those buildings.

buildings *by 2010 at the latest*.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of *surplus-energy* buildings *by 31 January 2012 at the latest and every three years thereafter*. On the basis of this report the Commission shall develop *an action plan*, and, if necessary, propose measures to increase the number of those buildings.

Or. en

Justification

Some Member States have already adopted ambitious targets for high performing buildings. Given the economic, employment and environmental benefits associated, other Member States should set similar targets. Therefore a clear action plan for the latest technologies and highest standards is needed.

Amendment 323

Riitta Myller

Proposal for a directive

Article 9 – title

Text proposed by the Commission

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero

Amendment

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero *or which produce energy*

Or. fi

Amendment 324
Anni Podimat

Proposal for a directive
Article 9 – title

Text proposed by the Commission

Amendment

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero

Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero ***and surplus energy buildings***

Or. en

Justification

Surplus energy buildings, which produce more energy than they consume, are already technically feasible.

Amendment 325
Herbert Reul

Proposal for a directive
Article 9 – title

Text proposed by the Commission

Amendment

Buildings of which ***both carbon dioxide emissions and primary*** energy consumption ***are*** low or equal to zero

Buildings of which ***final*** energy consumption ***is*** low or equal to zero

Or. de

Justification

What matters to consumers is final energy consumption – this is what they see when they read their meters and it is irrelevant to them whether the electricity is generated from renewable sources or nuclear energy. The same is true of natural gas, which can be generated from waste. Low-energy houses must be designed as such from the outset, since any retrofitting which becomes necessary is very expensive. For that reason, refurbished buildings should be excluded from the scope of the directive. By the same token, setting specific percentage targets would amount to a return to a planned economy.

Amendment 326
Riitta Myller

Proposal for a directive
Article 9

Text proposed by the Commission

1. Member States shall draw up national plans for increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate targets shall be set for:

- a) new and refurbished residential buildings;
- b) new and refurbished non-residential buildings;
- c) buildings occupied by public authorities.

Member States shall set the targets referred to in point (c) taking into account the leading role which public authorities should play in the field of energy performance of buildings.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

- a) the Member State's definition of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero;
- b) intermediate targets expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015;
- c) information on the measures undertaken

Amendment

1. Member States shall draw up national plans for increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero ***or which produce energy***. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate targets shall be set for:

- a) new and refurbished residential buildings;
- b) new and refurbished non-residential buildings;
- c) buildings occupied by public authorities.

Member States shall set the targets referred to in point (c) taking into account the leading role which public authorities should play in the field of energy performance of buildings.

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

- a) the Member State's definition of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero ***or which produce energy***;
- b) intermediate targets expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015;
- c) information on the measures undertaken for the promotion of those buildings.

for the promotion of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall establish common principles for defining buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

4. The Commission shall establish common principles for defining buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero *or which produce energy*.

Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 21(2).

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero *or which produce energy*. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

Or. fi

Amendment 327 **Herbert Reul**

Proposal for a directive **Article 9 – paragraph 1**

Text proposed by the Commission

1. Member States shall draw up national plans for increasing the number of buildings of which *both carbon dioxide*

Amendment

1. Member States shall draw up national plans for increasing the number of

emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Separate targets shall be set for:

- (a) new *and refurbished* residential buildings;
- (b) new *and refurbished* non-residential buildings;
- (c) buildings occupied by public authorities.

Member States shall set the targets referred to in point (c) taking into account the leading role which public authorities should play in the field of energy performance of buildings.

buildings of which *final* energy consumption *is* low or equal to zero.

Separate, *non-binding* targets shall be set for:

- (a) new residential buildings;
- (b) new non-residential buildings;
- (c) buildings occupied by public authorities.

Or. de

Justification

What matters to consumers is final energy consumption – this is what they see when they read their meters and it is irrelevant to them whether the electricity is generated from renewable sources or nuclear energy. The same is true of natural gas, which can be generated from waste. Low-energy houses must be designed as such from the outset, since any retrofitting which becomes necessary is very expensive. For that reason, refurbished buildings should be excluded from the scope of the directive. By the same token, setting specific percentage targets would amount to a return to a planned economy.

Amendment 328 **Nikolaos Vakalis**

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

Text proposed by the Commission

1. Member States shall draw up national plans for increasing the number of

Amendment

1. Member States shall draw up national plans for increasing the number of *new*

buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

buildings of which both carbon dioxide emissions and primary energy consumption are equal to zero and ***of existing buildings of which both carbon dioxide emissions and primary energy consumption are low, or where possible equal to zero. For new buildings Member States shall gradually set as the construction standard carbon dioxide emissions and primary energy consumption which are equal to zero. For existing buildings,*** they shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Or. en

Justification

The construction of all the new buildings in a way that both carbon dioxide emissions and primary energy consumption are low or equal to zero will contribute to accelerating the efficient energy performance of the buildings.

Amendment 329

Anni Podimata

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 1

Text proposed by the Commission

1. Member States shall draw up national plans for increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Amendment

1. Member States shall draw up national plans for increasing the number of ***surplus energy buildings, and*** buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Or. en

Amendment 330
Anne Laperrouze

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

Text proposed by the Commission

1. Member States shall draw up national plans for increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Amendment

1. Member States shall draw up national plans for increasing the number of buildings **and eco-districts** of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. They shall set targets for the minimum percentage which those buildings in 2020 shall constitute of the total number of buildings and represent in relation to the total useful floor area.

Or. fr

Justification

The aim of the amendment is to facilitate the emergence of eco-districts. At local level it is possible to develop synergies between sectors in order to put to the best possible use the resources available – biomass, geothermal energy, use of heat from electricity generation (cogeneration), heat produced by industry as an unavoidable by-product, for example – and promote buildings whose consumption of primary energy is low.

Amendment 331
Amalia Sartori, Aldo Patriciello

Proposal for a directive
Article 9 – paragraph 1 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

For the purpose of attaining the objective of new and renovated buildings which meet the requirements of energy efficiency, national plans must provide for:

- volumetric incentives in the form of

transferable 'credits' granted to the builder for increasing building volumes, to be spent on new buildings located in the same area;

- in the case of historic buildings, stronger incentives than are provided for in the case of new and existing buildings;*
- creation of a system for issuing to managers of buildings transferable certificates in recognition of management which makes it possible to attain and maintain given levels of energy saving. Conversely, managers of buildings who do not succeed in attaining and maintaining set standards of energy efficiency would be required to acquire certificates on the market;*
- reduction of site development charges;*
- accelerated and simplified authorisation procedures for construction practices relating to buildings or areas which entail the implementation of energy saving measures;*
- reduction of taxation on real estate.*

Or. it

Justification

National plans must identify measures to attain objectives which meet energy efficiency requirements both for new buildings and for those undergoing renovation.

Amendment 332

Pia Elda Locatelli, Amalia Sartori, Aldo Patriciello

Proposal for a directive

Article 9 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) industrial sites.

Or. it

Justification

In Europe, many obsolete industrial buildings exist. Member States should provide incentives for their abandonment and demolition in order to acquire new premises with high energy efficiency.

Amendment 333

Pia Elda Locatelli, Amalia Sartori, Aldo Patriciello

Proposal for a directive

Article 9 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

With reference to point (ca), Member States should provide incentives for the abandonment of obsolete industrial buildings by private and/or public owners who are interested in relocating their operations in new establishments with high energy efficiency, identifying districts or estates which are suitable (in the light of their infrastructure and/or the presence of services) as sites for these renewed production facilities. Member States should also indicate the tertiary, production and commercial districts and estates where it is most appropriate to concentrate the construction of buildings with low energy needs.

Or. it

Justification

In Europe, many obsolete industrial buildings exist. Member States should provide incentives for their abandonment and demolition in order to acquire new premises with high energy efficiency.

Amendment 334
Anni Podimata

Proposal for a directive
Article 9 – paragraph 1 – subparagraph 3 a (new)

Text proposed by the Commission

Amendment

Member States shall require their own buildings and the buildings of public or semi public authorities to be turned into demonstration projects for the use of energy efficiency and renewable energies and shall apply to these buildings the surplus energy standards from 2012 onwards.

Or. en

Amendment 335
Anni Podimata

Proposal for a directive
Article 9 – paragraph 1 – subparagraph 3 b (new)

Text proposed by the Commission

Amendment

Member States shall actively promote surplus energy standards for new buildings, from 2012 onwards.

From 2015 onwards, for any building which undergoes a major renovation, Member States shall lay down the percentage of energy demand to be met from renewable energy sources.

Or. en

Amendment 336
Herbert Reul

Proposal for a directive
Article 9 – paragraph 2

Text proposed by the Commission

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

(a) the Member State's definition of buildings of which ***both carbon dioxide emissions and primary*** energy consumption ***are*** low or equal to zero;

(b) intermediate targets expressed as a percentage which those buildings shall constitute of the total number of buildings and represent in relation to the total useful floor area in 2015;

(c) information on the measures undertaken for the promotion of those buildings.

Amendment

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

(a) the Member State's definition of buildings of which ***final*** energy consumption ***is*** low or equal to zero;

(c) information on the measures undertaken for the promotion of those buildings.

Or. de

Justification

What matters to consumers is final energy consumption – this is what they see when they read their meters and it is irrelevant to them whether the electricity is generated from renewable sources or nuclear energy. The same is true of natural gas, which can be generated from waste. Low-energy houses must be designed as such from the outset, since any retrofitting which becomes necessary is very expensive. For that reason, refurbished buildings should be excluded from the scope of the directive. By the same token, setting specific percentage targets would amount to a return to a planned economy.

Amendment 337

Alyn Smith

Proposal for a directive

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. **The** national plan referred to in paragraph 1 shall include inter alia the following elements:

Amendment

2. **Member States shall develop the** national plan referred to in paragraph 1 **with the relevant local and regional authorities, which** shall include inter alia the following elements:

Or. en

Justification

Local and regional authorities must be involved.

Amendment 338

Eluned Morgan

Proposal for a directive

Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

Amendment

2. The national plan referred to in paragraph 1 shall **involve consultation of public sector bodies and other relevant stakeholders and** include inter alia the following elements:

Or. en

Justification

Transparency and proper consultation are essential to ensure the successful public sector leadership which the proposed recast Directive seeks to achieve. Stakeholders have the first hand knowledge and expertise necessary to assess the technical feasibility of any planned measures and can offer valuable insight into developing more effective and long term improvements in the energy performance of buildings.

Amendment 339
Roberts Zile

Proposal for a directive
Article 9 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. The national plan referred to in paragraph 1 shall include inter alia the following elements:

2. The national plan referred to in paragraph 1 shall ***be developed in cooperation with local and regional authorities and*** include inter alia the following elements:

Or. en

Justification

Considering the specific role for local and regional public authorities in developing these buildings, the involvement of local and regional authorities in the drawing up of national plans should be set up in the directive.

Amendment 340
Paul Rübzig

Proposal for a directive
Article 9 – paragraph 2 – point a

Text proposed by the Commission

Amendment

(a) the Member State's definition of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero;

deleted

Or. en

Justification

According to the Commission's Impact Assessment, the definitions of and calculation methodologies for low or zero energy/carbon buildings differ a lot between EU Member States. Common definitions could help speed up the implementation of low energy and low carbon building standards across the EU.

Amendment 341
Anni Podimata

Proposal for a directive
Article 9 – paragraph 2 – point a

Text proposed by the Commission

(a) the Member State's definition of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero;

Amendment

(a) the Member State's definition of ***surplus energy buildings and*** buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero;

Or. en

Amendment 342
Anni Podimata

Proposal for a directive
Article 9 – paragraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) geographical information at national and regional level of existing on-site renewable energy installations on buildings or integrated into buildings;

Or. en

Amendment 343
Anni Podimata

Proposal for a directive
Article 9 – paragraph 2 – point c b (new)

Text proposed by the Commission

Amendment

(cb) information on the percentage of public and semi-public buildings achieving surplus energy standards, and of public and semi-public buildings of which both carbon dioxide emissions and primary energy consumption are low or

equal to zero;

Or. en

Amendment 344
Anni Podimata

Proposal for a directive
Article 9 – paragraph 3

Text proposed by the Commission

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

Amendment

3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC. ***Within three months of notification of a national plan by a Member State, the Commission may require the Member State to submit an amended plan, on the basis that the existing plan does not contain all necessary provisions. In that case, the Member State shall propose amendments which must be accepted by the Commission before the plan is adopted.***

Or. en

Amendment 345
Herbert Reul

Proposal for a directive
Article 9 – paragraph 3

Text proposed by the Commission

3. Member States shall communicate the national plans referred to in paragraph 1 to

Amendment

Member States shall communicate the national plans referred to in paragraph 1 to

the Commission by 30 June 2011 at the latest and report to the Commission every **three** years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

the Commission by 30 June 2011 at the latest and report to the Commission every **five** years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.

Or. de

Justification

A requirement to report every five years is sufficient.

Amendment 346

Paul Rübig

Proposal for a directive

Article 9 – paragraph 4 – subparagraph 1

Text proposed by the Commission

4. The Commission shall establish common ***principles for defining*** buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Amendment

4. The Commission shall establish common ***definitions of*** buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Or. en

Justification

According to the Commission's Impact Assessment, the definitions of and calculation methodologies for low or zero energy/carbon buildings differ a lot between EU Member States. Common definitions could help speed up the implementation of low energy and low carbon building standards across the EU.

Amendment 347
Anni Podimata

Proposal for a directive
Article 9 – paragraph 4 – subparagraph 1

Text proposed by the Commission

4. The Commission shall establish common principles for defining buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Amendment

4. The Commission shall establish common principles for defining **surplus energy buildings and** buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero.

Or. en

Amendment 348
Herbert Reul

Proposal for a directive
Article 9 – paragraph 4 – subparagraph 1

Text proposed by the Commission

4. The Commission shall establish common principles for defining buildings of which **both carbon dioxide emissions and primary** energy consumption **are** low or equal to zero.

Amendment

4. The Commission shall establish common principles for defining buildings of which **final** energy consumption **is** low or equal to zero.

Or. de

Justification

What matters to consumers is final energy consumption – this is what they see when they read their meters and it is irrelevant to them whether the electricity is generated from renewable sources or nuclear energy. The same is true of natural gas, which can be generated from waste.

Amendment 349
Dominique Vlasto

Proposal for a directive
Article 9 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The numeric indicator of carbon dioxide emissions shall be calculated in accordance with Annex I.

Or. fr

Justification

In order to be consistent and to formulate harmonised definitions of such buildings, it is important to take account of a uniform numeric indicator of carbon dioxide emissions such as that referred to in Annex I.

Amendment 350
Anni Podimata

Proposal for a directive
Article 9 – paragraph 5

Text proposed by the Commission

Amendment

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

5. The Commission shall publish a report on the progress of Member States in increasing the number of ***surplus energy buildings and*** buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

Or. en

Amendment 351
Herbert Reul

Proposal for a directive
Article 9 – paragraph 5

Text proposed by the Commission

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which ***both carbon dioxide emissions and primary*** energy consumption ***are*** low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

Amendment

5. The Commission shall publish a report on the progress of Member States in increasing the number of buildings of which ***final*** energy consumption ***is*** low or equal to zero. On the basis of this report the Commission shall develop a strategy, and, if necessary, propose measures to increase the number of those buildings.

Or. de

Justification

What matters to consumers is final energy consumption – this is what they see when they read their meters and it is irrelevant to them whether the electricity is generated from renewable sources or nuclear energy. The same is true of natural gas, which can be generated from waste.

Amendment 352
Adam Gierek

Proposal for a directive
Article 9 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5a. The Commission shall authorise Member States with unused Cohesion Fund resources which have fully utilised the funding allocated to them under the ERDF, including funds earmarked for housing, to transfer part of those unused structural funds to the regions, for building renovation investments that meet energy efficiency requirements and enable better use to be made of renewable

energy in buildings.

Or. pl

Justification

European Regional Development Fund resources have been distributed to individual regions, and utilisation of those resources is extremely advanced. This is not the case with Structural Fund resources, which are intended, among other things, for the purpose of improving cohesion in the environmental and infrastructure spheres in Europe. Renovation and thermal upgrading of buildings is fully in keeping with the environment-friendly measures being taken in all the Member States.

Amendment 353
Claude Turmes

Proposal for a directive
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Financial Support

1. By 30 June 2009 the Commission shall bring forward appropriate proposals to establish financial mechanisms to support the implementation of the requirements laid down in Articles 5 to 9. These proposals shall include:

(a) earmarking of the amount of the European Regional Development Fund allocation that can be used to support energy efficiency and renewable energy investments under Article 7 of Regulation (EC) No 1080/2006. This amount shall be equal to at least 15% of the total allocation;

(b) an extension of the eligibility of energy efficiency and renewables projects for contributions from the European Regional Development Fund - at the very least so that all Member States become eligible for funding for energy efficiency improvements and renewable energy for

housing;

(c) use of other Community funds to support research and development, information campaigns or training related to energy efficiency;

(d) part use of the financial assistance under the EU Economic Recovery Plan, in particular Regulation (EC) No xx/xxxx of the European Parliament and of the Council establishing a programme to aid economic recovery by granting Community financial assistance to projects in the field of energy, in order to set up a multi-billion low-interest rate loan guarantee scheme for energy efficiency and renewable energies, notably in the building sector;

(e) use of the Intelligent Energy - Europe programme in order to set up, notably through technical assistance, the necessary knowledge structures, focusing especially on European cities and Regions;

(f) the establishment by the European Commission, the European Investment Fund and, if appropriate, Member States of an Energy Efficiency and Renewable Energy Fund (EEREF), with the aim of mobilising, in the period preceding 2020, further public funds and private investment for medium and small-scale energy efficiency and renewable energy projects to be carried out within Member States for the purposes of implementing this Directive;

(e) reduced or zero VAT for services and products related to the improvement of the energy efficiency of buildings and for renewable energy services and products.

2. Member States shall implement one or more of the financial support mechanisms.

3. Financial or fiscal incentives shall support the execution of the recommendations included in the energy performance certificate.

Or. en

Justification

It is necessary to define where the financing for the necessary investments in buildings will come from.

Amendment 354
Silvia-Adriana Țicău

Proposal for a directive
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Financial Support

1. By 30 June 2010 the Commission shall bring forward appropriate proposals to establish financial mechanisms to support the implementation of the requirements laid down in Articles 5 to 9. These proposals shall include:

- (a) an increase to the maximum amount of the European Regional Development Fund allocation that can be used to support energy efficiency including district heating and cooling and renewable energy investments under Article 7 of Regulation (EC) No 1080/2006. This maximum shall be raised to at least 15% of the total allocation;***
- (b) an extension of the eligibility of energy efficiency including district heating and cooling and renewables projects for contributions from the European Regional Development Fund - at the very least so that all Member States become eligible for funding for energy efficiency improvements and renewable energy for housing;***
- (c) part use of other Community funds to support research and development, information campaigns or training related to energy efficiency;***
- (d) the establishment, by the European***

Commission, the European Investment Bank and Member States, of an Energy Efficiency and Renewable Energy Fund, with the aim of mobilising, until 2020, public money and private investment for energy efficiency and renewable energy projects implemented within Member States for the purposes of implementation of this Directive;

(e) reduced VAT for services and products related to the improvement of the energy efficiency of buildings.

2. Member States shall implement one or more of the financial support mechanisms listed in Annex V. The energy performance certificates referred to in Article 10 shall indicate which mechanisms are available to finance implementation of the recommendations for the cost effective improvement of the energy performance of the building concerned.

3. Financial or fiscal incentives shall support the execution of the recommendations included in the energy performance certificate.

4. In implementing the requirements under paragraphs 1 and 2, the Commission and Member States shall, in particular, implement measures aimed at supporting investments in energy efficiency improvements for those at risk of energy poverty, including Energy Performance Contracting.

Or. en

Justification

Under financial support, amendment should specifically district heating and cooling which will play a strategic role to develop buildings which are more resource efficient.

Amendment 355
Norbert Glante

Proposal for a directive
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Financial Support

1. By 30 June 2010 the Commission shall bring forward appropriate proposals to establish financial mechanisms to support the implementation of the requirements laid down in Articles 5 to 9. These proposals shall include:

- (a) an increase to the maximum amount of the European Regional Development Fund allocation that can be used to support energy efficiency including district heating and cooling and renewable energy investments under Article 7 of Regulation (EC) No 1080/2006. This maximum shall be raised to at least 15% of the total allocation;***
- (b) an extension of the eligibility of energy efficiency including district heating and cooling and renewables projects for contributions from the European Regional Development Fund - at the very least so that all Member States become eligible for funding for energy efficiency improvements and renewable energy for housing;***
- (c) use of other Community funds to support research and development, information campaigns or training related to energy efficiency;***
- (d) the establishment, by the European Commission, the European Investment Bank and Member States, of an Energy Efficiency and Renewable Energy Fund, with the aim of mobilising, until 2020, public money and private investment for energy efficiency and renewable energy projects implemented within Member States for the purposes of implementation***

of this Directive;
(e) reduced VAT for services and products related to the improvement of the energy efficiency of buildings.
2. Member States shall implement one or more of the financial support mechanisms listed in Annex V. The energy performance certificates referred to in Article 10 shall indicate which mechanisms are available to finance implementation of the recommendations for the cost effective improvement of the energy performance of the building concerned.
3. Financial or fiscal incentives shall support the execution of the recommendations included in the energy performance certificate.
4. In implementing the requirements under paragraphs 1 and 2, the Commission and Member States shall, in particular, implement measures aimed at supporting investments in energy efficiency improvements for those at risk of energy poverty, including Energy Performance Contracting.

Or. xm

Justification

The rapporteur's proposal of a new article merits support, but the text in paragraph 1(a) and (b) should be expanded to include district heating and cooling, which play an important part in the development of energy-efficient buildings.

Amendment 356
Britta Thomsen

Proposal for a directive
Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a
Financial Support

1. By 30 June 2010 the Commission shall bring forward appropriate proposals to establish financial mechanisms to support the implementation of the requirements laid down in Articles 5 to 9. These proposals shall include:

(a) an increase to the maximum amount of the European Regional Development Fund allocation that can be used to support energy efficiency and renewable energy investments under Article 7 of Regulation (EC) No 1080/2006. This maximum shall be raised to at least 15% of the total allocation;

(b) an extension of the eligibility of energy efficiency and renewables projects for contributions from the European Regional Development Fund - at the very least so that all Member States become eligible for funding for energy efficiency improvements and renewable energy for housing;

(c) use of other Community funds to support research and development, information campaigns or training related to energy efficiency;

(d) the establishment, by the European Commission, the European Investment Bank and Member States, of an Energy Efficiency and Renewable Energy Fund, with the aim of mobilising, until 2020, public money and private investment for energy efficiency and renewable energy projects implemented within Member States for the purposes of implementation of this Directive;

(e) reduced VAT for services and products related to the improvement of the energy efficiency of buildings.

2. Member States shall implement one or more of the financial support mechanisms listed in Annex V. The energy performance certificates referred to in Article 10 shall indicate which mechanisms are available to finance implementation of the recommendations for the cost effective improvement of the energy performance of the building

concerned.

3. Financial or fiscal incentives shall support the execution of the recommendations included in the energy performance certificate.

4. In implementing the requirements under paragraphs 1 and 2, the Commission and Member States shall, in particular, implement measures aimed at supporting investments in energy efficiency improvements for those at risk of residential energy poverty, including Energy Performance Contracting.

Or. en

Justification

“Residential energy poverty” is recommended instead of the rapporteur's “energy poverty” in order to avoid any confusion to lack of access to energy infrastructure – sometimes called energy poverty.

Amendment 357

Lena Ek, Fiona Hall, Anne Laperrouze

Proposal for a directive

Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Financial Support

1. By 30 June 2010 the Commission shall bring forward appropriate proposals to establish financial mechanisms to support the implementation of the requirements laid down in Articles 5 to 9. These proposals shall include:

(a) an increase to the maximum amount of the European Regional Development Fund allocation that can be used to support energy efficiency and renewable energy investments under Article 7 of Regulation (EC) No 1080/2006. This maximum shall be raised to at least 15%

of the total allocation;

(b) an extension of the eligibility of energy efficiency and renewables projects for contributions from the European Regional Development Fund - at the very least so that all Member States become eligible for funding for energy efficiency improvements and renewable energy for housing;

(c) use of other Community funds to support research and development, information campaigns or training related to energy efficiency;

(d) increase accessibility to loans from the European Investment Bank, including a lowering of the €25M minimum threshold for such loans, with the aim of mobilising public money and private investment for energy efficiency and renewable energy projects implemented within Member States for the purposes of implementation of this Directive;

(e) reduced VAT for services and products related to the improvement of the energy efficiency of buildings and for renewable energy services and products to promote the increased use of renewable energy in buildings.

2. Member States shall implement two or more financial support mechanisms according to the procedure in Annex V. The energy performance certificates referred to in Article 10 shall indicate which mechanisms are available to finance implementation of the recommendations for the cost effective improvement of the energy performance of the building concerned.

3. Financial or fiscal incentives shall support the execution of the recommendations included in the energy performance certificate.

4. In implementing the requirements under paragraphs 1 and 2, the Commission and Member States shall, in particular, implement measures aimed at supporting investments in energy efficiency improvements for those at risk

of energy poverty, including Energy Performance Contracting.

Or. en

Justification

The very ambitious aims of this Directive require financial support from both the EU and the Member States themselves. However, it must be up to the Member States to decide which financial mechanisms are possible as well as most efficient for them.

Amendment 358

Ján Hudacký, Alejo Vidal-Quadras, Dominique Vlasto, Jorgo Chatzimarkakis, Peter Liese

**Proposal for a directive
Article 9 a (new)**

Text proposed by the Commission

Amendment

Article 9a

Financial Incentives and Market Intervention

- 1. Member States shall draw up national reports on financial and fiscal incentives adopted at national and sub-national level to promote the increased energy efficiency of both new and existing buildings. These reports shall contain plans for the future development of such incentives.***
- 2. Member States shall draw up national reports on legal and market barriers to investment in the energy efficiency of new and existing buildings. These national reports shall be accompanied by details of measures put in place by Member States to reduce such barriers.***
- 3. Member States shall communicate the national reports referred to in paragraphs 1 and 2 to the Commission by including them in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC. They shall subsequently continue to report their national plans to the Commission every***

three years.

Or. en

Justification

Member States should report to the Commission on their efforts to fight market obstacles by increasing financial and fiscal incentives to homeowners and tenants to undertake renovation work on existing buildings leading to greater energy efficiency or new energy efficient buildings.

Amendment 359

Werner Langen

Proposal for a directive

Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Elimination of market barriers

1. Member States shall draw up national plans on the elimination of barriers in their national law governing the construction sector, tenancy and the protection of monuments and on the creation of financial incentives for investments to improve the energy performance of new and existing buildings.

2. Member States shall notify the Commission of the plans referred to in paragraph 1 by 30 June 2011 at the latest and shall report to the Commission every three years on the progress made in implementing their national plans. The national plans and progress reports may be annexed to the energy efficiency action plans drawn up pursuant to Article 14(2) of Directive 2006/32/EC.

Or. de

Justification

The Member States should be urged to create additional financial incentives, for example in their tax law, and to eliminate existing barriers to improving the energy performance of buildings in their national law governing the construction sector, tenancy and the protection of monuments. This is relevant, for example, to the criteria governing energy-saving modernisation measures and existing modernisation requirements for protected buildings.

Amendment 360

Herbert Reul

Proposal for a directive

Article 9 a (new)

Text proposed by the Commission

Amendment

Article 9a

Elimination of market barriers

1. Member States shall draw up national plans on the elimination of barriers in their national law governing the construction sector, tenancy and the protection of monuments and on the creation of financial incentives for investments to improve the energy performance of new and existing buildings.

2. Member States shall notify the Commission of the plans referred to in paragraph 1 by 30 June 2011 at the latest and shall report to the Commission every three years on the progress made in implementing their national plans. The national plans and progress reports may be annexed to the energy efficiency action plans drawn up pursuant to Article 14(2) of Directive 2006/32/EC.

Or. de

Justification

This amendment seeks to ensure that the Member States learn from one another and can exchange experiences concerning the successful aspects of their incentive schemes. Given the

lengthy planning and implementation lead-in times, a requirement to report every five years is sufficient. In addition, market barriers to improving the energy performance of buildings should be identified and eliminated.