

The energy performance of buildings (recast version) *II**

European Parliament legislative resolution of 18 May 2010 on the Council position at first reading with a view to the adoption of a directive of the European Parliament and of the Council on the energy performance of buildings (recast) (05386/3/2010 – C7-0095/2010 – 2008/0223(COD))

(Ordinary legislative procedure: second reading)

The European Parliament,

- having regard to the Council position at first reading (05386/3/2010 – C7-0095/2010),
 - having regard to the Commission proposal to Parliament and the Council (COM(2008)0780),
 - having regard to Article 251(2) and Article 175(1) of the EC Treaty, pursuant to which the Commission submitted the proposal to Parliament (C6-0413/2008),
 - having regard to the Commission Communication to Parliament and the Council entitled "Consequences of the entry into force of the Treaty of Lisbon for ongoing interinstitutional decision-making procedures" (COM(2009)0665),
 - having regard to Article 294(7) and Article 194(2) of the Treaty on the Functioning of the European Union,
 - having regard to its position at first reading¹,
 - having regard to the opinion of 14 May 2009 of the European Economic and Social Committee²,
 - having regard to the opinion of 21 April 2009 of the Committee of the Regions³,
 - having regard to Rule 72 of its Rules of Procedure,
 - having regard to the recommendation for second reading of the Committee on Industry, Research and Energy (A7-0124/2010),
1. Approves the Council position;
 2. Approves the joint statement by Parliament, the Council and the Commission annexed to this resolution;
 3. Takes note of the Commission statements annexed to this resolution;

¹ Texts adopted, 23.4.2009, P6_TA(2009)0278.

² OJ C 277, 17.11.2009, p. 75.

³ OJ C 200, 25.8.2009, p. 41.

4. Notes that the act is adopted in accordance with the Council position;
5. Instructs its President to sign the act with the President of the Council pursuant to Article 297(1) of the Treaty on the Functioning of the European Union;
6. Instructs its Secretary-General to sign the act, once it has been verified that all the procedures have been duly completed and, in agreement with the Secretary-General of the Council, to arrange for its publication in the Official Journal of the European Union;
7. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

Statements

concerning Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast)

Statement by the European Parliament, the Council and the Commission on Article 290 TFEU

"The European Parliament, the Council and the Commission state that the provisions of Directive 2010/31/EU are without prejudice to any future position of the institutions as regards the implementation of Article 290 TFEU or individual legislative acts containing such provisions."

Commission Statement on recess periods

"The Commission takes note that except in cases where the legislative act provides for an urgency procedure, the European Parliament and the Council consider that the notification of delegated acts shall take into account the periods of recess of the institutions (winter, summer and European elections), in order to ensure that the European Parliament and the Council are able to exercise their prerogatives within the time limits laid down in the relevant legislative acts, and will to act accordingly."

Commission Statement on Financing for Energy Efficiency in Buildings

"The Commission underlines the crucial role that financing instruments play for a successful transformation of the European building sector into an energy-efficient and low carbon one. The Commission will continue to encourage Member States to use extensively the available funds under the European Regional Development Fund (currently up to 4 % of the total national amounts of the European Regional Development Fund, representing an amount of EUR 8 billion, can be used for increasing energy efficiency and use of renewable energy in the housing sector, in addition to the un-capped financial support already available for sustainable energies in public and commercial/industrial buildings) and will also support Member States in making better use of all available funds and funding that can act as a leverage for stimulating investments in energy efficiency.

In addition, the Commission will explore the possibility of further developing all existing initiatives, such as the Smart Cities initiative (SET-Plan COM(2009)0519) or the use of the Intelligent Energy - Europe II budget, e.g. for the purpose of knowledge sharing and technical assistance on the establishment of national revolving funds.

Moreover, the Commission will prepare an overview and analysis of financing mechanisms currently in place in Member States and take account of the findings to endeavour to disseminate best practice across the EU.

Finally, the Commission, following the analysis referred to in Article 10(5) of Directive 2010/31/EU, will reflect on the possible future development of financial incentives (inter alia with regard to the Union instruments referred to for this purpose in Article 10(5)(a)) and their optimal use for investments in improved energy efficiency of buildings."

