



2021/0203(COD)

22.3.2022

AMENDMENTS

596 - 885

Draft report

Niels Fuglsang

(PE703.281v01-00)

Energy efficiency (recast)

Proposal for a directive

(COM(2021)0558 – C9-0330/2021 – 2021/0203(COD))

Amendment 596

Sara Skyttedal

Proposal for a directive

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ***ensure that*** contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase ***only*** products, services, buildings and works with high energy-efficiency performance ***in accordance with the requirements*** referred to in Annex IV to this Directive .

Amendment

1. Member States shall ***encourage*** contracting authorities and contracting entities, ***with respect to the principle of local self-government enshrined in Article 4 TEU*** when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase products, services, buildings and works with high energy-efficiency performance ***insofar as that is consistent with cost-effectiveness, economical feasibility, wider sustainability, technical suitability, as well as sufficient competition, striving for the criteria*** referred to in Annex IV to this Directive .

Or. en

Amendment 597

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, François-Xavier Bellamy, Massimiliano Salini, Angelika Niebler, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only

Amendment

1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only

products, services, buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex IV to this Directive .

products, services, buildings and works with high energy-efficiency performance, ***insofar as that is consistent with cost-effectiveness, economical feasibility, wider sustainability, technical suitability, security of supply, as well as sufficient competition***, in accordance with the requirements referred to in Annex IV to this Directive .

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 598

Nicola Danti, Mauri Pekkarinen, Morten Petersen, Andreas Glück, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services, buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex IV to this Directive .

Amendment

1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services, buildings and works with high energy-efficiency performance, ***insofar as that is consistent with the efficient management of financial resources and technically feasible***, in accordance with the requirements referred to in Annex IV to this Directive .

Or. en

Justification

Energy efficiency has to go hand in hand with an efficient management of financial resources that the public sector has at its disposal.

Amendment 599

Erik Bergkvist

Proposal for a directive

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall **ensure** that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase **only** products, services, buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex IV to this Directive .

Amendment

1. Member States shall **promote** that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase products, services, buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex IV to this Directive .

Or. en

Amendment 600

Ivan David

Proposal for a directive

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall ensure that contracting authorities **and contracting entities**, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services, buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex IV to this Directive .

Amendment

1. Member States shall ensure that contracting authorities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services, buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex IV to this Directive .

Or. en

Justification

The obligation to reflect energy efficiency in public procurement may be problematic to contracting entities operating in the relevant market (such as energy companies) and they should be exempted from this obligation.

Amendment 601

François-Xavier Bellamy

Proposal for a directive

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall also ensure that in concluding the public contracts and concessions with a value equal to or greater than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.

Amendment

Member States shall also ensure that in concluding the public contracts and concessions with a value equal to or greater than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive, ***meaning purchasing cost-effective energy-efficient solutions while achieving the intended objectives***, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.

Or. en

Justification

Clarification of the scope of the principle of primacy of energy efficiency in public procurement.

Amendment 602

Othmar Karas

Proposal for a directive

Article 7 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Member States shall also ensure that in concluding the public contracts and concessions with a value equal to or greater

Amendment

Member States shall also ensure that in concluding the public contracts and concessions with a value equal to or greater

than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.

than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive ***to determine the technically and economically most favourable offer***, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.

Or. en

Amendment 603
Francesca Donato

Proposal for a directive
Article 7 – paragraph 2

Text proposed by the Commission

2. The ***obligation*** referred to in paragraph 1 shall apply to the contracts of the armed forces only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces. The ***obligation*** shall not apply to contracts for the supply of military equipment as defined by Directive 2009/81/EC of the European Parliament and of the Council⁹³.

⁹³ Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security (OJ L 216, 20.8.2009, p. 7).

Amendment

2. The ***target*** referred to in paragraph 1 shall apply to the contracts of the armed forces only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces. The ***target*** shall not apply to contracts for the supply of military equipment as defined by Directive 2009/81/EC of the European Parliament and of the Council⁹³.

⁹³ Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security, OJ L 216, 20.8.2009, p. 76.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 604

Nicola Danti, Morten Petersen, Andreas Glück, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 7 – paragraph 3

Text proposed by the Commission

3. Notwithstanding paragraph 4 of Article 26 of this Directive, Member States shall ensure that contracting authorities and contracting entities assess the feasibility of concluding long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content .

Amendment

3. Notwithstanding paragraph 4 of Article 26 of this Directive, Member States shall ensure that contracting authorities and contracting entities assess the ***economic and technical*** feasibility of concluding long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content .

Or. en

Amendment 605

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 7 – paragraph 3

Text proposed by the Commission

3. Notwithstanding paragraph 4 of Article 26 of this Directive, Member States shall ensure that contracting authorities and contracting entities ***assess the feasibility of concluding*** long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content .

Amendment

3. Notwithstanding paragraph 4 of Article 26 of this Directive, Member States shall ensure that contracting authorities and contracting entities ***conclude*** long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content .

Or. en

Amendment 606

Nicola Danti, Mauri Pekkarinen, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Klemen Grošelj

Proposal for a directive
Article 7 – paragraph 4

Text proposed by the Commission

4. Without prejudice to paragraph 1, when purchasing a product package fully covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the Council⁹⁴, Member States may require that the aggregate energy efficiency take priority over the energy efficiency of individual products within that package, by purchasing the product package that complies with the criterion of belonging to the highest energy efficiency class.

⁹⁴ Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).

Amendment

4. Without prejudice to paragraph 1, when purchasing a product package fully covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the Council⁹⁴, Member States may require that the aggregate energy efficiency take priority over the energy efficiency of individual products within that package, by purchasing the product package that complies with the criterion of belonging to the highest **most populated** energy efficiency class.

⁹⁴ Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).

Or. en

Justification

There may not be sufficient products falling in the highest energy efficiency class.

Amendment 607
Markus Buchheit, Georg Mayer

Proposal for a directive
Article 7 – paragraph 5 – introductory part

Text proposed by the Commission

5. Member States may require that contracting authorities and contracting entities take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution

Amendment

(5) Member States may require that contracting authorities and contracting entities take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution

objectives. Where appropriate, and in accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria.

objectives. Where appropriate, and in accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria, ***regard being had to the economic viability thereof.***

Or. de

Amendment 608

Nicola Danti, Morten Petersen, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Martin Hojsik, Klemen Grošelj

Proposal for a directive

Article 7 – paragraph 5 – introductory part

Text proposed by the Commission

5. Member States may require that contracting authorities and contracting entities take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution objectives. Where appropriate, and in accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria.

Amendment

5. Member States may require that contracting authorities and contracting entities take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices, ***notably for the transport sector,*** with a view to achieving the Union's decarbonisation and zero pollution objectives. Where appropriate, and in accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria.

Or. en

Amendment 609

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 7 – paragraph 5 – introductory part

5. Member States **may** require that contracting authorities and contracting entities take into account, **where appropriate**, wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution objectives. **Where appropriate, and** in accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria.

5. Member States **shall** require that contracting authorities and contracting entities take into account wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution objectives. In accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria.

Or. en

Amendment 610

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, François-Xavier Bellamy, Massimiliano Salini, Angelika Niebler, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 7 – paragraph 5 – subparagraph 1

To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1. Contracting authorities may decide to require that tenderers disclose information on the life cycle global warming potential of a new building and may make that information publically available for the contracts, in particular for new buildings having a floor area larger than 2000 square meters.

To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1. Contracting authorities may decide to require that tenderers disclose information on the life cycle global warming potential of a new building **including the use of low carbon materials and the circularity of the materials used** and may make that information publically available for the contracts, in particular for new buildings having a floor area larger than 2000 square meters.

Or. en

Amendment 611

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 7 – paragraph 5 – subparagraph 1

Text proposed by the Commission

To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1. Contracting authorities ***may decide to*** require ***that*** tenderers disclose information on the life cycle global warming potential of a new building and ***may*** make that information publically available for the contracts, in particular for new buildings having a floor area larger than **2000** square meters.

Amendment

To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1. Contracting authorities ***shall*** require tenderers ***to*** disclose information on the life cycle global warming potential of a new building and ***a building to be renovated and shall*** make that information publically available for the contracts, in particular for new buildings having a floor area larger than **250** square meters.

Or. en

Amendment 612

Angelika Niebler, Markus Pieper

Proposal for a directive

Article 8 – paragraph 1

Text proposed by the Commission

1. Member States shall achieve cumulative end-use energy savings at least equivalent to:

(a) new savings each year from 1 January 2014 to 31 December 2020 of 1,5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2013. Sales of energy, by volume, used in transport may be excluded, in whole or in

Amendment

deleted

part, from that calculation;

(b) new savings each year from 1 January 2021 to 31 December 2023 of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Member States shall decide how to phase the calculated quantity of new savings over each period referred to in points (a), (b) and (c) of the first subparagraph, provided that the required total cumulative end-use energy savings have been achieved by the end of each obligation period.

Member States shall continue to achieve new annual savings in accordance with the savings rate provided in point (c) of the first subparagraph for ten-year periods after 2030 .

Or. en

Justification

The added value of Art. 8 should be questioned in view of the requirements set out in Art. 4. as this Article already defines relevant national savings.

Amendment 613

Nicola Danti, Klemen Grošelj

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) new savings each year from 1 January 2021 to 31 December **2023 of** 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

(b) new savings each year from 1 January 2021 to 31 December **2030 of**

(i) 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

(ii) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Or. en

Justification

The structure of article 8 needs to be clarified. Pursuant to this amendment, it will be necessary to perform some technical amendments to the rest of Article 8.

Amendment 614

Andreas Glück, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 8 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) new savings each year from 1

(b) new savings each year from 1

January 2021 to 31 December **2023** of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

January 2021 to 31 December **2030** of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

Or. en

Justification

Setting too strict, binding energy saving obligations for Member States can be counterproductive as the foreseen electrification in various sectors will lead to an increase in energy demand (e.g. through the production of renewable hydrogen). Thus, it could hamper economic development and sector coupling. The reduction of greenhouse gas emissions should be the primary target, not the reduction of energy consumption.

Amendment 615 **Josianne Cutajar**

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

Text proposed by the Commission

(b) new savings each year from 1 January 2021 to 31 December 2023 of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December **2023** equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

Amendment

(b) new savings each year from 1 January 2021 to 31 December 2023 of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December **2030** equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

Or. en

Justification

The energy markets of Island Member States own specific conditions that limit the range of

options to achieve the obligations linked to energy savings.

Amendment 616
Francesca Donato

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

Text proposed by the Commission

(b) new savings each year from 1 January 2021 to 31 December **2023 of 0,8 %** of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December **2023** equivalent to **0,24 %** of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;

Amendment

(b) new savings each year from 1 January 2021 to 31 December **2023 of 0,6 %** of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December **2023** equivalent to **0,4 %** of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019.

Or. it

Justification

Amended in line with suggestions made in related recitals.

Amendment 617
Jerzy Buzek, Janusz Lewandowski, Adam Jarubas

Proposal for a directive
Article 8 – paragraph 1 – point b – point i (new)

Text proposed by the Commission

Amendment

i) 1,2 % of annual final energy consumption from 1 January 2024 to 31 December 2030, averaged over the three-year period prior to 1 January 2019.

Or. en

Justification

Significant increase in the obligation rate to achieve new annual final energy savings may hinder economic growth in the long run. It will become increasingly difficult and expensive to achieve new annual savings over time because the efficiency of equipment, industrial processes and services will in any case continue to improve due to other EU provisions such as ecolabelling or ecodesign requirements.

Amendment 618

Andreas Glück, Nicola Beer

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020. **deleted**

Or. en

Justification

Setting too strict, binding energy saving obligations for Member States can be counterproductive as the foreseen electrification in various sectors will lead to an increase in energy demand (e.g. through the production of renewable hydrogen). Thus, it could hamper economic development and sector coupling. The reduction of greenhouse gas emissions should be the primary target, not the reduction of energy consumption.

Amendment 619

Nicola Danti, Klemen Grošelj

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020. **deleted**

Or. en

Amendment 620

Jerzy Buzek, Janusz Lewandowski, Adam Jarubas

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ***new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.*** ***deleted***

Or. en

Justification

Significant increase in the obligation rate to achieve new annual final energy savings may hinder economic growth in the long run. It will become increasingly difficult and expensive to achieve new annual savings rate over time because the efficiency of equipment, industrial processes and services will in any case continue to improve due to other EU provisions such as ecolabelling or ecodesign requirements.

Amendment 621

Sara Skyttedal

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) ***new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.***

(c) ***new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020 or other relevant rate to reach EU and national climate targets, considering Member States conditions for the need and profitability of energy efficiency, available resources for energy efficiency, population growth, urbanisation and other relevant factors.***

Or. en

Amendment 622

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Henna Virkkunen, Marian-Jean Marinescu

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020. ***By derogation Member States may double count savings, up to a maximum of a third of the total savings commitment for any given period, where the results of such savings take place in housing and are based on digital energy efficiency metering technologies that have been certified at the EU or national level.***

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 623

Erik Bergkvist

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020, ***or other relevant rate to reach EU and national climate targets, considering Member States conditions for the need and profitability of energy efficiency, available resources for energy efficiency, population growth,***

urbanisation and other relevant factors.

Or. en

Amendment 624

Josianne Cutajar

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020 ***in line with the requirements set out in point (b).***

Or. en

Justification

Additional wording to ensure consistency with change proposed in Article 8, paragraph 1, point b.

Amendment 625

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of ***1,5*** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of ***2,2*** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Or. en

Amendment 626

Margarita de la Pisa Carrión

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January **2020**.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January **2023**.

Or. es

Amendment 627

Pilar del Castillo Vera

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January **2020**.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January **2023**.

Or. en

Amendment 628

Mauri Pekkarinen, Nils Torvalds

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January **2024** to 31 December 2030 of **1,5** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Amendment

(c) new savings each year from 1 January **2026** to 31 December 2030 of **1,0** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Or. en

Justification

The level of the energy saving obligation was increased in 2018 in a situation where, based on Annex J of the Impact Assessment Report, half of the Member States were “unlikely” or “very unlikely” to meet their 2014-2020 cumulative energy savings target. Doubling the existing 0,8 % annual level of new savings is in this light totally unrealistic.

Amendment 629

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of **1,5** % of annual final energy consumption, averaged over the three-year period prior to 1 January **2020**.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of **1,2** % of annual final energy consumption, averaged over the three-year period prior to 1 January **2019**.

Or. en

Justification

Significant increase in the obligation rate to achieve new annual final energy savings may hinder economic growth in the long run. It would result in the fact that the cheapest sources of energy savings will be rapidly exploited, as it will become increasingly difficult and expensive to achieve new annual savings over time because the efficiency of equipment, industrial processes and services will in any case continue to improve due to other EU provisions such as ecolabelling and ecodesign requirements.

Amendment 630

Nicolás González Casares, Lina Gálvez Muñoz, Adriana Maldonado López, Marcos Ros Sempere, Alicia Homs Ginell

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption,

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption,

averaged over the three-year period prior to
1 January **2020**.

averaged over the three-year period prior to
1 January **2022**.

Or. en

Justification

It should be noted that for the calculation of the baseline for the period 2021-2023, the calculation is made with the average of the three years prior to 2019. However, the text proposal states that for the calculation of the savings target for the period 2024-2030, the final energy consumption should be calculated as the average of the three years prior to 2019.

Amendment 631

Ivan David

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

(c) new savings each year from 1 January 2024 to 31 December 2030 of **1,5** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Amendment

(c) new savings each year from 1 January 2024 to 31 December 2030 of **1** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Or. en

Justification

Cost efficiency of decarbonisation efforts should be a priority. Increased target will result in increasingly expensive and less efficient energy saving measures to be implemented. Rather than to save energy at any cost, it would be more prudent to produce the energy needed through emission-free renewable sources, especially given the costs of RES are still falling. Exaggerated energy savings targets can lead to lower real savings in greenhouse gas emissions than if the funds were invested into cheaper measures. It is therefore necessary to take into account the basic goal of European climate policy, which is climate neutrality, and to implement individual measures with regard to their effectiveness.

Amendment 632

Angelika Winzig

Proposal for a directive

Article 8 – paragraph 1 – point c

Text proposed by the Commission

Amendment

(c) new savings each year from 1 January **2024** to 31 December 2030 of **1,5** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

(c) new savings each year from 1 January **2026** to 31 December 2030 of **1** % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.

Or. en

Justification

Technical progress and ever stricter legislative EU requirements are leading to ever smaller potentials for savings measures. At the same time, Annex V almost completely excludes the measures that can be counted towards this savings obligation. Therefore, increasing the target from 0.8% to 1% from 2026 appears to be the absolute maximum that is feasible.

Amendment 633

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

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

Text proposed by the Commission

Amendment

i) 30% of the new savings set out in point c of this paragraph shall be achieved in the transport sector.

Or. en

Amendment 634

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 1 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall decide how to phase the calculated quantity of new savings over each period referred to in points (a), (b) and (c) of the first subparagraph, provided that the required total cumulative end-use energy savings have been achieved by the

Member States shall decide how to phase the calculated quantity of new savings over each period referred to in points (a), (b) and (c) of the first subparagraph, ***including by frontloading energy savings at the beginning of each period,*** provided that

end of each obligation period.

the required total cumulative end-use energy savings have been achieved by the end of each obligation period.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 635

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodebski, Jacek Saryusz-Wolski, Evžen Tošenovský, Robert Roos, Ladislav Ilčić

Proposal for a directive

Article 8 – paragraph 1 – subparagraph 2

Text proposed by the Commission

Amendment

Member States shall continue to achieve new annual savings in accordance with the savings rate provided in point (c) of the first subparagraph for ten-year periods after 2030 .

deleted

Or. en

Justification

Significant increase in the obligation rate to achieve new annual final energy savings may hinder economic growth in the long run. It would result in the fact that the cheapest sources of energy savings will be rapidly exploited, as it will become increasingly difficult and expensive to achieve new annual savings over time because the efficiency of equipment, industrial processes and services will in any case continue to improve due to other EU provisions such as ecolabelling and ecodesign requirements. For that reason it seems justified to set a boundary of application of the higher energy saving obligation until the end of 2030. It is also a horizontal date of programming the “Fit for 55” package. New policy should not extend 2030 and post-2030 energy efficiency framework should be considered at the later stage in order to take into account overall effectiveness and achievability of new targets.

Amendment 636

Francesca Donato

Proposal for a directive
Article 8 – paragraph 2

Text proposed by the Commission

2. Member States shall achieve the amount of energy savings ***required*** under paragraph 1 of this Article either by establishing an energy efficiency ***obligation*** scheme referred to in Article 9 or by adopting alternative policy measures referred to in Article 10. Member States may combine an energy efficiency ***obligation*** scheme with alternative policy measures. Member States shall ensure that energy savings resulting from policy measures referred to in Articles 9 and 10 and Article 28(11) are calculated in accordance with Annex V.

Amendment

2. Member States shall achieve the amount of energy savings ***indicated*** under paragraph 1 of this Article either by establishing an energy efficiency scheme referred to in Article 9 or by adopting alternative policy measures referred to in Article 10. Member States may combine an energy efficiency scheme with alternative policy measures. Member States shall ensure that energy savings resulting from policy measures referred to in Articles 9 and 10 and Article 28(11) are calculated in accordance with Annex V.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 637
Margarita de la Pisa Carrión

Proposal for a directive
Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those

Amendment

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those

persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

persons, ***while guaranteeing energy security and access to energy supplies.*** Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition ***based on all renewable technology solutions with the capacity to contribute effectively to the decarbonisation process.***

Or. es

Amendment 638
Angelika Winzig

Proposal for a directive
Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. Member States shall implement ***energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes*** or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Amendment

3. Member States shall implement alternative policy measures, or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Or. en

Amendment 639

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Massimiliano Salini, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Amendment

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers, **transport users, SMEs, micro-enterprises** and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Or. en

Amendment 640

Mauri Pekkarinen, Nils Torvalds

Proposal for a directive

Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority

Amendment

3. Member States shall, **where applicable**, implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a

among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that **there are no** policy measures implemented pursuant to this Article **that** have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Or. en

Justification

Energy poverty, as a phenomena, is not existing in all Member States. Therefore, there will be no energy efficiency gains in all Member States through this measure. Only where energy poverty is a challenge, these measures should be taken into account. The situation today is very difficult and challenging, and require a multiple measures by the Governments.

Amendment 641

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues

Amendment

3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing **and in the outermost regions**. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities

from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Or. en

Amendment 642
Othmar Karas

Proposal for a directive
Article 8 – paragraph 3 – introductory part

Text proposed by the Commission

3. Member States shall implement energy efficiency **obligation** schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Amendment

3. Member States shall implement energy efficiency schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Or. en

Amendment 643
Francesca Donato

Proposal for a directive
Article 8 – paragraph 3 – introductory part

3. Member States shall implement energy efficiency ***obligation*** schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

3. Member States shall implement energy efficiency schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 644

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

In designing ***such*** policy measures, Member States shall ***consider and*** promote the role of renewable energy communities and citizen energy communities in the contribution to the implementation towards these policy measures.

Amendment

In designing ***energy efficiency obligation schemes and alternative*** policy measures, Member States shall promote ***and facilitate*** the role of renewable energy communities and citizen energy communities in the contribution to the implementation towards these policy measures. ***The main elements of such support and their implementation, shall be part of the updates of the Member***

Or. en

Amendment 645

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 1

Text proposed by the Commission

In designing such policy measures, Member States shall consider and promote the role of renewable energy communities and citizen energy communities in the contribution to the implementation towards these policy measures.

Amendment

In designing such policy measures, Member States shall consider and promote the role of renewable energy communities and citizen energy communities in the contribution to the implementation towards these policy measures. ***Member States shall remove unnecessary hurdles to ensure it is attractive to build energy communities and public administrations at all levels shall be duly trained on this subject.***

Or. en

Amendment 646

Mauri Pekkarinen

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Member States ***shall*** achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and

Amendment

Where applicable, Member States ***may aim to*** achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty

Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. ***If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:***

as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999.

Or. en

Justification

Energy poverty is not existing in all Member States. There will not be energy efficiency gains through this measure. Only in countries where energy poverty is a challenge, these measures should take into account. Reacting to the existing situation via the EED recast is not feasible.

Amendment 647

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Member States shall achieve a share of the required amount of cumulative end-use energy savings among ***people affected by energy poverty*** vulnerable ***customers*** and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their

Amendment

Member States shall achieve a ***minimum*** share of the required amount of cumulative end-use energy savings among energy ***poor***, vulnerable ***and low-income households*** and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. ***Member States shall in their assessment of the share of energy poverty***

National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:

in their National Energy and Climate Plan consider the indicators in points (a), (b), (c) and (ca) of this subparagraph. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty, vulnerable customers, **low-income households** and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:

Or. en

Amendment 648

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Massimiliano Salini, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Member States shall achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people

Amendment

Member States shall achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers, **transport users, SMEs, micro-enterprises** and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by

living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:

energy poverty vulnerable customers, **transport users, SMEs, micro-enterprises** and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:

Or. en

Amendment 649

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – introductory part

Text proposed by the Commission

Member States shall achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:

Amendment

Member States shall achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing **and in the outermost regions**. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:

Or. en

Amendment 650

Markus Buchheit, Georg Mayer

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – point a a (new)

Text proposed by the Commission

Amendment

(aa) Inability to fuel a motor vehicle sufficiently to guarantee its readiness for service;

Or. de

Amendment 651

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

c) Structure of consumption expenditure by income quintile and COICOP consumption purpose (Eurostat, HBS, [hbs_str_t223], data for [CP045] Electricity, gas and other fuels).

c) Total population living in a dwelling with a leaking roof, damp walls, floors or foundation, or rot in window frames or floor (Eurostat, SILC [ilc_mdho01]);

Or. en

Amendment 652

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

c a) At-risk-of-poverty rate (Eurostat, SILC and ECHP surveys [ilc_li02]) (cut-off point: 60% of median equalized income after social transfers).

Amendment 653

Nicolás González Casares, Lina Gálvez Muñoz, Adriana Maldonado López, Marcos Ros Sempere, Alicia Homs Ginel

Proposal for a directive

Article 8 – paragraph 3 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

When accounting for the savings needed to achieve the above-mentioned share, Member States may take into account their climatic conditions and estimate the savings.

In order to calculate the accumulated energy savings for final use of the actions to improve energy efficiency carried out in homes affected by energy poverty, the energy efficiency certificate regulated in Directive 2010/31:

i. shall be obtained before carrying out the actions, estimating the necessary consumption to reach thermal comfort inside the house,

ii. shall be obtained once the measures have been implemented, calculating the necessary consumption to reach thermal comfort inside the house.

The reduction in energy demand or energy savings per dwelling will be obtained by comparing the energy consumption necessary to achieve comfort conditions before and after of having implementing the efficiency measures.

Thermal comfort conditions will be obtained reaching a temperature inside the dwelling of approx. 20°C in winter and of approx. 25°C in summer.

Or. en

Justification

See comments on article 8, paragraph 3, subparagraphs 1 and 3.

Amendment 654

Mauri Pekkarinen, Nils Torvalds

Proposal for a directive

Article 8 – paragraph 4

Text proposed by the Commission

4. Member States shall include information about ***the indicators applied, the arithmetic average share and*** the outcome of policy measures established in accordance with paragraph 3 of this Article in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999, and respective progress reports in accordance with Article 17 of that Regulation.

Amendment

4. Member States shall include information about the outcome of policy measures established in accordance with paragraph 3 of this Article in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999, and respective progress reports in accordance with Article 17 of that Regulation.

Or. en

Amendment 655

Francesca Donato

Proposal for a directive

Article 8 – paragraph 6 – introductory part

Text proposed by the Commission

6. Provided that Member States ***achieve at least*** their cumulative end-use energy savings ***obligation*** referred to in point (b) of the first subparagraph of paragraph 1, they may calculate the ***required*** amount of energy savings referred to in point (b) of the first subparagraph of paragraph 1 by one or more of the following means:

Amendment

6. Provided that Member States ***strive to meet*** their cumulative end-use energy savings ***target*** referred to in point (b) of the first subparagraph of paragraph 1, they may calculate the ***indicated*** amount of energy savings referred to in point (b) of the first subparagraph of paragraph 1 by one or more of the following means:

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 656 **Francesca Donato**

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

Text proposed by the Commission

(b) exclude from the calculation all or part of the sales of energy used, by volume, with respect to the ***obligation*** period referred to in point (a) of the first subparagraph of paragraph 1, or final energy consumed, with respect to the obligation period referred to in point (b) of that subparagraph, by industrial activities listed in Annex I to Directive 2003/87/EC;

Amendment

(b) exclude from the calculation all or part of the sales of energy used, by volume, with respect to the period referred to in point (a) of the first subparagraph of paragraph 1, or final energy consumed, with respect to the obligation period referred to in point (b) of that subparagraph, by industrial activities listed in Annex I to Directive 2003/87/EC;

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 657 **András Gyürk, Ernő Schaller-Baross**

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

Text proposed by the Commission

(c) count towards the amount of required energy savings in point (a) and (b) of the first subparagraph of paragraph 1 , energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in in Article 23(4),

Amendment

(c) count towards the amount of required energy savings in point (a) and (b) ***and (c)*** of the first subparagraph of paragraph 1 , energy savings ***and avoided network losses*** achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the

point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;

requirements set out in in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans. ***By 2024, the Commission shall adopt an implementing act laying down the methodology for the calculation and verification of avoided network losses***

Or. en

Justification

Installing decentralized renewable energy plants at the end consumer can significantly reduce network losses, which would occur during transmission in case of acquiring the same amount of electricity from the grid. Therefore, local production of renewable energy leading to avoided network losses should be eligible to contribute to energy savings. This would create incentives for production of renewable energy locally, while it would address energy losses during transmission. Network losses represent a significant amount of wasted energy, minimalization of such waste is key.

Amendment 658 Ivan David

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

Text proposed by the Commission

(c) count towards the amount of required energy savings ***in point (a) and (b) of the first subparagraph of paragraph 1***, energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their

Amendment

(c) count towards the amount of required energy savings, energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their intended policy measures under this point for the period

intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;

from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;

Or. en

Justification

The energy savings achieved in energy distribution, including district heating, should be included in the mandatory savings target also after 2024 as it was in the previous years.

Amendment 659 **Francesca Donato**

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

Text proposed by the Commission

(c) count towards the amount of **required** energy savings in point (a) and (b) of the first subparagraph of paragraph 1, energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in **in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11)**. Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;

Amendment

(c) count towards the amount of **indicated** energy savings in point (a) and (b) of the first subparagraph of paragraph 1, energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in **Articles 23(4), point (b) of Article 24(4), and Article 25(1) to (10)**. Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets

and outline good practices.

Amendment 660
Francesca Donato

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

Text proposed by the Commission

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

Amendment

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

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 661
Francesca Donato

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

Text proposed by the Commission

(e) count towards the amount of ***required*** energy savings, energy savings that stem from policy measures, provided that it can be demonstrated that those measures result in individual actions carried out from 1 January 2018 to 31 December 2020 which deliver savings after 31 December 2020;

Amendment

(e) count towards the amount of ***indicated*** energy savings, energy savings that stem from policy measures, provided that it can be demonstrated that those measures result in individual actions carried out from 1 January 2018 to 31 December 2020 which deliver savings after 31 December 2020;

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 662
Francesca Donato

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

Text proposed by the Commission

(f) exclude from the calculation of the amount of **required** energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1, 30 % of the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies;

Amendment

(f) exclude from the calculation of the amount of **indicated** energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1, 30 % of the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies;

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 663
Francesca Donato

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

Text proposed by the Commission

(g) count towards the amount of **required** energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1, energy savings that exceed the energy savings required for the obligation period from 1 January 2014 to 31 December 2020, provided that those

Amendment

(g) count towards the amount of **indicated** energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1, energy savings that exceed the energy savings required for the obligation period from 1 January 2014 to 31 December 2020, provided that those

savings result from individual actions carried out under policy measures referred to in Articles 9 and 10, notified by Member States in their National Energy Efficiency Action Plans and reported in their progress reports in accordance with Article 24.

savings result from individual actions carried out under policy measures referred to in Articles 9 and 10, notified by Member States in their National Energy Efficiency Action Plans and reported in their progress reports in accordance with Article 24.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 664

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler

Proposal for a directive

Article 8 – paragraph 8 – point g a (new)

Text proposed by the Commission

Amendment

(g a) exclude from the calculation of the amount of required energy savings all waste heat recovered and self-consumed in buildings and industry, either directly as heat or transformed into electricity, resulting from policy measures promoting new installation of waste heat recovery technologies.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 665

Francesca Donato

Proposal for a directive

Article 8 – paragraph 9 – point a

Text proposed by the Commission

Amendment

(a) for the calculation of the amount of energy savings **required** for the obligation period referred to in point (a) of the first subparagraph of paragraph 1, Member States may make use of points (a) to (d) of paragraph 8. All the options chosen under paragraph 8 taken together shall amount to no more than 25 % of the amount of energy savings referred to in point (a) of the first subparagraph of paragraph 1;

(a) for the calculation of the amount of energy savings **indicated** for the obligation period referred to in point (a) of the first subparagraph of paragraph 1, Member States may make use of points (a) to (d) of paragraph 8. All the options chosen under paragraph 4 taken together shall amount to no more than 25 % of the amount of energy savings referred to in point (a) of the first subparagraph of paragraph 1;

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 666 **Francesca Donato**

Proposal for a directive **Article 8 – paragraph 9 – point b**

Text proposed by the Commission

(b) for the calculation of the amount of energy savings **required** for the obligation period referred to in point (b) the first subparagraph of paragraph 1, Member States may make use of points (b) to (g) of paragraph 8, provided individual actions referred to in point (d) of paragraph 8 continue to have a verifiable and measurable impact after 31 December 2020. All the options chosen under paragraph 8 taken together shall not lead to a reduction of more than 35 % of the amount of energy savings calculated in accordance with paragraphs 6 and 7.

Amendment

(b) for the calculation of the amount of energy savings **indicated** for the obligation period referred to in point (b) the first subparagraph of paragraph 1, Member States may make use of points (b) to (g) of paragraph 8, provided individual actions referred to in point (d) of paragraph 4 continue to have a verifiable and measurable impact after 31 December 2020. All the options chosen under paragraph 8 taken together shall not lead to a reduction of more than 35 % of the amount of energy savings calculated in accordance with paragraphs 6 and 7.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 667

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 11

Text proposed by the Commission

11. Member States shall notify the Commission with the amount of the required energy savings referred to in point (c) of the first subparagraph of paragraph 1 and paragraph 3 of this Article, a description of the policy measures to be implemented to achieve the required total amount of the cumulative end-use energy savings and their calculation methodologies pursuant to Annex V of this Directive, as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999. Member States shall use the reporting template provided to the Member States by the Commission.

Amendment

11. Member States shall notify the Commission with the amount of the required energy savings referred to in point (c) of the first subparagraph of paragraph 1 and paragraph 3 of this Article, a description of the policy measures to be implemented to achieve the required total amount of the cumulative end-use energy savings and their calculation methodologies pursuant to Annex V of this Directive, as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999. ***Calculations of the required amount of cumulative end-use energy savings from policy measures shall be transparent and supported by results from ex post evaluations pursuant to Annex V paragraph 6 of this Directive.*** Member States shall use the reporting template provided to the Member States by the Commission.

Or. en

Amendment 668

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 11 a (new)

11 a. Member States shall ensure the best use of innovative digital technologies to measure real energy savings in terms of primary and final energy consumption, and to measure reduction of greenhouse gas emissions, as well as energy performance contracting and active energy efficiency measures.

Or. en

Amendment 669
Francesca Donato

Proposal for a directive
Article 8 – paragraph 12

Text proposed by the Commission

12. Where on the basis of the assessment of the integrated national energy and climate progress reports pursuant to Article 29 of Regulation (EU) 2018/1999, or of the draft or final update of the latest notified integrated national energy and climate plan pursuant to Article 14 of Regulation (EU) 2018/1999, or the assessment of the subsequent draft and final integrated national energy and climate plans pursuant to Article 3 **and 7 to 12** of Regulation (EU) 2018/1999, the Commission concludes that policy measures do not ensure the achievement of the required amount of cumulative end-use energy savings by the end of the **obligation** period, the Commission may issue recommendations in accordance with Article 34 of Regulation (EU) 2018/1999 to the Member States whose policy measures it deems insufficient to ensure the **fulfilment** of their energy savings **obligations**.

Amendment

12. Where on the basis of the assessment of the integrated national energy and climate progress reports pursuant to Article 29 of Regulation (EU) 2018/1999, or of the draft or final update of the latest notified integrated national energy and climate plan pursuant to Article 14 of Regulation (EU) 2018/1999, or the assessment of the subsequent draft and final integrated national energy and climate plans pursuant to Article 3 of Regulation (EU) 2018/1999, the Commission concludes that policy measures do not ensure the achievement of the required amount of cumulative end-use energy savings by the end of the period, the Commission may issue recommendations in accordance with Article 34 of Regulation (EU) 2018/1999 to the Member States whose policy measures it deems insufficient to ensure the **meeting** of their energy savings **targets**.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 670 **Francesca Donato**

Proposal for a directive **Article 8 – paragraph 13**

Text proposed by the Commission

13. Where a Member State has not achieved the **required** cumulative end-use energy savings by the end of each **obligation** period set out in paragraph 1 of this Article, it shall achieve the outstanding energy savings in addition to the cumulative end-use energy savings required by the end of the following **obligation** period.

Amendment

13. Where a Member State has not achieved the **indicated** cumulative end-use energy savings by the end of each period set out in paragraph 1 of this Article, it shall achieve the outstanding energy savings in addition to the cumulative end-use energy savings required by the end of the following period.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 671 **András Gyürk, Ernő Schaller-Baross**

Proposal for a directive **Article 8 – paragraph 13 a (new)**

Text proposed by the Commission

Amendment

13 a. Re-introduce the deleted paragraphs 8, 9, 10 and 11.

Or. en

Justification

Energy efficiency policies are not an efficient tool to regulate the transport sector. A wide set of regulations, including vehicle efficiency standards, labelling, taxation of road fuels, and

measures to improve infrastructure are already in place to target the transport sector. Exemptions under Art. 8 of the proposed directive (industry, transport) should remain after 2024 so as to avoid regulatory overlap, ease implementation, and provide regulatory certainty.

Amendment 672
Francesca Donato

Proposal for a directive
Article 8 – paragraph 14 – point c

Text proposed by the Commission

(c) that policy measures are established for ***fulfilling their*** energy savings ***obligation***, designed in compliance with the requirements of this Article and that those policy measures are eligible and appropriate to ensure the achievement of the ***required*** amount of cumulative end-use energy savings by the end of each ***obligation*** period.

Amendment

(c) that policy measures are established for ***achieving real*** energy savings, designed in compliance with the requirements of this Article and that those policy measures are eligible and appropriate to ensure the achievement of the ***indicated*** amount of cumulative end-use energy savings by the end of each period.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 673
Jutta Paulus
on behalf of the Verts/ALE Group

Proposal for a directive
Article 8 – paragraph 14 a (new)

Text proposed by the Commission

Amendment

14 a. Member States shall not count energy savings that result from the direct use of fossil fuels.

Or. en

Amendment 674

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 8 – paragraph 14 b (new)

Text proposed by the Commission

Amendment

14 b. Member States shall carry out transparent ex-post evaluations of the energy savings from all policy measures under Article 8 at least once every five years. A representative and statistically significant sample of energy efficiency actions from each policy measure shall be evaluated using ex-post energy consumption data in accordance with Annex V paragraph 6 of this Directive.

Or. en

Amendment 675

Francesca Donato

Proposal for a directive

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Where Member States decide to **fulfil their obligations to achieve the amount of savings required** under Article 8(1) by way of an energy efficiency **obligation** scheme, they shall ensure that **obligated** parties as referred to in paragraph 2 of this Article operating in each Member State's territory achieve, without prejudice to Article **8(8) and (9)**, their cumulative end-use energy savings requirement as set out in Article 8(1).

1. Where Member States decide to **converge towards the energy savings targets** under Article 8(1) by way of an energy efficiency scheme, they shall ensure that parties as referred to in paragraph 2 of this Article operating in each Member State's territory achieve, without prejudice to Article **8(9) and (10)**, their cumulative end-use energy savings requirement as set out in Article 8(1).

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 676
Francesca Donato

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

Text proposed by the Commission

Where applicable, Member States may decide that ***obligated*** parties fulfil those savings, in whole or in part, as a contribution to the Energy Efficiency National Fund in accordance with Article 28(11).

Amendment

Where applicable, Member States may decide that parties fulfil those savings ***recommendations***, in whole or in part, as a contribution to the Energy Efficiency National Fund in accordance with Article 28(11).

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 677
Margarita de la Pisa Carrión

Proposal for a directive
Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission system operators, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of

Amendment

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission system operators, energy distributors, ***energy communities, consumers who participate directly in the market***, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described

this Article.

in point (a) of paragraph 10 of this Article.

Or. es

Amendment 678

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Massimiliano Salini, Christian Ehler

Proposal for a directive

Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission system operators, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Amendment

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission **system operators, distribution** system operators, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 679

Othmar Karas

Proposal for a directive

Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among **transmission system operators**, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Amendment

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Or. en

Justification

End-users are often not directly connected to the high-voltage transmission grid, but more likely to be directly connected to the distribution system or directly supplied with energy by their energy supplier.

Amendment 680

Paolo Borchia, Isabella Tovaglieri, Matteo Adinolfi

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

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among **transmission system operators**, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation

Amendment

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made

made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Or. en

Amendment 681
Hildegard Bentele

Proposal for a directive
Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among **transmission system operators**, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Amendment

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Or. en

Amendment 682
Angelika Winzig

Proposal for a directive
Article 9 – paragraph 2

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-

Amendment

2. Member States shall designate, on the basis of objective and non-

discriminatory criteria, obligated parties among **transmission system operators**, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

discriminatory criteria, obligated parties among energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Or. en

Justification

Compliance with such an obligation is difficult and not cost-effectively to implement, as the energy efficiency measures are intended to apply primarily to end-users who are not directly connected to the high-voltage transmission grid. The proposal additionally states that "Member States may require obligated parties to fulfil part of their energy savings obligations among people experiencing energy poverty, vulnerable customers and, where applicable, people living in social housing" (Art. 9.4). These customers, as noted above, are more likely to be directly connected to the distribution system or directly supplied with energy through their energy supplier. TSOs therefore do not seem to be the right addressees for such an obligation.

Amendment 683 **Francesca Donato**

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

Text proposed by the Commission

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, **obligated** parties among transmission system operators, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the **obligation** shall be achieved by the obligated parties among

Amendment

2. Member States shall designate, on the basis of objective and non-discriminatory criteria, parties among transmission system operators, energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the **target** shall be achieved by the obligated parties among final

final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 684

Margarita de la Pisa Carrión

Proposal for a directive

Article 9 – paragraph 3

Text proposed by the Commission

3. Where retail energy sales companies are designated as obligated parties under paragraph 2, Member States shall ensure that, in fulfilling their obligation, retail energy sales companies do not create any barriers that impede consumers from switching from one supplier to another.

Amendment

3. Where retail energy sales companies ***and energy communities*** are designated as obligated parties under paragraph 2, Member States shall ensure that, in fulfilling their obligation, retail energy sales companies do not create any barriers that impede consumers from switching from one supplier to another.

Or. es

Amendment 685

Francesca Donato

Proposal for a directive

Article 9 – paragraph 3

Text proposed by the Commission

3. Where retail energy sales companies are designated as ***obligated*** parties under paragraph 2, Member States shall ensure that, ***in fulfilling their***

Amendment

3. Where retail energy sales companies are designated as parties under paragraph 2, Member States shall ensure that retail energy sales companies do not

obligation, retail energy sales companies do not create any barriers that impede consumers from switching from one supplier to another.

create any barriers that impede consumers from switching from one supplier to another.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 686
Angelika Winzig

Proposal for a directive
Article 9 – paragraph 4

Text proposed by the Commission

Amendment

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

deleted

Or. en

Justification

The introduction of provisions on combating energy poverty in the Energy Efficiency Directive is not appropriate for energy efficiency obligation schemes, since on the one hand corresponding requirements for the Member States have already been made in the EU Governance Regulation and, on the other hand, measures to protect and support socially disadvantaged groups are not a task of energy efficiency obligation schemes, but must be part of European and national social policy. The proposed provisions would allow Member States to shed their own obligation and social responsibility by delegating these tasks to obligated parties who, however, have no ability to enforce measures with end users. Obligated parties need full flexibility in fulfilling their obligation, regardless of whether they supply energy to

residential customers or not at all. It is also completely disproportionate to require, for example, obligated parties to achieve energy cost reduction targets or mitigate the impact of carbon pricing through efficiency measures such as financial support. The special requirements for measures under paragraph 4 for people suffering from energy poverty are also to be deleted, as all requirements in this regard are already regulated in Regulation (EU) 2018/1999. Member States must then take measures as required.

Amendment 687

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive

Article 9 – paragraph 4

Text proposed by the Commission

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Amendment

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs. ***If doing so, for the purposes of calculating the amount of energy savings required of each obligated party set in Article 9(7), energy savings obtained among these consumers shall be considered twice.***

Or. en

Justification

Obligated parties focus their energy efficiency activities where they the most cost-efficient. Addressing many consumers with smaller energy consumption, such as SMEs and vulnerable consumers, increases the complexity and might also impact the cost of energy efficiency obligation schemes. Thus, incentivizing market actors to orient their actions to include other energy users should be introduced.

Amendment 688

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 9 – paragraph 4

Text proposed by the Commission

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Amendment

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing **and in the outermost regions**. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Or. en

Amendment 689

Margarita de la Pisa Carrión

Proposal for a directive

Article 9 – paragraph 4

Text proposed by the Commission

4. Member States may **require** obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Amendment

4. Member States may **provide incentives for** obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Or. es

Amendment 690

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive

Article 9 – paragraph 4

Text proposed by the Commission

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and **micro-SMEs**.

Amendment

4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and **micro-enterprises**.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 691

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 9 – paragraph 4

Text proposed by the Commission

4. Member States **may** require obligated parties to achieve a share of their energy savings obligation among **people affected by energy poverty**, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and

Amendment

4. Member States **shall** require obligated parties to achieve a share of their energy savings obligation among energy **poor**, vulnerable **and low-income households** and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and

to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Or. en

Amendment 692
Francesca Donato

Proposal for a directive
Article 9 – paragraph 4

Text proposed by the Commission

4. Member States may require **obligated** parties to achieve a share of their energy savings **obligation** among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also **require** obligated parties **to** achieve energy cost reduction targets and **to** achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Amendment

4. Member States may require parties to achieve a share of their energy savings among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also **recommend that** obligated parties achieve energy cost reduction targets and achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 693
Angelika Winzig

Proposal for a directive
Article 9 – paragraph 5

Text proposed by the Commission

5. **Member States may require**

Amendment

deleted

obligated parties to work with local authorities or municipalities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

Or. en

Justification

The introduction of provisions on combating energy poverty in the Energy Efficiency Directive is not appropriate for energy efficiency obligation schemes, since on the one hand corresponding requirements for the Member States have already been made in the EU Governance Regulation (EU) 2018/1999 and, on the other hand, measures to protect and support socially disadvantaged groups are not a task of energy efficiency obligation schemes, but must be part of European and national social policy. The proposed provisions would allow Member States to shed their own obligation and social responsibility by delegating these tasks to obligated parties who, however, have no ability to enforce measures with end users. It is also completely disproportionate to require obligated parties to identify and address the specific needs of particular groups at risk of energy poverty or to carry out cost-intensive measures such as renovation of buildings.

Amendment 694

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive Article 9 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States may require

5. Member States may require

obligated parties to work with local authorities **or municipalities** to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

obligated parties to work with **regional and** local authorities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers, **transport users, SMEs, micro-enterprise** and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers, **transport users, SMEs, micro-enterprises** and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 695

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 9 – paragraph 5

Text proposed by the Commission

5. Member States **may** require obligated parties to work with local authorities or municipalities to promote energy efficiency improvement measures among **people affected by energy poverty**, vulnerable **customers** and, where applicable, people living in social housing. This includes identifying and addressing

Amendment

5. Member States **shall** require obligated parties to work with local authorities or municipalities to promote energy efficiency improvement measures among energy **poor**, vulnerable **and low-income households** and, where applicable, people living in social housing. This includes identifying and addressing the

the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall **encourage** obligated parties **to** carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall **take all necessary measures to ensure that** obligated parties carry out actions such as renovation of buildings, including social housing, **or** replacement of appliances, **including, but not limited to**, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

Or. en

Amendment 696

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive Article 9 – paragraph 5

Text proposed by the Commission

5. Member States may require obligated parties to work with local authorities or municipalities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

Amendment

5. Member States may require obligated parties to work with local authorities or municipalities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing **and in the outermost regions**. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing **and in the outermost regions**, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and

support schemes, or energy audits.

Or. en

Amendment 697
Francesca Donato

Proposal for a directive
Article 9 – paragraph 5

Text proposed by the Commission

5. Member States may require **obligated** parties to work with local authorities or municipalities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

Amendment

5. Member States may require parties to work with local authorities or municipalities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 698
Angelika Winzig

Proposal for a directive
Article 9 – paragraph 6

6. Member States shall require obligated parties to report on an annual basis on the energy savings achieved by the obligated parties from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided. **deleted**

Or. en

Justification

The introduction of provisions on combating energy poverty in the Energy Efficiency Directive is not appropriate for energy efficiency obligation schemes, since on the one hand corresponding requirements for the Member States have already been made in the EU Governance Regulation (EU) 2018/1999 and, on the other hand, measures to protect and support socially disadvantaged groups are not a task of energy efficiency obligation schemes, but must be part of European and national social policy. The proposed provisions would allow Member States to shed their own obligation and social responsibility by delegating these tasks to obligated parties. It is completely disproportionate to require obligated parties to report on the energy savings achieved and provide statistical information on its final customers. The Governance Regulation (EU) 2018/1999 already states reports on this. Therefore, Article 9 (6) should be deleted.

Amendment 699

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 9 – paragraph 6

6. Member States shall require obligated parties to report on an annual basis on the energy savings achieved by the obligated parties from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing,

6. Member States shall require obligated parties to report on an annual basis on the energy savings achieved by the obligated parties from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing

and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.

and in the outermost regions, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.

Or. en

Amendment 700
Francesca Donato

Proposal for a directive
Article 9 – paragraph 6

Text proposed by the Commission

6. Member States shall require **obligated** parties to report on an annual basis on the energy savings achieved by the **obligated** parties from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.

Amendment

6. Member States shall require parties to report on an annual basis on the energy savings achieved by the parties from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 701
Francesca Donato

Proposal for a directive
Article 9 – paragraph 7

Text proposed by the Commission

Amendment

7. Member States shall express the amount of energy savings ***required of each obligated*** party in terms of either final or primary energy consumption. The method chosen to express the amount of energy savings ***required*** shall also be used to calculate the savings claimed by ***obligated*** parties. When converting the amount of energy savings, ***the*** net calorific values set out in Annex VI of Commission Implementing Regulation (EU) 2018/2066⁹⁵ and the primary energy factor pursuant to Article 29 shall apply unless the use of other conversion factors can be justified.

⁹⁵ Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.

7. Member States shall express the amount of energy savings ***recommended for each*** party in terms of either final or primary energy consumption. The method chosen to express the amount of energy savings ***indicated*** shall also be used to calculate the savings claimed by parties. When converting the amount of energy savings, ***the*** net calorific values set out in Annex VI of Commission Implementing Regulation (EU) 2018/2066⁹⁵ and the primary energy factor pursuant to Article 29 shall apply unless the use of other conversion factors can be justified.

⁹⁵ Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 702

Dan Nica, Carlos Zorrinho, Eva Kaili, Romana Jerković, Nicolás González Casares, Adriana Maldonado López

Proposal for a directive Article 9 – paragraph 8

Text proposed by the Commission

8. Member States shall establish measurement, control and verification systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency

Amendment

8. Member States shall establish measurement, control and verification systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency

improvement measures put in place by the obligated parties. The measurement, control and verification shall be carried out independently of the obligated parties.

Where an entity is an obligated party under a national energy efficiency obligation scheme under Article 9 and under the EU Emissions Trading System to buildings and road transport [COM(2021) 551 final, 2021/0211 (COD)]⁹⁶, the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according to Article 1(21) of COM(2021) 551 final, 2021/0211 (COD)] shall be taken into account in the calculation and reporting of energy savings of the entity's energy saving measures.

improvement measures put in place by the obligated parties. The measurement, control and verification shall be carried out independently of the obligated parties.

⁹⁶ Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757, (Text with EEA relevance){SEC(2021) 551 final} - {SWD(2021) 557 final} - {SWD(2021) 601 final} - {SWD(2021) 602 final}.

Or. en

Amendment 703
Francesca Donato

Proposal for a directive
Article 9 – paragraph 8

Text proposed by the Commission

8. Member States shall establish measurement, control and verification

Amendment

8. Member States shall establish measurement, control and verification

systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the **obligated** parties. The measurement, control and verification shall be carried out independently of the **obligated** parties. Where an entity is **an obligated** party under a national energy efficiency obligation scheme under Article 9 and under the EU Emissions Trading System to buildings and road transport [**COM(2021) 551 final, 2021/0211 (COD)**]⁹⁶

systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the parties. The measurement, control and verification shall be carried out independently of the parties. Where an entity is **a** party under a national energy efficiency obligation scheme under Article 9 and under the EU Emissions Trading System to buildings and road transport [**Reference to proposal**], **the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according to Article XX of Directive XX] shall be taken into account in the calculation and reporting of energy savings of the entity's energy saving measures.**⁹⁶

⁹⁶ **Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757, (Text with EEA relevance){SEC(2021) 551 final} - {SWD(2021) 557 final} - {SWD(2021) 601 final} -{SWD(2021) 602 final.**

⁹⁶ **THIS FOOTNOTE IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.**

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 704
Francesca Donato

Proposal for a directive

Article 9 – paragraph 10 – introductory part

Text proposed by the Commission

10. Within the energy efficiency ***obligation*** scheme, Member States may ***authorise obligated*** parties to carry out the following:

Amendment

10. Within the energy efficiency scheme, Member States may ***authorise*** parties to carry out the following:

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 705 **Francesca Donato**

Proposal for a directive **Article 9 – paragraph 10 – point a**

Text proposed by the Commission

(a) to count towards their obligation certified energy savings achieved by energy service providers or other third parties, including when obligated parties promote measures through other State-approved bodies or through public authorities that may involve formal partnerships and may be in combination with other sources of finance. Where Member States so permit, they shall ensure that the certification of energy savings follows an approval process that is put in place in the Member States, that is clear, transparent, and open to all market participants, and that aims to minimise the costs of certification;

Amendment

(Does not affect the English version.)

Or. it

Justification

(Does not affect the English version.)

Amendment 706
Francesca Donato

Proposal for a directive
Article 9 – paragraph 10 – point b

Text proposed by the Commission

(b) to count savings obtained in a given year as if they had instead been obtained in any of the four previous or three following years as long as this is not beyond the end of the **obligation** periods set out in Article 8(1).

Amendment

(b) to count savings obtained in a given year as if they had instead been obtained in any of the four previous or three following years as long as this is not beyond the end of the periods set out in Article 8(1).

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 707
Francesca Donato

Proposal for a directive
Article 9 – paragraph 10 – subparagraph 1

Text proposed by the Commission

Member States shall assess and, if appropriate, take measures to minimise the impact of the direct and indirect costs of energy efficiency **obligation** schemes on the competitiveness of energy-intensive industries exposed to international competition.

Amendment

Member States shall assess and, if appropriate, take measures to minimise the impact of the direct and indirect costs of energy efficiency schemes on the competitiveness of energy-intensive industries exposed to international competition.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 708
Francesca Donato

Proposal for a directive
Article 9 – paragraph 11

Text proposed by the Commission

11. Member States shall, on an annual basis, publish the energy savings achieved by each ***obligated*** party, or each sub-category of ***obligated*** party, and in total under the scheme.

Amendment

11. Member States shall, on an annual basis, publish the energy savings achieved by each party, or each sub-category of party, and in total under the scheme.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 709
Francesca Donato

Proposal for a directive
Article 10 – paragraph 1

Text proposed by the Commission

1. Where Member States decide to ***fulfil their obligations to achieve the*** savings ***required*** under Article 8(1) by way of alternative policy measures, they shall ensure, without prejudice to Article ***8(8) and (9)***, that the energy savings required under Article 8(1) are achieved among final customers.

Amendment

1. Where Member States decide to ***work towards meeting the energy*** savings ***targets*** under Article 8(1) by way of alternative policy measures, they shall ensure, without prejudice to Article ***8(9) and (10)***, that the energy savings required under Article 8(1) are achieved among final customers.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 710
Angelika Winzig

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards. **deleted**

Or. en

Justification

Energy management systems and energy audits can point out very valuable saving potentials for businesses. However, the energy consumption limits must be selected carefully, and detailed analysis must be undertaken beforehand. It is crucial that the bureaucratic and financial burden, especially for SMEs, does not increase excessively. The implementation of an energy management system or energy audit shall be proportionate to potential energy savings. This is why, companies must continue to have the choice of implementing an energy management system or carrying out an external audit (as stated in Art 11 paragraph 2).

Amendment 711

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Pietro Fiocchi, Evžen Tošenovský, Robert Roos, Ladislav Ilčíč

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International **deleted**

Standards.

Or. en

Justification

In principle, the new approach regarding mandatory energy audits, i.e., moving away from qualifying eligible entities based on solely the number of employees to a criterion related to energy consumption is a step in a right direction. However, it is worth consideration to delete the obligation to implement an energy management system in the case of enterprises with an average annual energy consumption exceeding 100 TJ. The obligation to conduct an energy audit in such a case is sufficient to fully achieve the objectives of the directive. Moreover, the period of 4 years concerning the cyclicity of energy audits is too short for the next audit to acknowledge significant changes in the company and the development of technology.

Amendment 712

Ivan David

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards. **deleted**

Or. en

Justification

As both the energy audit and the energy management system contain very clear, effective and similar conditions, it should be up to the enterprises which of those instruments they will use, provided they are applied properly and effectively. There is no reason to change the current rules in this context.

Amendment 713

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Marian-Jean Marinescu, Tom Berendsen

Proposal for a directive
Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system ***at the latest by 31.12.2024. The threshold shall not apply to a company group but each single legal entity within the group.*** The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Amendment 714
Paolo Borchia, Isabella Tovaglieri, Matteo Adinolfi

Proposal for a directive
Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. ***When this obligation is applied to a company group, the measure shall not be extended to those enterprises that are part of a group not 100% controlled.*** The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Amendment 715

Angelika Niebler, Hildegard Bentele, Markus Pieper

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. ***For this purpose, Member States may rely on already existing systems.*** The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Justification

Avoid unnecessary costs and bureaucracy

Amendment 716

François-Xavier Bellamy

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ensure that enterprises with an average annual ***final*** consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Justification

Some network losses, due to transmission and distribution, are covered by specific provisions, and excluded from the definition of "final energy".

Amendment 717

Andreas Glück, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ***ensure that*** enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ***encourage*** enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together ***to*** implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Justification

The obligation to conduct an energy audit is sufficient to realise the objectives of this Directive. Additionally, larger enterprises are covered by the EU Emission Trading System, encouraging them to reduce energy consumption and greenhouse gas emissions. Thus, the implementation of an energy management system for enterprises with an average annual consumption higher than 100TJ should remain voluntary.

Amendment 718

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than ***100TJ*** of energy over the previous three years and taking all

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than ***18 TJ*** of energy over the previous three years and taking all

energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Amendment 719
Mauri Pekkarinen

Proposal for a directive
Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Justification

A clear and feasible illustration on what is enterprise in this context is needed. Definition “all energy carriers together”: The scope of definition is unclear and unfeasible in this context. It is very important, that the national legislation can be made clear and the national authorities can identify the enterprises under the obligation. The time of building in the EMS: The obligation looks easy in writing, but it takes time before the EMS is ready to be certified depending on the size on the enterprise.

Amendment 720
Ivan David

Proposal for a directive
Article 11 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that enterprises with an average annual consumption higher than **100TJ** of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Amendment

1. Member States shall ensure that enterprises with an average annual consumption higher than **500TJ** of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.

Or. en

Justification

Given that energy consumption is often spread over several establishments, and with regard to certification costs, there should be an increase of the threshold value of energy consumption from 100 to 500 TJ.

Amendment 721

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Christian Ehler

Proposal for a directive

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified **or** accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Amendment

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. ***The threshold shall not apply to a company group but each single legal entity within the group.*** Energy audits shall be carried out ***according to the relevant European or International Standards*** in an independent and cost-effective manner by qualified, accredited experts ***or accredited independent bodies to ensure audits will be conducted by professionals such as energy managers, engineers and craftsmen*** in accordance with requirements

provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Or. en

Amendment 722

Othmar Karas

Proposal for a directive

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Amendment

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Entities providing mainly rail (freight) and public passenger transport services may deduct the energy consumption for the provision of these services from the total energy consumption.

Or. en

Amendment 723

Paolo Borchia, Isabella Tovaglieri, Matteo Adinolfi

Proposal for a directive

Article 11 – paragraph 2 – introductory part

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. ***When this obligation is applied to a company group, the measure shall not be extended to those enterprises that are part of a group not 100% controlled.*** Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Or. en

Amendment 724
Angelika Winzig

Proposal for a directive
Article 11 – paragraph 2 – introductory part

2. Member States shall ensure that enterprises with an average annual consumption higher than **10TJ** of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

2. Member States shall ensure that enterprises, ***with the exception of SMEs,*** with an average annual consumption higher than **50TJ** of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date

of the previous energy audit.

Or. en

Justification

SMEs should be excluded from the energy audit obligation, as it is in the current Energy Efficiency Directive, due to the fact that the energy audits for SMEs are burdensome and costly without having the expected environmental benefits.

Amendment 725

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together ***that do not implement an energy management system*** are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Amendment

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Or. en

Justification

In principle, the new approach regarding mandatory energy audits, i.e., moving away from qualifying eligible entities based on solely the number of employees to a criterion related to energy consumption is a step in a right direction. However, it is worth consideration to delete the obligation to implement an energy management system in the case of enterprises with an average annual energy consumption exceeding 100 TJ. The obligation to conduct an energy audit in such a case is sufficient to fully achieve the objectives of the directive. Moreover, the

period of 4 years concerning the cyclicality of energy audits is too short for the next audit to acknowledge significant changes in the company and the development of technology.

Amendment 726

François-Xavier Bellamy

Proposal for a directive

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Amendment

2. Member States shall ensure that enterprises with an average annual **final** consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Or. en

Justification

Some network losses, due to transmission and distribution, are covered by specific provisions, and excluded from the definition of "final energy".

Amendment 727

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 2 – introductory part

Text proposed by the Commission

2. Member States shall ensure that enterprises with an average annual consumption higher than **10TJ** of energy

Amendment

2. Member States shall ensure that enterprises with an average annual consumption higher than **3.6 TJ** of energy

over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.

Or. en

Amendment 728
Ivan David

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

Text proposed by the Commission

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise’s annual report, where applicable.

deleted

Or. en

Justification

Prioritising Energy Management Systems in energy end-use sectors -pursuant to art. 11(1) – is a welcome proposal. However, it must be guaranteed that audits, permitting requirements and tariff setting will not pose additional regulatory burdens on steelmakers. Henceforth, the minimum criteria for energy audits should remain as “guidelines” (Annex VI) and as regards to the scope of energy audits (point c), these should investigate cost-potential solutions for “efficient” energy consumption rather than solutions to “decrease energy consumption”. Furthermore, the obligation for companies to publish results from energy efficiency audits and information on implemented measures in annual activity reports should be removed, as this would entail exposing confidential information (art. 11(2) and 11(3)).

Amendment 729

Nicolás González Casares, Lina Gálvez Muñoz, Adriana Maldonado López, Marcos Ros Sempere, Alicia Homs Ginel

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, *where applicable*.

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, *except information subject to national laws protecting trade and business secrets and confidentiality*.

For the purposes of paragraphs 1 and 2, Member States shall require that if an enterprise has an annual consumption of more than 100TJ and 10 TJ respectively any given year, this information be made available to the national authorities in charge of the implementation of this Article.

Or. en

Justification

It is advisable that Member States are able to obtain energy consumption data from enterprises whose annual consumption falls within the thresholds for the application of Article 11

Amendment 730

Nicola Danti, Mauri Pekkarinen, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of

the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where applicable.

the enterprise. Member States shall ***incentivise the implementation of the recommendations by means of fiscal measures, which shall not be accounted under the maximum amount of de minimis aid^{1b} to enterprises, technical support, easier access to finance, with a special attention to SMEs.*** Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where applicable.

^{1b} Regulation (EU) No 1407/2013 on de minimis aid

Or. en

Amendment 731

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where ***applicable***.

Amendment

The results of the energy audits including the recommendations from these audits ***must result in concrete and feasible implementation plans including prices and payback time of each recommended energy efficiency action*** and shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where ***such information is not considered confidential by the enterprise in question***.

Or. en

Amendment 732

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results *and* the implemented recommendations are published in the enterprise's annual report, where applicable.

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that ***implementation of the recommendations is mandatory, in line with the minimum criteria set out in Annex VI. Member States shall ensure that recommendations and*** the results ***of*** the implemented recommendations are published in the enterprise's annual report, where applicable ***and easily accessible on the enterprise's website.***

Or. en

Amendment 733

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. ***Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where applicable.***

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise.

Or. en

Justification

The publication of recommendations of energy audits raises concerns when it comes to the confidentiality of the data published. In this regard, the audit report and the recommendations contain operational information that must remain secret. Therefore, there is no apparent benefit to the publication of the recommendations of the energy audit.

Amendment 734

Angelika Winzig

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. ***Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where applicable.***

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise.

Or. en

Justification

Energy management systems and energy audits can point out very valuable saving potentials for businesses. In principle, we welcome the fact that a certain energy consumption limit is now used as a criterion and that the company size (non-SME definition) is no longer the sole limit. However, the energy consumption limits must be selected carefully, and detailed analysis must be undertaken beforehand. The threshold of 10TJ annual energy consumption is too low and might include very small enterprises. An energy audit would be too burdensome and costly without having the expected benefits.

Amendment 735

Andreas Glück, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of

Amendment

The results of the energy audits including the recommendations from these audits shall be transmitted to the management of

the enterprise. Member States shall ***ensure that*** the results and the implemented recommendations ***are published*** in the enterprise's annual report, where applicable.

the enterprise. Member States shall ***encourage the publication of*** the results and the implemented recommendations in the enterprise's annual report, where applicable.

Or. en

Justification

For reasons of business confidentiality, the publication of the results and the implemented recommendations of the energy audits should remain voluntary.

Amendment 736

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Relevant national regulatory authorities shall monitor the implementation of audit recommendations by enterprises. Enterprises choosing not to implement energy audit recommendations within 36 months after the completion of the energy audit shall pay the financial equivalent of the respective energy savings to the national efficiency fund.

Or. en

Amendment 737

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 2 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

For the purposes of paragraphs 1 and 2, Member States shall require that if an enterprise has an annual consumption of

more than 3.6 TJ and 18 TJ respectively any given year, this information be made available to the national authorities in charge of the implementation of this article. For this purpose, Member States may promote the use of a new or existing platform to facilitate the collection of the required data at national level.

Or. en

Amendment 738

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. Member States shall ensure that all eligible public and private companies provide the following information in its annual report and by digital means such as through its website:

a. information on the yearly energy consumption in kWh;

b. information on the yearly volume of water consumed in cubic metres;

c. comparisons of the yearly energy and water consumption with previous years of the same facility;

d. (if relevant) information on the outcome of the energy audit and the implementation of measures.

Or. en

Amendment 739

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The energy audits referred to in the first subparagraph may be carried out by in-house experts or energy auditors provided that the Member State concerned has put in place a scheme to assure and check their quality, including, if appropriate, an annual random selection of at least a statistically significant percentage of all the energy audits they carry out.

Amendment

The energy audits referred to in the first subparagraph may be carried out by in-house experts or energy auditors provided that the Member State concerned has put in place ***safeguards to ensure their ability to carry out audits in an independent manner as well as*** a scheme to assure and check their quality, including, if appropriate, an annual random selection of at least a statistically significant percentage of all the energy audits they carry out.

Or. en

Amendment 740

Pernille Weiss

Proposal for a directive

Article 11 – paragraph 3 – subparagraph 2

Text proposed by the Commission

For the purpose of guaranteeing the high quality of the energy audits and energy management systems, Member States shall establish transparent and non-discriminatory minimum criteria for energy audits based on Annex VI. Member States shall ensure that quality checks are carried out to ensure the validity and accuracy of energy audits.

Amendment

For the purpose of guaranteeing the high quality of the energy audits and energy management systems, Member States shall establish transparent and non-discriminatory minimum criteria for energy audits based on Annex VI ***and specified in European and international standards***. Member States shall ensure that quality checks are carried out to ensure the validity and accuracy of energy audits.

Or. en

Amendment 741

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Christian Ehler

Proposal for a directive

Article 11 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Member States shall develop programmes to encourage **SMEs** that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.

4. Member States shall develop programmes to encourage **enterprises** that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits, **respecting the minimum criteria set out in Annex VI**.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 742

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Member States shall develop programmes to encourage SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.

4. Member States shall develop programmes to encourage SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits **respecting the minimum criteria set out in Annex VI**.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 743

Nicola Danti, Mauri Pekkarinen, Morten Petersen, Andreas Glück, Nicola Beer, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 11 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States shall develop programmes to encourage SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.

Amendment

4. Member States shall develop programmes ***with the aim*** to encourage ***and provide technical support to*** SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 744

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 4 – subparagraph 1

Text proposed by the Commission

On the basis of transparent and non-discriminatory criteria and without prejudice to Union State aid law, Member States ***may*** set up support schemes for SMEs, including if they have concluded voluntary agreements, to cover costs of an energy audit and of the implementation of highly cost-effective recommendations from the energy audits, if the proposed measures are implemented.

Amendment

On the basis of transparent and non-discriminatory criteria and without prejudice to Union State aid law, Member States ***shall*** set up ***energy audit centres for SMEs and micro companies to provide free or highly subsidised energy audits to SMEs, as well as other*** support schemes for SMEs, including if they have concluded voluntary agreements, to cover costs of an energy audit and of the implementation of highly cost-effective recommendations from the energy audits, if the proposed measures are implemented.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 745
Josianne Cutajar

Proposal for a directive
Article 11 – paragraph 4 – subparagraph 2 a (new)

Text proposed by the Commission

Amendment

Programmes for SMEs may include targeted financing instruments to support the recommendations identified in the energy audits.

Or. en

Justification

Member States should be allowed to financially support SMEs in the process of implementing the recommendations arising from the energy audits.

Amendment 746
Jutta Paulus
on behalf of the Verts/ALE Group

Proposal for a directive
Article 11 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4 a. Member States shall support training programmes for the qualification of energy auditors in order to facilitate sufficient availability of experts. In view of promoting a higher degree of women participating in the energy sector, Member States shall promote gender balance among accredited experts.

Or. en

Amendment 747
Grzegorz Tobiszowski
on behalf of the ECR Group
Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Robert Roos, Ladislav Ilčíč

Proposal for a directive
Article 11 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall develop programmes to encourage non-SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.

deleted

Or. en

Justification

The amendment is crucial in order to maintain the non-mandatory character of audit recommendations, as depending on individual conditions, they could involve disproportionately higher costs in relation to the energy savings achieved.

Amendment 748

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive
Article 11 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall develop programmes to encourage non-SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.

5. Member States shall develop programmes to encourage non-SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits ***respecting the minimum criteria set out in Annex VI.***

Or. en

Amendment 749

Mauri Pekkarinen, Nils Torvalds

Proposal for a directive
Article 11 – paragraph 7

Text proposed by the Commission

Amendment

7. Enterprises that implement an energy performance contract shall be exempted from the requirements of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.

7. Enterprises that implement an energy performance contract shall be exempted from the requirements of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV, ***and that the coverage of the contract is equal to the coverage of the energy management system referred to in paragraphs 1 and 2.***

Or. en

Justification

Without setting requirement for an equal coverage point 7 is a loophole.

Amendment 750

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 – paragraph 7

Text proposed by the Commission

Amendment

7. Enterprises that implement an energy performance contract shall be exempted from the requirements of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.

7. Enterprises that implement an energy performance contract shall be exempted from the requirements of paragraphs 1 and 2 provided that the energy performance contract ***covers the necessary elements of the energy management system*** and complies with the requirements set out in Annex XIV.

Or. en

Amendment 751

Nicola Danti, Andreas Glück, Nicola Beer, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 11 – paragraph 7

Text proposed by the Commission

Amendment

7. Enterprises that implement an energy performance contract shall be ***exempted from*** the requirements of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.

7. Enterprises that implement an energy performance contract shall be ***considered as fulfilling the requirements of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.***

Or. en

Amendment 752
Francesca Donato

Proposal for a directive
Article 11 – paragraph 7

Text proposed by the Commission

Amendment

7. Enterprises that implement an energy performance contract shall be exempted from the ***requirements*** of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.

7. Enterprises that implement an energy performance contract shall be exempted from the ***recommendations*** of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.

Or. it

Justification

The situation varies greatly across Member States. A better approach would be to set targets and outline good practices.

Amendment 753

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Pietro Fiocchi, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive
Article 11 – paragraph 8

Text proposed by the Commission

Amendment

8. Enterprises that implement an

8. Enterprises that implement an

environmental management system - certified by an independent body according to the relevant European or international standards - shall be exempted from the requirements of paragraphs 1 and 2 , provided that the environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.

energy or environmental management system - certified by an independent body according to the relevant European or international standards - shall be exempted from the requirements of paragraphs 1 and 2 , provided that the **energy or** environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.

Or. en

Justification

Enterprises should have preserve the freedom to choose between energy or environmental management system. The obligation to conduct an energy audit in such is sufficient to fully achieve the objectives of the directive. The reinstatement of an alternative way of fulfilling the obligation by implementing an energy management system or an environmental management system, which includes carrying out energy audits seems to be the best way forward.

Amendment 754

Nicola Danti, Andreas Glück, Nicola Beer, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 11 – paragraph 8

Text proposed by the Commission

8. Enterprises that implement an environmental management system - certified by an independent body according to the relevant European or international standards - shall be **exempted from** the requirements of paragraphs 1 and 2 , provided that the environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.

Amendment

8. Enterprises that implement an environmental management system - certified by an independent body according to the relevant European or international standards - shall be **considered as fulfilling** the requirements of paragraphs 1 and 2 , provided that the environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 755

Paolo Borchia, Isabella Tovaglieri, Matteo Adinolfi

Proposal for a directive

Article 11 – paragraph 10

Text proposed by the Commission

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with a significant energy consumption to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

Amendment

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with a significant energy consumption to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.
Threshold values for the classification of data centres with significant energy consumption shall be defined to target primarily the ICT sector.

Or. en

Amendment 756

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Massimiliano Salini, Christian Ehler, Hildegard Bentele

Proposal for a directive

Article 11 – paragraph 10

Text proposed by the Commission

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with ***a significant energy consumption*** to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall

Amendment

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with ***an installed IT power demand of at least 100 kW*** to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres') ***in a***

subsequently report to the Commission.

harmonised pre-defined format, which Member States shall subsequently report to the Commission *for publication*.

Or. en

Amendment 757

Nicola Danti, Morten Petersen, Christophe Grudler, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 11 – paragraph 10

Text proposed by the Commission

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with a significant energy consumption to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

Amendment

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory, ***notably in the ICT sector***, with a significant energy consumption to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

Or. en

Justification

In line with recitals 9, 66 and 67 that put an emphasis on the ICT sector.

Amendment 758

Angelika Niebler, Markus Pieper

Proposal for a directive

Article 11 – paragraph 10

Text proposed by the Commission

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre

Amendment

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre

in their territory with a **significant** energy consumption to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

in their territory with a **final** energy consumption **of more than 1 GWh per year** to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

Or. en

Justification

It is not clear what "significant energy consumption" would mean in practice. In contrast, the final energy consumption reflects the actual energy consumption and is therefore more precise. Furthermore, the final energy consumption is easy to proof, avoiding additional bureaucratic burden.

Amendment 759

Andreas Glück, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 11 – paragraph 10

Text proposed by the Commission

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with **a significant energy consumption** to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

Amendment

10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with **an installed IT power of at least 1MW** to make publicly available the information set out in Annex VI ('Minimum requirements for monitoring and publishing the energy performance of data centres'), which Member States shall subsequently report to the Commission.

Or. en

Justification

Already defining a threshold in this Directive, rather than in a delegated act, creates legal certainty for operators of data centres. A threshold of 1MW is consistent with Art. 24(4d) of this Directive and avoids disproportionate burdens on smaller providers and operators of technical installations.

Amendment 760

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive

Article 11 – paragraph 10 a (new)

Text proposed by the Commission

Amendment

10 a. The Commission shall adopt guidelines on monitoring and publishing the energy performance of data centres in accordance with point 2 of Annex VI by no later than [15 March 2024]. These guidelines shall contain harmonised definitions for each item of information as well as a uniform measurement methodology, reporting guidelines and a harmonised template for the transfer of the information to allow for consistent reporting across all Member States. For these purposes, the Commission shall consider existing standardised metrics and carry out appropriate consultations with relevant industry stakeholders.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 761

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Christian Ehler

Proposal for a directive

Article 11 – paragraph 10 b (new)

Text proposed by the Commission

Amendment

10 b. Member States shall promote the implementation of the energy management system and energy audits within the public administration at national, regional and local level.

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 762

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Christian Ehler

Proposal for a directive

Article 11 – paragraph 10 c (new)

Text proposed by the Commission

Amendment

10 c. Member States shall support companies implementing recommendations from the audits with the highest decarbonisation impact with the highest level of financial incentives.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 763

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Data centres

1. Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre in their territory with more than 100 kW of installed IT power demand to make publicly available the information set out

in point 2 of Annex VI. The information provided by operators shall be transmitted, without delay, to the Commission by Member States and shall be made public through a database established and maintained by the Commission. The Commission shall provide guidance on uniform reporting as well as a common template for the transfer of the information to allow for consistent reporting across all Member States.

2. Member States shall require, by 15 March 2024, owners and operators of every data centre in their territory with an installed IT power demand equal to or greater than 1 MW, to implement good practices stipulated in the most recent version of the European Code of Conduct on Data Centre Energy Efficiency, or in CEN-CENELEC document CLC TR50600-99-1 "Data centre facilities and infrastructures - Part 99-1: Recommended practices for energy management", until this is superseded by the EU legislative acts referred to in paragraphs 4 and 5 of this Article.

3. By 31 December 2024, the Commission shall assess the available data on the energy efficiency of data centres as communicated by Member States in accordance with paragraph 1 and report to Council and Parliament. The report shall be accompanied, if appropriate, by a proposal for additional measures.

4. By no later than 31 December 2024, the Commission shall adopt delegated acts by establishing minimum performance standards of data centres located in Member States territory and defining a uniform measurement methodology. Minimum performance standards shall include, but may not be limited to, indicators referred to in Annex VIa.

5. By no later than 31 December 2025, the Commission shall adopt a delegated act in accordance with Article 31 concerning the establishment of a requirement for

new data centres with more than 100 kW of installed IT power demand to meet minimum performance standards by the time they start operation. The delegated act shall also establish a timeframe within which the existing data centres shall be required meet these minimum performance standards.

6. As of 2030, only net zero-emission data centres shall be able to operate in Member States territory.

Or. en

Amendment 764

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 12 – title

Text proposed by the Commission

Amendment

12 Metering for natural gas

12 Metering for natural gas, *heating, cooling, domestic hot water and electricity*

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 765

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 12 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. Member States shall ensure that, in so far as it is technically possible, financially reasonable, and proportionate to the potential energy savings, for natural gas

1. Member States shall ensure that, in so far as it is technically possible, financially reasonable, and proportionate to the potential energy savings, for natural

final customers are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.

gas, **heating, cooling, domestic hot water and electricity** final customers are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 766

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 12 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. Where heating, cooling or domestic hot water is supplied to a building from a central source that services multiple buildings or from a district heating or district cooling system, a meter shall be installed at the heat exchanger or point of delivery.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 767

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 12 – paragraph 2 – introductory part

Text proposed by the Commission

Amendment

2. Where, and to the extent that, Member States implement intelligent metering systems and roll out smart meters for natural gas in accordance with Directive 2009/73/EC:

2. Where, and to the extent that, Member States implement intelligent metering systems and roll out smart meters for natural gas ***and/or electricity*** in accordance with Directive 2009/73/EC:

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 768

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 13 – paragraph 1

Text proposed by the Commission

Amendment

1. Member States shall ensure that, for district heating, district cooling and domestic hot water, final customers are provided with competitively priced meters that accurately reflect their actual energy consumption.

1. Member States shall ensure that, for ***individual heating***, district heating, district cooling and domestic hot water, final customers are provided with competitively priced meters that accurately reflect their actual energy consumption. ***Meters and sub-meters shall display energy consumption in logical and human readable form.***

Or. en

Amendment 769

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Angelika Niebler

Proposal for a directive

Article 15 – paragraph 1

Text proposed by the Commission

Amendment

1. For the purposes of Articles 13 and 14, newly installed meters and heat cost

1. ***All data regarding the final customer's energy consumption belongs***

allocators shall be remotely readable devices. The conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.

to the final energy customer. For the purposes of Articles 13 and 14, newly installed meters and heat cost allocators shall be remotely readable devices ***and be able to deliver information such as detailed power consumption, temperatures (regarding Article 13), and phase load (regarding Article 14). All data shall be made easily available in real time and shareable for the final energy customer.*** The conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 770 Pilar del Castillo Vera

Proposal for a directive Article 15 – paragraph 1

Text proposed by the Commission

1. For the purposes of Articles 13 and 14, ***newly installed*** meters and heat cost allocators shall be remotely readable devices. The conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.

Amendment

1. For the purposes of Articles 13 and 14, meters and heat cost allocators ***installed after 25 October 2020*** shall be remotely readable devices. The conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.

Or. en

Amendment 771 Mauri Pekkarinen, Nils Torvalds

Proposal for a directive Article 20 – paragraph 1

Text proposed by the Commission

1. Without prejudice to Union rules on consumer protection, in particular Directive 2011/83/EU of the European Parliament and of the Council⁹⁷ and Council Directive 93/13/EEC⁹⁸, Member States shall ensure that **final customers** and, where explicitly referred to, final users are granted the rights provided for in paragraphs 2 to 8 of this Article.

⁹⁷ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).

⁹⁸ Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).

Amendment

1. Without prejudice to Union rules on consumer protection, in particular Directive 2011/83/EU of the European Parliament and of the Council⁹⁷ and Council Directive 93/13/EEC⁹⁸, Member States shall ensure that **consumers** and, where explicitly referred to, final users are granted the rights provided for in paragraphs 2 to 8 of this Article.

⁹⁷ Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64).

⁹⁸ Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).

Or. en

Justification

The same rules do not apply to both consumers and, for example, other customers like commercial or industrial operators. The partnership between supplier and industrial or major commercial players are different and there is no need such/similar protection. The nature of cooperation requires that greater freedom of contract is maintained in commercial agreements.

Amendment 772

Mauri Pekkarinen, Nils Torvalds

Proposal for a directive

Article 20 – paragraph 2 – introductory part

Text proposed by the Commission

2. **Final customers** shall have the right to a contract with their supplier that specifies:

Amendment

2. **Consumers** shall have the right to a contract with their supplier that specifies:

Amendment 773

Angelika Winzig

Proposal for a directive

Article 20 – paragraph 2 – point c

Text proposed by the Commission

(c) the types of maintenance service offered;

Amendment

(c) the types of maintenance service offered, ***where applicable***;

Or. en

Justification

This sub-article requires suppliers to specify in the contract the type of maintenance service offered. However, not all District Heating companies offered such services in house.

Amendment 774

Martin Hojsík

Proposal for a directive

Article 20 – paragraph 2 – point h

Text proposed by the Commission

(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site.

Amendment

(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site ***and which includes the contact details or link to the website of the single point of contact referred to in Article 21 of this Directive.***

By [one year after the entry into force of the Directive], the Commission shall, in consultation with ACER, national competent authorities and civil society organisations including consumer organisations, adopt implementing acts specifying a contract summary template to be used by the providers to fulfil their obligations under this paragraph.

Justification

Final users need to be well informed about their rights to effectively use for example out-of-court settlements. To provide clear information to consumers, suppliers shall present the summary of contractual information using a harmonised template. It will make it easier for consumers to compare different offers prior to signing a contract and will eventually favour energy efficient suppliers.

Amendment 775

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive**Article 20 – paragraph 2 – point h***Text proposed by the Commission*

(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site.

Amendment

(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site. ***This information shall include the contact details or link to the website of the single point of contact referred to in paragraph 2 point (iv) of Article 21 of this Directive.***

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 776

Martin Hojsik

Proposal for a directive**Article 20 – paragraph 2 – subparagraph 1***Text proposed by the Commission*

Conditions shall be fair and known in advance. In any case, this information shall

Amendment

Conditions shall be fair and known in advance. In any case, this information shall

be provided prior to the conclusion or confirmation of the contract. Where contracts are concluded through intermediaries, the information relating to the matters set out in this paragraph shall also be provided prior to the conclusion of the contract.

be provided prior to the conclusion or confirmation of the contract. Where contracts are concluded through intermediaries, the information relating to the matters set out in this paragraph shall also be provided prior to the conclusion of the contract.

Final customers shall not be required to connect to a district heating network.

Or. en

Justification

If connecting to a district heating network is made mandatory, district heating suppliers will not be pushed to offer more favourable terms and conditions to consumers. Removing this obligation will put them in competition with electricity markets, where consumers are currently better protected. It will also favour the most competitive suppliers.

Amendment 777

Nicola Danti, Morten Petersen, Christophe Grudler, Martin Hojsík, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 20 – paragraph 3

Text proposed by the Commission

3. Final customers shall be given adequate notice of any intention to modify contractual conditions. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.

Amendment

3. Final customers ***shall be given transparent information on applicable prices and tariffs and on standard terms and conditions, in respect of access to and use of heating, cooling and domestic hot water services, and*** shall be given adequate notice of any intention to modify contractual conditions. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.

Or. en

Amendment 778
Pilar del Castillo Vera

Proposal for a directive
Article 20 – paragraph 3

Text proposed by the Commission

3. Final customers shall be given adequate notice of any intention to modify contractual conditions. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.

Amendment

3. Final customers shall be given adequate notice of any intention to modify contractual conditions ***and informed of their right to rescind the contract without costs***. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.

Or. en

Amendment 779
Mauri Pekkarinen, Nils Torvalds

Proposal for a directive
Article 20 – paragraph 3

Text proposed by the Commission

3. ***Final customers*** shall be given adequate notice of any intention to modify contractual conditions. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.

Amendment

3. ***Consumers*** shall be given adequate notice of any intention to modify contractual conditions. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.

Amendment 780

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 20 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Suppliers shall provide final customers with transparent information on applicable prices and tariffs and on standard terms and conditions, in respect of access to and use of heating, cooling and domestic hot water services.

Or. en

Amendment 781

Othmar Karas

Proposal for a directive

Article 20 – paragraph 4

Text proposed by the Commission

Amendment

4. Suppliers shall offer final customers **a wide choice of payment** methods. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council⁹⁹.

4. Suppliers shall offer final customers **the possibility to choose among different** methods **available**. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council⁹⁹.

⁹⁹ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in

⁹⁹ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in

the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

Or. en

Amendment 782

Angelika Winzig

Proposal for a directive

Article 20 – paragraph 4

Text proposed by the Commission

4. Suppliers shall offer final customers **a wide choice of payment** methods. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council⁹⁹.

⁹⁹ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

Amendment

4. Suppliers shall offer final customers **choose among different** methods **available**. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council⁹⁹.

⁹⁹ Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.

Or. en

Amendment 783

Mauri Pekkarinen, Nils Torvalds

**Proposal for a directive
Article 20 – paragraph 7**

Text proposed by the Commission

7. ***Final customers and final users*** shall have the right to a good standard of service and complaint handling by their suppliers. Suppliers shall handle complaints in a simple, fair and prompt manner.

Amendment

7. ***Consumers*** shall have the right to a good standard of service and complaint handling by their suppliers. Suppliers shall handle complaints in a simple, fair and prompt manner.

Or. en

Amendment 784

Jutta Paulus

on behalf of the Verts/ALE Group

**Proposal for a directive
Article 20 – paragraph 7 a (new)**

Text proposed by the Commission

Amendment

7 a. Member States may introduce punitive damages to be claimed by final customers from heating, cooling or domestic hot water suppliers for breaches of these provisions, subject to the national legal framework.

Or. en

Amendment 785

Jutta Paulus

on behalf of the Verts/ALE Group

**Proposal for a directive
Article 20 – paragraph 7 b (new)**

Text proposed by the Commission

Amendment

7 b. Competent authorities responsible for the enforcement of the consumer protection measures laid down in this

Directive shall be independent from market interests and able to take administrative decisions.

Or. en

Amendment 786

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 20 – paragraph 7 c (new)

Text proposed by the Commission

Amendment

7 c. Competent authorities responsible for enforcing the consumer protection measures shall be granted the powers to impose effective, proportionate and dissuasive penalties on undertakings not complying with their obligations under this Directive, or any relevant legally binding decisions of the competent authority, or to propose that a competent court impose such penalties, including the power to impose or propose the imposition of penalties of up to 10 % of the annual turnover of the undertaking or of up to 10 % of the annual turnover of the vertically integrated undertaking on the vertically integrated undertaking, as the case may be, for non-compliance with their respective obligations pursuant to this Directive.

Or. en

Amendment 787

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 20 – paragraph 7 d (new)

Text proposed by the Commission

Amendment

7 d. The revenues from penalties referred to in Article 20(7c) shall be exclusively used for the implementation of energy efficiency measures for energy poor and vulnerable consumers and can be directed to the national energy efficiency fund or another financing instrument dedicated to energy efficiency.

Or. en

Amendment 788

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 21 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that information on available energy efficiency improvement measures, individual actions and financial and legal frameworks is transparent and widely disseminated to all relevant market actors, such as final customers, final users,, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.

Amendment

1. Member States shall ***in cooperation with regional and local authorities where possible*** ensure that information on available energy efficiency improvement measures, ***on customer rights and protections in electricity, heating, cooling and domestic hot water and on*** individual actions and financial and legal frameworks is transparent and widely disseminated to all relevant market actors, such as final customers, final users,, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 789

Nicola Danti, Morten Petersen, Nils Torvalds, Christophe Grudler, Andreas Glück, Nicola Beer, Klemen Grošelj, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli

Proposal for a directive

Article 21 – paragraph 1

Text proposed by the Commission

1. Member States shall ensure that information on available energy efficiency improvement measures, individual actions and financial and legal frameworks is transparent and widely disseminated to all relevant market actors, such as final customers, final users, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.

Amendment

1. Member States shall ensure that information on available energy efficiency improvement measures, individual actions and financial and legal frameworks is transparent, ***accessible*** and widely disseminated to all relevant market actors, such as final customers, final users, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.

Or. en

Amendment 790

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 1 – point ii a (new)

Text proposed by the Commission

Amendment

(ii a) availability of publicly-supported energy audits and advisory services for household consumers, in particular vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing;

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 791

Nicola Danti, Morten Petersen, Nils Torvalds, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Klemen Grošelj

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 1 – point vii

Text proposed by the Commission

Amendment

(vii) digital tools. .

(vii) digital tools, *such as smart meters for electricity.*

Or. en

Amendment 792

Nicola Danti, Morten Petersen, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Martin Hojsík, Klemen Grošelj

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 1 – point vii a (new)

Text proposed by the Commission

Amendment

(vii a) promotion of publicly-supported energy audits and advisory services for household consumers, in particular people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 793

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 1 – point vii a (new)

Text proposed by the Commission

Amendment

(vii a) programmes providing tailored technical and financial advice, support and facilitation with other stakeholders to households and companies through one-stop shops;

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 794

Nicola Danti, Morten Petersen, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Martin Hojsík, Klemen Grošelj

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 2 – point i

Text proposed by the Commission

Amendment

(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including energy renovations of buildings and the take-up of renewable energy for buildings to final customers and final users, especially household and small non-household ones.

(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including energy renovations of buildings, ***information on the replacement of old and inefficient heating systems with modern and more efficient appliances*** and the take-up of renewable energy for buildings to final customers and final users, especially household and small non-household ones.

Or. en

Amendment 795

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 2 – point i

Text proposed by the Commission

(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including energy renovations of buildings and the take-up of renewable energy for buildings to final customers and final users, especially household and small non-household ones.

Amendment

(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including energy renovations of buildings and the take-up of renewable energy **and energy storage** for buildings to final customers and final users, especially household and small non-household ones.

Or. en

Amendment 796

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 2 – point i

Text proposed by the Commission

(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice **and assistance** on energy efficiency, including energy renovations of buildings and the take-up of renewable energy for buildings to final customers and final users, especially household and **small non-household ones**.

Amendment

(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice on energy efficiency, including energy renovations of buildings and the take-up of renewable energy **and energy storage** for buildings to final customers and final users, especially household and **SMEs and micro enterprises**.

Or. en

Amendment 797

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Christian Ehler

Proposal for a directive

Article 21 – paragraph 2 – subparagraph 2 – point i a (new)

Text proposed by the Commission

Amendment

(i a) promotion and cooperation with private actors such as energy service companies (ESCO), installers, project developers and consulting firms that can provide services such as energy audits, finance solutions and execution of energy renovations;

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 798

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

**Proposal for a directive
Article 21 – paragraph 3**

Text proposed by the Commission

Amendment

3. Member States shall establish appropriate conditions for market actors to provide adequate and targeted information and advice to final consumers , including vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing on energy efficiency.

3. Member States shall establish appropriate conditions for market actors to provide adequate and targeted information and advice to final consumers , including vulnerable customers, ***SMEs, micro-enterprises***, people affected by energy poverty and, where applicable, people living in social housing on energy efficiency.

Or. en

**Amendment 799
Günther Sidl**

**Proposal for a directive
Article 21 – paragraph 4 – subparagraph 2**

Text proposed by the Commission

Amendment

The participation of undertakings in out-of-court dispute settlement mechanisms for household customers shall be mandatory ***unless the Member State demonstrates to the Commission that other mechanisms are equally effective.***

The participation of undertakings in out-of-court dispute settlement mechanisms for household customers shall be mandatory.

Or. en

Justification

Member States are required to establish an independent out-of-court dispute settlement mechanism to provide consumer with simple, fair and effective access to resolution of their legal disputes. To have this participation as mandatory is crucial to achieve a breakthrough for out-of-court arbitration.

Amendment 800 Martin Hojsik

Proposal for a directive Article 21 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Measures to remove such barriers may include providing incentives, repealing or amending legal or regulatory provisions, or adopting guidelines and interpretative communications, or simplifying administrative procedures , including national rules and measures regulating decision-making processes in multi-owner properties . The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1 .

Amendment

Measures to remove such barriers may include providing incentives, repealing or amending legal or regulatory provisions, or adopting guidelines and interpretative communications, or simplifying administrative procedures, including national rules and measures regulating decision-making processes in multi-owner properties. The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1. ***These arrangements shall be a specific service or department of the local one-stop shop.***

Or. en

Justification

In line with Article 21 – paragraph 2 – subparagraph 2 – point i, one-stop-shops shall provide technical assistance, administrative and financial advice and assistance. Information on incentives, simplified administrative procedures and provision of education and trainings

fall fully within this field.

Amendment 801

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler

Proposal for a directive

Article 21 – paragraph 5 – subparagraph 1

Text proposed by the Commission

Measures to remove such barriers may include providing incentives, repealing or amending legal or regulatory provisions, or adopting guidelines and interpretative communications, or simplifying administrative procedures , including national rules and measures regulating decision-making processes in multi-owner properties . The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1 .

Amendment

Measures to remove such barriers may include providing incentives, repealing or amending legal or regulatory provisions, ***including on financing and the possibility to turn to third party financing solutions***, or adopting guidelines and interpretative communications, or simplifying administrative procedures , including national rules and measures regulating decision-making processes in multi-owner properties . The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1 .

Or. en

Amendment 802

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 21 – paragraph 5 – subparagraph 2

Text proposed by the Commission

Member States shall take appropriate measures to support a multilateral dialogue with the participation of relevant public and social partners such as owners and tenants organisations, consumer organisations, renewable energy communities, citizen energy communities

Amendment

Member States shall take appropriate measures to support a multilateral dialogue with the participation of relevant ***local and regional authorities***, public and social partners such as owners and tenants organisations, consumer organisations, ***energy distributor or retail energy sales***

local and regional authorities, relevant public authorities and agencies and the aim to set out proposals on jointly accepted measures, incentives and guidelines pertinent to the split of incentives between the owners and tenants or among owners of a building or building unit.

company, energy service companies, renewable energy communities, citizen energy communities local and regional authorities, relevant public authorities and agencies and the aim to set out proposals on jointly accepted measures, incentives and guidelines pertinent to the split of incentives between the owners and tenants or among owners of a building or building unit.

Or. en

Amendment 803

Nicola Danti, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Klemen Grošelj

Proposal for a directive

Article 22 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.

Amendment

1. Member States shall **develop a robust long-term strategy to** take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.

Or. en

Amendment 804

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 22 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.

Amendment

1. Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing **and in the outermost regions.**

Amendment 805

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 1 – introductory part

Text proposed by the Commission

1. Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.

Amendment

1. Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and ***low-income households and***, where applicable, people living in social housing.

Or. en

Amendment 806

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 2

Text proposed by the Commission

2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing to alleviate energy poverty.

Amendment

2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers, ***low-income households*** and, where applicable, people living in social housing to alleviate energy poverty. ***Member States shall introduce proper monitoring and evaluation instruments to ensure that people at risk of energy poverty are supported by energy efficiency improvement measures.***

Or. en

Amendment 807

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive

Article 22 – paragraph 2

Text proposed by the Commission

2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing to alleviate energy poverty.

Amendment

2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers, **transport users, SMEs, micro-enterprises** and, where applicable, people living in social housing to alleviate energy poverty.

Or. en

Amendment 808

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 22 – paragraph 2

Text proposed by the Commission

2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing to alleviate energy poverty.

Amendment

2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing **and in the outermost regions** to alleviate energy poverty.

Or. en

Amendment 809

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive

Article 22 – paragraph 3 – introductory part

Text proposed by the Commission

3. To support vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, Member States shall:

Amendment

3. To support vulnerable customers, **transport users, SMEs, micro-enterprises**, people affected by energy poverty and, where applicable, people living in social housing, Member States shall:

Or. en

Amendment 810

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 22 – paragraph 3 – introductory part

Text proposed by the Commission

3. To support vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, Member States shall:

Amendment

3. To support vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing **and in the outermost regions**, Member States shall:

Or. en

Amendment 811

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 3 – introductory part

Text proposed by the Commission

3. To support vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, Member States shall:

Amendment

3. To support vulnerable customers, people affected by energy poverty, **low-income households** and, where applicable, people living in social housing, Member States shall:

Amendment 812

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 3 – point a

Text proposed by the Commission

a) implement energy efficiency improvement measures to mitigate distributional effects from other policies and measures, such as taxation measures implemented according to Article 10 of ***this Directive, or the application of emission trading in the buildings and transport sector according to*** the ETS Directive [COM(2021) 551 final, 2021/0211 (COD)];

Amendment

a) implement energy efficiency improvement measures to mitigate distributional effects from other policies and measures, such as taxation measures implemented according to Article 10 of the ETS Directive [COM(2021) 551 final, 2021/0211 (COD)];

Or. en

Amendment 813

Sandra Pereira

Proposal for a directive

Article 22.^o – paragraph 3 – point a a (new)

Text proposed by the Commission

Amendment

aa) ensure that measures to promote or facilitate energy efficiency, in particular those affecting buildings and mobility systems, do not contribute to an increase in the pricing of these services or to social exclusion;

Or. pt

Amendment 814

Sandra Pereira

Proposal for a directive
Article 22.º – paragraph 3 – point b

Text proposed by the Commission

b) make the best possible use of public funding available at national and Union level, including, where applicable, the financial contribution Member State received from the Social Climate Fund pursuant to [Article 9 and Article 14 of the Social Climate Fund Regulation, **COM 2021 568 final**], and **revenues from allowance auctions from emission trading pursuant to the EU ETS [COM(2021) 551 final, 2021/0211 (COD)]**, for investments into energy efficiency improvement measures as priority actions;

Amendment

(b) make the best possible use of public funding available at national and Union level, including, where applicable, the financial contribution Member State received from the Social Climate Fund pursuant to [Article 9 and Article 14 of the Social Climate Fund Regulation], and for investments into energy efficiency improvement measures as priority actions;

Or. pt

Amendment 815
Angelika Winzig

Proposal for a directive
Article 22 – paragraph 3 – point c

Text proposed by the Commission

c) where applicable, carry out early, forward-looking investments into energy efficiency improvement measures before distributional impacts from other policies and measures show effect;

Amendment

c) where applicable, carry out early, forward-looking investments into energy efficiency improvement measures before distributional impacts from other policies and measures show effect, **while taking into account the EU's own goals for security of supply and affordability of energy**;

Or. en

Justification

We need to ensure the delivering of greater affordability and security of supply in the interests of all energy users, especially when it comes to vulnerable customers, to ensure a just transition. These goals were already outlined in the Commission Communication COM (2016)860 final “Clean Energy for all Europeans”.

Amendment 816
Othmar Karas

Proposal for a directive
Article 22 – paragraph 3 – point c

Text proposed by the Commission

c) where applicable, carry out early, forward-looking investments into energy efficiency improvement measures before distributional impacts from other policies and measures show effect;

Amendment

c) where applicable, carry out early, forward-looking investments into energy efficiency improvement measures before distributional impacts from other policies and measures show effect, ***taking into account security of supply and affordability of energy.***

Or. en

Amendment 817

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Christian Ehler

Proposal for a directive
Article 22 – paragraph 3 – point c

Text proposed by the Commission

c) where applicable, carry out early, forward-looking investments into energy efficiency improvement measures before distributional impacts from other policies and measures show effect;

Amendment

c) where applicable, carry out early, forward-looking investments into energy efficiency improvement measures, ***such as retrofit of heating, cooling and ventilation systems,*** before distributional impacts from other policies and measures show effect;

Or. en

Amendment 818
Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive
Article 22 – paragraph 3 – point d

Text proposed by the Commission

d) foster technical assistance ***and*** the

Amendment

d) foster technical assistance ***that***

roll-out of **enabling** funding and financial tools, such as on-bill schemes, local loan-loss reserve, guarantee funds, funds targeting deep renovations and renovations with minimum energy gains;

facilitates the exchange of best practices on reforms of the regulatory frameworks like property and rental laws, or the regulation of the provision of energy efficiency services by energy suppliers, in order to enable the roll-out of funding and financial tools, such as on-bill schemes, local loan-loss reserve, guarantee funds, funds targeting deep renovations and renovations with minimum energy gains;

Or. en

Amendment 819

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 22 – paragraph 3 – point e

Text proposed by the Commission

e) *foster technical assistance for social actors to promote vulnerable customer's active engagement in the energy market, and positive changes in their energy consumption behaviour;*

Amendment

e) *to develop or upscale one-stop shops services for SMEs, micro enterprises and vulnerable households in cooperation with relevant authorities and private stakeholders;*

Or. en

Amendment 820

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 3 – point f a (new)

Text proposed by the Commission

Amendment

f a) foster the development of one-stop shop renovation services in cooperation with local and regional authorities, and where they exist, their energy agencies.

Or. en

Amendment 821

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.

Amendment

4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors, ***including local and regional energy agencies***, to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.

Or. en

Amendment 822

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 22 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long

Amendment

4. Member States shall establish a network of experts from various sectors such as health sector, ***energy sector***, building ***sector***, ***heating and cooling sector*** and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy

term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.

poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.

Or. en

Amendment 823

Nicola Danti, Morten Petersen, Nils Torvalds, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Klemen Grošelj

Proposal for a directive

Article 22 – paragraph 4 – introductory part

Text proposed by the Commission

4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.

Amendment

4. Member States shall establish a network of experts from various sectors such as health **sector, heating** sector, building sector and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.

Or. en

Amendment 824

András Gyürk, Ernő Schaller-Baross

Proposal for a directive

Article 22 – paragraph 4 – introductory part

Text proposed by the Commission

Amendment

4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people *in all their diversity*.

4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people.

Or. en

Amendment 825

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 4 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

Member States *may entrust* the same network of experts:

Member States *shall support* the same network of experts:

Or. en

Amendment 826

Margarita de la Pisa Carrión

Proposal for a directive

Article 22 – paragraph 4 – subparagraph 1 – point a

Text proposed by the Commission

Amendment

a) *to establish* national definitions, indicators and criteria of energy poverty, energy poor and concepts of vulnerable customers, including final users;

(a) *to propose* national definitions, indicators and criteria of energy poverty, energy poor and concepts of vulnerable customers, including final users;

Amendment 827

Christophe Grudler, Stéphane Bijoux, Klemen Grošelj

Proposal for a directive

Article 22 – paragraph 4 – subparagraph 1 – point c

Text proposed by the Commission

c) to set up methods and measures to ensure affordability, the promotion of housing cost neutrality, or ways to ensure that public funding invested in energy efficiency improvement measures benefit both, owners and tenants, of buildings and building units, in particular regarding vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing;

Amendment

c) to set up methods and measures to ensure affordability, the promotion of housing cost neutrality, or ways to ensure that public funding invested in energy efficiency improvement measures benefit both, owners and tenants, of buildings and building units, in particular regarding vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing ***and in the outermost regions***;

Or. en

Amendment 828

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 22 – paragraph 4 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

d a) to develop or upscale one-stop shops services for SMEs, micro enterprises and vulnerable households in cooperation with relevant authorities and private stakeholders;

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 829

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 22 – paragraph 4 – subparagraph 1 – point d a (new)

Text proposed by the Commission

Amendment

d a) to upscale and/or replicate one-stop shops services for energy poor, vulnerable and low-income households.

Or. en

Amendment 830

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Pietro Fiocchi, Evžen Tošenovský, Robert Roos, Ladislav Ilčić

Proposal for a directive

Article 23 – paragraph 1

Text proposed by the Commission

Amendment

1. As part of its integrated national energy and climate plan, its subsequent integrated national energy and climate plan and respective progress reports notified in accordance with Regulation (EU) 2018/1999, each Member State shall notify to the Commission a comprehensive heating and cooling assessment. That comprehensive assessment shall contain the information set out in Annex IX and shall be accompanied with the assessment carried out pursuant to Article 15(7) of Directive (EU) 2018/2001.

deleted

Or. en

Justification

Paragraphs 1 and 5 introduce a potentially very significant administrative burden by requiring Member States to notify the Commission of policies and measures that ensure that the potential identified in the Comprehensive Plan will be part of the updates of the integrated

national energy and climate plans, subsequent integrated national energy and climate plans and relevant progress reports reported under Regulation (EU) 2018/1999. Such a process will take years, require additional efforts on both sides (especially given the different characteristics of each Member State), with no real decarbonisation potential and no real utility, as detailed and burdensome plans most often become outdated in the course of the work. Therefore, a comprehensive assessment of heating and cooling should not be part of integrated national energy and climate plans.

Amendment 831

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 1

Text proposed by the Commission

1. As part of its integrated national energy and climate plan, its subsequent integrated national energy and climate plan and respective progress reports notified in accordance with Regulation (EU) 2018/1999, each Member State shall notify to the Commission a comprehensive heating and cooling assessment. That comprehensive assessment shall contain the information set out in Annex IX and shall be accompanied with the assessment carried out pursuant to Article 15(7) of Directive (EU) 2018/2001.

Amendment

1. As part of its integrated national energy and climate plan, its subsequent integrated national energy and climate plan and respective progress reports notified in accordance with Regulation (EU) 2018/1999, each Member State shall notify to the Commission a comprehensive heating and cooling assessment ***which includes the mapping of areas identified for new heating and cooling networks.*** That comprehensive assessment shall contain the information set out in Annex IX and shall be accompanied with the assessment carried out pursuant to Article 15(7) of Directive (EU) 2018/2001. ***Member States shall ensure that the comprehensive assessment is based on a baseline scenario outlining the phase-out of fossil fuels and leading to a fully renewable energy-based national heating and cooling sector within a timeframe compatible with the achievement of the climate neutrality objective by at the latest.***

Or. en

Amendment 832

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-

Jean Marinescu

**Proposal for a directive
Article 23 – paragraph 2**

Text proposed by the Commission

2. Member States shall ensure that the public is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

2. Member States ***shall draw up heating and cooling plans in close cooperation with the relevant local and regional authorities; together, they*** shall ensure that the public ***and relevant private stakeholders*** is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

**Amendment 833
Angelika Winzig**

**Proposal for a directive
Article 23 – paragraph 2**

Text proposed by the Commission

2. Member States shall ensure that the public ***is*** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

2. Member States shall ensure that the public, ***as well as the main industry stakeholders among others, are*** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

**Amendment 834
Ivan David**

**Proposal for a directive
Article 23 – paragraph 2**

Text proposed by the Commission

2. Member States shall ensure that the

Amendment

2. Member States shall ensure that the

public **is** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

public, **as well as the main industry stakeholders among others, are** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Justification

In case of planning heating systems the participation of the professional public is particularly important, and representatives of the entities concerned cannot be left out of the consultation process.

Amendment 835

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Pietro Fiocchi, Evžen Tošenovský, Ladislav Ilčík

Proposal for a directive

Article 23 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that the public is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

2. Member States shall ensure that the public, **including relevant heat and electricity stakeholders**, is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Justification

Consultation process is of utmost importance for all entities being potentially affected with heating and cooling plans. Therefore, the amendment aims at extending the scope of stakeholders invited to this procedure specifically distinguishing stakeholders in the heat and electricity sector being one of the most important entities to consult.

Amendment 836

Marek Paweł Balt

Proposal for a directive
Article 23 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that the public is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

2. Member States shall ensure that the public, ***including relevant heat and electricity stakeholders***, is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Justification

Consultation process is of utmost importance for all entities being potentially affected with heating and cooling plans. Therefore, the amendment aims at extending the scope of stakeholders invited to this procedure specifically distinguishing stakeholders in the heat and electricity sector being one of the most important entities to consult.

Amendment 837

Nicola Danti, Mauri Pekkarinen, Morten Petersen, Nils Torvalds, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Klemen Grošelj

Proposal for a directive
Article 23 – paragraph 2

Text proposed by the Commission

2. Member States shall ensure that ***the public is*** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

2. Member States shall ensure that ***all relevant parties are*** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Amendment 838

Dan Nica, Carlos Zorrinho, Eva Kaili, Romana Jerković, Nicolás González Casares, Adriana Maldonado López

Proposal for a directive
Article 23 – paragraph 3 – introductory part

3. For the purpose of the assessment referred to in paragraph 1, Member States shall carry out a cost-benefit analysis covering their territory and based on climate conditions, economic feasibility and technical suitability. The cost-benefit analysis shall be capable of facilitating the identification of the most resource- and cost-efficient solutions to meeting heating and cooling needs. That cost-benefit analysis may be part of an environmental assessment under Directive 2001/42/EC of the European Parliament and of the Council¹⁰¹.

3. For the purpose of the assessment referred to in paragraph 1, Member States shall carry out a cost-benefit analysis covering their territory and based on climate conditions, economic feasibility and technical suitability. The cost-benefit analysis shall be capable of facilitating the identification of the most resource- and cost-efficient solutions to meeting heating and cooling needs, **taking into account overall system efficiency, power system adequacy and resiliency, as well as energy efficiency first**. That cost-benefit analysis may be part of an environmental assessment under Directive 2001/42/EC of the European Parliament and of the Council¹⁰¹.

¹⁰¹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

¹⁰¹ Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).

Or. en

Amendment 839

Seán Kelly

Proposal for a directive

Article 23 – paragraph 4 – introductory part

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling **and/or electricity generation from waste heat for self-consumption** whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed **and/or to encourage the**

heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6).

development of installations for the conversion of waste excess heat to electricity for self-consumption and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1 and Article 24(4) and (6).

Or. en

Amendment 840

Nicola Danti, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Martin Hojsík, Klemen Grošelj

Proposal for a directive

Article 23 – paragraph 4 – introductory part

Text proposed by the Commission

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6).

Amendment

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling ***and/or power generation from waste heat for self-consumption*** whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed ***and/or to encourage the development of installations for the conversion of waste excess heat to power for self-consumption*** and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6).

Or. en

Justification

Where benefits exceed costs, Member States should also encourage the reuse of waste heat for power generation.

Amendment 841

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive

Article 23 – paragraph 4 – introductory part

Text proposed by the Commission

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6).

Amendment

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling whose benefits exceed the costs, Member States ***and local and regional authorities having jurisdiction in the area in question*** shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6).

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 842

Martin Hojsik

Proposal for a directive

Article 23 – paragraph 4 – introductory part

Text proposed by the Commission

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration ***and/or*** efficient district heating and cooling whose benefits exceed the costs, Member

Amendment

4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration ***and*** efficient district heating and cooling whose benefits exceed the costs, Member

States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6).

States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1, and Article 24(4) and (6), ***except from forestry biomass***.

Or. en

Justification

High efficient cogeneration uses either fossil fuels or scarce raw materials and its efficiency remains questionable (cf. lack of generation of heat and power at the same time). Renewable heating technologies are more sustainable and flexible than cogeneration, whose general operation usually depends on the production of heat because of the coupling of heat and power production. Excluding forestry biomass will support companies sustainable from the point of view of conservation of the value of the raw material.

Amendment 843

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Christian Ehler

Proposal for a directive

Article 23 – paragraph 4 – subparagraph 1

Text proposed by the Commission

Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 do not identify a potential whose benefits exceed the costs, including the administrative costs of carrying out the cost-benefit analysis referred to in Article 24(4), the Member State concerned may exempt installations from the requirements laid down in that paragraph.

Amendment

Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 do not identify a potential whose benefits exceed the costs, including the administrative costs of carrying out the cost-benefit analysis referred to in Article 24(4), the Member State ***together with the local and regional authorities*** concerned may exempt installations from the requirements laid down in that paragraph.

Or. en

Justification

This amendment is necessary for reasons relating to the internal logic of the text and it is inextricably linked to other admissible amendments.

Amendment 844

Grzegorz Tobiszowski

on behalf of the ECR Group

**Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk,
Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Pietro Fiocchi, Evžen Tošenovský,
Robert Roos, Ladislav Ilčíć**

Proposal for a directive

Article 23 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 is realised. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999. *deleted*

Or. en

Justification

Continuation of changes made to paragraph 1.

Amendment 845

Martin Hojsík

Proposal for a directive

Article 23 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 is realised. These policies and measures shall include at least the elements

5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 is realised. These policies and measures shall include at least the elements

set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.

set out in Annex IX. ***Member States shall collect information on cogeneration plants and units in existing district heating and cooling networks and carry out an assessment of the potential for energy savings. That information shall contain at least the data on system efficiency, system losses, connection density, network losses and temperature spread, primary energy and final energy consumption, emission factors and upstream chains of the energy sources. The Member States shall make that data publicly available.*** Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.

Or. en

Justification

Combined heat and power (CHP) plants where there is simultaneous power and heat demand are becoming increasingly rare, which means that relying on CHP for efficiency reasons is not necessarily sustainable in a long term perspective. Full disclosure requirements for the district heating and cooling networks and all existing CHP plants can enhance transparency on assessing whether it is still beneficial to include cogeneration in these networks from an energy efficiency perspective or no. This will encourage front-runners.

Amendment 846

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 5

Text proposed by the Commission

5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 ***is realised***. These policies and measures shall include at least the elements

Amendment

5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 ***and in line with the objective of achieving climate neutrality and the***

set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.

phase out of fossil fuels in heating and cooling with a view to a complete phase-out of coal by 2030 at the latest and fossil gas by 2035 at the latest. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.

Or. en

Amendment 847
Margarita de la Pisa Carrión

Proposal for a directive
Article 23 – paragraph 5

Text proposed by the Commission

5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to ***paragraph 1 is realised***. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.

Amendment

5. Member States shall adopt policies and measures, which ensure that the potential identified in the comprehensive assessments carried out pursuant to ***paragraphs 1 and 3***. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.

Or. es

Amendment 848
Jutta Paulus
on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 6 – introductory part

Text proposed by the Commission

6. Member States shall **encourage** regional and local authorities **to** prepare local heating and cooling plans at least in municipalities having a total population higher than **50.000**. Those plans should at least:

Amendment

6. Member States shall **ensure** regional and local authorities prepare local heating and cooling plans at least in municipalities having a total population higher than **20.000**. Those plans should at least:

Or. en

Amendment 849

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 6 – point -a (new)

Text proposed by the Commission

Amendment

(-a) be fully compliant with the energy efficiency first principle;

Or. en

Amendment 850

Jens Geier

Proposal for a directive

Article 23 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in that particular area;

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via **low-temperature district heating readiness**, via waste heat recovery, and renewable energy in heating and cooling in that particular area; **in addition, an analysis of the building stock shall be conducted that**

takes into account the area-specific potentials for energy efficiency measures and that develops renovation road map templates for similar building types with the aim of a rapid, cost-efficient and mutually coordinated transformation of buildings and supply infrastructure;

Or. en

Amendment 851

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 6 – point a

Text proposed by the Commission

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in that particular area;

Amendment

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency *and savings*, including via *unavoidable* waste heat recovery, and renewable energy in heating and cooling in that particular area, *in line with the objective of achieving climate neutrality and the phase out of fossil fuels in heating and cooling with a view to a complete phase-out of coal by 2030 at the latest and fossil gas by 2035 at the latest;*

Or. en

Amendment 852

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive

Article 23 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in that particular area;

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via **high efficiency cogeneration**. waste heat recovery, and renewable energy in heating and cooling in that particular area;

Or. en

Justification

The amendment aims at highlighting the need for high-efficiency cogeneration when developing local heating and cooling plants.

Amendment 853
Marek Pawel Balt

Proposal for a directive
Article 23 – paragraph 6 – point a

Text proposed by the Commission

Amendment

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in that particular area;

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping of the potential for increasing energy efficiency, including via **high-efficiency cogeneration**, waste heat recovery, and renewable energy in heating and cooling in that particular area;

Or. en

Justification

The amendment aims at highlighting the need for high-efficiency cogeneration when developing local heating and cooling plants. High-efficiency cogenerations remains the only one viable solution in many heating systems. The lack of clear reference to this solution may cause preserving status-quo in inefficient district heating systems.

Amendment 854

Margarita de la Pisa Carrión

Proposal for a directive

Article 23 – paragraph 6 – point a

Text proposed by the Commission

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 **and** provide **an** estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in **that particular area**;

Amendment

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 provide estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in **the region**;

Or. es

Amendment 855

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 23 – paragraph 6 – point c

Text proposed by the Commission

(c) be prepared with the involvement of all relevant regional or local stakeholders and ensure participation of general public;

Amendment

(c) be prepared with the involvement of all relevant regional or local stakeholders and ensure participation of general public. **The involvement of operators of local energy infrastructure at an early stage shall be mandatory**;

Or. en

Amendment 856

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 23 – paragraph 6 – point c a (new)

Text proposed by the Commission

Amendment

(c a) take into account the existing

energy infrastructure for gas, heat and electricity;

Or. en

Amendment 857

Ladislav Ilčić, Margarita de la Pisa Carrión

Proposal for a directive

Article 23 – paragraph 6 – point d a (new)

Text proposed by the Commission

Amendment

(da) include a strategy to encourage low-energy construction, alternative energy sources and energy efficiency (such as heat pumps, better insulation or solar panels) as early as the construction phase, not just during renovation, and a strategy to empower and protect people affected by energy poverty, low-income households, vulnerable consumers and, where applicable, people living in social housing, in accordance with Article 22;

Or. hr

Justification

The most effective time to direct investors towards energy efficiency, low-energy construction and alternative energy sources is when the house or building is under construction. Indeed, once an investor installs a classical heat source in a new house, they will not rush to replace it with, for example, a heat pump or solar panels. Therefore, it is not good to encourage only the renovation of old houses and buildings; rather, incentives should also target new construction. Introducing incentives in new construction would significantly reduce household energy consumption, which now accounts for about 40% of total energy consumption in the EU.

Amendment 858

Dan Nica, Carlos Zorrinho, Eva Kaili, Romana Jerković, Nicolás González Casares, Adriana Maldonado López

Proposal for a directive

Article 23 – paragraph 6 – point d a (new)

Text proposed by the Commission

Amendment

(d a) consider energy affordability, security of supply, power system adequacy and resiliency;

Or. en

Amendment 859

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 6 – point e

Text proposed by the Commission

Amendment

(e) include the monitoring of the progress of implementation of policies and measures identified.

(e) include **a linear trajectory with reference points to achieve the goals of the plans in line with climate neutrality** and the monitoring of the progress of implementation of policies and measures identified;

Or. en

Amendment 860

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive

Article 23 – paragraph 6 – point e a (new)

Text proposed by the Commission

Amendment

(e a) include a strategy to support the replacement of inefficient heating and cooling appliances with highly efficient alternatives, based on renewable and decarbonised energy sources;

Or. en

Amendment 861

Jutta Paulus
on behalf of the Verts/ALE Group

Proposal for a directive
Article 23 – paragraph 6 – point e a (new)

Text proposed by the Commission

Amendment

(e a) assess how renewable energy communities and other consumer-led initiatives can actively contribute to the implementation of local heating and cooling projects;

Or. en

Amendment 862
Jutta Paulus
on behalf of the Verts/ALE Group

Proposal for a directive
Article 23 – paragraph 6 – point e b (new)

Text proposed by the Commission

Amendment

(e b) include a strategy to empower and protect energy poor, vulnerable and low-income households and, where applicable, people living in social housing, pursuant to Article 22 of this Directive;

Or. en

Amendment 863
Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive
Article 23 – paragraph 6 – point e b (new)

Text proposed by the Commission

Amendment

(e b) assess potential synergies with the plans of neighbouring regional or local authorities to encourage joint investments and favour economy of scale and cost

efficiency;

Or. en

Amendment 864

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 6 – point e c (new)

Text proposed by the Commission

Amendment

(e c) assess how to finance the implementation of policies and measures identified and foresee financial mechanisms allowing consumers to shift to renewable heating and cooling;

Or. en

Amendment 865

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 23 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Amendment

Member States shall ensure that the public is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Member States shall ensure that the public is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures. *The role of the public shall also be supported in the implementation of plans, including through collective or consumer ownership by renewable energy communities, self-consumption of renewables, and online tools such as heat maps that can help direct local actions to improve energy efficiency in households.*

Or. en

Amendment 866

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Angelika Niebler

Proposal for a directive

Article 23 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that the public *is* given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

Member States shall ensure that the public ***and relevant private stakeholders are*** given the opportunity to participate ***in a time and cost-efficient way in*** the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Amendment 867

Grzegorz Tobiszowski

on behalf of the ECR Group

Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Pietro Fiocchi, Evžen Tošenovský, Ladislav Ilčíč

Proposal for a directive

Article 23 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that the public is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

Member States shall ensure that the public, ***including relevant heat and electricity stakeholders,*** is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Justification

Consultation process is of utmost importance for all entities being potentially affected with heating and cooling plans. Therefore, the amendment aims at extending the scope of stakeholders invited to this procedure specifically distinguishing stakeholders in the heat and electricity sector being one of the most important entities to consult. High-efficiency

cogenerations remains the only one viable solution in many heating systems. The lack of clear reference to this solution may cause preserving status-quo in inefficient district heating systems.

Amendment 868
Marek Pawel Balt

Proposal for a directive
Article 23 – paragraph 6 – subparagraph 1

Text proposed by the Commission

Member States shall ensure that the public is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Amendment

Member States shall ensure that the public, ***including relevant heat and electricity stakeholders***, is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.

Or. en

Amendment 869
Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler

Proposal for a directive
Article 23 – paragraph 6 – subparagraph 2

Text proposed by the Commission

For this purpose, Member States shall develop recommendations supporting the regional and local authorities to implement policies and measures in energy efficient and renewable energy based heating and cooling at regional and local level utilising the potential identified. Member States shall support regional and local authorities to the utmost extent possible by any means including financial support and technical support schemes.

Amendment

For this purpose, Member States shall develop recommendations supporting the regional and local authorities to implement policies and measures in energy efficient and renewable energy based heating and cooling at regional and local level utilising the potential identified. Member States shall support regional and local authorities to the utmost extent possible by any means including financial support and technical support schemes. ***Member States shall ensure that heating and cooling plans are aligned with other local climate, energy and environment planning requirements, in terms of content and dates, to avoid duplication of work and administrative***

burden for local and regional authorities and encourage the effective implementation of the plans.

Or. en

Amendment 870

Angelika Winzig

Proposal for a directive

Article 23 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. In municipalities with a total population lower than 50.000 and where industrial installations can make renewable heating and cooling available to the community, Member States shall encourage regional and local authorities to prepare local heating and cooling plans. Those plans shall at least:

(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1, provide estimate and mapping of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in that particular area;

(b) include a strategy for the use of the identified potential pursuant to paragraph 6(a);

(c) be prepared with the involvement of all relevant regional or local stakeholders and ensure participation of general public;

(d) consider the common needs of local communities and multiple local or regional administrative units or regions;

(e) include the monitoring of the progress of implementation of policies and measures identified.

Justification

Preparations of local heating and cooling plans can provide insights on overlooked opportunities and chances, for larger municipalities as well as for smaller ones. As some industries, for example pulp and paper industries, can be located in rural areas, they could provide waste heat for local heating and cooling systems, also for smaller towns or villages. By utilization of waste heat for further heating purposes a highly effective use of an already existing resource is realized, while the need for other energy carriers is reduced at the same time. This could prove to be advantageous from a sustainable and economic perspective, especially for smaller municipalities.

Amendment 871**Jutta Paulus**

on behalf of the Verts/ALE Group

Proposal for a directive**Article 23 – paragraph 6 a (new)***Text proposed by the Commission**Amendment*

6 a. Implementation of local heating and cooling plans shall be verified and assessed by a competent authority. Where implementation is deemed to be insufficient, based on the linear trajectory with reference points and the monitoring pursuant to paragraph 6(e), the competent authority shall propose measures to close the implementation gap.

Or. en

Amendment 872**Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Marian-Jean Marinescu, Gheorghe Falcă, Angelika Niebler, Christian Ehler****Proposal for a directive****Article 23 – paragraph 6 a (new)***Text proposed by the Commission**Amendment*

6 a. Local heating and cooling plans may be carried out jointly by a group of several neighbouring local authorities if the geographical and administrative

context as well as the heating and cooling infrastructure is appropriate.

Or. en

Amendment 873

Mauri Pekkarinen, Nils Torvalds

Proposal for a directive

Article 24 – paragraph 1

Text proposed by the Commission

Amendment

1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria: **deleted**

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

b. from 1 January 2026, a system using at least 50% renewable energy, 50% waste heat, 80% of high-efficiency cogenerated heat or at least a combination of such thermal energy going into the network where the share of renewable energy is at least 5% and the total share of renewable energy, waste heat or high-efficiency cogenerated heat is at least 50%;

c. from 1 January 2035, a system using at least 50% renewable energy and waste heat, where the share of renewable energy is at least 20%;

d. from 1 January 2045, a system using at least 75 % renewable energy and waste heat, where the share of renewable energy is at least 40%;

e. from 1 January 2050, a system using only renewable energy and waste heat, where the share of renewable energy is at least 60%.

Justification

In addition to the obligations set for heating and cooling by RED and the ETS, there is no need to lay down system-specific minimum criteria for district heating or district cooling systems in EED. The aim of the EED is to increase the efficiency, also of the heating and cooling systems. The proposed criteria for “efficient district heating and cooling system” is not based on energy efficiency. The obligated share for renewable energy limits the maximal use of waste heat or other carbon-neutral heat sources, especially in 2035-2050. If all the available waste heat is not allowed to be utilized, new renewable energy production, such as biomass boilers, have to be built to cover the demand of heating or cooling. The proposed criteria is also not technology-neutral. The criteria favours certain fuel and energy options with no actual arguments for energy efficient energy production, no aim for climate targets nor promote circular economy, e.g. waste to energy. The share of renewable energy, as such, does not have an effect on energy efficiency.

Amendment 874

András Gyürk, Ernő Schaller-Baross

Proposal for a directive

Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:

Amendment

1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:

a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Justification

In our view, the exclusion of high-efficiency cogeneration from the conditions for efficient district heating is not acceptable. A provision which takes into account the specificities of the Member States may be more acceptable. In our view this question will need to be reviewed after 2025, when Member States will draw up the first district heating concepts in accordance with the new regulation in this article.

Amendment 875

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:

Amendment

1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria, ***related to total output (heat/cold and, where applicable, electricity)***:

Or. en

Amendment 876

Henna Virkkunen

Proposal for a directive

Article 24 – paragraph 1 – introductory part

Text proposed by the Commission

1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:

Amendment

1. In order to increase primary energy efficiency and the share of renewable ***and other carbon neutral energy sources*** in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:

Or. en

Amendment 877

András Gyürk, Ernő Schaller-Baross

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. ***until 31 December 2025, a system***

Amendment

deleted

using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Or. en

Justification

In our view, the exclusion of high-efficiency cogeneration from the conditions for efficient district heating is not acceptable. A provision which takes into account the specificities of the Member States may be more acceptable. In our view this question will need to be reviewed after 2025, when Member States will draw up the first district heating concepts in accordance with the new regulation in this article.

Amendment 878

Jutta Paulus

on behalf of the Verts/ALE Group

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. until 31 December 2025, a system using ***at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;***

Amendment

a. until 31 December 2025, a system using ***always equal or more*** renewable energy ***technologies than fossil fuelled individual generation energy technologies or alternatively, until 31 December 2025, a system emitting no more than 100 g CO₂eq/kWh;***

Or. en

Amendment 879

Ivan David

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. until 31 December **2025**, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December **2029**, a system using at least 50% renewable ***and decarbonised*** energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat ***going***

into the network;

Or. en

Justification

The starting date to adapt the definition for efficient district heating should at least be pushed back until 2030. Otherwise, the expansion of district heating, which is needed to decarbonise the building sector, might be endangered.

Amendment 880
Marek Paweł Balt

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

Text proposed by the Commission

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat, *going into the network;*

Or. en

Amendment 881
Grzegorz Tobiszowski
on behalf of the ECR Group
Jadwiga Wiśniewska, Beata Szydło, Alexandr Vondra, Anna Zalewska, Elżbieta Kruk, Zdzisław Krasnodębski, Jacek Saryusz-Wolski, Evžen Tošenovský, Ladislav Ilčíć

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

Text proposed by the Commission

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat, *going into the network;*

Or. en

Justification

The important role of cogenerated heat, which was acknowledged in the Clean Energy Package, adopted only in 2018, should be more emphasized in the proposed regulatory framework, which aim is to change the conditions starting as of 1 January 2026. In practice it will give a very little time to adapt district heating systems to the new criteria. Taking into account the specificities of the existing district heating systems and required heating networks temperature parameters, in particular in the Central and Eastern Europe, it is necessary to enable the evolutionary transformation of district heating systems by extending the period during which a system may be considered efficient based on the share of heat from high-efficiency cogeneration, as well as to make the proposed share of heat from RES more realistic. In this context, the main point is to ensure a socially acceptable price of heat for end-users in those systems which will be subject to transformation only in the coming years - given still large share of heat generation based on solid fossil fuels - to avoid an increase in energy poverty and to keep the price of district heating competitive with individual gas boilers. Depriving the current efficient district heating and cooling systems of their status may cause a serious economic consequences in terms of the loss of the possibility to apply for obtaining support from funding programs.

Amendment 882

Jerzy Buzek, Janusz Lewandowski, Adam Jarubas

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat, ***going into the network;***

Or. en

Justification

Taking into account the specificities of the existing district heating systems and required heating networks temperature parameters, in particular in the Central and Eastern Europe, it is necessary to enable the evolutionary transformation of district heating systems by extending the period during which a system may be considered efficient based on the share of heat from high-efficiency cogeneration, as well as to make the proposed share of heat from RES more realistic.

Amendment 883

Nicola Danti, Christophe Grudler, Iskra Mihaylova, Ilhan Kyuchyuk, Atidzhe Alieva-Veli, Klemen Grošelj

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December 2025, a system using at least 50% renewable energy **and/or** 50% waste heat **and/or** 75% cogenerated heat or 50% of a combination of such energy and heat;

Or. en

Amendment 884

Pernille Weiss, Seán Kelly, Maria da Graça Carvalho, Pilar del Castillo Vera, Henna Virkkunen, Marian-Jean Marinescu, Angelika Niebler, Hildegard Bentele

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. until 31 December **2025**, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December **2029**, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Or. en

Amendment 885

Andreas Glück, Nicola Beer, Klemen Grošelj

Proposal for a directive

Article 24 – paragraph 1 – point a

Text proposed by the Commission

a. until 31 December **2025**, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Amendment

a. until 31 December **2029**, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a combination of such energy and heat;

Or. en

Justification

Too strict criteria for efficient district heating could hamper the necessary expansion of district heating systems which is needed for a decarbonisation of the building sector.