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

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**2016/0376(COD)**

20.9.2017

## **OPINION**

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

for the Committee on Industry, Research and Energy

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

Rapporteur: Jytte Guteland

## AMENDMENTS

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

### Amendment 1

#### Proposal for a directive

##### Recital 1

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

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

###### *Amendment*

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

### Amendment 2

#### Proposal for a directive

##### Recital 2

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

(2) Directive 2012/27/EU of the European Parliament and of the Council<sup>9</sup> is an element to progress towards the Energy

###### *Amendment*

(2) Directive 2012/27/EU of the European Parliament and of the Council<sup>9</sup> is an element to progress towards the Energy

Union, under which energy efficiency should be treated as an energy source in its own right. The 'energy efficiency first' principle should be taken into account when setting new rules for the supply side and other policy areas. The Commission should ensure that energy efficiency and demand side response can compete on equal terms with generation capacity. Energy efficiency needs to be considered whenever energy system relevant planning or financing decisions are taken. Energy efficiency improvements need to be realised whenever it is more cost-effective than equivalent supply-side solutions. This should help to exploit the multiple benefits of energy efficiency for Europe's society, in particular for citizens and businesses.

Union, under which energy efficiency should be treated as an energy source in its own right. The 'energy efficiency first' principle should be taken into account when setting new rules for the supply side and other policy areas, ***and recognised by the financial institutions by providing dedicated funds and instruments***. The Commission should ensure that energy efficiency and demand side response can compete on equal terms with generation capacity. Energy efficiency needs to be considered whenever energy system relevant planning or financing decisions are taken. Energy efficiency improvements need to be realised whenever it is more cost-effective than equivalent supply-side solutions. This should help to exploit the multiple benefits of energy efficiency for Europe's society, in particular for citizens and businesses.

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<sup>9</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

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<sup>9</sup> Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (OJ L 315, 14.11.2012, p. 1).

### Amendment 3

#### Proposal for a directive Recital 3

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

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

##### *Amendment*

(3) The European Council of October 2014 set a 27 % energy efficiency target for 2030, to be reviewed by 2020 'having in mind an Union level of 30 %'. In ***June 2016***, the European Parliament called upon the Commission to ***set a binding*** energy efficiency target of ***40 % for 2030 which will also reflect the level of cost-effective energy efficiency potential***. It is therefore appropriate to review and consequently

it to the 2030 perspective.

amend the Directive to adapt it to the 2030 perspective.

#### Amendment 4

##### Proposal for a directive

##### Recital 3 a (new)

*Text proposed by the Commission*

*Amendment*

***(3a) The large surplus of allowances in the Union Emissions Trading System (ETS), due to economic downturn, influx of international carbon credits and over-allocation, has resulted in a weak ETS allowance price. The carbon price is not projected to increase in the foreseeable future to a level that would sufficiently incentivise improvement in energy saving and renewable energy, hence it is necessary to maintain specific measures and a stable long-term framework at Union level for energy saving investments.***

#### Amendment 5

##### Proposal for a directive

##### Recital 4

*Text proposed by the Commission*

*Amendment*

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

(4) There ***should be*** binding targets at ***both national and Union*** level in the 2030 perspective. The need for the Union to achieve its energy efficiency targets, expressed in primary and final energy consumption, in 2020 and 2030 should be clearly set out ***by a binding 40% energy efficiency target. In addition, Member States shall develop national energy plans, including binding national targets, drafted in accordance with Regulation (EU) XX (20XX) [Governance of the Energy Union].*** The clarification at Union level should not restrict Member States as their freedom is kept to set their national

account that the Union's 2030 energy consumption has to be no more than **1 321** Mtoe of primary energy and no more than **987** Mtoe of final energy. This means that primary energy consumption should be reduced by **23** % and final energy consumption should be reduced by **17** % in the Union compared to 2005 levels. A regular evaluation of progress towards the achievement of the Union 2030 target is necessary and is provided for in the legislative proposal on Energy Union Governance.

**targets** based on either primary or final energy consumption, primary or final energy savings, or energy intensity Member States should set their national **binding** energy efficiency **targets** taking into account that the Union's 2030 energy consumption has to be no more than **1 132** Mtoe of primary energy and no more than **849** Mtoe of final energy. This means that primary energy consumption should be reduced by **34** % and final energy consumption should be reduced by **31** % in the Union compared to 2005 levels. A regular evaluation of progress towards the achievement of the Union 2030 target is necessary and is provided for in the legislative proposal on Energy Union Governance.

## Amendment 6

### Proposal for a directiveRecital 6

*Text proposed by the Commission*

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

*Amendment*

(6) In view of the **decarbonisation objectives under the Paris Agreement and the** climate and energy framework for 2030, **as well as the Union's climate and energy goals for 2050**, the energy savings obligation should be extended with beyond 2020. Extending the commitment period **with a long-term vision and associated policy measures** beyond 2020 would create greater stability for investors and thus encourage long term investments and long term energy efficiency measures, such as the renovation of buildings **and moving towards 'nearly zero energy buildings'**. **Cooperation with the private sector is important to assess on what basis private investment for energy efficiency projects can be unlocked.**

## Amendment 7

### Proposal for a directive

## Recital 6 a (new)

*Text proposed by the Commission*

*Amendment*

**(6a) Energy efficiency improvements also have a positive impact on air quality, as more energy efficient buildings reduce the demand in heating fuels, especially also solid heating fuels. Therefore, energy efficiency measures contribute to improving in- and outdoor air quality and help achieving, in a cost effective manner, objectives of Union’s air quality policy, as established in particular by the Directive (EU) 2016/2284 (the “Air Quality Directive”)<sup>1a</sup>. The reduction of energy demand in buildings should be considered an element of air quality policy in general and especially in Member States where achieving the Union’s limits on emissions of air pollutants is problematic and energy efficiency could help attain these goals.**

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<sup>1a</sup> **Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1-31)**

## Amendment 8

### Proposal for a directive Recital 8

*Text proposed by the Commission*

*Amendment*

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

(8) Long term energy efficiency measures will continue delivering energy savings after 2020 but in order to contribute to the next Union 2030 energy efficiency target **and the Union’s 2050 energy and climate goals in line with the Paris Agreement**, those measures should deliver new savings after 2020. On the

the cumulative savings amount required for the period from 1 January 2014 to 31 December 2020.

other hand, energy savings achieved after 31 December 2020 may not count towards the cumulative savings amount required for the period from 1 January 2014 to 31 December 2020.

## Amendment 9

### Proposal for a directive Recital 10

#### *Text proposed by the Commission*

(10) Energy savings which result from the implementation of Union legislation may **not** be claimed unless the measure in question goes beyond the minimum required by the Union legislation in question, whether by setting more ambitious energy efficiency requirements at national level or increasing the take up of the measure. **Recognising that** renovation of buildings is an essential and long term element in increasing energy savings, **it** is necessary to clarify that all energy savings stemming from measures promoting the renovation of existing buildings can be claimed if they are additional to developments that would have happened in the absence of the policy measure and if the Member State demonstrates that the obligated, participating or entrusted party has actually contributed to the achievement of the savings claimed from the measure in question.

#### *Amendment*

(10) Energy savings which result from the implementation of Union legislation may **only** be claimed ***if they stem from new policy measures, whether introduced after 31 December 2020 or before provided it can be demonstrated that those measures result in new individual actions that are undertaken after 31 December 2020 and deliver new savings; and that*** the measure in question goes beyond the minimum required by the Union legislation in question, whether by setting more ambitious energy efficiency requirements at national level or increasing the take up of the measure. ***Buildings constitute a substantial potential for further increasing energy efficiency and*** renovation of buildings is an essential and long term element in increasing energy savings, ***the acceleration of which is required given the relatively short period remaining to renew the existing building stock.*** It is necessary to clarify that all energy savings stemming from measures promoting the renovation of existing buildings can be claimed if they are additional to developments that would have happened in the absence of the policy measure and if the Member State demonstrates that the obligated, participating or entrusted party has actually contributed to the achievement of the savings claimed from the measure in question.

## **Amendment 10**

### **Proposal for a directive Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

***(10a) Effective water management can contribute significantly to energy saving. The water sector uses nearly 3.5% of electricity in the Union<sup>1a</sup>. Treatment and transport of water using pumping and pressure systems powered by electric motors consume much energy. Water demand is expected to increase by 25% by 2040, primarily in towns. At the same time, water leaks account for 24% of the total quantity of water consumed in Europe, wasting energy as well as water. Consequently, any measures geared to managing water more efficiently and reducing its use would help to attain the Union's energy efficiency target.***

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***<sup>1a</sup> World Energy Outlook 2016,  
International Energy Agency, 2016***

## **Amendment 11**

### **Proposal for a directive Recital 10 b (new)**

*Text proposed by the Commission*

*Amendment*

***(10b) Industry consumes more water than any other sector in Europe, its share being 44%<sup>1a</sup>. The use of smart technologies and procedures to manage water could lead to substantial water savings while increasing the competitiveness of businesses. The same is true for towns, where water accounts for between 30 and 50% of the electricity bills of municipalities.***



## Amendment 12

### Proposal for a directive Recital 12

#### *Text proposed by the Commission*

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

#### *Amendment*

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

## Amendment 13

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

#### *Text proposed by the Commission*

#### *Amendment*

***(12 a) With around 50 million households in the Union being affected by***

*energy poverty, energy efficiency measures must be central to any cost-effective strategy to address energy poverty and consumer vulnerability and are complementary to social security policies at the Member State level.*

*Justification*

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

**Amendment 14**

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

*Text proposed by the Commission*

*Amendment*

*(12b) All consumers should be able to achieve the highest benefit for the energy efficiency measures they implement given also that all costs, payback periods and benefits are fully transparent.*

**Amendment 15**

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

*Text proposed by the Commission*

*Amendment*

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

## Justification

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

### Amendment 16

#### Proposal for a directive

##### Recital 13

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

(13) Energy generated on or in buildings from renewable energy technologies reduces the supplied fossil energy. The reduction of energy consumption and the use of energy from renewable sources in the buildings sector are important measures to reduce the Union's energy dependency and greenhouse gas emissions, especially in view of ambitious climate and energy objectives set for 2030 as well as the global commitment made in the Conference of the Parties of the United Nation Framework Convention on Climate Change (COP21) held in Paris in December 2015. Member States should therefore *be able to take into account a certain amount of renewable energy generated on or in buildings for own use into account to satisfy their energy savings requirements. For this purpose Member States should be allowed to use calculation methodologies established under Directive 2010/31/EU.*

###### *Amendment*

(13) Energy generated on or in buildings from renewable energy technologies reduces the supplied fossil energy. The reduction of energy consumption and the use of energy from renewable sources in the buildings sector are important measures to reduce the Union's energy dependency and greenhouse gas emissions, especially in view of ambitious climate and energy objectives set for 2030 as well as the global commitment made in the Conference of the Parties of the United Nation Framework Convention on Climate Change (COP21) held in Paris in December 2015, *which states that the increase in the global average temperature should be held well below 2°C and that efforts to limit the temperature increase to 1.5°C should be pursued.* Member States should therefore *adopt ambitious, long- term renovation strategies in accordance with Article 2a of Directive 2010/31/EU as in force, with the goal to arrive at a highly energy efficient, NZEB stock by 2050 with the remaining energy needs to be met by renewable energy.*

### Amendment 17

#### Proposal for a directive

##### Recital 14

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

(14) As part of the measures set out in the Commission's Communication New Deal for Energy Consumers, in the context of the Energy Union and the Heating and Cooling strategy, consumers' minimum rights to clear and timely information about their energy consumption need to be strengthened. Articles 9 to 11 and Annex VII of Directive 2012/27/EU should, **with the aim to optimise the energy use of consumers,** be amended to provide for frequent and enhanced **information about and** feedback on energy consumption **when this is technically feasible and cost-efficient in view of the measurement devices in place.** It should also **be** clarified that rights relating to billing and billing **or consumption** information apply for consumers of heating, cooling or hot water supplied from a central source even where they have no direct, individual contractual relationship with an energy supplier. **The definition of the term 'final customer' may be understood to include only natural or legal persons purchasing energy based on a direct, individual contract with an energy supplier. The** term 'final user', should **refer to a broader group of consumers. The term 'final user' should in addition to** final customers purchasing heating, cooling or hot water for their own use **cover also as** occupants of individual units of multi-apartment or multi-purpose buildings where such units are supplied from a central source **and where the occupants have no direct or individual contract with the energy supplier.** By 1 January 2020 newly installed heat meters and heat cost allocators should be remotely readable to ensure cost-effective, frequent provision of consumption information. The new Article 9a is intended to apply only to heating, cooling and hot water supplied from a central source. **The Member States should have discretion to decide how best to design the detailed measures providing**

*frequent and enhanced feedback on energy consumption for occupants living in individual units of multi-apartment or multi-purpose buildings supplied with heating, cooling or hot water from a central source. The term 'sub-metering' should refer to measuring consumption in individual units of such buildings. The cost-efficiency of sub-metering depends on whether the related costs are proportionate in relation to the potential energy savings.*

## Amendment 18

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

*Text proposed by the Commission*

*Amendment*

*(14 a) Given these new requirements, Member States should take into account that innovation and new technology require enhanced investments in education and skills, which are necessary for the successful implementation of such technologies and to enable both citizens and businesses to contribute to the fulfilment of the energy efficiency goals set by the Commission or the Member States.*

## Amendment 19

### Proposal for a directive Recital 15

*Text proposed by the Commission*

*Amendment*

(15) Certain provisions of Article 15 of Directive 2012/27/EU on energy transformation, transmission and distribution should be **repealed**. The review of the acquis in the energy field may result in Member States' obligations under the different energy related acts being structured differently. This

(15) Certain provisions of Article 15 of Directive 2012/27/EU on energy transformation, transmission and distribution should be **aligned with the relevant electricity market provisions**. The review of the acquis in the energy field may result in Member States' obligations under the different energy related acts

restructuring should not affect Member States' obligation to comply with the substantive requirements of Directive 2012/27/EU *which may be reintroduced, completely or partially, in other acts.*

being structured differently. This restructuring should not affect Member States' obligation to comply with the substantive requirements of Directive 2012/27/EU.

## Amendment 20

### Proposal for a directive Recital 18

*Text proposed by the Commission*

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

*Amendment*

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

## Amendment 21

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

*Text proposed by the Commission*

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

*Amendment*

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

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

efficiency are met and paves the way for further energy efficiency improvements beyond those dates *conforming to previously set long-term energy goals and commitments made under the Energy Union, as well as the global climate objective under the Paris Agreement*. It lays down rules designed to remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy, and *connects to the Union's principle to put energy efficiency first, with multiple benefits for the climate, the Union's citizens and businesses. Furthermore, the Directive* provides for the establishment of national energy efficiency targets for 2020 and *binding national energy efficiency targets and contributions for 2030*;

*To mobilise private financing for energy efficiency measures and energy renovations, the Commission shall start a dialogue with both public and private financial institutions to map out potential policy mechanisms. Given the large potential for energy efficiency improvements in the building sector, investments in this sector shall be particularly considered, with a primary focus on residential buildings with low-income households at risk of energy poverty. In addition, to make investments in energy efficiency projects more financially interesting and feasible for investors, the Commission should consider options on how to bundle small projects into larger ones. The Commission shall provide guidance for Member States on how to unlock private investment no later than 1 January 2019.*

## **Amendment 22**

### **Proposal for a directive**

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

*Text proposed by the Commission*

*Amendment*

**(1 a) In Article 2, new point 8a is added:**

**(8a) ‘public authority’ means any government or other public administration, at national, regional or local level, including hospitals and health care facilities, as well as educational buildings and social housing**

## **Amendment 23**

### **Proposal for a directive**

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

Directive 2012/27/EU

Article 3

*Text proposed by the Commission*

*Amendment*

#### Article 3

#### Article 3

##### Energy efficiency targets

##### Energy efficiency targets

1. Each Member State shall set an indicative national energy efficiency target for 2020, based on either primary or final energy consumption, primary or final energy savings, or energy intensity. Member States shall notify those targets to the Commission in accordance with Article 24(1) and Annex XIV Part 1. When doing so, they shall also express those targets in terms of an absolute level of primary energy consumption and final energy consumption in 2020 and shall explain how, and on the basis of which data, this has been calculated.

1. Each Member State shall set an indicative national energy efficiency target for 2020 **and a binding national target for 2030**, based on either primary or final energy consumption, primary or final energy savings, or energy intensity. Member States shall notify those targets to the Commission in accordance with Article 24(1) and Annex XIV Part 1. When doing so, they shall also express those targets in terms of an absolute level of primary energy consumption and final energy consumption in 2020 and shall explain how, and on the basis of which data, this has been calculated.

When setting those targets, Member States shall take into account:

When setting those targets, Member States shall take into account:

(a) that the Union’s 2020 energy consumption has to be no more than 1 483 Mtoe of primary energy and no more than 1 086 Mtoe of final energy;

(a) that the Union’s 2020 energy consumption has to be no more than 1 483 Mtoe of primary energy and no more than 1 086 Mtoe of final energy;



(b) the measures provided for in this Directive;

(c) the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC; and

(d) other measures to promote energy efficiency within Member States and at Union level.

When setting those targets, Member States may also take into account national circumstances affecting primary energy consumption, such as:

(a) remaining cost-effective energy-saving potential;

(b) GDP evolution and forecast;

(c) changes of energy imports and exports;

(d) development of all sources of renewable energies, nuclear energy, carbon capture and storage; and

(e) early action.

2. By 30 June 2014, the Commission shall assess progress achieved and whether the Union is likely to achieve energy consumption of no more than 1 483 Mtoe of primary energy and no more than 1 086 Mtoe of final energy in 2020.

3. In carrying out the review referred to in paragraph 2, the Commission shall:

(a) sum the national *indicative* energy efficiency targets reported by Member

(b) the measures provided for in this Directive;

(c) the measures adopted to reach the national energy saving targets adopted pursuant to Article 4(1) of Directive 2006/32/EC; and

(d) other measures to promote energy efficiency within Member States and at Union level.

When setting those targets, Member States may also take into account national circumstances affecting primary energy consumption, such as:

(a) remaining cost-effective energy-saving potential;

(b) GDP evolution and forecast;

(c) changes of energy imports and exports;

***(c a) technological developments that may facilitate the feasibility of the targets;***

(d) development of all sources of renewable energies, nuclear energy, carbon capture and storage; and

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

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

(e) early action.

2. By 30 June 2014, the Commission shall assess progress achieved and whether the Union is likely to achieve energy consumption of no more than 1 483 Mtoe of primary energy and no more than 1 086 Mtoe of final energy in 2020.

3. In carrying out the review referred to in paragraph 2, the Commission shall:

(a) sum the national energy efficiency targets reported by Member States;

States;

(b) assess whether the sum of those targets can be considered a reliable guide to whether the Union as a whole is on track, taking into account the evaluation of the first annual report in accordance with Article 24(1), and the evaluation of the National Energy Efficiency Action Plans in accordance with Article 24(2);

(c) take into account complementary analysis arising from:

(i) an assessment of progress in energy consumption, and in energy consumption in relation to economic activity, at Union level, including progress in the efficiency of energy supply in Member States that have based their national indicative targets on final energy consumption or final energy savings, including progress due to these Member States' compliance with Chapter III of this Directive;

(ii) results from modelling exercises in relation to future trends in energy consumption at Union level.

(d) compare the results under points (a) to (c) with the quantity of energy consumption that would be needed to achieve energy consumption of no more than 1 483 Mtoe of primary energy and no more than 1 086 Mtoe of final energy in 2020.

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

(b) assess whether the sum of those targets can be considered a reliable *and realistic* guide *based on objective and non-discriminatory criteria* to whether the Union as a whole is on track, taking into account the evaluation of the first annual report in accordance with Article 24(1), and the evaluation of the National Energy Efficiency Action Plans in accordance with Article 24(2);

(c) take into account complementary analysis arising from:

(i) an assessment of progress in energy consumption, and in energy consumption in relation to economic activity, at Union level, including progress in the efficiency of energy supply in Member States that have based their national indicative targets on final energy consumption or final energy savings, including progress due to these Member States' compliance with Chapter III of this Directive;

(ii) results from modelling exercises in relation to future trends in energy consumption at Union level.

(d) compare the results under points (a) to (c) with the quantity of energy consumption that would be needed to achieve energy consumption of no more than 1 483 Mtoe of primary energy and no more than 1 086 Mtoe of final energy in 2020.

4. Each Member State shall *identify the bottom-up technical and economical potential for increased energy efficiency improvements in each sector, including how specific policy measures at all stages of the energy system, from the supply, transmission and distribution phase to energy end-use, will enable reaching the binding* national energy efficiency *targets in line with* the Union's 2030 target referred to in Article 1 paragraph 1 in accordance with Articles [4] and [6] of Regulation (EU) XX/20XX [Governance

their integrated national energy and climate plans in accordance with the procedure pursuant to Articles [3] and [7] to [11] of Regulation (EU) XX/20XX [Governance of the Energy Union].’;

of the Energy Union]. When setting those **targets**, Member States shall take into account that the Union’s 2030 energy consumption has to be no more than **1 132** Mtoe of primary energy and no more than **849** Mtoe of final energy. Member States shall notify **their national targets** to the Commission as part of their integrated national energy and climate plans in accordance with the procedure pursuant to Articles [3] and [7] to [11] of Regulation (EU) XX/20XX [Governance of the Energy Union]. **Member States shall also report annually to the Commission on the progress towards achieving their targets.**

## Amendment 24

### Proposal for a directive

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

Directive 2012/27/EU

Article 5

#### *Present text*

##### “Article 5

Exemplary role of public bodies’ buildings

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

The 3 % rate shall be calculated on the total floor area of buildings with a total

#### *Amendment*

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

##### “Article 5

Exemplary role of public bodies’ buildings

1. Without prejudice to Article 7 of Directive 2010/31/EU, each Member State shall ensure that, as from 1 January 2014, 3 % of the total floor area of heated and/or cooled buildings owned and occupied by its central government is renovated each year to meet at least the minimum energy performance requirements that it has set in application of Article 4 of Directive 2010/31/EU. **As from 1 January 2021 this paragraph shall apply to all heated and/or cooled buildings owned and occupied by public authorities with due regard for their respective competences and administrative set-up.**

The 3 % rate shall be calculated on the total floor area of buildings with a total

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

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

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

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

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

(a) buildings officially protected as

useful floor area over 500 m<sup>2</sup> owned and occupied by the central government of the Member State concerned that, on 1 January of each year, do not meet the national minimum energy performance requirements set in application of Article 4 of Directive 2010/31/EU. That threshold shall be lowered to 250 m<sup>2</sup> as of 9 July 2015, **and shall apply to buildings owned and occupied by public authorities as of 1 January 2021 with due regard for their respective competences and administrative set-up.**

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

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

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

(a) buildings officially protected as

part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance;

(b) buildings owned by the armed forces or central government and serving national defence purposes, apart from single living quarters or office buildings for the armed forces and other staff employed by national defence authorities;

(c) buildings used as places of worship and for religious activities.

3. If a Member State renovates more than 3 % of the total floor area of central government buildings in a given year, it may count the excess towards the annual renovation rate of any of the three previous or following years.

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

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

(a) the floor area in m<sup>2</sup>; and

(b) the energy performance of each building **or relevant energy data**.

6. Without prejudice to Article 7 of

part of a designated environment, or because of their special architectural or historical merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance;

(b) buildings owned by the armed forces or central government and serving national defence purposes, apart from single living quarters or office buildings for the armed forces and other staff employed by national defence authorities;

(c) buildings used as places of worship and for religious activities.

3. If a Member State renovates more than 3 % of the total floor area of public authorities' buildings in a given year, it may count the excess towards the annual renovation rate of any of the three previous or following years.

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

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

(a) the floor area in m<sup>2</sup>; and

(b) the energy performance of each building;

(c) **actual measured energy consumption**;

6. Without prejudice to Article 7 of

Directive 2010/31/EU, Member States may opt for an alternative approach to paragraphs 1 to 5 of this Article, whereby they take other cost-effective measures, including deep renovations and measures for behavioural change of occupants, to achieve, by 2020, an amount of energy savings in eligible buildings owned and occupied by their **central government** that is at least equivalent to that required in paragraph 1, reported on an annual basis.

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

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

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

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

Directive 2010/31/EU, Member States may opt for an alternative approach to paragraphs 1 to 5 of this Article, whereby they take other cost-effective measures, including deep renovations and measures for behavioural change of occupants, to achieve, by 2030, an amount of energy savings in eligible buildings owned and occupied by their **public authorities** that is at least equivalent to that required in paragraph 1, reported on an annual basis.

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

Member States opting for the alternative approach shall notify to the Commission, **within 6 months from the entry into force of this Directive**, the alternative measures that they plan to adopt, showing how they would achieve an equivalent improvement in the energy performance of the buildings within the **public authority** estate.

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

(a) adopt an energy efficiency plan **and long-term renovation strategy for each building**, freestanding or as part of a broader climate or environmental plan, containing specific energy saving and efficiency objectives **as well as live cycle costs assessments** and actions, with a view to following the exemplary role of **public authority** buildings laid down in paragraphs 1, 5 and 6;

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

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

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

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

***7a. Member States shall report on the annual energy savings resulting from the renovations, including on the share of deep renovations, and on the total floor area renovated, according to Article 19 of the Governance Regulation [ ].***

## Amendment 25

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – Title and paragraph 1

*Text proposed by the Commission*

Energy savings ***obligation***

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.

(b) new savings each year from 1 January 2021 to 31 December 2030 of 1.5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2019.

*Amendment*

Energy savings ***support schemes***

***1. To ensure that the Union's 2050 energy and climate targets and the long-term objectives under the Paris Agreement are met***, 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.

(b) new savings each year from 1 January 2021 to 31 December 2030 of 1.5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2019.

***(b a) new savings each year from 1 January 2031 to 31 December 2040 of 1.5% of annual energy sales to final***

*customers by volume, averaged over the most recent three-year period prior to 1 January 2029.*

*(b b) new savings each year from 1 January 2041 to 31 December 2050 of 1.5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2039.*

*If reviews by the Commission indicate the need, Member States shall adjust their annual savings obligation in accordance with the following periods: 2014-2020, 2021-2030, 2031-2040 and 2041-2050.*

## Amendment 26

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 1 – subparagraph 2

#### *Text proposed by the Commission*

Member States shall continue to achieve new annual savings of 1.5% for ***ten year periods after 2030***, unless reviews by the Commission by 2027 and every 10 years thereafter conclude that ***this is not necessary*** to achieve the Union's long term energy ***and*** climate targets for 2050.

#### *Amendment*

Member States shall continue to achieve new annual savings of 1.5% for ***the 2031-2040 and 2041-2050 periods***, unless reviews ***based on objective and non-discriminatory criteria set*** by the Commission by 2027 and every 10 years thereafter conclude that to achieve the Union's long term energy, climate ***and decarbonisation*** targets for 2050, ***the annual obligation for energy savings should be adjusted***.

## Amendment 27

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 1 – subparagraph 3

#### *Text proposed by the Commission*

For the purposes of point (b), and without

#### *Amendment*

For the purposes of point (b), and without



prejudice to paragraphs 2 and 3, Member States may count only those energy savings that stem from new policy measures introduced after 31 December 2020 or ***policy measures introduced during the period from 1 January 2014 to 31 December 2020*** provided it can be demonstrated that those measures result in individual actions that are undertaken after 31 December 2020 and deliver savings.

prejudice to paragraphs 2 and 3, Member States may count only those energy savings that stem from new policy measures, ***whether*** introduced after 31 December 2020 or ***before***, provided it can be demonstrated that those measures result in ***new*** individual actions that are undertaken after 31 December 2020 and deliver ***new*** savings.

## Amendment 28

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 1 – subparagraph 4

#### *Text proposed by the Commission*

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

#### *Amendment*

***From 2014 to 2020***, the sales of energy, by volume, used in transport may be partially or fully excluded from these calculations.  
***From 2021 onwards the sales of energy, by volume, used in transport may not be excluded from these calculations.***

## Amendment 29

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 1 – subparagraph 5

#### *Text proposed by the Commission*

Member States shall decide how the calculated quantity of new savings is to be phased over each period referred to in points ***(a) and (b)*** as long as the required total cumulative savings have been achieved by the end of each period.

#### *Amendment*

Member States shall decide how the calculated quantity of new savings is to be phased over each period referred to in points ***(a), (b), (ba) and (bb)*** as long as the required total cumulative savings have been achieved by the end of each period.

#### *Justification*

*This provisions should also apply for the 2030-2050 periods in order to guarantee a stable framework necessary for investments.*

## Amendment 30

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 2

#### *Text proposed by the Commission*

2. Subject to paragraph 3, each Member State may:

(a) carry out the calculation required by point (a) of paragraph 1 using values of 1 % in 2014 and 2015; 1.25 % in 2016 and 2017; and 1.5 % in 2018, 2019 and 2020;

***(b) exclude from the calculation all or part of the sales, by volume, of energy used in industrial activities listed in Annex I to Directive 2003/87/EC;***

(c) allow 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 Article 14(4), point (b) of Article 14(5) and Article 15(1) to (6) and (9), to be counted towards the amount of energy savings required under paragraph 1;

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

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

#### *Amendment*

2. Subject to paragraph 3, each Member State may:

(a) carry out the calculation required by point (a) of paragraph 1 using values of 1 % in 2014 and 2015; 1.25 % in 2016 and 2017; and 1.5 % in 2018, 2019 and 2020;

(c) allow 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 Article 14(4), point (b) of Article 14(5) and Article 15(1) to (6) and (9), to be counted towards the amount of energy savings required under paragraph 1;

## Amendment 31

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 3

#### *Text proposed by the Commission*

3. All the options chosen under paragraph 2 taken together must amount to no more than 25 % of the amount of energy savings referred to in paragraph 1. Member States shall apply and calculate the effect of the options chosen for the periods referred to in points (a) and (b) of paragraph 1 separately:

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

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

#### *Amendment*

3. All the options chosen under paragraph 2 taken together must amount to no more than 25 % of the amount of energy savings referred to in paragraph 1. Member States shall apply and calculate the effect of the options chosen for the periods referred to in points (a) and (b) of paragraph 1 separately:

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

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

## Amendment 32

### Proposal for a directive

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

Directive 2012/27/EU

Article 7 – paragraph 7

#### *Text proposed by the Commission*

7. Member States shall demonstrate that where there is an overlap in the impact of policy measures or individual actions, there is no double counting of energy savings.;

#### *Amendment*

7. ***While recognising that efficiency gains from primary and final energy are complementary,*** Member States shall demonstrate that where there is an overlap in the impact of policy measures or individual actions, there is no double

counting of energy savings.

## Amendment 33

### Proposal for a directive

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

Directive 2012/27/EU

Article 7a

*Text proposed by the Commission*

#### Article 7a

Energy efficiency **obligation** schemes

1. Where Member States decide to fulfil their obligations to achieve the amount of savings required under Article 7 (1) by way of an energy efficiency **obligation** scheme they shall ensure that obligated parties referred to in paragraph 2 operating in each Member State's territory achieve, without prejudice to Article 7(2), the cumulative end-use energy savings requirement set out in Article 7(1).

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

3. 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

*Amendment*

#### Article 7a

Energy efficiency **support** schemes

1. Where Member States decide to fulfil their obligations to achieve the amount of savings required under Article 7 (1) by way of an energy efficiency **support** scheme they shall ensure that obligated parties referred to in paragraph 2 operating in each Member State's territory achieve, without prejudice to Article 7(2), the cumulative end-use energy savings requirement set out in Article 7(1).

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

3. 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. The conversion factors set out in Annex IV shall apply.

4. Member States shall put in place measurement, control and verification system under which documented audits are carried out on a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the obligated parties. This measurement, control and verification shall be conducted independently of the obligated parties.

5. Within the energy efficiency **obligation** scheme, Member States:

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

(b) **may** permit obligated parties 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 or may not involve formal partnerships and may be in combination with other sources of finance. Where Member States so permit, they shall ensure that an approval process is in place which is clear, transparent and open to all market actors, and which aims at minimising the costs of certification;

(c) may allow obligated parties 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 7(1).

6. Once a year, Member States shall

parties. The conversion factors set out in Annex IV shall apply.

4. Member States shall put in place measurement, control and verification system under which documented audits are carried out on a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the obligated parties. This measurement, control and verification shall be conducted independently of the obligated parties.

5. Within the energy efficiency **support** scheme, Member States:

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

(b) **shall** permit obligated parties 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, **such as social housing providers**, or through public authorities that may or may not involve formal partnerships and may be in combination with other sources of finance. Where Member States so permit, they shall ensure that an approval process is in place which is clear, transparent and open to all market actors, and which aims at minimising the costs of certification;

(c) may allow obligated parties 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 7(1).

6. Once a year, Member States shall

publish the energy savings achieved by each obligated party, or each sub-category of obligated party, and in total under the scheme.

publish the energy savings achieved by each obligated party, or each sub-category of obligated party, and in total under the scheme.

## Amendment 34

### Proposal for a directive Article 1 – paragraph 1 – point 4 Directive 2012/27/EU Article 7b

#### *Text proposed by the Commission*

##### Article 7b

###### Alternative policy measures

1. Where Member States decide to fulfil their obligations to achieve the savings required under Article 7(1) by way of alternative policy measures they shall ensure that the energy savings required under Article 7(1) are achieved among final customers.
2. In designing alternative policy measures to achieve energy savings, Member States shall take into account *the effect on* households *affected by* energy poverty.
3. For all measures other than those relating to taxation measures, Member States shall put in place measurement, control and verification systems under which documented audits are carried out on a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the participating or entrusted parties. This measurement, control and verification shall be conducted independently of the participating and entrusted parties.’;

#### *Amendment*

##### Article 7b

###### Alternative policy measures

1. Where Member States decide to fulfil their obligations to achieve the savings required under Article 7(1) by way of alternative policy measures they shall ensure that the energy savings required under Article 7(1) are achieved among final customers.
2. In designing alternative policy measures to achieve energy savings *and to ensure that ambitious energy renovation of existing buildings will be undertaken*, Member States shall *establish measures benefiting low-income households at risk of energy poverty or in social housing. Those measures shall be made public.*
3. For all measures other than those relating to taxation measures, Member States shall put in place measurement, control and verification systems under which documented audits are carried out on a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the participating or entrusted parties. This measurement, control and verification shall be conducted independently of the participating and entrusted parties.

## Amendment 35

### Proposal for a directive

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

Directive 2012/27/EU

Article 8 – paragraph 4

#### *Present text*

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

#### *Amendment*

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

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

***Member States shall incentivise SMEs with higher energy consumption per turnover than EU average to fulfil the requirements set out in this paragraph”***

## Amendment 36

### Proposal for a directive

#### Article 1 – paragraph 1 – point 4 b (new)

Directive 2012/27/EU

Article 8 – paragraph 6

#### *Present text*

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

#### *Amendment*

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

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

on Annex VI.

the management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.”

## Amendment 37

### Proposal for a directive

#### Article 1 – paragraph 1 – point 5 – point b

Directive 2012/27/EU

Article 9 – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

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

#### *Amendment*

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

#### *Justification*

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

## Amendment 38

### Proposal for a directive

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

Directive 2012/27/EU

Article 9a

#### *Text proposed by the Commission*

##### Article 9a

Metering, sub-metering and cost allocation for heating and cooling and domestic hot water

1. Member States shall ensure that final customers for district heating, district

#### *Amendment*

##### Article 9a

Metering, sub-metering and cost allocation for heating and cooling and domestic hot water

1. Member States shall ensure that final customers for district heating, district



cooling and domestic hot water are provided with competitively priced meters that accurately reflect the final customer's actual energy consumption.

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

2. In multi-apartment and multi-purpose buildings with a central heating or cooling source or supplied from district heating and cooling systems, individual meters shall be installed to measure the consumption of heat or cooling or hot water for each building unit.

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

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

3. Where multi-apartment and multi-purpose buildings are supplied from district heating or cooling, or where own common

cooling and domestic hot water are provided with competitively priced meters that accurately reflect the final customer's actual energy consumption.

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

2. In multi-apartment and multi-purpose buildings with a central heating or cooling source or supplied from district heating and cooling systems, individual meters shall be installed to measure the consumption of heat or cooling or hot water for each building unit *where technically feasible, cost effective and proportionate in relation to the potential energy savings*.

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

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

3. Where multi-apartment and multi-purpose buildings are supplied from district heating or cooling, or where own common

heating or cooling systems for such buildings are prevalent, Member States shall introduce transparent rules on the allocation of the cost of heating, cooling and hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption including:

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

Meters and cost allocators that have already been installed but which are not remotely readable shall be provided with this capability or be replaced with remotely readable devices by 1 January 2027, except where the Member State in question shows that this is not cost-efficient.;

## Amendment 39

### Proposal for a directive

#### Article 1 – paragraph 1 – point 7 – point c

Directive 2012/27/EU

Article 10 – paragraph 2 – subparagraph 1

#### *Text proposed by the Commission*

Meters installed in accordance with Directive 2009/73/EC shall enable accurate billing information based on actual consumption. Member States shall ensure that final customers have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks.;

heating or cooling systems for such buildings are prevalent, Member States shall introduce **and make public** transparent **national** rules on the allocation of the cost of heating, cooling and hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption including:

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

***The conditions regarding technical feasibility and cost effectiveness set out in the first and second subparagraphs of paragraph 2 shall continue to apply.***

Meters and **heat** cost allocators that have already been installed but which are not remotely readable shall be provided with this capability or be replaced with remotely readable devices by 1 January 2027, except where the Member State in question shows that this is not cost-efficient.;

#### *Amendment*

Meters installed in accordance with Directive 2009/73/EC shall enable accurate billing information based on actual consumption. Member States shall ensure that final customers have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks. ***To ensure consumer privacy for final consumers, Member States shall ensure that meters are privacy-proof and used in line with the requirements of the Regulation (EU) 2016/679 (General Data Protection Regulation (GDPR)). Member States shall also take into account the importance of***

*resistance to cybercrime in metering systems. In this regard, the Commission shall examine before 1 January 2019 whether Directive 2013/40/EU (on attacks against information systems) should be updated to include metering systems.*

## **Amendment 40**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 8**

Directive 2012/27/EU

Article 10a – paragraph 1 – subparagraph 1

#### *Text proposed by the Commission*

Member States shall ensure that billing and consumption information is accurate and based on actual consumption, in accordance with points 1 and 2 of Annex VIIa for all final **users** where meters or cost allocators are installed.

#### *Amendment*

Member States shall ensure that billing and consumption information is accurate and based on actual consumption **or heat cost allocator readings**, in accordance with points 1 and 2 of Annex VIIa for all final **consumers** where meters or **heat** cost allocators are installed.

## **Amendment 41**

### **Proposal for a directive**

#### **Article 1 – paragraph 1 – point 8**

Directive 2012/27/EU

Article 10a – paragraph 1 – subparagraph 2 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***Member States may decide who is to provide the billing and consumption information based on actual consumption or heat cost allocator readings to final users, that is to say, for natural or legal persons occupying an individual building or a unit in a multi-apartment or multi-purpose building supplied with heating, cooling or hot water from a central source who has no direct or individual contract with the energy supplier.***

## *Justification*

*The obligation of delivering billing and consumption information to final users is not always possible to fulfil with heat cost allocators because they do not measure actual heat consumption and it will be very expensive and technically complicated replace them with energy meters. Billing information on heat consumption based on heat meter readings should be provided as a rule only to the final customer. The scope of information delivered to final users (in case they are not final customers), should be decided individually by Member States, taking into account the specificity of the building infrastructure in each area and the current legal status.*

### **Amendment 42**

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

#### **Article 1 – paragraph 1 – point 8**

Directive 2012/27/EU

Article 10a – paragraph 2 – point a

#### *Text proposed by the Commission*

(a) shall require that, if information on the energy billing and historical consumption of final **users** is available, it be made available, to an energy service provider designated by the final **user**;

#### *Amendment*

(a) shall require that, if information on the energy billing and historical consumption **or heat cost allocator readings** of final **consumers** is available, it be made available **upon request by the final user**, to an energy service provider designated by the final **consumer**;

### **Amendment 43**

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

#### **Article 1 – paragraph 1 – point 8**

Directive 2012/27/EU

Article 10a – paragraph 2 – point c

#### *Text proposed by the Commission*

(c) shall ensure that appropriate information is provided with the bill based on actual consumption to all final **users** in accordance with point 3 of Annex VII;

#### *Amendment*

(c) shall ensure that appropriate information is provided with the bill based on actual consumption **or heat cost allocator readings** to all final **consumers** in accordance with point 3 of Annex VIIa;

### **Amendment 44**

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

**Article 1 – paragraph 1 – point 11 a (new)**  
Directive 2012/27/EU  
Article 19 a (new)

*Text proposed by the Commission*

*Amendment*

**11a. The following Article 19a is inserted:**

**Article 19a**

***Financing energy efficiency by European banks***

***The European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD) shall adapt their policy objectives with a view to recognise energy efficiency as an energy source in its own right and energy efficiency investments as part of their infrastructure investment portfolio.***

***EIB and EBRD shall, also together with national promotional banks, design, generate and finance programmes and projects tailored to the efficiency sector, including for energy poor households.***

***Member States shall make full use of the possibilities and tools proposed by the Smart Finance for Smart Buildings Initiative.***

*Justification*

*A step change is needed so that financial institutions deliver the financial instruments adequate for large scale energy efficiency investments.*

**Amendment 45**

**Proposal for a directive**

**Article 1 – paragraph 1 – point 12 a (new)**  
Directive 2012/27/EU  
Article 24 – paragraph 4

*Present text*

*Amendment*

***(12 a) in Article 24 paragraph 4 is replaced by the following:***

4. The Commission shall monitor the

“The Commission shall monitor the impact

impact of implementing this Directive on Directives 2003/87/EC, 2009/28/EC and 2010/31/EU and **Decision No 406/2009/EC, and on industry sectors, in particular those that are exposed to a significant risk of carbon leakage as determined in Decision 2010/2/EU.**

of implementing this Directive on Directives 2003/87/EC, 2009/28/EC and 2010/31/EU and **Regulation No ... (Regulation of the European Parliament and of the council on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 for a resilient Energy Union and to meet commitments under the Paris Agreement and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change) and each year, the Commission shall submit a report to the European Parliament and to the Council. If, on the basis of the regular reports, the Commission has evidence that the interaction of the policies leads to improper functioning of the carbon market, it shall submit a legislative proposal addressing measures to improve its functioning.”**

(Original/current point (13) and point (14) of the proposal will be renumbered and become point (14) and point (15) respectively.)

#### *Justification*

*Given the fragile supply/demand balance expected after 2020, the additional drop of the demand caused by the EU ETS overlaps with other climate policies can translate into a situation, when the supply of allowances will be chronically equal or higher than the respective demand. Therefore, the negative effect of the overlapping climate policies should be neutralized by placing into the MSR the volume of allowances equivalent to the emission savings achieved outside the EU ETS market.*

#### **Amendment 46**

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

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

Directive 2012/27/EU

Article 24 – paragraph 12

*Text proposed by the Commission*

*Amendment*

12. The Commission shall **evaluate** this

12. The Commission shall **undertake a**

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

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

### *Justification*

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

## **Amendment 47**

**Proposal for a directive**  
**Annex 1 – point 1 – point a**  
Directive 2012/27/EU  
Annex IV – footnote 3

### *Text proposed by the Commission*

(a) in Annex IV, footnote 3 is replaced by the following: '(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,0. Member States may apply a different coefficient provided they can justify it.

### *Amendment*

(a) in Annex IV, footnote 3 is replaced by the following: '(3) Applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption. For savings in kWh electricity Member States may apply a default coefficient of 2,0. Member States may apply a different coefficient provided they can justify it ***on the basis of national circumstances affecting primary energy consumption. Those circumstances should be duly substantiated, measurable and verifiable and based on objective and non-discriminatory criteria.***

## **Amendment 48**

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

*Text proposed by the Commission*

(a) the savings must be shown to be additional to those that would have occurred in any event without the activity of the obligated, participating or entrusted parties and/or implementing authorities. To determine what savings can be claimed as additional Member States shall establish a baseline that describes how energy consumption would evolve in the absence of the policy measure in question. The baseline shall reflect at least the following factors: energy consumption trends, changes in consumer behaviour, technological progress and changes caused by other measures implemented at national and EU level;

*Amendment*

(a) the savings must be shown to be additional to those that would have occurred in any event without the activity of the obligated, participating or entrusted parties and/or implementing authorities. To determine what savings can be claimed as additional Member States shall establish a baseline that describes how energy consumption would evolve in the absence of the policy measure **and its resulting new individual actions** in question. The baseline shall reflect at least the following factors: energy consumption trends, changes in consumer behaviour, technological progress and changes caused by other measures implemented at national and EU level;

**Amendment 49**

**Proposal for a directive**  
**Annex I – point 1 – point b**  
Directive 2012/27/EU  
Annex V – paragraph 2 – point h

*Text proposed by the Commission*

(h) the calculation of energy savings shall take into account the lifetime of measures. ***This may be done*** by counting the savings each individual action will achieve between its implementation date and 31 December 2020 or 31 December 2030 as appropriate. Alternatively, Member States may adopt another method that is estimated to achieve at least the same total quantity of savings. When using other methods, Member States shall ensure that the total amount of energy savings calculated using these other methods does not exceed the amount of energy savings that would have been the result of their calculation when counting the savings each

*Amendment*

(h) the calculation of energy savings shall take into account the lifetime of measures by counting the savings each individual action will achieve between its implementation date and 31 December 2020 or 31 December 2030 as appropriate. Alternatively, Member States may adopt another method that is estimated to achieve at least the same total quantity of savings. When using other methods, Member States shall ensure that the total amount of energy savings calculated using these other methods does not exceed the amount of energy savings that would have been the result of their calculation when counting the savings each individual action will



individual action will achieve between its implementation date and 31 December 2020 or 31 December 2030 as appropriate. Member States shall describe in detail in their Integrated National Energy and Climate plans under the Energy Union Governance the other methods they have used and which provisions have been made to ensure they meet this binding calculation requirement.

achieve between its implementation date and 31 December 2020 or 31 December 2030 as appropriate. Member States shall describe in detail in their Integrated National Energy and Climate plans under the Energy Union Governance the other methods they have used and which provisions have been made to ensure they meet this binding calculation requirement.

## **Amendment 50**

### **Proposal for a directive**

#### **Annex I – point 1 – point b**

Directive 2012/12/EU

Annex V – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

*For policy measures taken pursuant to point (e) of Article 7(2) Member States may use the calculation methodology established under Directive 2010/31/EU as far as this is in line with the requirements of Article 7 of this Directive and this Annex.*

*deleted*

## **Amendment 51**

### **Proposal for a directive**

#### **Annex I – point 1 – point b**

Directive 2012/27/EU

Annex V – paragraph 5 – point a a (new)

*Text proposed by the Commission*

*Amendment*

*(aa) sources used in the calculation of energy sales data including justification for the use of alternative statistical sources and any differences of the resulting quantities (if sources other than Eurostat are used);*

## Amendment 52

### Proposal for a directive

#### Annex I – point 1 – point b

Directive 2012/27/EU

Annex V – paragraph 5 – point h

#### *Text proposed by the Commission*

(h) the lifetimes of measures and how they are calculated or what they are based upon;

#### *Amendment*

(h) the lifetimes of measures and how they are calculated or what they are based upon ***as well as any other method adopted that is estimated to achieve at least the same total quantity of savings;***

## Amendment 53

### Proposal for a directive

#### Annex I – point 2 – point b

Directive 2010/31/EU

Annex VIIa – Title

#### *Text proposed by the Commission*

Minimum requirements for billing and consumption information ***based on actual consumption of*** heating, cooling and hot water

#### *Amendment*

Minimum requirements for billing and consumption information ***for*** heating, cooling and hot water

## Amendment 54

### Proposal for a directive

#### Annex I – point 2 – point b

Directive 2010/31/EU

Annex VIIa – point 1

#### *Text proposed by the Commission*

Billing based on actual consumption

In order to enable final users to regulate their own energy consumption, billing shall take place on the basis of actual consumption at least once per year.

#### *Amendment*

Billing based on actual consumption ***or heat cost allocator readings***

In order to enable final users to regulate their own energy consumption, billing shall take place on the basis of actual consumption ***or heat cost allocator readings*** at least once per year.

## Amendment 55

### Proposal for a directive

#### Annex I – point 2 – point b

Directive 2010/31/EU

Annex VIIa – point 2 – paragraph 1

#### *Text proposed by the Commission*

As of [Please insert here ....***the entry into force***] where remotely readable meters or cost allocators have been installed, billing or consumption information based on actual consumption shall be made available at least quarterly upon request or where final customers have opted to receive electronic billing, or else twice yearly.

#### *Amendment*

As of [Please insert here ....***date of transposition***] where remotely readable meters or ***heat*** cost allocators have been installed, billing or consumption information based on actual consumption ***or heat cost allocator readings*** shall be made available at least quarterly upon request or where final customers have opted to receive electronic billing, or else twice yearly.

## Amendment 56

### Proposal for a directive

#### Annex I – point 2 – point b

Directive 2010/31/EU

Annex VIIa – point 2 – paragraph 2

#### *Text proposed by the Commission*

As of 1 January 2022, where remotely readable meters or cost allocators have been installed, billing or consumption information shall be made available at least monthly. Heating and cooling may be exempted from this outside the heating/cooling seasons.

#### *Amendment*

As of 1 January 2022, where remotely readable meters or ***heat*** cost allocators have been installed, billing or consumption information ***based on actual consumption or heat cost allocator readings*** shall be made available at least monthly. Heating and cooling may be exempted from this outside the heating/cooling seasons.

## Amendment 57

### Proposal for a directive

#### Annex I – point 2 – point b

Directive 2010/31/EU

Annex VIIa – point 3 – title

*Text proposed by the Commission*

*Amendment*

Minimum information contained in the bill  
based on actual consumption

Minimum information contained in the bill  
based on actual consumption ***or heat cost  
allocator readings***

**Amendment 58**

**Proposal for a directive**

**Annex I – point 2 – point b**

Directive 2012/27/EU

Annex VIIa – point 3 – paragraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

Member States shall ensure that the  
following information is made available to  
final users in clear and understandable  
terms in or with their bills:

Member States shall ensure that the  
following information is ***accurate and***  
made available to final users in clear and  
understandable terms in or with their bills:

**Amendment 59**

**Proposal for a directive**

**Annex I – point 2 – point b**

Directive 2010/31/EU

Annex VIIa – point 3 – paragraph 1 – point a

*Text proposed by the Commission*

*Amendment*

(a) current actual prices and actual  
consumption ***of energy***;

(a) current actual prices and actual  
consumption ***or total heat cost and heat  
cost allocator readings***;

*Justification*

*Annex VIIa needs to be amended to be in line with article 10a.*

**Amendment 60**

**Proposal for a directive**

**Annex I – point 2 a (new)**

Directive 2012/27/EU

Annex IX – Part I – point g

## (g) Economic analysis: Inventory of effects

The economic analyses shall take into account all relevant economic effects.

Member States *may* assess and take into account in decision making costs and energy savings from the increased flexibility in energy supply and from a more optimal operation of the electricity networks, including avoided costs and savings from reduced infrastructure investment, in the analysed scenarios.

The costs and benefits taken into account shall include at least the following:

## (i) Benefits

— Value of output to the consumer (heat and electricity)

— External benefits such as environmental and health benefits, *to the extent possible*

## (ii) Costs

— Capital costs of plants and equipments

— Capital costs of the associated energy networks

— Variable and fixed operating costs

— Energy costs

— Environmental and health cost, *to the extent possible*

**2a. Annex IX, Part I, point g is replaced by the following:**

## (g) Economic analysis: Inventory of effects

The economic analyses shall take into account all relevant economic effects.

Member States *shall* assess and take into account in decision making costs and energy savings from the increased flexibility in energy supply and from a more optimal operation of the electricity networks, including avoided costs and savings from reduced infrastructure investment, in the analysed scenarios.

The costs and benefits taken into account shall include at least the following:

## (i) Benefits

— Value of output to the consumer (heat and electricity)

— External benefits such as environmental, *green-house gas emissions* and health benefits

— *Labour market effects, energy security, competitiveness*

## (ii) Costs

— Capital costs of plants and equipments

— Capital costs of the associated energy networks

— Variable and fixed operating costs

— Energy costs

— Environmental and health *cost*

— *Labour market costs, energy security, competitiveness*

## **EXPLANATORY STATEMENT**

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

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

### **Energy security**

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

### **Energy poverty**

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

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

### **Economic growth**

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

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

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

### **Closing loopholes**

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

### **Standing up for citizens**

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

## PROCEDURE – COMMITTEE ASKED FOR OPINION

<b>Title</b>	Energy efficiency						
<b>References</b>	COM(2016)0761 – C8-0498/2016 – 2016/0376(COD)						
<b>Committee responsible</b> Date announced in plenary	ITRE 12.12.2016						
<b>Opinion by</b> Date announced in plenary	ENVI 12.12.2016						
<b>Rapporteur</b> Date appointed	Jytte Guteland 14.2.2017						
<b>Discussed in committee</b>	8.6.2017						
<b>Date adopted</b>	7.9.2017						
<b>Result of final vote</b>	<table> <tr> <td>+: </td><td>32</td></tr> <tr> <td>–: </td><td>12</td></tr> <tr> <td>0: </td><td>12</td></tr> </table>	+:	32	–:	12	0:	12
+:	32						
–:	12						
0:	12						
<b>Members present for the final vote</b>	Marco Affronte, Ivo Belet, Biljana Borzan, Lynn Boylan, Paul Brannen, Soledad Cabezón Ruiz, Nessa Childers, Birgit Collin-Langen, Mireille D’Ornano, Miriam Dalli, Seb Dance, Stefan Eck, José Inácio Faria, Karl-Heinz Florenz, Arne Gericke, Julie Girling, Sylvie Goddyn, Jytte Guteland, Anneli Jäätteenmäki, Jean-François Jalkh, Benedek Jávor, Karin Kadenbach, Urszula Krupa, Peter Liese, Norbert Lins, Valentinas Mazuronis, Susanne Melior, Massimo Paolucci, Gilles Pargneaux, Piernicola Pedicini, Bolesław G. Piecha, Pavel Poc, Frédérique Ries, Annie Schreijer-Pierik, Davor Škrlec, Renate Sommer, Claudiu Ciprian Tănăsescu, Ivica Tolić, Nils Torvalds, Adina-Ioana Vălean, Jadwiga Wiśniewska, Damiano Zoffoli						
<b>Substitutes present for the final vote</b>	Nicola Caputo, Jørn Dohrmann, Elena Gentile, Jan Huitema, Merja Kyllönen, Stefano Maullu, Mairead McGuinness, Keith Taylor, Carlos Zorrinho						
<b>Substitutes under Rule 200(2) present for the final vote</b>	Bendt Bendtsen, Norbert Erdős, Jill Evans, Barbara Lochbihler, Olle Ludvigsson						



## FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

32	+
ALDE	Anneli Jäätteenmäki, Frédérique Ries, Nils Torvalds
EFDD	Piernicola Pedicini
GUE/NGL	Lynn Boylan, Stefan Eck, Merja Kyllönen
PPE	Stefano Maullu
S&D	Biljana Borzan, Paul Brannen, Soledad Cabezón Ruiz, Nicola Caputo, Nessa Childers, Miriam Dalli, Seb Dance, Elena Gentile, Jytte Guteland, Karin Kadenbach, Olle Ludvigsson, Susanne Melior, Massimo Paolucci, Gilles Pargneaux, Pavel Poc, Claudiu Ciprian Tănăsescu, Damiano Zoffoli, Carlos Zorrinho
Verts/ALE	Marco Affronte, Jill Evans, Benedek Jávor, Barbara Lochbihler, Davor Škrlec, Keith Taylor

12	-
ALDE	Valentinas Mazuronis
ECR	Jørn Dohrmann, Arne Gericke, Julie Girling, Urszula Krupa, Bolesław G. Piecha, Jadwiga Wiśniewska
ENF	Mireille D'Ornano, Sylvie Goddyn, Jean-François Jalkh
PPE	Annie Schreijer-Pierik, Renate Sommer

12	0
ALDE	Jan Huitema
PPE	Ivo Belet, Bendt Bendtsen, Birgit Collin-Langen, Norbert Erdős, José Inácio Faria, Karl-Heinz Florenz, Peter Liese, Norbert Lins, Mairead McGuinness, Ivica Tolić, Adina-Ioana Vălean

Key to symbols:

+ : in favour

- : against

0 : abstention