Basic information

2016/0381(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Directive	Procedure completed
Energy performance of buildings Amending Directive 2010/31/EU 2008/0223(COD) **Subject** 3.40.07 Building industry 3.60.08 Energy efficiency	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ITRE Industry, Research and Energy	BENDTSEN Bendt (PPE)	25/01/2017
	Shadow rapporteur KUMPULA-NATRI Miapetra (S&D) CZESAK Edward (ECR) PETERSEN Morten (ALDE) SYLIKIOTIS Neoklis (GUE/NGL) MARCELLESI Florent (Verts/ALE) TAMBURRANO Dario (EFDD) KAPPEL Barbara (ENF)	

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Food Safety	JÄÄTTEENMÄKI Anneli (ALDE)	20/02/2017

Council of the European Union

Council configuration	Meetings	Date
General Affairs	3615	2018-05-14

European Commission

Commission DG	Commissioner
Energy	ŠEFČOVIČ Maroš

European Economic and Social Committee	
European Committee of the Regions	

Key events

Date	Event	Reference	Summary
30/11/2016	Legislative proposal published	COM(2016)0765	Summary
12/12/2016	Committee referral announced in Parliament, 1st reading		
27/02/2017	Debate in Council		
11/10/2017	Vote in committee, 1st reading		
11/10/2017	Committee decision to open interinstitutional negotiations with report adopted in committee		
23/10/2017	Committee report tabled for plenary, 1st reading	A8-0314/2017	Summary
23/10/2017	Committee decision to enter into interinstitutional negotiations announced in plenary (Rule 72)		
25/10/2017	Committee decision to enter into interinstitutional negotiations confirmed by plenary (Rule 72)		
21/02/2018	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE616.909 GEDA/A/(2018)001121	
17/04/2018	Decision by Parliament, 1st reading	T8-0099/2018	Summary
17/04/2018	Results of vote in Parliament		
14/05/2018	Act adopted by Council after Parliament's 1st reading		
30/05/2018	Final act signed		
30/05/2018	End of procedure in Parliament		
19/06/2018	Final act published in Official Journal		

Technical information

Procedure reference	2016/0381(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Directive
Amendments and repeals	Amending Directive 2010/31/EU 2008/0223(COD)
Legal basis	Treaty on the Functioning of the European Union TFEU 194-p2
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ITRE/8/08698

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE603.067	24/04/2017	
Amendments tabled in committee		PE606.076	13/06/2017	
Amendments tabled in committee		PE606.029	19/06/2017	
Amendments tabled in committee		PE606.077	19/06/2017	
Committee opinion	ENVI	PE603.103	25/09/2017	
Committee report tabled for plenary, 1st reading/single reading		A8-0314/2017	23/10/2017	Summary
Text agreed during interinstitutional negotiations		PE616.909	31/01/2018	
Text adopted by Parliament, 1st reading/single reading		T8-0099/2018	17/04/2018	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2018)001121	31/01/2018	
Draft final act	00004/2018/LEX	30/05/2018	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2016)0765	30/11/2016	Summary
Document attached to the procedure	SWD(2016)0408	01/12/2016	
Document attached to the procedure	SWD(2016)0409	01/12/2016	
Document attached to the procedure	SWD(2016)0414	01/12/2016	
Document attached to the procedure	SWD(2016)0415	01/12/2016	
Commission response to text adopted in plenary	SP(2018)350	06/06/2018	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary
Contribution	AT_BUNDESRAT	COM(2016)0765	24/01/2017	
Contribution	PT_PARLIAMENT	COM(2016)0765	26/01/2017	
Reasoned opinion	NL_SENATE	PE597.701	07/02/2017	

Reasoned opinion	NL_CHAMBER	PE597.702	07/02/2017	
Contribution	CZ_SENATE	COM(2016)0765	04/05/2017	
Contribution	IT_CHAMBER	COM(2016)0765	30/06/2017	
Contribution	IT_SENATE	COM(2016)0765	16/11/2017	
Contribution	FR_ASSEMBLY	COM(2016)0765	09/04/2018	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0008/2017	26/04/2017	
CofR	Committee of the Regions: opinion	CDR0831/2017	12/07/2017	

Additional information

Source	Document	Date
European Parliament	Briefing	
European Commission	EUR-Lex	

Final act

Directive 2018/0844
OJ L 156 19.06.2018, p. 0075 Summary

Energy performance of buildings

2016/0381(COD) - 23/10/2017 - Committee report tabled for plenary, 1st reading/single reading

The Committee on Industry, Research and Energy adopted the report by Bendt BENDTSEN (EPP, DK) on the proposal for a directive of the European Parliament and of the Council amending directive 2010/31/EU on the energy performance of buildings.

The committee recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the Commission proposal as follows:

Strengthening planning and long-term action: Members recommended that Member States shall establish a long-term strategy for the **transformation of the national stock of residential and commercial buildings, both public and private, into a highly energy efficient and decarbonised building stock by 2050**.

Specific milestones for **2030 and 2040** as well as measurable progress indicators shall be provided.

The strategy shall include actions to **mobilise investments** to facilitate the necessary renovations, including:

- identification of cost-effective approaches and actions to **stimulate technology neutral renovations relevant to the building type** and climatic zone, considering relevant trigger points in the life-cycle of the building;
- policies and actions to **stimulate cost-effective deep renovations of buildings**, including staged deep renovations and decarbonisation of the heating and cooling demand, for example by introducing a scheme for building renovation passports;
- policies and actions to target the worst performing segments of the national building stock, **households subject to energy poverty** and households subject to split-incentive dilemmas as well as multifamily dwellings facing challenges to conduct renovations, while taking into consideration affordability;

- policies and actions aiming to accelerate technological transition towards smart and **well-connected buildings** and communities as well as the deployment of very high-capacity networks;
- an overview of national initiatives to **promote skills and education** in the construction and energy efficiency sectors as well as education in both passive elements and smart technologies;
- a forward-looking perspective to **guide** investment decisions of individuals, the construction industry, public institutions including municipalities, housing cooperatives and financial institutions;
- **an evidence-based estimate of expected energy savings** and wider benefits, such as those related to health, safety and air quality.

The development and implementation of Member States' long-term renovation strategies shall be supported by **structured, permanent stakeholder platforms**. Each Member State shall include details of the implementation of its longterm renovation strategy.

Financial incentives: financing mechanisms and incentives shall have a central position in the national long-term renovation strategies and be actively promoted by Member States, including by facilitating **energy efficient mortgage standards** for certified energy efficient building renovations, promoting investments for public authorities in an energy efficient building stock, such as by clarifying accounting standards for public investments, and by providing accessible and transparent advisory tools for consumers on their financing options for energy efficient renovations in buildings.

Proportionate electro-mobility requirements: the Commission's proposal aims at using the revision of the Directive to contribute further to decarbonisation of transport by using the infrastructure around buildings to facilitate the rollout of electric mobility infrastructure. Members suggested focusing the requirements of the Directive to either **pre-cabling or pre-tubing** which allows charging infrastructures to be quickly installed in car parks.

Member States shall require installation of a **minimum number of recharging points** to all public and commercial non-residential buildings, with more than ten parking spaces, by 1 January 2025.

Buildings: Members proposed strengthening the elements of the proposal concerning the use of **building automation**, to clarify its value in its own right, and to clarify its use as alternative to inspections for simplification purposes.

The amendments made the following points:

- **for new buildings**, Member States should ensure that, before construction starts, the technical, environmental and economic feasibility of high-efficiency alternative systems is taken into account. Such systems could include decentralised energy supply systems based on energy from renewable sources or waste heat; cogeneration; district or block heating or cooling and heat pumps;
- new buildings should be equipped with **self-regulating devices** that regulate room temperature levels in each individual room;
- energy performance upgrades of **existing buildings** shall contribute to achieving a healthy indoor environment, including by the removal of asbestos and other harmful substances and by avoiding problems such as mould.

Smart indicators: Members laid down the specific conditions, scope and purpose for the delegation of competences to the Commission to develop a smartness indicator **in accordance with the methodology set out in this Directive**.

The smartness indicator shall be coherent with energy performance certificates and should be used to measure buildings' capacity to use ICT and electronic systems to optimise operation, performance, indoor comfort and interact with the grid.

Energy performance of buildings

2016/0381(COD) - 30/11/2016 - Legislative proposal

PURPOSE: to accelerate the cost-effective renovation of existing buildings.

PROPOSED ACT: Directive of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Energy Union and the Energy and Climate Policy Framework for 2030 establish **ambitious Union commitments** to:

- reduce greenhouse gas emissions further (by at least 40 % by 2030, as compared with 1990),
- increase the proportion of renewable energy consumed (by at least 27 %),
- make energy savings of at least 27 %, reviewing this level having in mind an Union level of 30 %,
- improve Europe's energy security, competitiveness and sustainability.

One of the ways to improve energy efficiency is to tap the **huge potential for efficiency gains in the building sector** which is the largest single energy consumer in Europe, absorbing 40% of final energy. About 75% of buildings are energy inefficient and, depending on the Member State, only 0.4-1.2% of the stock is renovated each year.

In order to accelerate the cost-effective renovation of existing building, the Commission proposes to update Directive 2010/31/EU on the energy performance of buildings Directive (EPBD) by:

- integrating long term building renovation strategies, supporting the mobilisation of financing and creating a clear vision for a decarbonised building stock by 2050;
- encouraging the use of ICT and smart technologies to ensure buildings operate efficiently;
- streamlining provisions where they have not delivered the expected results.

The Commission considered that better performing buildings provide higher comfort levels and well-being for their occupants and **improve health** by reducing mortality and morbidity from a poor indoor climate. It could contribute to taking out from **energy poverty** between 515 000 and 3.2 million households in the EU (from a total of 23.3 million households living in energy poverty - Eurostat).

IMPACT ASSESSMENT: the preferred option seeks to enhance implementation of the regulatory framework, including targeted amendments to strengthen current measures. This option stays in line with the framework of the current EPBD, with better information provided to the end-users and adequate minimum performance requirements that avoid sub-optimal intervention on buildings.

Taken together, the measures of the preferred policy option would reduce the administrative burden of the EPBD by EUR 98.1 million per year.

CONTENT: the Commission proposed to **amend Directive 2010/31/EU on the energy performance of buildings** as follows:

Definition of technical building systems: this definition is extended to on-site electricity generation and on-site infrastructure for electro-mobility;

Building renovation: the proposal will include additionally the consideration of energy poverty issues, support for smart financing of building renovations and a vision for the decarbonisation of buildings by 2050, with specific milestones in 2030.

The long-term building renovation strategies will become part of the integrated national energy and climate plans and will be notified by Member States to the Commission **by 1 January 2019 for the period post 2020**. The strategy will cover the renovation of the national stock of residential and non-residential buildings.

New buildings: the proposal is simplified by limiting it to the provision identified in the impact assessment as the most useful, i.e. the general obligation for new buildings to meet the minimum energy performance requirements. Other provisions that were more cumbersome are deleted.

Technical building systems: the proposal introduced requirements concerning:

- **infrastructure for electro-mobility**:

    i. new non-residential buildings with more than ten parking spaces, and non-residential buildings with more than ten parking spaces undergoing major renovation will have to **equip one parking**

    ii. **space per ten for electro-mobility**. This will apply to all non-residential with more than ten parking spaces buildings as of 2025, including buildings where the installation of recharging points are sought under public procurement;

    iii. new residential buildings with over ten parking spaces, and those undergoing major renovation, will have to put in **place the pre-cabling for electric recharging**. Member States will be able to choose to exempt buildings owned and occupied by SMEs, as well as public buildings covered by the Alternative Fuels Infrastructure Directive;

- reinforcing the use of **building electronic monitoring, automation and control** in order to streamline inspections;
- the introduction of a '**smartness indicator**' rating the readiness of the building to adapt its operation to the needs of the occupant and of the grid, and to improve its performance.

Financial incentives: the Directive is updated to include two new provisions on using **energy performance certificates** (EPCs) to assess savings from renovations financed with public support are to be assessed by comparing EPCs before and after renovation. Public buildings with a surface over a certain threshold must disclose their energy performance.

Inspections: other than streamlining provisions on inspections, the update provides for more effective approaches to regular inspections which could be used instead to ensure that building performance is maintained and/or improved.

Annex I: this Annex is updated to improve transparency and consistency in the way energy performance is determined at national or regional level and to take into account the importance of the indoor environment.

To ensure that this proposal has maximum impact, the smart finance for smart buildings initiative will contribute to mobilise and unlock private investments in a larger scale.

Energy performance of buildings

2016/0381(COD) - 30/05/2018 - Final act

PURPOSE: to encourage energy efficiency and increase energy savings in the building sector in the light of recent technological developments.

LEGISLATIVE ACT: Directive (EU) 2018/844 of the European Parliament and of the Council amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency.

CONTENT: the review of the energy performance of buildings directive amends Directive 2010/31/EU and Directive 2012/27/EU on energy efficiency. It is part of the Clean Energy package presented by the Commission on 30 November 2016 which constitutes a concrete proposal to implement the strategy for energy union, the main objective of which is to make progress towards decarbonising the EU economy by 2030 and beyond.

The main changes to the existing legislative framework are as follows:

Long-term renovation strategy: each Member State shall establish a long-term renovation strategy to support the renovation of the national stock of residential and non-residential buildings, both public and private, into a highly energy efficient and decarbonised building stock by 2050, facilitating the cost-effective transformation of existing buildings into nearly zero-energy buildings.

National strategies should contain a roadmap with indicative milestones for 2030, 2040 and 2050 and how these milestones contribute to achieving the EU's energy efficiency objectives.

In order to guide investment decisions, Member States shall:

- pay particular attention to mechanisms to involve SMEs;
- **reduce the perceived risk** of energy efficiency operations for investors and the private sector;
- develop accessible and transparent advisory tools, such as **one-stop-shops** for consumers and energy advisory services, on relevant energy efficiency renovations and financing instruments.

Member States shall also establish clear guidelines and outline measurable, targeted actions as well as promote equal access to financing, including for the worst performing segments of the national building stock, for energy-poor consumers, for social housing and for households subject to split-incentive dilemmas, while taking into consideration affordability.

Technical building systems: Member States shall:

- set requirements for these systems in terms of total energy performance, correct installation and appropriate sizing, adjustment and control of technical building systems installed in existing buildings;
- require new buildings, where technically and economically feasible, to be equipped with **self-regulating devices** that separately regulate the temperature of each room or, where justified, in a designated heated zone of the building unit.

Promoting electromobility: the Directive introduces minimum electromobility requirements for new buildings and those undergoing major renovations, such as the **presence of at least one recharging point for electric vehicles in buildings with more than 10 parking spaces**.

The Directive also requires that the ducting infrastructure installation, i.e. the conduits for the passage of electrical cables, be installed for at least one out of five parking spaces, in order to allow the subsequent installation of charging points for electric vehicles.

Member States shall establish, by 1 January 2025, requirements for the installation of a minimum number of recharging points for all non-residential buildings with more than 20 parking spaces.

Inspection of heating and air-conditioning systems: the new Directive recognises the competence of Member States to determine appropriate inspection measures and the frequency of inspections. The rated output for all inspections will be 70 kW. In addition, a feasibility study shall be carried out by the Commission before 2020 for the possible introduction of inspections for stand-alone ventilation systems.

Member States shall lay down requirements to ensure that, where technically and economically feasible, non-residential buildings are equipped with building automation and control systems by 2025.

Smart readiness indicator: the smart readiness indicator shall be used to measure the capacity of buildings to use information and communication technologies and electronic systems to adapt the operation of buildings to the needs of the occupants and the grid and to improve the energy efficiency and overall performance of buildings.

The Commission shall adopt, by **31 December 2019**, **a delegated act** to complement the Directive by establishing an optional common Union scheme for rating the smart readiness of buildings.

ENTRY INTO FORCE: 9.7.2018.

TRANSPOSITION: no later than 10.3.2020.

Energy performance of buildings

2016/0381(COD) - 17/04/2018 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 545 votes to 35, with 96 abstentions, a legislative resolution on the proposal for a directive of the European Parliament and of the Council amending directive 2010/31/EU on the energy performance of buildings.

The European Parliament’s position adopted at first reading under the ordinary legislative procedure amended the Commission proposal as follows:

Long-term renovation: Member States shall establish a long-term strategy to support the renovation of the national stock of residential and non-residential buildings, both public and private, into a highly energy efficient and decarbonised building stock by 2050, with a view to the **long-term 2050 goal of reducing greenhouse gas emissions in the Union by 80-95 %** compared to 1990.

National strategies shall contain a **road map** with indicative milestones for 2030, 2040 and 2050 including measurable progress **indicators** to achieve a highly energy efficient and decarbonised building stock and to ensure that the long-term renovation strategies deliver the necessary progress towards the transformation of existing buildings into **nearly zero-energy buildings**, in particular by an increase in deep renovations.

Financial incentives: incentives and financial mechanisms shall be central to national long-term renovation strategies. In order to **support the mobilisation of investment** in the necessary renovation work, Member States shall facilitate access to appropriate mechanisms for:

- the aggregation of projects, including by investment **platforms** or groups, and by consortia of small and medium-sized enterprises, to enable investor access as well as packaged solutions for potential clients;
- the **reduction of the perceived risk** of energy efficiency operations for investors and the private sector;
- the use of **public funding** to leverage additional private-sector investment or address specific market failures;
- guiding investments into an energy efficient public building stock, in line with Eurostat guidance; and
- accessible and transparent advisory tools, such as **one-stop-shops** for consumers and energy advisory services, on relevant energy efficiency renovations and financing instruments.

Member States shall provide clear guidelines and outline measurable, targeted actions as well as promote equal access to financing, including for the worst performing segments of the national building stock, for **energy-poor consumers** and for social housing.

New buildings: Member States shall:

- take the necessary measures to ensure that new buildings meet the minimum energy performance requirements;
- ensure that, before construction of new buildings starts, the technical, environmental and economic feasibility of high-efficiency alternative systems, if available, is taken into account;
- encourage, in relation to buildings undergoing major renovation, high-efficiency alternative systems, in so far as this is technically, functionally and economically feasible, and shall address the issues of **healthy indoor climate conditions, fire safety and risks related to intense seismic activity**.

Technical building systems, electromobility: Member States shall require new buildings, where feasible, to be equipped with **self-regulating devices** for the separate regulation of the temperature in each room or, where justified, in a designated heated zone of the building unit.

The amended Directive introduces electromobility requirements for new buildings and those undergoing major renovations, such as the **presence of at least one recharging point for electric vehicles** in buildings with more than 10 parking spaces.

It also requires that the ducting infrastructure installation, i.e. the conduits for the passage of electrical cables, be installed for at least one out of five parking spaces, in order to allow the subsequent installation of charging points for electric vehicles.

The Commission shall report to the European Parliament and the Council by 1 January 2023 on the potential contribution of a Union building policy to the promotion of electromobility and shall, if appropriate, propose measures in that regard.

Inspection of heating and air-conditioning systems: the rules on the control of heating and air-conditioning systems have been strengthened.

The inspection shall include an assessment of the efficiency and sizing of the air-conditioning system compared with the cooling requirements of the building and, where relevant, consider the capabilities of the air-conditioning system or of the system for combined air-conditioning and ventilation to optimise its performance under typical or average operating conditions.

Smart readiness indicator: the smart readiness indicator shall be used to measure the capacity of buildings to use information and communication technologies and electronic systems to adapt the operation of buildings to the needs of the occupants and the grid and to improve the energy efficiency and overall performance of buildings.

The Commission shall adopt, by **31 December 2019**, a delegated act to complement the Directive by establishing an optional common Union scheme for rating the smart readiness of buildings.