

COMPROMISE AMENDMENTS

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: Adam Gierek

COMPROMISE AMENDMENT 1

Replaces AMs 6, 33, 55-57, 113, 115-133, 246-263, 266, 55, 326-340, 342, 636-637, 694, ENVI 5, ENVI 21 (part 1), ENVI 23 (part2)

Supported by: **S&D, ALDE, GUE/NGL, GREENS/EFA, EFDD**

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 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.;

Amendment

1. This Directive establishes a common framework of measures to promote energy efficiency within the Union, **implementing the 'energy efficiency first' principle throughout the full energy chain, including energy generation, transmission, distribution and end-use**, in order to ensure that the Union's 2020 20 % headline targets and **its 2030 40 % binding headline targets on energy efficiency** are met and paves the way for further energy efficiency improvements beyond **2030, in line with the Union's long-term energy and climate goals for 2050 and the Paris Agreement of December 2015**. 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 for 2020 and **binding national energy efficiency targets for 2030**.;

Article 3 – paragraph 4*Text proposed by the Commission*

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 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].;

**Proposal for a directive
Recital 4***Text proposed by the Commission*

(4) **There are no binding targets at national level in the 2030 perspective.** The need for the Union to achieve its energy

Amendment

4. Each Member State shall set **binding** national energy efficiency **targets which shall cumulatively be in line with** the Union's 2030 target referred to in Article 1 paragraph 1 **and** in accordance with Articles [4] and [6] of Regulation (EU) XX/20XX [Governance of the Energy Union].

When setting the level of their targets, Member States shall take into account that the Union's 2030 energy consumption has to be no more than 1132 Mtoe of primary energy and no more than 849 Mtoe of final energy.

In order to provide sufficient flexibility for Member States to meet their binding national energy efficiency targets whilst at the same time allowing their economy to develop and industrial output and activity to increase, they shall be permitted to set their targets based on energy intensity which is the ratio between energy consumption and gross domestic product (GDP).

The national energy efficiency targets shall take into consideration all stages of the energy chain, including generation, transmission, distribution and end-use.

Member States shall **notify those 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].;

Amendment

(4) The need for the Union to achieve its energy efficiency **target** at EU level, expressed in primary and final 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 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.

consumption, should be clearly set out in the form of a **2030** binding **40 %** target. This **target** at Union level should not restrict Member States as their freedom is kept to set their national **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.

COMPROMISE AMENDMENT 1a

Replaces AMs 6, 33, 55-57, 113, 115-133, 246-263, 266, 55, 326-340, 342, 636-637, 694, ENVI 5, ENVI 21 (part 1), ENVI 23 (part2)

Supported by: **EPP, ECR**

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 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

Amendment

1. This Directive establishes a common framework of measures to promote energy efficiency within the Union, **implementing the 'energy efficiency first' principle throughout the full energy chain, including energy generation, transmission, distribution and end-use**, in order to ensure that the Union's 2020 20 % headline targets and **its 2030 30 % indicative headline targets on energy efficiency** are met and paves the way for further energy efficiency improvements beyond those dates. It lays

indicative national energy efficiency targets and contributions for 2020 and 2030.;

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.;

Article 3 – paragraph 4

Text proposed by the Commission

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 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].;

Amendment

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].

The contributions shall take into consideration all stages of the energy system, including generation, transmission, distribution and end-use, and may be accompanied by specific policy measures.

When setting ***and reviewing the level of*** 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 ***or*** no more than ***[987]*** Mtoe of final energy ***as reference baseline.***

If economic development or structural adjustment (according to the industrial production index based on Eurostat data), the use of renewable energy sources, or the CO₂ emission reductions differ substantially from the forecasts and assumptions used when setting the above Union targets and the national contributions towards them, the baseline values and contributions shall be adjusted.

The recalculation of the national contributions shall be done during the update of the integrated national energy and climate plans referred to in Article [3] and [13] of Regulation (EU) XX/20XX

(Governance of the Energy Union). Any recalculation of the Union target shall be done a year after the submission of the updated integrated national energy and climate plans and, if needed, shall be adopted by the ordinary legislative procedure.

Where a Member State has not based its contribution on energy intensity, it may detail in its integrated national energy and climate plan referred to in Art. [3] of Regulation [EU] XX/20XX [Governance of the Energy Union], its expected level of industrial output in 2030 and may subsequently exclude from counting towards its contribution for 2030 any energy consumption resulting from excess industrial output. Any such exclusion shall be based on the Eurostat industrial production index.

Member States shall notify those *targets and any adjustment* 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].;

Recital 4

Text proposed by the Commission

(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

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 **or** final energy consumption, in 2020 and 2030 should be clearly set out in the form of **an indicative** 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

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.

account that the Union's 2030 energy consumption has to be no more than /1 321/ Mtoe of primary energy **or** 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.

COMPROMISE AMENDMENT 2

Replaces AMs 9, 53, 54, 287-290, 291-303, 304-312, 313-319, 320-325, ENVI 23 (part1)

Supported by: **EPP, S&D, ECR, ALDE, GUE/NGL, GREENS/EFA, EFDD, ENF**

Article 3 – paragraphs 1, 2 and 3

Text proposed by the Commission

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.

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;
- (b) the measures provided for in this

Amendment

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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 **or** no more than 1 086 Mtoe of final energy;

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 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);

(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;

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

- (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/or* no more than 1 086 Mtoe of final energy in 2020.

COMPROMISE AMENDMENT 3

Replaces AMs 243, 345-350, ENVI 22, ENVI 24

Supported by: S&D, ALDE, GUE/NGL, GREENS/EFA, EFDD

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

Amendment

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2010/31/EU.

The 3 % rate shall be calculated on the total floor area of buildings with a total useful floor area over 500 m² 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 m² 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 m² and, as of 9 July 2015, over 250 m² 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

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 m² 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 m² as of 9 July 2015, *and shall apply to buildings owned and occupied by public authorities as from 1 January 2021 with due regard for their respective competences and administrative set-up.*

deleted

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

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 m² and, as of 9 July 2015, over 250 m², excluding buildings exempted on the basis of paragraph 2. The inventory shall contain the following data:

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 **public authority** 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 central government buildings with a total useful floor area over 500 m² and, as of 9 July 2015, over 250 m², excluding buildings exempted on the basis of paragraph 2. The inventory shall contain the following data:

- (a) the floor area in m²; *and*
- (b) the energy performance of each building *or relevant energy data*.

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

- (a) the floor area in m²;
- (b) the energy performance of each building;

(c) *actual measured energy consumption*;

As from 1 January 2021, this paragraph shall apply to all heated and/or cooled buildings owned and occupied by public authorities.

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 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 12 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 authorities'* 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;
- (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.

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 life-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.

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 [].

Article 2 – paragraph 1 – point 9 a (new)

Text proposed by the Commission

Amendment

(1a) In Article 2, new point 9a is added:

(9a) ‘public authority building’ means for the purposes of Article 5 a building owned and occupied by the central government or any other public authority, at national, regional or local level, including those buildings which are hospitals, health care facilities, educational institutions and social housing;

COMPROMISE AMENDMENT 4

Replaces AMs 10, 58-63, 68, 75, 153-161, 205-213, 351-482, 622, ENVI 16, ENVI 25-ENVI 32

Supported by: **S&D, ALDE, GUE/NGL, GREENS/EFA, EFDD**

Article 7

Text proposed by the Commission

Amendment

Article 7

Article 7

Energy savings obligation

Energy savings obligation

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

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;

(a) new savings each year from 1 January 2014 to 31 December 2020 of 1.5 % of annual sales to final customers by volume energy, 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) new savings each year from 1 January 2021 to 31 December 2030 of ***at least*** 1.5 % of annual sales to final customers by volume averaged over the most recent three-year period prior to 1 January 2019

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.

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.

Savings in each period shall build cumulatively upon the amount of savings to be achieved in the previous period(s). Where earlier policy measures, programmes, and/or individual actions are no longer delivering savings, the loss of those savings shall be accounted for when calculating the overall amount of savings to be achieved at the end of each period, and the loss replaced by new

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.

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

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.

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; % 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

savings.

Savings required for the period referred to in point (b) shall be cumulative and additional to the savings required for the period referred to in point (a). For this *purpose*, and without prejudice to paragraphs 2 and 3, Member States may count energy savings that stem from new policy measures introduced after 31 December 2020 or *earlier* policy measures, provided it can be demonstrated that those measures result in *new* individual actions that are undertaken after 31 December 2020 and deliver savings. *Member States may also count savings from the individual actions that are undertaken during the period from 1 January 2014 to 31 December 2020 as long as they continue to deliver verifiable energy savings after 2020.*

For the purposes of the period referred to in point (a) only, the sales of energy, by volume, used in transport may be partially or fully excluded from these calculations. *Sales of energy used in transport shall be fully included in the calculations for the period referred to in point (b) and beyond.*

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.

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; % 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.

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.***

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 ***point (a) and (b) of*** 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 which can be measured and verified, towards the amount of energy savings referred to in ***point (a) of*** paragraph 1; and

deleted

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 ***only*** make use of point (c) of paragraph 2.

4. 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.

5. Member States shall ensure that savings resulting from policy measures referred to in Articles 7a and 7b and Article 20(6) are calculated in accordance with Annex V.

6. Member States shall achieve the required amount of savings under paragraph 1 either by establishing an energy efficiency obligation scheme referred to in Article 7a or by adopting alternative measures referred to in Article 7b. Member States may combine an energy efficiency obligation scheme with alternative policy measures.

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.;

4. 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.

5. Member States shall ensure that savings resulting from policy measures referred to in Articles 7a and 7b and Article 20(6) are calculated in accordance with Annex V.

6. Member States shall achieve the required amount of savings under paragraph 1 either by establishing an energy efficiency obligation scheme referred to in Article 7a or by adopting alternative measures referred to in Article 7b. Member States may combine an energy efficiency obligation scheme with alternative policy measures.

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;

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Member States are required to achieve a cumulative end-use savings requirement for the entire obligation period, equivalent to 'new' savings of 1.5 % ***of annual energy sales***. This requirement could be met by ***new policy measures that are adopted during the new obligation period from 1 January 2021 to 31 December 2030 or by new individual actions as a result of policy measures adopted during or before the previous period, but in respect of which the individual actions that trigger energy savings are actually introduced during the new period.***

Amendment

(7) Member States are required to achieve a cumulative end-use savings requirement for the entire obligation period, equivalent to 'new' savings of ***at least 1.5 %***. This requirement could be met by ***energy savings that stem from policy measures provided it can be demonstrated that those measures result in individual actions that deliver verifiable energy savings after 2020. Savings in each period should build cumulatively upon the amount of savings to be achieved in the previous period(s).***

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.

COMPROMISE AMENDMENT 4a

Replaces AMs 10, 58-63, 68, 75, 153-161, 205-213, 351-482, 622, ENVI 16, ENVI 25-ENVI 32

Supported by: **EPP, ECR**

Article 7

Text proposed by the Commission

Article 7

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

Amendment

Article 7

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*.

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.

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.

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

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.

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; % 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

2014 to 31 December 2020 of 1.5 % of annual sales to final customers by volume energy, averaged over the most recent three-year period prior to 1 January 2013;

(b) savings each year from 1 January 2021 to 31 December 2030 of 1.5 % of annual sales to final customers by volume, averaged over the most recent *five* year period prior to *entry into force of this Directive*.

deleted

For the purposes of point (b), and without prejudice to paragraphs 2 and 3, Member States may count energy savings that stem from *existing* policy measures provided it can be demonstrated that those measures result in individual actions that are undertaken after 31 December 2020 and deliver savings. ***Member States may also count savings from the individual actions that are undertaken before that date long as they continue to deliver verifiable energy savings after 2020.***

The sales of energy by volume, used in transport ***and in industrial activities listed in Annex I to Directive 2003/87/EC***, may be partially or fully excluded from these calculations.

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.

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; % 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.

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.

4. Energy savings achieved after 31 December 2020 may not count towards the cumulative savings amount required for the

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 that continue to have an impact in 2020 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 as a result of policy measures promoting new installation of renewable energy technologies.

3. All the options chosen under paragraph 2 taken together must amount to no more than **35** % 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 point (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.

4. 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

period from 1 January 2014 to 31 December 2020.

4a. Member States that exceed the energy savings amount required for the period from 1 January 2014 to 31 December 2020 may count any excess savings towards the energy savings amount required for the period from 1 January 2021 to 31 December 2030.

5. Member States shall ensure that savings resulting from policy measures referred to in Articles 7a and 7b and Article 20(6) are calculated in accordance with Annex V.

5. Member States shall ensure that savings resulting from policy measures referred to in Articles 7a and 7b and Article 20(6) are calculated in accordance with Annex V.

6. Member States shall achieve the required amount of savings under paragraph 1 either by establishing an energy efficiency obligation scheme referred to in Article 7a or by adopting alternative measures referred to in Article 7b. Member States may combine an energy efficiency obligation scheme with alternative policy measures.

6. Member States shall achieve the required amount of savings under paragraph 1 either by establishing an energy efficiency obligation scheme referred to in Article 7a or by adopting alternative measures referred to in Article 7b, ***while taking measures to minimise the impact of direct and indirect costs of such schemes on the competitiveness of obligated parties exposed to international competition.*** Member States may combine an energy efficiency obligation scheme with alternative policy measures.

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.;

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;

Proposal for a directive

Recital 7

Text proposed by the Commission

(7) Member States are required to achieve a cumulative end-use savings requirement for the entire obligation period, equivalent to ***'new'*** savings of 1.5 % of annual energy sales. This requirement could be met by new policy measures that are adopted during the new obligation period from 1 January 2021 to 31 December 2030 or by ***new*** individual actions as a result of policy measures adopted during or before the previous

Amendment

(7) Member States are required to achieve a cumulative end-use savings requirement for the entire obligation period, equivalent to savings of 1.5 % of annual energy sales. This requirement could be met by new policy measures that are adopted during the new obligation period from 1 January 2021 to 31 December 2030 or by individual actions as a result of policy measures adopted during

period, *but in respect of which the individual actions that trigger energy savings are actually introduced during the new period.*

or before the previous period;

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. Member States should therefore be able to take into account **energy savings from** renewable energy generated on or in buildings to satisfy their energy savings requirements. For this purpose Member States should be allowed to use calculation methodologies established under Directive 2010/31/EU.

COMPROMISE AMENDMENT 5

Replaces AMs 483, 484

Supported by: EPP, S&D, ECR, ALDE, GREENS/EFA, EFDD, ENF

Article 7a – paragraph 1

Text proposed by the Commission

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

Amendment

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).

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) ***or allow the obligated parties to contribute annually to the Energy Efficiency National Fund in line with Article 20(6).***

COMPROMISE AMENDMENT 6

Replaces AMs 485, 486 (part 1), 487-491, ENVI 33 (part 2)

Supported by: **EPP, S&D, ALDE, GUE/NGL, GREENS/EFA, EFDD**

Article 7a – paragraph 2

Text proposed by the Commission

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 point (b) of paragraph 5.

Amendment

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

COMPROMISE AMENDMENT 7

Replaces AMs 18, 66, 69, 186-195, 497-509, 525-533, ENVI 12, ENVI 33 (part 3), ENVI 34

Supported by: **S&D, ALDE, EFDD**

Article 7a – paragraph 5 – points a

Text proposed by the Commission

(a) shall include requirements with a social aim in the saving obligations they

Amendment

(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;

impose, including by requiring energy efficiency measures to be implemented as a priority in *low-income* households, *including those* affected by energy poverty, and in social housing. *Member States shall calculate the amount of savings achieved in those households as compared to the total amount of savings achieved in all households under this Article. Those savings shall be published in accordance with paragraph 6 of this Article, and shall be included in the integrated national energy and climate progress reports in accordance with Article 21 of Regulation (EU) XX/20XX [Governance of the Energy Union].*

Article 7b – paragraph 2

Text proposed by the Commission

2. In designing alternative policy measures to achieve energy savings, Member States shall take into account the effect on households affected by energy poverty.

Amendment

2. In designing alternative policy measures to achieve energy savings, Member States shall take into account the effect on *low-income* households, *including those* affected by energy poverty, *and ensure measures are implemented as a priority in those households and in social housing.*

Member States shall calculate the amount of savings achieved in those households as compared to the total amount of savings achieved in all households under this Article.

Those savings shall be published and included in the integrated national energy and climate progress reports in accordance with Article 21 of Regulation (EU) XX/20XX [Governance of the Energy Union].

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) Improvements to the energy efficiency of buildings should benefit **all consumers and** in particular **low-income households, including those** affected by energy poverty. **Each Member State may define energy poverty and what constitutes a low-income household in accordance with their specific national circumstances.** Member States can already require obligated parties to include social aims in energy saving measures, in relation to energy poverty. This possibility should now be extended to alternative measures and **be** 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 ensure accessibility of energy efficiency measures **to** energy-poor, **low-income** consumers. **To this end, Member States should quantify their objectives, accompany their schemes by adequate financial support and monitor the implementation of their measures.**

COMPROMISE AMENDMENT 7a

Replaces AMs 18, 66, 69, 186-195, 497-509, 525-533, ENVI 12, ENVI 33 (part 3), ENVI 34

Supported by: EPP, ECR**Article 7a – paragraph 5 – points a***Text proposed by the Commission*

(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;

Amendment

(a) **may** include **incentives** 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 **low-income** households and in **private and** social housing;

Article 7b – paragraph 2

Text proposed by the Commission

2. In designing alternative policy measures to achieve energy savings, Member States **shall** take into account the effect on households **affected by energy poverty**.

Amendment

2. In designing alternative policy measures to achieve energy savings, Member States **may** take into account the effect on **low-income** households.

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) Improvements to the energy efficiency of buildings should benefit in particular consumers **with low income**. 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 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.

COMPROMISE AMENDMENT 8

Replaces AMs 552-590, ENVI 38

Supported by: EPP, S&D, ECR, ALDE, EFDD, ENF

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 cooling and domestic hot water are

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.

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

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 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 and cost effective in terms of being 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 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. **After consultation with the Commission, the general criteria, methodologies and/or procedures to determine technical non-feasibility and non-cost effectiveness shall be clearly set out and published by each Member State.**

In new **multi-apartment buildings and in the residential part of new multi-purpose buildings, where these have a central heating source for hot water or are supplied from district heating systems, individual meters shall, notwithstanding subparagraphs 1 and 2, be provided for hot water.**

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

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.;

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.;

COMPROMISE AMENDMENT 9

Replaces AMs 591, 594, 596-612, ENVI 39, ENVI 40-43

Supported by: EPP, S&D, ECR, ALDE, GUE/NGL, GREENS/EFA, EFDD, ENF

Article 10a

Text proposed by the Commission

Amendment

Article 10a

Article 10a

Billing and consumption information for heating and cooling and domestic hot water

Billing and consumption information for heating and cooling and domestic hot water

1. 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*.

1. Member States shall ensure that, *where meters or heat cost allocators are installed*, billing and consumption information is *reliable*, accurate and based on actual consumption *or heat cost allocator readings*, in accordance with points 1 and 2 of Annex VIIa for all final users, *that is to say, for natural or legal persons purchasing heating, cooling or hot water for their own end use, or 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.*

This obligation may, except in the case of sub-metered consumption under

This obligation may, *where a Member State so provides, and* except in the case of sub-

Article 9a(2), be fulfilled by a system of regular self-reading by the final customer whereby they communicate readings from their meter *to the energy supplier*. Only in cases where the final customer has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.

2. Member States:

(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;

(b) shall ensure that final customers are offered the option of electronic billing information and bills *and that they receive, on request, a clear and understandable explanation of how their bill was drawn up, especially where bills are not based on actual consumption;*

(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*;

(d) may provide that, at the request of the final customer, the provision of billing information shall not be considered to constitute a request for payment. In such cases, Member States shall ensure flexible arrangements for actual payment are offered.'

metered consumption *based on heat cost allocators* under Article 9a(2), be fulfilled by a system of regular self-reading by the final customer *or final user* whereby they communicate readings from their meter. Only in cases where the final customer *or final user* has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.

2. Member States:

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

(b) shall ensure that final customers are offered the option of electronic billing information and bills;

(c) shall ensure that *clear and understandable* information is provided with the bill to all final users in accordance with point 3 of Annex *VIIa*;

(d) may provide that, at the request of the final customer, the provision of billing information shall not be considered to constitute a request for payment. In such cases, Member States shall ensure flexible arrangements for actual payment are offered.

(e) shall promote cybersecurity and ensure the privacy and data protection of final users in compliance with relevant Union legislation;

3. Member States shall decide who should be responsible for providing the information referred to in paragraphs 1

and 2 to those final users that have no direct or individual contract with an energy supplier.

COMPROMISE AMENDMENT 10

Replaces AMs 11, 12, 26, 64, 114, 136, 137, 140, 164, 165, 239-241, 344, 480, 626-633, ENVI 4, ENVI 20, ENVI 45, ENVI 46

Supported by: EPP, S&D, ECR, ALDE, GREENS/EFA, ENF

Article 24 – paragraph 4a

Present text

Amendment

4a. In the context of the State of the Energy Union report, the Commission shall report on the functioning of the carbon market in accordance with Article 29(1) and 29(2) point (c) of Regulation (EU) XX/20XX [Governance of the Energy Union], taking into consideration the effects of the implementation of this Directive.

Article 24 – paragraph 12

Text proposed by the Commission

Amendment

12. The Commission shall evaluate this 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.

12. The Commission shall evaluate this 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 ***assessing the general effectiveness of the Directive and the need to adjust further the Union's energy efficiency policy in accordance with the objectives of the Paris Agreement, economic and innovation developments.*** That report shall be accompanied, if appropriate, by proposals for further measures.

Article 24 – paragraph 12a*Text proposed by the Commission**Amendment*

12a. By 31 December 2019, the Commission shall carry out a separate in-depth analysis of the energy efficiency potential related to:

(a) conversion and transformation of energy;

(b) transmission and distribution of energy;

(c) production and subsequent transportation of energy supplies i.e. energy spent in the extraction of fossil fuels and its transport to the place of usage;

(d) energy storage.

Based on its findings the Commission shall present, if appropriate, to the European Parliament and the Council a proposal for a legislative act in this regard no later than 31 January 2021.

Proposal for a directive**Recital 18***Text proposed by the Commission**Amendment*

(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.

(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. ***This date will be after the UNFCCC global stocktake in 2023 and allow any alignment to this process to take place, taking also into account economic and innovation developments.***

COMPROMISE AMENDMENT 11

Replaces AMs 13, 17, 27, 33, 37, 38, 62, 65, 72-73, 166, 167, 232-236, 270, 426, 638-644, ENVI 47

Supported by: EPP, S&D, ENF

Article 21 a

Text proposed by the Commission

Amendment

Article 21a

Primary energy factors

The primary energy factors (PEF) set out in Annexes IVa and IVb shall apply. Member states may apply different primary energy factors if those can be justified in view of their national circumstances.

Annex IV a (new)

Text proposed by the Commission

Amendment

aa) The following Annex is added:

‘ANNEX IVa

Non-renewable primary energy indices (cumulated non-renewable primary energy – PEF) for selected energy carriers in the European Union (all indicators are given in MJ_{Epn}/MJ)

<i>Final energy carrier (electricity)</i>	<i>PEF value</i>	<i>Technical data</i>
<i>Fuels in the European Union (average values)</i>		
<i>Hard coal, at final customers</i>	<i>1.05</i>	<i>Average calorific value = 26.56 MJ/kg</i>
<i>Lignite, at final customers</i>	<i>1.03</i>	<i>Average calorific value = 9.35 MJ/kg</i>
<i>Natural gas, at final customers</i>	<i>1.11</i>	<i>Average calorific value = 45.2 MJ/kg</i>

<i>Biomass, at final customers</i>	<i>0.2</i>	<i>Average calorific value = 17 MJ/kg</i>
<i>Diesel, in the refinery</i>	<i>1.14</i>	<i>Average calorific value = 42.96 MJ/kg With the addition of biocomponents (5.75%); Sulphur content 10 ppm</i>
<i>petrol, in the refinery</i>	<i>1.17</i>	<i>Average calorific value = 43.9 MJ/kg With the addition of biocomponents (5.75%); Sulphur content 10 ppm</i>
<i>Light heating oil, in the refinery</i>	<i>1.19</i>	<i>Average calorific value = 42.62 MJ/kg Only from crude oil; Sulphur content 0.1%</i>
<i>Heavy heating oil, in the refinery</i>	<i>1.08</i>	<i>Average calorific value = 40.44 MJ/kg Only from crude oil; Sulphur content 0.1%</i>
<i>Electricity in the European Union (average values)</i>		
<i>Electricity, at individual final customers</i>	<i>2.40</i>	<i>Voltage 230V</i>
<i>Electricity, at low voltage customers</i>	<i>2.36</i>	<i>Voltage < 1 kV</i>
<i>Electricity, at medium voltage customers</i>	<i>2.25</i>	<i>Voltage 1 kV - 60 kV</i>
<i>Electricity, at high voltage customers</i>	<i>2.15</i>	<i>Voltage > 60 kV</i>
<i>Electricity by technology (average values - examples for BAT)</i>		
<i>Electricity, hard coal production, at the manufacturer</i>	<i>3.48</i>	<i>High voltage</i>
<i>Electricity, lignite production, at the manufacturer</i>	<i>3.56</i>	<i>High voltage</i>
<i>Electricity, natural gas production in the gas-steam system, at the manufacturer</i>	<i>2.21</i>	<i>High voltage</i>
<i>Electricity, natural gas production in the gas turbine system, at the manufacturer</i>	<i>3.55</i>	<i>High voltage</i>
<i>Electricity, liquid fuel production, at the manufacturer</i>	<i>3.92</i>	<i>High voltage</i>

<i>Electricity, water power stations production, at the manufacturer</i>	<i>0.014</i>	<i>High voltage, flow water power plant</i>
<i>Electricity, centralised production from PV panels, at the manufacturer</i>	<i>0.415</i>	<i>High voltage, ground solar panels of 570 kW</i>
<i>Electricity, land wind turbine production, at the manufacturer</i>	<i>0.075</i>	<i>High voltage</i>
<i>Electricity, marine wind turbine production, at the manufacturer</i>	<i>0.055</i>	<i>High voltage</i>
<i>Electricity, geothermal power stations production, at the manufacturer</i>	<i>0.283</i>	<i>High voltage, deep geothermal deposits</i>
<i>Electricity, nuclear power stations production, at the manufacturer</i>	<i>3.343</i>	<i>High voltage, PWR reactors</i>

Annex IV b (new)

Text proposed by the Commission

Amendment

ab) The following Annex is added:

‘ANNEX IVb

Non-renewable primary energy indices (cumulated non-renewable primary energy – PEF) for selected energy carriers in the European Union (all indicators are given in MJEpn/MJ)

<i>Final energy carrier</i>	<i>PEF value</i>	<i>Technical data</i>
<i>Fuels (average values for the EU)</i>		
<i>Hard coal, at final customers</i>	<i>1.05</i>	<i>Average calorific value = 26.56 MJ/kg</i>
<i>Lignite, at final customers</i>	<i>1.03</i>	<i>Average calorific value = 9.35 MJ/kg</i>
<i>Natural gas, at final customers</i>	<i>1.11</i>	<i>Average calorific value = 45.2 MJ/kg</i>
<i>Biomass, at final customers</i>	<i>0.2</i>	<i>Average calorific value =</i>

		17 MJ/kg
Heat in the European Union (average values)		
Heat, centralised co-generation systems (non-renewable fuels other than natural gas), final customers	1.12	Network heat
Heat, centralised co-generation systems (natural gas), final customers	0.45	Network heat
Heat, centralised heating plant (non-renewable fuels other than natural gas), final customers	1.31	Network heat
Heat, centralised heat stations (natural gas), final customers	1.23	Network heat
Heat, centralised sources, renewable fuels, final customers	0.15	Network heat; Renewable energy sources - mainly biomass and biogas
Electricity and heat (average values for the EU)		
Electricity, PV panel production, at individual final customers	0.40	Roof solar panels of 3 kW each
Heat, solar collectors, at individual final customers	0.10	Roof solar collectors
Heat, ground heat pump, at individual final customers	0.31	Ground heat pump up to 30 kW
Heat, air heat pump, at individual final customers	0.59	Air heat pump up to 10 kW
Heat, wood fireplaces, at individual final customers	0.25	Individual fireplace heat; Burning wood; up to 30 kW

Annex IV – footnote 3

Present text

Amendment

‘(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 2,5. Member States may apply a different coefficient provided they can justify it.’

deleted

Proposal for a directive
Recital 16

Text proposed by the Commission

Amendment

(16) Reflecting technological progress and the growing share of renewable energy sources in the electricity generation sector, the default coefficient for savings in kWh electricity should be reviewed in order to reflect changes in the primary energy factor (PEF) for electricity. Calculations of the PEF for electricity are based on annual average values. The Physical energy content accounting method is used for nuclear electricity and heat generation and the Technical conversion efficiency method is used for electricity and heat generation from fossil fuels and biomass. For non-combustible renewable energy, the method is the direct equivalent based on the Total primary energy approach. To calculate the primary energy share for electricity in CHP the method set out in Annex II of Directive 2012/27/EU is applied. An average market position is used rather than a marginal one. Conversion efficiencies are assumed to be 100 % for non-combustible renewables, 10 % for geothermal power stations and 33 % for nuclear power stations. Total efficiency for cogeneration is calculated based on the most recent data from Eurostat. As for system boundaries the PEF is 1 for all energy sources. Calculations are based on the most recent version of the PRIMES Reference Scenario. The PEF value is based on the projection for 2020. The analysis covers the EU Member States and Norway. The dataset for Norway is based on ENTSO-E data.

deleted

COMPROMISE AMENDMENT 11a

Replaces AMs 232-236, 638-644, ENVI 47

Supported by: ALDE, GUE/NGL, GREENS/EFA

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 **for the purpose of this Directive only and** 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 shall apply a coefficient established through a transparent method comparable across Member States, on the basis of national circumstances affecting primary energy consumption. Those circumstances shall be duly substantiated, measurable and verifiable and based on objective and non-discriminatory criteria.** Member States may apply a default coefficient of 2,0, **or** a different coefficient provided they can justify it. **When doing so, Member States shall take into account their energy mix included in their integrated national energy and climate plans to be notified to the Commission in accordance with Article [3] of Regulation (EU) XX/20XX [Governance of the Energy Union]. The default coefficient shall be revised every 5 years based upon actual observed data.**

Recital 16

Text proposed by the Commission

(16) Reflecting technological progress and the growing share of renewable energy sources in the electricity generation sector, the default coefficient for savings in kWh electricity should be reviewed in order to reflect changes in the primary energy factor (PEF) for electricity. **Calculations of the PEF for electricity are based on annual average values. The Physical energy content accounting method is used**

Amendment

(16) **Strictly limited to the purposes of the present Directive and** reflecting technological progress and the growing share of renewable energy sources in the electricity generation sector, the default coefficient for savings in kWh electricity should be **carefully analysed and possibly** reviewed in order to reflect changes in the primary energy factor (PEF) for electricity, **reflecting the energy mix of the respective**

for nuclear electricity and heat generation and the Technical conversion efficiency method is used for electricity and heat generation from fossil fuels and biomass. For non-combustible renewable energy, the method is the direct equivalent based on the Total primary energy approach. To calculate the primary energy share for electricity in CHP the method set out in Annex II of Directive 2012/27/EU is applied. An average market position is used rather than a marginal one. Conversion efficiencies are assumed to be 100 % for non-combustible renewables, 10 % for geothermal power stations and 33 % for nuclear power stations. Total efficiency for cogeneration is calculated based on the most recent data from Eurostat. As for system boundaries the PEF is 1 for all energy sources. Calculations are based on the most recent version of the PRIMES Reference Scenario. The PEF value is based on the projection for 2020. The analysis covers the EU Member States and Norway. The dataset for Norway is based on ENTSO-E data.

Member State by way of a comparable and transparent methodology.

COMPROMISE AMENDMENT 11b

Replaces AMs 645-679, 171-173, 176-181, ENVI 9, ENVI 48-ENVI 52

Supported by: **ALDE, GUE/NGL, GREENS/EFA**

Annex V

Text proposed by the Commission

‘Annex V

Common methods and principles for calculating the impact of energy efficiency obligation schemes or other policy measures under Articles 7(1) and (2), Articles 7a and 7b and Article 20(6):

Amendment

‘Annex V

Common methods and principles for calculating the impact of energy efficiency obligation schemes or other policy measures under Articles 7(1) and (2), Articles 7a and 7b and Article 20(6):

1. Methods for calculating energy savings other than those arising from taxation measures for the purposes of Articles 7(1) and (2), Articles 7a and 7b and Article 20(6).

Obligated, participating or entrusted parties, or implementing public authorities, may use one or more of the following methods for calculating energy savings:

- (a) deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The generic approach is termed 'ex-ante';
- (b) metered savings, whereby the savings from the installation of a measure, or package of measures, is determined by recording the actual reduction in energy use, taking due account of factors such as additionality, occupancy, production levels and the weather which may affect consumption. The generic approach is termed 'ex-post';
- (c) scaled savings, whereby engineering estimates of savings are used. This approach may only be used where establishing robust measured data for a specific installation is difficult or disproportionately expensive, e.g. replacing a compressor or electric motor with a different kWh rating than that for which independent information on savings has been measured, or where those estimates are carried out on the basis of nationally established methodologies and benchmarks by qualified or accredited experts that are independent of the obligated, participating or entrusted parties involved;
- (d) surveyed savings, where consumers' response to advice, information campaigns, labelling or certification schemes or smart metering is determined. This approach may only be

1. Methods for calculating energy savings other than those arising from taxation measures for the purposes of Articles 7(1) and (2), Articles 7a and 7b and Article 20(6).

Obligated, participating or entrusted parties, or implementing public authorities, may use one or more of the following methods for calculating energy savings:

- (a) deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The generic approach is termed 'ex-ante';
- (b) metered savings, whereby the savings from the installation of a measure, or package of measures, is determined by recording the actual reduction in energy use, taking due account of factors such as additionality, occupancy, production levels and the weather which may affect consumption. The generic approach is termed 'ex-post';
- (c) scaled savings, whereby engineering estimates of savings are used. This approach may only be used where establishing robust measured data for a specific installation is difficult or disproportionately expensive, e.g. replacing a compressor or electric motor with a different kWh rating than that for which independent information on savings has been measured, or where those estimates are carried out on the basis of nationally established methodologies and benchmarks by qualified or accredited experts that are independent of the obligated, participating or entrusted parties involved;
- (d) surveyed savings, where consumers' response to advice, information campaigns, labelling or certification schemes or smart metering is determined. This approach may only be

used for savings resulting from changes in consumer behaviour. It may not be used for savings resulting from the installation of physical measures

used for savings resulting from changes in consumer behaviour. It may not be used for savings resulting from the installation of physical measures

2. In determining the energy savings for an energy efficiency measure for the purposes of Articles 7(1) and (2), Articles 7a and 7b and Article 20(6) the following principles apply:

(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;

(b) savings resulting from the implementation of mandatory Union legislation are considered as savings that would have occurred in any event without the activity of the obligated, participating or entrusted parties and/or implementing authorities, and thus may not be claimed under paragraph 1 of Article 7, except for savings related to the renovation of existing buildings provided the materiality criterion referred to in part 3(h) is ensured;

(c) credit may only be given for savings exceeding the following levels:

(i) Union emission performance standards for new passenger cars and new light

2. In determining the energy savings for an energy efficiency measure for the purposes of Articles 7(1) and (2), Articles 7a and 7b and Article 20(6) the following principles apply:

(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 the resulting new individual action** 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;

(b) savings resulting from the implementation of mandatory Union legislation are considered as savings that would have occurred in any event without the activity of the obligated, participating or entrusted parties and/or implementing authorities, and thus may not be claimed under paragraph 1 of Article 7, except for savings related to **measures promoting** the renovation of existing buildings provided the materiality criterion referred to in part 3(h) is ensured;

(c) credit may only be given for savings exceeding the following levels:

(i) Union emission performance standards for new passenger cars and new light

commercial vehicles following the implementation of Regulation (EC) No 443/2009 of the European Parliament and of the Council¹ and Regulation (EU) No 510/2011 of the European Parliament and of the Council²;

(ii) Union requirements relating to the removal from the market of certain energy related products following the implementation of implementing measures under Directive 2009/125/EC.

(d) policies which aim at encouraging higher energy efficiency of products, equipment, buildings and building elements, processes or markets are permitted

(e) for policies that accelerate the uptake of more efficient products and vehicles, full credit may be claimed provided it is shown that the uptake takes place before the expiry of the average expected product or vehicle lifetime, or before the product or vehicle would usually be replaced, and savings are only claimed for the period until the expiry of the average expected lifetime of the product or vehicle to be replaced;

(f) in promoting the uptake of energy efficiency measures, Member States shall ensure that quality standards for products, services and installation of measures are maintained or introduced where such standards do not exist;

(g) to account for climatic variations between regions, Member States may

commercial vehicles following the implementation of Regulation (EC) No 443/2009 of the European Parliament and of the Council³ and Regulation (EU) No 510/2011 of the European Parliament and of the Council⁴;

(ii) Union requirements relating to the removal from the market of certain energy related products following the implementation of implementing measures under Directive 2009/125/EC.

(d) policies which aim at encouraging higher energy efficiency of products, equipment, buildings and building elements, processes or markets are permitted

(e) for policies that accelerate the uptake of more efficient products and vehicles, full credit may be claimed provided it is shown that the uptake takes place before the expiry of the average expected product or vehicle lifetime, or before the product or vehicle would usually be replaced, and savings are only claimed for the period until the expiry of the average expected lifetime of the product or vehicle to be replaced;

(f) in promoting the uptake of energy efficiency measures, Member States shall ensure that quality standards for products, services and installation of measures are maintained or introduced where such standards do not exist;

(g) to account for climatic variations between regions, Member States may

¹ Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (OJ L 140, 5.6.2009, p.1).

² Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-duty vehicles OJ L 145, 31.5.2011, p.1).

³ Regulation (EC) No 443/2009 of the European Parliament and of the Council of 23 April 2009 setting emission performance standards for new passenger cars as part of the Community's integrated approach to reduce CO₂ emissions from light-duty vehicles (OJ L 140, 5.6.2009, p.1).

⁴ Regulation (EU) No 510/2011 of the European Parliament and of the Council of 11 May 2011 setting emission performance standards for new light commercial vehicles as part of the Union's integrated approach to reduce CO₂ emissions from light-duty vehicles OJ L 145, 31.5.2011, p.1).

choose to adjust the savings to a standard value or to accord different energy savings in accordance with temperature variations between regions;

(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 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.

3. Member States shall ensure that the following requirements for policy measures taken pursuant to Article 7b and Article 20(6) are met:
 - (a) policy measures and individual actions produce verifiable end use energy savings;
 - (b) the responsibility of each participating party, entrusted party or implementing public authority, as relevant, must be clearly defined;
 - (c) the energy savings that are achieved or are to be achieved are determined in a transparent manner;
 - (d) the amount of energy savings required

choose to adjust the savings to a standard value or to accord different energy savings in accordance with temperature variations between regions;

(h) the calculation of energy savings shall take into account the lifetime of measures *and the rate at which the savings decline over time*. This *calculation shall* 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 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 *Regulation* the other methods they have used and which provisions have been made to ensure they meet this binding calculation requirement.

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 - (a) policy measures and individual actions produce verifiable end use energy savings;
 - (b) the responsibility of each participating party, entrusted party or implementing public authority, as relevant, must be clearly defined;
 - (c) the energy savings that are achieved or are to be achieved are determined in a transparent manner;
 - (d) the amount of energy savings required

or to be achieved by the policy measure is expressed in *either* final *or* primary energy consumption, using the conversion factors set out in Annex IV;

- (e) an annual report on the energy savings achieved by entrusted, participating parties and implementing authorities be provided and made publicly available as well as data on the annual trend of energy savings;
- (f) monitoring of the results and taking appropriate measures if progress is not satisfactory;
- (g) the savings from an individual action may not be claimed by more than one party;
- (h) the activities of the participating party, entrusted party or implementing public authority are shown to have caused the achievement of the claimed savings.

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

4. In determining the energy saving from taxation related policy measures introduced under Article 7b, the following principles shall apply:
 - (a) credit shall only be given for energy savings from taxation measures exceeding the minimum levels of taxation applicable to fuels as required in Council Directive 2003/96/EC⁵ or in Council Directive 2006/112/EC⁶;
 - (b) price elasticities for the calculation of

or to be achieved by the policy measure is expressed in final *and* primary energy consumption, using the conversion factors set out in Annex IV;

- (e) an annual report on the energy savings achieved by entrusted, participating parties and implementing authorities be provided and made publicly available as well as data on the annual trend of energy savings;
- (f) monitoring of the results and taking appropriate measures if progress is not satisfactory;
- (g) the savings from an individual action may not be claimed by more than one party;
- (h) the activities of the participating party, entrusted party or implementing public authority are shown to have caused the achievement of the claimed savings.

deleted

4. In determining the energy saving from taxation related policy measures introduced under Article 7b, the following principles shall apply:
 - (a) credit shall only be given for energy savings from taxation measures exceeding the minimum levels of taxation applicable to fuels as required in Council Directive 2003/96/EC⁷ or in Council Directive 2006/112/EC⁸;
 - (b) price elasticities for the calculation of

⁵ Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003, p. 51).

⁶ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).

⁷ Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy products and electricity (OJ L 283, 31.10.2003, p. 51).

⁸ Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).

the impact of the (energy) taxation measures must represent the responsiveness of energy demand to price changes, and shall be estimated on the basis of recent and representative official data sources;

- (c) the energy savings from accompanying taxation policy instruments, including fiscal incentives or payment to a fund, shall be accounted separately.

5. Notification of methodology

Member States shall in accordance with the future legislative proposal on Energy Union Governance notify to the Commission their proposed detailed methodology for the operation of the energy efficiency obligation schemes and alternative measures referred to in Articles 7a and 7b and Article 20(6). Except in the case of taxes, such notification shall include details of:

- (a) the level of the energy savings requirement or expected savings to be achieved over the whole period from 1 January 2021 to 31 December 2030;
- (b) the obligated, participating or entrusted parties, or implementing public authorities;
- (c) target sectors;
- (d) policy measures and individual actions foreseen by the policy measure, including the expected total cumulative amount of savings per each measure;
- (e) the duration of the obligation period for the energy efficiency obligation scheme;
- (f) the actions foreseen by the policy measure;
- (g) the calculation methodology, including how additionality and causality have been determined and which methodologies and benchmarks are used for deemed and scaled savings;
- (h) the lifetimes of measures and how they are calculated or what they are based

the impact of the (energy) taxation measures must represent the responsiveness of energy demand to price changes, and shall be estimated on the basis of recent and representative official data sources;

- (c) the energy savings from accompanying taxation policy instruments, including fiscal incentives or payment to a fund, shall be accounted separately.

5. Notification of methodology

Member States shall in accordance with the future legislative proposal on Energy Union Governance notify to the Commission their proposed detailed methodology for the operation of the energy efficiency obligation schemes and alternative measures referred to in Articles 7a and 7b and Article 20(6). Except in the case of taxes, such notification shall include details of:

- (a) the level of the energy savings requirement or expected savings to be achieved over the whole period from 1 January 2021 to 31 December 2030;
- (b) the obligated, participating or entrusted parties, or implementing public authorities;
- (c) target sectors;
- (d) policy measures and individual actions foreseen by the policy measure, including the expected total cumulative amount of savings per each measure;
- (e) the duration of the obligation period for the energy efficiency obligation scheme;
- (f) the actions foreseen by the policy measure;
- (g) the calculation methodology, including how additionality and causality have been determined and which methodologies and benchmarks are used for deemed and scaled savings;
- (h) the lifetimes of measures and how they are calculated or what they are based

upon;

(i) the approach taken to address climatic variations within the Member State;

(j) the monitoring and verification systems for measures under Articles 7a and 7b and how the independence of these from the obligated, participating or entrusted parties is ensured;

(k) in the case of taxes, the notification shall include details of:

(i) target sectors and segment of taxpayers;

(ii) implementing public authority;

(iii) expected savings to be achieved;

(iv) duration of the taxation measure; and

(v) calculation methodology, including which price elasticities are used and how they have been established.'

upon;

(i) the approach taken to address climatic variations within the Member State;

(j) the monitoring and verification systems for measures under Articles 7a and 7b and how the independence of these from the obligated, participating or entrusted parties is ensured;

(k) in the case of taxes, the notification shall include details of:

(i) target sectors and segment of taxpayers;

(ii) implementing public authority;

(iii) expected savings to be achieved;

(iv) duration of the taxation measure; and

(v) calculation methodology, including which price elasticities are used and how they have been established.

Proposal for a directive

Recital 9

Text proposed by the Commission

(9) New savings should be additional to business as usual, so that savings that would have occurred in any event may not be claimed. In order to calculate the impact of measures introduced only net savings, measured as the change of energy consumption that is directly attributable to the energy efficiency measure in question, may be counted. To calculate net savings Member States should establish a baseline scenario of how the situation would evolve in the absence of the policy in question. The policy intervention should be evaluated against this defined baseline. Member States should take into account that other policy interventions may be undertaken in the same time frame which may also have an impact on energy savings, so that not all changes observed since the introduction of the policy intervention being evaluated can be

Amendment

(9) New **energy** savings should be additional to business as usual, so that savings that would have occurred in any event may not be claimed. In order to calculate the impact of measures introduced only net savings, measured as the change of energy consumption that is directly attributable to the energy efficiency measure in question, may be counted. To calculate net savings Member States should establish a baseline scenario of how the situation would evolve in the absence of the policy in question. The policy intervention should be evaluated against this defined baseline. Member States should take into account that other policy interventions may be undertaken in the same time frame which may also have an impact on energy savings, so that not all changes observed since the introduction of the policy intervention being

attributed to that policy measure only. The actions of the obligated, participating or entrusted party should actually contribute to the achievement of the savings claimed to ensure the fulfilment of the materiality requirement.

evaluated can be attributed to that policy measure only. The actions of the obligated, participating or entrusted party should actually contribute to the achievement of the savings claimed to ensure the fulfilment of the materiality requirement.

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 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. **Buildings present a substantial potential for further increasing energy efficiency, and** renovation of buildings is an essential and long term element **with economies of scale** in increasing energy savings. It is **therefore** 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.

COMPROMISE AMENDMENT 12

Replaces AMs 681-692, ENVI 53-59

Supported by: **EPP, S&D, ECR, ALDE, GUE/NGL, GREENS/EFA, EFDD, ENF**

Annex VII a*Text proposed by the Commission*

2. Annex VII is amended as follows:

(b) the following Annex VIIa is inserted:

‘Annex VIIa

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

1. 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.

2. Minimum frequency of billing or consumption information

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.

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

2. Annex VII is amended as follows:

(b) the following Annex VIIa is inserted:

‘Annex VIIa

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

1. 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.

2. Minimum frequency of billing or consumption information

As of [Please insert here ...the ***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 ***provided to final users*** at least quarterly upon request or where final customers have opted to receive electronic billing, or else twice yearly.

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 ***provided to all final users*** at least monthly. ***It shall be also made available continuously via the internet and updated as frequently as allowed by the measurement devices and systems used.***

Heating and cooling may be exempted from this outside the heating/cooling seasons.

3. Minimum information contained in the bill ***based on actual consumption***

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

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

(b) information on the fuel mix used, including for final users supplied by district heating or district cooling;

(c) comparisons of the final users current energy consumption with consumption for the same period in the previous year, in graphic form, climate corrected for heating and cooling;

(d) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information may be obtained on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment.

In addition, Member States shall ensure

3. Minimum information contained in the bill

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 ***where these are based on actual consumption or heat cost allocator readings:***

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

(b) information on the fuel mix used and ***the related greenhouse gas emissions,*** including for final users supplied by district heating or district cooling, ***and an explanation of the different taxes, levies and tariffs;***

(c) comparisons of the final users current energy consumption with consumption for the same period in the previous year, in graphic form, climate corrected for heating and cooling;

(d) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information may be obtained on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment.

(e) information on relevant complaints procedures, ombudsman services or alternative dispute resolution mechanisms;

(f) comparisons with an average

that comparisons with an average normalised or benchmarked final user in the same user category are made available to final users in clear and understandable terms, in, with or signposted to within, their bills.’

normalised or benchmarked final user in the same user category.

Bills that are not based on actual consumption or heat cost allocator readings shall contain a clear and understandable explanation of how the amount set out in the bill was calculated, and at least the information referred to in points (d) and (e)

COMPROMISE AMENDMENT 13

Replaces AMs 1, 85-92, ENVI 1, 205

Supported by: EPP, S&D, ECR, ALDE, GUE/NGL, GREENS/EFA, EFDD, ENF

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 ***throughout the full energy chain, including energy generation, transmission, distribution and end-use,*** will benefit the environment, ***improve air quality and public health,*** 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 ***competitiveness,*** jobs and economy-wide economic activity ***thus improving the quality of life of citizens.*** 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, ***which states that the increase in the global average temperature should be held well below***

2°C above pre-industrial levels, and that efforts to limit the temperature increase to 1.5°C should be pursued.

COMPROMISE AMENDMENT 14

Replaces AMs 2, 93-99, ENVI 2

Supported by: **EPP, S&D, ALDE, GREENS/EFA, EFDD, ENF**

Proposal for a directive

Recital 2

Text proposed by the Commission

(2) Directive 2012/27/EU of the European Parliament and of the Council⁹ 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.*

Amendment

(2) Directive 2012/27/EU of the European Parliament and of the Council⁹ 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 *prioritise* energy efficiency and demand side response *over increased* generation capacity. Energy efficiency needs to be considered whenever energy system planning *and* financing decisions are taken. *Investments to improve final energy* efficiency need to be realised whenever it is more cost-effective than equivalent supply-side solutions. This should help to exploit the multiple benefits of *increasing in* energy efficiency *at all stages of the energy chain and thereby improve the welfare of* Europe's society. *To unlock the full potential of these benefits, and allow for the successful implementation of the intended policy measures, the Commission and Member States should work together with both local and regional authorities, cities, businesses and citizens all over Europe to*

ensure that the increase in energy efficiency as a result of technological, behavioural and economic changes go hand in hand with increase in economic growth.

COMPROMISE AMENDMENT 15

Replaces AMs 4, 100-102, 104, 152, 216, 343, 618 (part 2), 620

Supported by: **EPP, S&D, ECR, ALDE, GREENS/EFA**

Proposal for a directive
Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) Member State measures should be supported by well-designed and effective EU financial instruments, such as the European Structural and Investment Funds, the European Fund for Strategic Investments and the European Investment Bank, which should support energy efficiency investments at all stages of the energy chain and use a comprehensive cost-benefit analysis using a model of differentiated discount rates. Financial support should be focused on cost-effective methods for increasing energy efficiency, which would lead to a reduction in energy consumption. Reaching an ambitious energy efficiency target requires barriers to be removed such as the recent clarification from Eurostat on how to record energy performance contracts in national accounts in order to make it easier to invest in energy efficiency measures.

COMPROMISE AMENDMENT 16

Replaces AMs 5, 105-112, ENVI 3

Supported by: **EPP, S&D, ECR, ALDE, GREENS/EFA, EFDD**

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 it to the 2030 perspective.

Amendment

(3) The European Council of October 2014 **supported** a 27 % energy efficiency target for 2030, to be reviewed by 2020 'having in mind **a** 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 it to the 2030 perspective.

COMPROMISE AMENDMENT 17

Replaces AMs 146-150, ENVI 6

Supported by: S&D, ALDE, GUE/NGL, GREENS/EFA, EFDD

Proposal for a directive
Recital 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 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 **deep** renovation of buildings **with the long term objective to achieve a nearly zero-energy buildings (NZEB) stock. The energy savings obligation has been key in leading to the creation of local growth and jobs, and should be continued to ensure that the Union can achieve its energy and climate objectives by creating further opportunities and reduce dependency of energy consumption on growth.**

Cooperation with the private sector is important to assess on which conditions private investment for energy efficiency projects can be unlocked and to develop new revenue models for innovation in the field of energy efficiency.

COMPROMISE AMENDMENT 18

Replaces AMs 176-181, ENVI 9

Supported by: **EPP, S&D, ECR, ALDE, GUE/NGL, ENF**

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 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. **Buildings present a substantial potential for further increasing energy efficiency, and** renovation of buildings is an essential and long term element **with economies of scale** in increasing energy savings. It is **therefore** 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.

COMPROMISE AMENDMENT 19

Replaces AMs 20, 21, 187, 197, 200, 201, 204, ENVI 13, ENVI 15

Supported by: **S&D, ALDE, GUE/NGL, GREENS/EFA, EFDD**

Proposal for a directive

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12a) 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. To ensure that energy efficiency measures reduce energy poverty for tenants sustainably, the cost-effectiveness of such measures, as well as the affordability for the owners and tenants should be taken into account, and adequate financial support for such measures should be guaranteed at Member State level. The Union's building stock will need to become in the long term 'nearly zero energy buildings', in line with the objectives of the Paris Agreement. Present building renovation rates are insufficient and those buildings occupied by low-income citizens affected by energy poverty are the hardest to reach. Therefore, the measures laid down in Articles 7, 7a and 7b are of particular importance.

COMPROMISE AMENDMENT 20

Replaces AMs 219-223, 226, ENVI 17, ENVI 18

Supported by: **EPP, S&D, ECR, ALDE, EFDD, ENF**

Proposal for a directive

Recital 14

Text proposed by the Commission

Amendment

(14) As part of the measures set out in

(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.

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 *accurate, reliable*, clear and timely information about their energy consumption need to be strengthened. *Whilst individual metering should continue to be required where it is technically feasible and cost-effective in terms of being proportionate in relation to the potential energy savings*, 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, *taking into account the availability and capabilities of measurement devices, with the aim to optimise energy use. Member States should also take into account that the successful implementation of new technologies for measuring energy consumption require enhanced investment in education and skills for both users and energy suppliers.* 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. Therefore, for the purposes of these provisions, the term 'final user', *in addition to* final customers purchasing heating, cooling or hot water for their own *end* use, *should also cover* occupants of individual units of multi-apartment or multi-purpose buildings where such units are supplied from a central source *who have no direct or individual contract with the energy supplier.* 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.