

III

(Preparatory acts)

COMMITTEE OF THE REGIONS

79TH PLENARY SESSION HELD ON 21 AND 22 APRIL 2009

Opinion of the Committee of the Regions on the energy performance of buildings and the second strategic energy review

(2009/C 200/09)

THE COMMITTEE OF THE REGIONS

- regrets that no proposal has been tabled to introduce a binding legislative instrument specifically designed to help attain the 20 % energy efficiency improvement objective;
- stresses the potential of those methods which combine industrial activity with energy production (waste heat recovery, cooling, energy generation, co- and polygeneration, etc.);
- highlights the importance of the work undertaken by the local and regional energy agencies across the EU. These institutions are strategic partners for Europe's energy policy and the EU should give greater support to and take greater account of their action;
- stresses the importance of providing swifter access to the Structural Funds for energy efficiency investment in buildings;
- supports the European Commission's initiative which would allow the permanent application of reduced VAT rates in the housing sector, including in the case of renovation work;
- supports the European Commission's efforts, in partnership with the EIB and EBRD, to develop financial instruments geared towards improving energy efficiency. It notes that one of the most important issues when creating such financial instruments is to make them accessible to local and regional authorities with a view to supporting them in their role as key actors in the implementation of the Directive on the Energy Performance of Buildings.

Rapporteur: Mr Jean-Louis Joseph (FR/PES), Mayor of Bastidonne

Reference document

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions — Second Strategic Energy Review. An EU Energy Security and Solidarity Action Plan — COM(2008) 781 final

Recasting of Directive 2002/91/EC of 16 December 2002 on the Energy Performance of Buildings

COM(2008) 780 final — 2008/0223 (COD)

I. POLICY RECOMMENDATIONS

THE COMMITTEE OF THE REGIONS

A. Second Strategic Energy Review of the European Union

1. believes that the challenges addressed by the European Union's energy policy are of fundamental importance both for the present and the future of the EU and its citizens, and for climate issues at global level. It draws attention to the key role played by local and regional stakeholders as partners in the successful definition, formulation and implementation of European energy policy. Accordingly, it regrets that the role of local and regional stakeholders has been given only cursory consideration by the second strategic review;

2. recognises the importance of the security of supply, a key focus of the Second Strategic Review and of extreme political sensitivity. It further recognises that the situation of each Member State is different in this respect. These differences, due in part to historical reasons, call for coordinated action at European level to redress imbalances, forge closer links between partners and to limit the risks for the European Union as a whole;

3. acknowledges the important progress made after the first strategic review, particularly the formulation of the 20-20-20 objectives and the initial legislative developments, culminating in the recent agreement between the Parliament and the Council on the 'Energy and Climate Package';

4. considers that these developments, while highly important, represent only a first step. It is therefore vital that the 20-20-20 objectives continue to be the main priority of the EU's energy policy, thereby ensuring the coherence and continuity required for its successful implementation;

5. emphasises the need to identify energy efficiency as one of the principal focal points of the EU's energy policy. It draws attention to the *trias energetica* (energy triad) model, which sets out, in ascending order of importance, the three policies capable of limiting the impact of energy use on climate change: energy

efficiency, the promotion of renewable energy and optimising fossil fuel use. Energy efficiency is not only the cornerstone of the 20-20-20 objectives but also plays a vital role in terms of security of supply. However, it is regrettable that energy efficiency remains the only 20-20-20 objective which has yet to be translated into a binding legislative instrument;

6. Against this background, it warmly welcomes the energy efficiency measures put forward by the European Commission in the second strategic energy review (particularly the revision of the Directive on the Energy Performance of Buildings — see below), but regrets that:

6.1. out of the five priorities set out in the EU Energy Security and Solidarity Action Plan, energy efficiency is only fourth in order of importance;

6.2. no proposal has been tabled to introduce a binding legislative instrument specifically designed to help attain the 20 % energy efficiency improvement objective. However, a clearer link should be established with the objectives and instruments stemming from the Directive on energy end-use efficiency and energy services (2006/32/EC). This is a practical tool for taking a first step towards the 20 % objective;

6.3. based on the forecasts outlined in the appendix to the second strategic review, it would appear that the European Commission is counting in part on events that are beyond its control (a rise in the oil price) to achieve its 20 % energy efficiency target. This demonstrates both a lack of political will and an underinvestment in energy efficiency. Such an attitude is all the more regrettable given that the expected benefits of investment in energy efficiency could make it a powerful instrument for both economic recovery and the creation of jobs, both of which are crucial in the context of the current crisis;

6.4. the energy efficiency proposals outlined in the second strategic review do not include any specific measures for industry despite the sector's high levels of energy consumption. With respect to the security of supply, it is important to stress the potential of those methods which combine industrial activity with energy production (waste heat recovery, cooling, energy generation, co- and polygeneration, etc);

6.5. welcomes the recognition that transport has to play a critical role in achieving energy objectives. However, considering the European transport sector's high dependency on oil, it regrets that the second strategic energy review does not put forward any strategy for this sector. Yet this sector alone is responsible for more than 30 % of the EU's total final energy consumption. Moreover, it is a sector which is directly affected by the problem of the security of supply, since it is almost exclusively dependent on oil, over 80 % of which is imported into the European Union. The Committee therefore urges the European Commission to bring forward transport efficiency proposals in parallel with the Energy Efficiency Package. There is a vast untapped potential here as regards reducing greenhouse gas emissions and measures in the area of rail-borne transport and other modes of public transport, energy-efficient vehicles, car sharing, eco-driving, getting more people to cycle etc.;

7. stresses the crucial role played by local and regional authorities in the field of energy efficiency. In this context:

- (a) reaffirms its support for the *Covenant of Mayors* and recalls its outlook opinion on the energy question which emphasised, among other things, that 'local action is key to meeting the 20 % energy efficiency targets. The crucial role of regions and cities in delivering these objectives is already clearly recognised by the European Commission and the European Parliament' ⁽¹⁾;
- (b) spatial planning at local level is a key tool for pursuing a comprehensive approach aimed at building a society which is climate-friendly and energy-efficient. This involves the location of infrastructure, jobs, businesses and housing in a way which reduces transport needs and fosters energy-efficient transport and the more widespread use of district heating and wind and geothermal energy;
- (c) there is great scope for energy savings on a general level in the public sector, the potential of which has not yet been realised. With the aid of properly designed subsidies and incentives it would be possible to increase energy efficiency, reduce energy costs and boost employment;
- (d) welcomes the plans to launch a new *Sustainable Energy Financing Initiative* and urges that a significant proportion of its resources be allocated to financing projects at local and regional level; energy efficiency must be a priority;
- (e) highlights the importance of the work undertaken by the local and regional energy agencies across the EU. These institutions are strategic partners for Europe's energy policy and the EU should give greater support to and take greater account of their action;
- (f) it calls for the creation of a working group bringing together the Commission and the representatives of local and regional authorities and their networks with a view to outlining a new vision for energy efficiency, based on a 'bottom-up' approach;

8. as regards the six priority projects identified as essential for the European Union, it notes, without commenting on the substance of the proposed projects, that:

- (a) cost estimates should be drawn up for such 'priority' projects prior to their formal adoption in order to enable a fair comparison with other initiatives. Such projects are likely to use up a significant part of the available budgets;
 - (b) some of the six projects proposed have been given greater priority than others as specific provision for their implementation has already been made (the drafting of communications and an action plan, including funding); conversely, the implementation timetable remains much more vague in the case of the other projects;
 - (c) interconnection is essential to allow the spread of risk and to enhance solidarity between Member States. Further agrees that to guarantee both gas and electricity supply to all EU citizens, major changes to internal EU energy infrastructure is necessary. Stresses that the development of renewable energy sources and of decentralised energy production will also require changes to Europe's energy infrastructure. Any decision on investing in European energy infrastructure will have to take account of the Union's objectives in this area. Without commenting on the substance of the proposed six energy infrastructure projects, anticipates that the detailed financing needs which will be identified in 2009-2010 will be massive and urges that some priority can also be given to energy efficiency projects and reducing international travel impacts in future EU budgets;
9. still on the question of investment, it emphasises that the transformation of the European energy system into a more decentralised system will require significant investment, dialogue with local and regional stakeholders, and increased recognition of their role in the field of energy policy;

10. Regarding the chapter on indigenous energy reserves, it emphasises that:

- (a) renewable energy must play a central role, in line with the 20-20-20 objectives and taking into account the related economic, social and environmental benefits. It draws attention to its opinion on the *Promotion of Renewable Energy* ⁽²⁾. Moreover:
 - it welcomes the proposal to table a communication on *Overcoming Barriers to Renewable Energy in the EU*. It further calls for it to be published as soon as possible, by 2010 at the latest, and urges that it be regularly updated and furnished with the necessary measures to overcome all identified barriers;

⁽¹⁾ CdR 241/2008 fin.

⁽²⁾ CdR 160/2008 fin.

- it notes that the issue of transport and distribution networks is inextricably linked to the development of renewable energy. It urges the European Commission to prepare a *Communication on the development of a European super-grid*, as mentioned in the Second Strategic Review. This communication will primarily focus on issues of infrastructure and how smart grid technologies can help implement the European Commission's 20-20-20 objectives, and promote the transition to greater decentralisation in renewable energy production. Furthermore, the proposals for transport and distribution network in the Second Strategic Review should be placed in the context of this communication in order to enable the adoption of a truly global approach to these issues;
 - (b) nuclear energy is dependent on fuel which is largely imported and may not therefore be considered to be 'indigenous'. That being said, the use of nuclear energy does have an 'indigenous' effect on local authorities, particularly the risks related to this form of energy and the management of nuclear waste. Accordingly, the Committee welcomes the plans for a revised proposal for a *Directive setting up a Community framework for nuclear safety* and also recommends that this document cover the sustainable management of nuclear waste and its costs;
 - (c) coal is also increasingly an imported fuel; both its transport and its combustion, which produces residues, are posing considerable problems in emissions terms. Its continued use, therefore, must be underpinned by highly efficient low-emission plants;
 - (d) calls on the European Commission to maintain the highest possible environmental standards when assessing the opportunities for using unconventional indigenous fossil fuel reserves (such as those mentioned in Point 2.5, lines 7-8 of the Second Strategic Review) and to take account of all external factors relating to the use of these reserves when assessing their profitability;
 - (e) considers that support should encourage research and development to harness clean, renewable maritime energies such as from wave, tide and ocean currents given that marine energies are not yet commercially deployed but where the EU has the potential to achieve competitive advantage as well as environmental leadership;
11. welcomes the intention to table a *Communication on Financing Low Carbon Technologies*. Given that this communication will take into account the revenue generated as a result of the revision of the Emissions Trading Directive, the CoR draws attention to its opinion on this matter, which 'recommends that at least 30 % of revenues generated from the auctioning of allowances should be

earmarked by Member States for local and regional authorities in order to promote the use of renewable energies and energy efficiency in end uses (1).'

Furthermore, it also stresses that if we are to make the most effective use possible of the budgetary resources available, carbon capture and storage technologies, which are still very much at the developmental stage and are in themselves incapable of solving the problems of energy production or the security of supply, should not receive more funding than other technologies specialising in energy efficiency or renewable energy;

12. welcomes the proposal to chart a policy agenda for 2030 and a vision for 2050. Real strategic orientations, investment decisions and infrastructure projects can only feasibly be contemplated over the longterm. The Committee expresses its surprise that the issue of decarbonising the EU electricity supply by 2050 appears to have been given priority over the other areas outlined in the 2050 vision, as suggested by the recommendation to tackle this issue as soon as the strategic plan for energy technologies has been established. While this topic is undoubtedly of importance and has much potential, there are numerous other issues which are equally, if not more, urgent. The process of defining a vision for 2050 should take the form of a broad strategy, and not concentrate on a restricted number of thematic priorities.

B. Recast of the Directive on the Energy Performance of Buildings

I. Policy recommendations

13. welcomes the recast of the Directive on the Energy Performance of Buildings;

14. stresses the urgent need for large-scale action to improve the energy performance of buildings given the related benefits

- promoting the EU's objectives in the field of energy and climate change;
- in social terms (growing difficulties facing the public in terms of domestic heating costs). It also notes that the context of the current crisis will widen the existing socio-economic gap between those individuals who are able to finance energy related renovation work and thus lower their energy bills and the growing number of citizens who, unable to pay for the cost of renovation work, will be faced with increasingly higher bills;
- in economic terms and for job and wealth creation at local level;

15. highlights the urgency of these issues, and calls on the Council and the Parliament to ensure that swift and ambitious decisions are taken on this matter; it also calls on the Member States to avoid any repeat of the implementation delays which occurred with the first version of this directive;

(1) CdR 161/2008 fin.

16. in order to facilitate the implementation of energy declarations, the Commission should introduce a programme for the exchange between Member States and their local and regional authorities, of best practice and information on the use of technical solutions and the use of public contracts to promote the development of energy efficiency;

17. recalls the key role played by local and regional authorities in implementing this directive, through:

- the management of their own buildings;
- by dint of their competences in the area of town planning and the issue of planning permission the use of heat-insulating building materials and steps to ensure high quality building and redevelopment work;
- by collecting and recycling secondary raw materials to defray the costs of exploiting energy resources more effectively (for electricity and heat);
- their close proximity to the public.

Local and regional authorities across Europe have undertaken numerous voluntary initiatives addressing the energy performance of buildings, including action aimed at cutting down on energy use in public buildings and housing and as part of the regeneration of urban areas. Member States need to fully incorporate local and regional authorities and stakeholders as strategic partners in the implementation of this directive, seek to benefit from their experience and ensure the promotion and replication of best practice. The Committee therefore calls for Local and Regional Authorities to be involved in the drawing up of National Action Plans;

18. believes that the proposed recast strengthens the Directive in a number of respects. It particularly welcomes:

- the proposals to progressively lower or remove the 1 000 m² threshold. And it welcomes the maintenance of the 250 m² threshold in Art. 12(1) (recast);
- the improvements made to the system of energy performance certificates (particularly the requirement to include such certificates in all advertising and literature related to the letting or sale of property);

19. wishes to highlight the importance of developing the Directive on the basis of the experience gained of its practical implementation, which should be duly analysed and assessed. The importance of energy performance certificates and the way they are drawn up should be evaluated, among other things. A flexible approach could help resolve the problems posed by a lack of skills, in cases where this has been an issue;

20. considers that the proposed 'comparative methodology for calculating cost-optimal levels of minimum energy performance requirements' could represent an effective benchmarking instrument at European level. However, it calls on the Commission to take account of all external factors when drawing up such methodology, especially the costs of inaction (environmental degradation, deteriorating health and competitiveness, all prompted by underinvestment in the area of energy efficiency) as well as the positive impact of investments in energy efficiency (in terms of job and wealth creation, support for research, energy autonomy, quality and sustainability of buildings, etc.);

21. It is also important to make use of the possibility to improve the energy efficiency of buildings without investment, for example by optimising functioning and user participation. Many local and regional authorities are already working successfully in this area;

22. stresses the need to keep the public fully informed about the parameters used to calculate the cost-effectiveness of the recommendations provided on the energy performance certificate in order to enable a clear understanding of the calculation and to make it possible for the public to re-evaluate the cost-effectiveness of energy efficiency measures, based on new factors (changes in energy prices, subsidies granted by public authorities, useful life of equipment etc.);

23. emphasises the usefulness of the reports which the Member States have been asked to prepare (inter alia in Article 5 (2) and Article 9 (3)). To ensure the accuracy of these reports, the directive should require local and regional authorities to take part in their preparation;

24. draws attention to its opinion on the *Promotion of Renewable Energy* ⁽¹⁾ and welcomes the introduction of an element of coordination between this directive and other important items of European legislation in this area, in particular the Directive on Energy End-Use Efficiency and Energy Services (2006/32/EC) as well as with regard to the existing and future EU Green Public Procurement proposals. This coordination strengthens the coherence of the legislation as a whole and reduces the burden on the Member States by grouping together the various reports which they need to prepare;

25. welcomes the objective to increase the number of 'buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero', and the need for the public sector to lead by example in this area;

26. notes that the directive's guiding principle is to save energy to minimise the impact on the environment. Establishing a definition for 'Buildings of which both carbon dioxide emissions and primary energy consumption are low or equal to zero' cannot therefore lead to buildings with low carbon dioxide emissions being favoured over those with low energy consumption. What is more, a global vision of environmental impact must always take precedence over the criterion of carbon dioxide emissions alone;

⁽¹⁾ CdR 160/2008.

27. also emphasises the benefits and challenges arising from the introduction of a requirement to monitor quality in connection with energy performance certificates and inspection reports. This measure will be vital if there is to be any significant improvement in the quality of buildings in Europe;

28. emphasises that the question of when work is carried out will have an important bearing on the global impact of the directive. Accordingly, it:

- welcomes the Directive's proposal to make all subsidies for the construction or renovation of buildings conditional on compliance with minimum energy performance requirements. This link should be established as soon as possible but it would be better that such link is left to be established at the specific national and local programmes;
- suggests that serious thought should be given to creating a mechanism that would establish a time during the lifetime of buildings when they would have to meet compulsory energy efficiency standards. The aim of this type of system would be to encourage a swift improvement in the quality of existing buildings by requiring an updating of their energy efficiency at a specific time.;

29. emphasises that implementing the directive will require substantial efforts in the training field. With this in mind, it proposes introducing a provision establishing:

- an obligation for all Member States to take the necessary measures to adequately assess and meet the needs in this domain in particular to provide appropriate funding to ensure that qualified staff is available;
- an obligation for the National Energy Efficiency Action Plans to include a reference to this issue;

30. on the issue of vocational training, it stresses the success of a number of initiatives at local and regional level that have focused on the construction process by establishing discussion groups bringing together the various trades involved (plumbers, bricklayers, electricians, etc.) and discussing the interaction between their various roles in the process of constructing a building. Such schemes have had a positive impact on the quality of the construction process in general and, as a result, on the quality of the buildings themselves. In those groups, where energy efficiency was identified as a key objective, effective and innovative solutions were developed thanks to the interaction between the various trades.

31. emphasises the need to properly assess the actual upfront costs that this Directive would entail in order to provide adequate financial incentives to support and speed up the implementation of the directive. Accordingly, it

- (a) welcomes the fact that the Economic Recovery Plan launched by the Commission in December 2008 recognises investment in energy efficiency as an opportunity for the European economy;

- (b) greatly deplores, however, the fact that in March 2009 the compromise proposal approved by the European Council on the 'financing of infrastructure projects presented by the Commission under the European economic recovery plan' does not provide for investment in projects aiming to improve energy efficiency.

However, projects such as, for example, the Energy Smart Buildings Campaign, drawn up by the European Renewable Energy Council (EREC) on the basis of actual experiences in the renewable energy sector, require only a level of investment limited to the scale of the recovery plan (EUR 300 million), and would have a major impact in terms of energy, environmental and job creation (estimated 150 000 new jobs), which would very quickly generate economic activity (with results expected from 2010 onwards) and would have a very important multiplier effect (each EUR invested in the campaign would generate up to EUR 33 of investment in more energy-efficient buildings).

The Energy Smart Buildings Campaign is based on the linkage of three promotion campaigns for energy-smart buildings, which are targeted at: 1) owners; 2) structures with a multiplier effect and; 3) professionals (including training activities);

- (c) stresses the importance of providing swifter access to the Structural Funds for energy efficiency investment in buildings. In this context, it

- welcomes the European Commission's initiative to amend the ERDF regulations with a view to promoting investment in energy efficiency ⁽¹⁾;

- calls on the Member States to give detailed consideration to revising certain parts of their operational programmes and to give more prominence to the issue of the energy efficiency of buildings, particularly social housing;

- (d) supports the European Commission's initiative which would allow the permanent application of reduced VAT rates in the housing sector, including in the case of renovation work ⁽²⁾;

- (e) supports the European Commission's efforts, in partnership with the EIB and EBRD, to develop financial instruments geared towards improving energy efficiency. It notes that one of the most important issues when creating such financial instruments is to make them accessible to local and regional authorities with a view to supporting them in their role as key actors in the implementation of the Directive on the Energy Performance of Buildings.

- (f) emphasises the need for dedicated EU and national funds to be coordinated.

⁽¹⁾ COM (2008) 838/3 final.

⁽²⁾ COM (2008) 428 final.

II. PROPOSED AMENDMENTS

*Amendment 1***Article 5 (1)**

| Text proposed by the Commission | CoR amendment |
|--|---|
| <p>1. The Commission shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.</p> <p>Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19(2).</p> | <p>1. The Commission shall establish by 31 December 2010 a comparative methodology for calculating cost-optimal levels of minimum energy performance requirements for buildings or parts thereof. The comparative methodology shall differentiate between new and existing buildings and between different categories of buildings.</p> <p>Those measures designed to amend non-essential elements of this Directive by supplementing it shall be adopted in accordance with the procedure referred to in Article 19 21(2).</p> |

Reason

Technical amendment to correct an obvious mistake (concerns an internal reference).

*Amendment 2***Article 5 (2)**

| Text proposed by the Commission | CoR amendment |
|--|--|
| <p>2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.</p> <p>They shall report to the Commission all input data and assumptions used for these calculations and all calculation results. The report may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC. Member States shall submit to the Commission those reports every three years. The first report shall be submitted by 30 June 2011 at the latest.</p> | <p>2. Member States shall calculate cost-optimal levels of minimum energy performance requirements using the comparative methodology established in accordance with paragraph 1 and relevant parameters, such as climatic conditions, and compare the results of this calculation to the minimum energy performance requirements which they have laid down.</p> <p>They shall report to the Commission all input data and assumptions used for these calculations and all calculation results. The report <u>will be drafted in close cooperation with regional and local authorities and actors, and may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.</u> Member States shall submit to the Commission those reports every three years. The first report shall be submitted by 30 June 2011 at the latest.</p> |

Reason

In order to ensure the accuracy of the reports which the Member States are asked to prepare under the current directive, it is important that they are drawn up in close cooperation with local and regional authorities and stakeholders.

*Amendment 3***Article 9 (3)**

| Text proposed by the Commission | CoR amendment |
|--|---|
| <p>3. Member States shall communicate the national plans referred to in paragraph 1 to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.</p> | <p>3. Member States shall communicate <u>draft</u> the national plans referred to in paragraph 1 <u>in close cooperation with regional and local authorities and actors, and communicate them</u> to the Commission by 30 June 2011 at the latest and report to the Commission every three years on the progress in implementing their national plans. The national plans and progress reports may be included in the Energy Efficiency Action Plans referred to in Article 14(2) of Directive 2006/32/EC.</p> |

Reason

In order to ensure the accuracy of the reports which the Member States are asked to prepare under the current directive, it is important that they are drawn up in close cooperation with local and regional authorities and stakeholders.

Amendment 4

Article 10 (3)

| Text proposed by the Commission | CoR amendment |
|--|---|
| 3. The recommendations included in the energy performance certificate shall be technically feasible for the specific building and shall provide transparent information as to their cost-effectiveness. The evaluation of cost-effectiveness shall be based on a set of standard conditions, such as on the assessment of energy savings and underlying energy prices and interest rates for investments necessary to implement the recommendations. | 3. The recommendations included in the energy performance certificate shall be technically feasible for the specific building and shall provide transparent information as to their cost-effectiveness and estimated payback period (not including financial incentives or support schemes). The evaluation of cost-effectiveness shall be based on a set of standard conditions, such as on the assessment of energy savings and underlying energy prices and interest rates for investments necessary to implement the recommendations. The data, values and calculation methods used for the evaluation of cost-effectiveness will be clearly spelled out on the energy performance certificate. |

Reason

The energy performance certificate should provide the public with clear and easy to understand recommendations making it possible to compare the cost-effectiveness evaluation, as calculated when drawing up the energy performance certificate, with the actual conditions encountered, taking into account the changes in the overall situation (fluctuations in energy price, interest rates, equipment costs, etc.) and/or other new factors (subsidies granted by public authorities, programme utilisation period etc.).

Amendment 5

Article 12 (2)

| Text proposed by the Commission | CoR amendment |
|---|--|
| 2. Member States shall take measures to ensure that where a total useful floor area over 250 m ² of a building for which an energy performance certificate has been issued in accordance with Article 11(1) is frequently visited by the public, the energy performance certificate is displayed in a prominent place clearly visible to the public. | 2. Member States shall take measures to ensure that where a total useful floor area over 250 m ² of a building for which an energy performance certificate has been issued in accordance with Article 11(1) is frequently visited by the public, the energy performance certificate of that building is displayed in a prominent place clearly visible to the public. |

Reason

Displaying energy performance certificates in buildings which are frequently visited by the public can play an important role in raising public awareness of the importance of issues related to the energy efficiency of buildings.

Amendment 6

Article 15 (2b)

| Text proposed by the Commission | CoR amendment |
|--|--|
| 2b. recommendations for the cost-effective improvement of the energy performance of the system of the building or parts thereof. The recommendations referred to in point (b) shall be specific to the system and shall provide transparent information as to their cost-effectiveness. The evaluation of cost-effectiveness shall be based on a set of standard conditions, such as on the assessment of energy savings and underlying energy prices and interest rates for investments. | 2b. recommendations for the cost-effective improvement of the energy performance of the system of the building or parts thereof. The recommendations referred to in point (b) shall be specific to the system and shall provide transparent information as to their cost-effectiveness and estimated payback period (not including financial incentives or support schemes). The evaluation of cost-effectiveness shall be based on a set of standard conditions, such as on the assessment of energy savings and underlying energy prices and interest rates for investments. The data, values and calculation methods used for the evaluation of cost-effectiveness will be clearly spelled out on the inspection report. |

Reason

The energy performance certificate should provide the public with clear and easy to understand recommendations making it possible to compare the cost-effectiveness evaluation, as calculated when drawing up the energy performance certificate, with the actual conditions encountered, taking into account the changes in the overall situation (fluctuations in energy price, interest rates, equipment costs, etc.) and/or other new factors (subsidies granted by public authorities, programme utilisation period etc.).

Amendment 7

New Article 17 (a)

| Text proposed by the Commission | CoR amendment |
|---------------------------------|---|
| | <p><u>17 (a) Training</u></p> <p>1. <u>The Member States, in cooperation with the local and regional authorities and stakeholders, will take all the necessary measures to provide training for specialists in the building sector focusing on new technologies, methods and materials which can help improve the energy performance of new and existing buildings. As part of this process, the Member States will ensure appropriate further training which will be accessible to all professionals already active in the field. They will also ensure that training courses for future professionals are reviewed and regularly adapted in this light. The Member States, in cooperation with the local and regional authorities and stakeholders, will also set up training programmes that are open to all and whose scope is such that they can train a sufficient number of certified experts for the execution of tasks such as the delivery of energy performance certificates and the inspection of technical systems, as defined in Articles 13 and 14 of the directive.</u></p> <p>2. <u>The Member States will report on the initiatives taken and the results achieved in the area of training as defined in Paragraph 1 of this article, and on the new measures which they intend to take, where necessary. For the purposes of this report, the Member States will, in cooperation with the local and regional authorities and stakeholders, conduct a study on their training needs to ensure their compliance with the requirements of the Directive. The Member States will compare the content and results of the initiatives they have planned or already taken in the light of the study's findings.</u></p> <p>3. <u>The Member States will draw up the reports mentioned in Paragraph (2) above in close cooperation with the local and regional authorities and stakeholders, and will submit them no later than by 30 June 2011, and will submit new reports every three years. The report may be included in a country's National Energy Efficiency Action Plan as defined in Art. 14(2) of Directive 2006/32/EC. The Commission will publish a report on the progress made by the Member States in the field of vocational training This report will include a comparison of the national studies on training needs. Where appropriate, it will also put forward recommendations and guidelines in the area of vocational training in the framework of the present directive.</u></p> |

Reason

The successful implementation of the directive will require significant efforts in the area of training, which should be defined and made compulsory under the Directive, including establishing reporting objectives and obligations.

Amendment 8

Article 19

| Text proposed by the Commission | CoR amendment |
|---|---|
| Member States shall take the necessary measures to inform the owners or tenants of buildings or parts thereof as to the different methods and practices that serve to enhance energy performance. | Member States shall take the necessary measures to inform the owners or tenants of buildings or parts thereof as to the different methods and practices that serve to enhance energy performance. |
| Member States shall in particular provide information to the owners or tenants of buildings on energy performance certificates and inspection reports, their purpose and objectives, on cost-effective ways to improve the energy performance of the building and on mid- and long-term financial consequences if no action is taken to improve the energy performance of the building. | Member States shall in particular provide information to the owners or tenants of buildings on energy performance certificates and inspection reports, their purpose and objectives, on cost-effective ways to improve the energy performance of the building and on mid- and long-term financial consequences if no action is taken to improve the energy performance of the building. |
| | <u>Member states shall be required to engage and consult with local authorities at an early stage to develop information and awareness raising programmes.</u> |

Reason

The provisions of the recast impact local authorities in many ways given their responsibilities for planning, and as owners and managers of a broad and diverse range of property including social housing stock. Local government's proximity to the citizen also gives it a key role in providing information and incentives to encourage tenants and owners to improve the energy performance of their building, and to change their energy consumption behaviour. Local authorities also have a wealth of experience and expertise.

Brussels, 21 April 2009

*The President
of the Committee of the Regions*
Luc VAN DEN BRANDE