



2024/1516

13.6.2024

DECISION OF THE EEA JOINT COMMITTEE No 318/2023
of 8 December 2023
amending Annex IV (Energy) to the EEA Agreement [2024/1516]

THE EEA JOINT COMMITTEE,

Having regard to the Agreement on the European Economic Area (“the EEA Agreement”), and in particular Article 98 thereof,

Whereas:

- (1) Commission Delegated Regulation (EU) No 244/2012 of 16 January 2012 supplementing Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings by establishing a comparative methodology framework for calculating cost-optimal levels of minimum energy performance requirements for buildings and building elements⁽¹⁾ is to be incorporated into the EEA Agreement.
- (2) Due to the specificities of Iceland’s relatively recent and uniform building stock, a temporary and conditional exemption from applying Directive 2010/31/EU on the energy performance of buildings was agreed, pursuant to Decision of the EEA Joint Committee No 135/2022 of 29 April 2022 amending Annex IV (Energy) to the EEA Agreement. This exemption applies to Directive 2010/31/EU as in force before the amendment by Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018. Delegated Regulation (EU) No 244/2012 should therefore not apply to Iceland. The exemption is strictly limited in time and should apply only until an agreement is reached concerning incorporation of Directive 2010/31/EU as amended by Directive (EU) 2018/844 into the EEA Agreement. An agreement should be deemed to be reached once Directive 2010/31/EU as amended by Directive (EU) 2018/844 has been incorporated into the EEA Agreement.
- (3) Annex IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

Article 1

The following is inserted after point 17 (Directive 2010/31/EU of the European Parliament and of the Council) of Annex IV to the EEA Agreement:

- ‘17a. **32012 R 0244:** Commission Delegated Regulation (EU) No 244/2012 of 16 January 2012 supplementing Directive 2010/31/EU of the European Parliament and of the Council on the energy performance of buildings by establishing a comparative methodology framework for calculating cost-optimal levels of minimum energy performance requirements for buildings and building elements (OJ L 81, 21.3.2012, p. 18).

The provisions of the Regulation shall, for the purposes of this Agreement, be read with the following adaptation:

The Regulation shall not apply to Iceland.’

Article 2

The text of Delegated Regulation (EU) No 244/2012 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

⁽¹⁾ OJ L 81, 21.3.2012, p. 18.

Article 3

This Decision shall enter into force on 9 December 2023, provided that all the notifications under Article 103(1) of the EEA Agreement have been made (*).

Article 4

This Decision shall be published in the EEA Section of, and in the EEA Supplement to, the *Official Journal of the European Union*.

Done at Brussels, 8 December 2023.

For the EEA Joint Committee
The President
Pascal SCHAFFHAUSER

(*) No constitutional requirements indicated.