

# FIEC comments/amendments to the recast Energy Performance of Buildings Directive (COM (2021) 0802) and the ITRE committee draft report (PE732.742)

01/07/2022

In the following you can find FIEC's amendments to the recast EPBD proposal of 15 December 2021 and its comments on the draft European Parliament legislative resolution of the ITRE committee of 6 June 2022.

As already laid down in its position paper of 31 March 2022, FIEC is convinced that the recast EPBD will contribute to achieve a zero-emission building stock by 2050 and to reduce CO<sub>2</sub> emissions in the EU. FIEC especially welcomes that the lead rapporteur in the ITRE committee foresees to strengthen the district/neighborhood approach to building renovation via an 'integrated district approach' and the roll-out of integrated renovation programmes (foreseen, e.g., in Art. 3 a (new) of the ITRE draft report), with a strong role given to local and regional authorities. FIEC strongly believes that this approach is the right one and will create the conditions for a cheaper and quicker decarbonization of the building stock.

In addition, FIEC welcomes the strong emphasis put by the rapporteur on targeted (financial) support measures for homeowners, and especially for low- and medium-income households and for persons with disabilities.

However, FIEC would like to comment on some elements put forward by the Commission in the proposal of 15 December 2021 as well as on proposals for amendments put forward by the rapporteur in the ITRE Committee on 6 June 2022 that, in its view, need to be modified. These elements especially concern the proposals of the Commission on zero-emission buildings, or the proposals made by the rapporteur on the use of certain materials, the new deadlines for 'deep renovations' and the requirements on 'minimum energy performance standards', or the introduction of a Union-wide harmonized methodology for calculating the life-cycle global warming potential of buildings.

For comments/amendments on the ITRE draft European Parliament legislative resolution, the number of the amendment is indicated for each comment. **FIEC comments or amendments are marked in red.** The text from the Parliament is marked in **blue**, the text proposed by the Commission is marked in **grey**.

Comments/proposals for amendments

# Amendment 5

Recital 6 – Reduced energy consumption and increased use of energy from renewable sources

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
(6) Buildings account for 40 % of final	(6) Buildings account for 40 % of final	(6) Buildings account for 40 % of final
energy consumption in the Union and 36%	energy consumption in the Union and 36%	energy consumption in the Union and 36%
of its energy-related greenhouse gas	of its energy-related greenhouse gas	of its energy-related greenhouse gas
emissions . Therefore, reduction of energy	emissions. Natural gas plays the largest	emissions. <i>Natural gas plays the largest</i>
consumption , in line with the energy	role in heating of buildings, accounting	role in heating of buildings, accounting
efficiency first principle as laid down in	for around 42% of energy used for space	for around 42% of energy used for space

Article 3 [revised EED] and defined in Article 2(18) of Regulation (EU) 2018/1999 of the European Parliament and of the Council32 and the use of energy from renewable sources in the buildings sector constitute important measures needed to reduce the Union's greenhouse gas emissions. Reduced energy consumption and an increased use of energy from renewable sources also have *an important part* to play in reducing the Union's energy dependency, promoting security of energy heating in the residential sectors. Oil is the second most important fossil fuel for heating, accounting for 14% and coal accounts for around 3%. Therefore, reduction of energy consumption, in line with the energy efficiency first principle as laid down in Article 3 [revised EED] and defined in Article 2(18) of Regulation (EU) 2018/1999 of the European Parliament and of the Council and the use of energy from renewable sources in the buildings sector constitute important measures needed to heating in the residential sectors. Oil is the second most important fossil fuel for heating, accounting for 14% and coal accounts for around 3%. Therefore, reduction of energy consumption , in line with the energy efficiency first principle as laid down in Article 3 [revised EED] and defined in Article 2(18) of Regulation (EU) 2018/1999 of the European Parliament and of the Council and the use of energy from renewable sources in the buildings sector constitute important measures needed to



supply and technological developments	reduce the Union's greenhouse gas	reduce the Union's greenhouse gas
and in creating opportunities for	emissions. Reduced energy consumption	emissions. Reduced energy consumption
employment and regional development, in	and an increased use of energy from	and an increased use of energy from
particular in islands and rural areas.	renewable sources, especially solar	renewable sources <del>especially solar energy</del> ,
	energy,	also have a <b>key role</b> to play in reducing the
	also have a <b>key role</b> to play in reducing the	Union's energy dependency on fossil fuel
	Union's energy dependency on fossil fuel	overall and on imports especially,
	overall and on imports especially,	promoting security of energy supply, <i>in</i>
	promoting security of energy supply, <i>in</i>	particular according to the objectives set
	particular according to the objectives set	out in the REPowerEU plan, and
	out in the REPowerEU plan, and	technological developments and in creating
	technological developments and in creating	opportunities for employment and regional
	opportunities for employment and regional	development, in particular in islands and
	development, in particular in islands and	rural areas.
	rural areas.	

# **Justification**

We welcome the objectives of the 'REPowerEU plan' presented on 18 May 2022 and strongly believe that it will contribute to making the Union less dependent of (Russian) fossil fuels. We also support the objective of promoting the energy efficiency of buildings and renewable energy sources, such as solar energy.

However, we are of the opinion that the principle of technology neutrality when it comes to (renewable) energy sources should be kept. We urgently recommend giving more flexibility to Member States instead of prescribing from the outset that a specific technology (in this case, solar energy installations) should be deployed on certain buildings or building types. It must also be stressed that the solar energy generation potential/the effectiveness of solar panels often depends on several factors (e.g., on where the building is located, the incoming solar radiation, or climatic conditions). These parameters can considerably vary from one Member State to another. The installation of solar energy panels on buildings risks becoming a real cost driver for construction and renovation projects and exacerbating the already difficult situation for clients and contractors. Some Member States and regions already have rules on mandatory solar installation in place for some building types <u>but there should not be a forced obligation for using solar power across Europe</u>. Moreover, new requirements on solar energy installation must be accompanied by appropriate financial support.

These remarks also apply to other provisions proposed by the rapporteur, e.g., to the National Building Renovation Plan (Annex II – table – point c – column 2 – row 19 – point ga (new)), or to recital 28 a (new) on the solar readiness of buildings.

#### **Amendment 9**

Recital 7 – Union methodology for calculating the whole life-cycle emissions of buildings

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	

(7) Buildings are responsible for
greenhouse gas emissions before, during
and after their operational lifetime. The
2050 vision for a decarbonised building
stock goes beyond the current focus on
operational greenhouse gas emissions.
The whole life-cycle emissions of
buildings should therefore progressively be
taken into account, starting with new
buildings. Buildings are a significant
material bank, being repositories for
resources over many decades, and the

(7) Buildings are responsible for
greenhouse gas emissions before, during
and after their operational lifetime. The
whole life-cycle emissions of buildings
should therefore progressively be taken
into account *in line with a Union methodology to be established by the Commission, starting with new, then renovated buildings, for which Member States should establish whole life-cycle greenhouse gas emission reduction targets in accordance with that Union*

See comment below



design options largely influence the whole life-cycle emissions both for new buildings and renovations. The whole life-cycle performance of buildings should be taken into account not only in new construction, but also in renovations through the inclusion of policies *for the* reduction of whole life-cycle greenhouse gas emissions in Member States' building renovation plans.

#### methodology.

Buildings are a significant material bank, being repositories for resources over many decades, and the design options largely influence the whole life-cycle emissions both for new buildings and renovations. The whole life-cycle performance of buildings should be taken into account not only in new construction, but also in renovations through the inclusion of policies **and** reduction **targets** of whole life-cycle greenhouse gas emissions in Member States' building renovation plans.

We generally welcome the proposal for a harmonized Union methodology establishing criteria for the calculation of whole life-cycle (WLC) emissions of buildings, as there is currently no clear European baseline for this calculation, and as data on WLC, especially on embodied carbon, is unreliable. It must be emphasized that the situation regarding whole life-cycle emissions significantly varies from one country to another, with some Member States already having introduced national legislation and calculation methods (e.g., the French Environmental Regulation RE2020 that accounts for the carbon impact across all materials and equipment used in a building, from construction to the demolition phase, but based on the dynamic life cycle assessment method, or national legislation on WLC in Scandinavian countries) while other Member States tend to be more reluctant.

We would also like to stress that FIEC is very skeptical about the delegated act procedure and its transparency. It often gives not a fair chance of participation to all interested stakeholders. It should be ensured that the construction industry is closely involved in the drafting of this Union methodology.

# Amendment 12

# Recital 8 a (new)

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
		Not support/delete Those targets should
	(8a) Sufficiency policies are measures	lead to at least the doubling of the current
	and daily practices that avoid the demand	rate of use of secondary materials for
	for energy, materials, land, water, and	each material class by 2030, enabling the
	other natural resources over the lifecycle	valorisation of locally sourced materials.
	of buildings and goods while delivering	
	wellbeing for all within planetary	

boundaries. Circularity principles avoid the linear use of materials and goods by applying some of the sufficiency principles at the level of product and construction materials. Measures to reduce the built floor area per capita, to increase co-working and coliving, to prioritise the use of empty buildings over the construction of new ones, and to use and extend the lifetime of secondary materials, are essential to ensure that the Union building sector



	contributes its fair above to the	
	contributes its fair share to the	
1	achievement of the climate neutrality	
	objective. This Directive introduces	
	requirements on Member States to set, in	
	their national building renovation plans,	
1	five-year targets to reduce the overall	
	energy, carbon, and environmental	
	footprint of buildings, including through a	
	higher rate of circularity and higher	
	sufficiency, and renovations designed for	
1	the easy dismantling and reversibility of	
	buildings.	
	Those targets should lead to at least the	
	doubling of the current rate of use of	
	secondary materials for each material	
	class by 2030, enabling the valorisation of	
	locally sourced materials.	

# **Justification**

This proposal is problematic for different reasons.

As laid down in our position paper of 31 March and in our comments on the 'Renovation Wave Strategy', we support a well-functioning internal market for secondary materials. However, the EPBD should not become a catch-all instrument but be a lean and targeted directive and mainly address energy efficiency and the energy performance of buildings. The recast EPBD is not the right legislative instrument to propose provisions on minimum requirements for the use of secondary, locally sourced materials in buildings. Provisions on the use of secondary materials should be regulated by other EU legislation, such as the Construction Products Regulation (CPR). See comments on Art. 7 para. 4 for full explanation.

# **Amendment 23**

# Recital 24 – Minimum energy performance standards for the rest of the national building stock

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	TIKE Committee	
(24) As regards the rest of the national	Minimum energy performance standards	Stick to the text proposed by the Commission
building stock, Member States are free to	should create a pathway for the	
decide whether they wish to introduce	progressive increase of energy	
minimum energy performance standards,	performance classes of buildings. When	
designed at national level and adapted to	reviewing this Directive, the Commission	
national conditions. When reviewing this	should assess whether further Union-wide	
Directive, the Commission should assess	binding minimum energy performance	
whether further binding minimum energy	standards need to be introduced in order to	
performance standards need to be	achieve a decarbonised building stock by	
introduced in order to achieve a	2050.	
decarbonised building stock by 2050.		

#### **Justification**

Member States should focus on the renovation of buildings with the highest potential in terms of decarbonization/energy savings and be free to decide whether to introduce performance standards for the rest of the national building stock. Should such a decision be taken, countries should be free to design these standards at national level and adapted to national (or even regional) conditions.



# Amendment 35

# Recital 40 – Promoting green mobility – 'minimum' vs. 'maximum' car parking requirements

Taxt proposed by the Commission	Toxt proposed by the reppertour in the	EIEC commont/amondmont
Text proposed by the commission		rice comment/amenument
	ITRE Committee	
(40) Promoting green mobility is a key	(40) Promoting green mobility is a key	Not support/delete <b>Building</b>
part of the European Green Deal and	part of the European Green Deal and	codes should also replace 'minimum' car
buildings can play an important role in	buildings can play an important role in	parking requirements with 'maximum'
providing the necessary infrastructure, not	providing the necessary infrastructure, not	car parking requirements, particularly in
only for recharging of electric vehicles but	only for recharging of electric vehicles but	those areas that are already well served
also for bicycles. A shift to soft mobility such	also for bicycles. A shift to active mobility	<del>by</del>
as cycling can significantly reduce	such as cycling can significantly reduce	public transport and active mobility
greenhouse gas emissions from transport.	greenhouse gas emissions from transport.	options.
As set out in the 2030 Climate Target Plan,	With the increase in the sale of electric	Mombor Statos should support local
increasing the modal shares of clean and	bicycles and electric cargo bikes, basic	authorities in developing and
efficient private and public transport, such	charging infrastructure for those vehicles	implementing sustainable urban mobility
as cycling, will drastically lower pollution	should also be provided to facilitate their	niprementing sustainable urban mobility
from transport and bring major benefits to	regular use. As set out in the 2030 Climate	integration of housing policies with
individual citizens and communities. The	Target Plan, increasing the modal shares of	sustainable mobility and urban planning
lack of bike parking spaces is a major	clean and efficient private and public	thereby ensuring an effective combination
barrier to the uptake of cycling, both in	transport, such as cycling, will drastically	of private e-mobility active mobility and
residential and non-residential buildings.	lower pollution from transport and bring	or private e-mosinity, active mosinity, and
Building codes can effectively support the	major benefits to individual citizens and	
transition to cleaner mobility by	communities. The lack of bike parking	
establishing requirements for a minimum	spaces is a major barrier to the uptake of	
number of bicycle parking spaces.	cycling, both in residential and nonresidential	
	buildings. Union requirements effectively	
	support the transition to cleaner	
	mobility by establishing requirements for a	
	minimum number of bicycle parking	
	spaces, and building bicycle parking	
	spaces and related infrastructure in areas	
	where bicycles are typically less used as	
	а	
	means of transport can lead to an	
	increase in their use as a form of mobility.	

parking spaces should not be dependent on, or necessarily be linked to, the availability and supply of car parking spaces, which may in certain circumstances be unavailable. Building codes should also replace 'minimum' car parking requirements with 'maximum' car parking requirements, particularly in those areas that are already well served by public transport and active mobility options. Member States should support

The requirement to provide bicycle

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local authorities in developing and	
implementing sustainable urban mobility	
plans with a particular focus on the	
integration of housing policies with	
sustainable mobility and urban planning,	
thereby ensuring and prioritising	
accessibility of all new major urban	
developments by active mobility and	
public transport.	

#### **Justification**

This section/wording of 'maximum' and 'minimum' car parking requirements should be deleted.

It is important to strengthen and improve all modes of transport equally to allow decarbonized transport in the future. FIEC believes that people (in this case: homeowners/building occupants) need freedom to choose their favorite means /modes of transport. Public transport and other individual transport modes, such as bicycles, cannot satisfy all mobility needs of citizens, especially in rural areas. Citizens should choose freely according to their transportation needs. Furthermore, this paragraph contains unclear legal terms that are open to interpretation, and it also interferes with national competences regarding the building code(s).

#### Amendment 50

## Article 2 - para. 1 - point 2: Definition of 'zero-emission building'

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
For the purpose of this Directive, the	2. 'zero-emission building' means a	2. 'zero-emission building' means a building
following definitions apply:	building with a very high energy	with a very high energy performance, as
()	performance, as determined in accordance	determined in accordance with Annex I,
2. 'zero-emission building' means a building	with Annex I, where <b>any</b> very low <b>residual</b>	requiring zero or a very low amount of
with a very high energy performance, as	amount of energy still required is fully	energy from renewable sources.
determined in accordance with Annex I,	covered by energy from renewable sources	
where the very low amount of energy still	generated on-site, from a renewable energy	
required is fully covered by energy from	community within the meaning of Directive	
renewable sources generated on-site, from a	(EU) 2018/2001 [amended RED] or from a	
renewable energy community within the	district heating and cooling system, in	
meaning of Directive (EU) 2018/2001	accordance with the requirements set out in	
[amended RED] or from a district heating and	Annex III;	
cooling system, in accordance with the		
requirements set out in Annex III:		



#### **Justification**

As already laid down in our position paper of 31 March, we advocate for taking a more flexible, technology-neutral approach when it comes to the source of energy for buildings. Member States should have enough room for maneuver and have the possibility to consider different national energy mixes and infrastructures. In our view, it should not be important where the energy is sourced from, provided that it is decarbonized. It should still be possible in the future that the amount of energy required by a building, even if very low, is produced nearby/in the neighborhood and not exclusively 'on-site'. Some member federations are of the opinion that the energy could even be produced <u>outside</u> the neighborhood.



# Amendment 57, 58 and 59

Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
19. 'deep renovation' means a	19. 'deep renovation' means a	Stick to the text proposed by the Commission
renovation which transforms a building or	renovation <i>in line with the energy</i>	
building unit	efficiency first principle and efforts to	
	reduce whole life-cycle greenhouse gas	
	emissions, which transforms a building or	
	building unit	
(a) before 1 January 2030, into a nearly	(b) before 1 January <b>2025</b> , into a nearly	Stick to the text proposed by the Commission
zero-energy building;	zero-energy building;	
(b) as of 1 January 2030, into a zero-	(b) <i>from</i> 1 January <b>2025</b> , into a zero-	Stick to the text proposed by the Commission
emission building;	emission	
	building;	

# **Justification**

We have long advocated for a holistic approach to (deep) renovation, but we fear that bringing forward the deadlines for the new 'deep renovation' standard by 5 years for nearly zero-energy buildings and zero-emission buildings respectively will lead to a situation in which Member States would not have much time to comply with the provisions of the Directive, assuming that an agreement between EU institutions is found in early or mid-2023 and assuming that the Directive will have to be implemented by mid-2025 or the end of 2025. The 2010 EPBD was only recently revised, and not enough time has been allowed to ensure that existing targets are or have been achieved.

For several other reasons, the proposed timeline/ timeframes for deep renovations are unrealistic to comply with in practice, e.g., due to the enormous challenges the construction sector currently faces (e.g., a shortage of skills and workforce due, in particular, to an ageing workforce, rising material prices, high inflation rates across the EU and rising costs of living that affect the financial situation of homeowners etc.). These challenges are not temporary phenomena. Some of them are expected to last for a long(er) time. Considering these challenges and the uncertainty they create for construction companies, we urgently recommend not bringing forward the deadlines but sticking to the text proposed by the Commission. Otherwise, we fear that the Directive's provisions will be very difficult to implement and to apply in practice.

It must also be emphasized that, if a renovation before 2025 does not fulfil the requirements after 2025, it can lead to a serious misallocation of investments. It should be legally avoided that investors and building owners investing into the transformation of their building into a nearly zero-energy building must transform it again into a zero-emission building in a very short amount of time.

# Art. 3 - para. 1 – subparagraph 1 – introductory part - National building renovation plans

Text proposed by the Commission	Text proposed by the rapporteur in
	the ITRE Committee

1. Each Member State shall establish a national	1. Each Member State shall establish a
building renovation plan to ensure the renovation of the	national building renovation plan to
national stock of residential and non-residential	ensure the renovation of the national
buildings, both public and private, into a highly energy	stock of residential and non-residential
efficient and decarbonised building stock by 2050, with	buildings, both public and private, into a
the objective to transform   existing buildings into zero-	highly energy efficient and decarbonised
emission buildings.	building stock by 2050, with the
	objective to transform the existing
	building stock into a zero-emission
	building stock.

**Justification** 



We would like to reiterate our introductory comments on the district/neighborhood approach to renovations (see introduction). This amendment thus is inextricably linked to the internal logic of the text.

## Amendment 87

# Art. 3 – para. 1 – subparagraph 2 – introductory part, point a – National building renovation plans

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
Each building renovation plan shall	Each building renovation plan shall <i>be in</i>	
encompass:	line with the energy efficiency first	
	principle and shall encompass:	
(ii) an overview of the national	(ii) an overview of the national	(ii) an overview of the national
building stock for different building types,	building stock for different building types,	building stock for different building types,
construction periods and climatic zones ,	including their relative percentages, in	including their relative percentages, in
based, as appropriate, on statistical	particular buildings categorised as	particular buildings categorised as
sampling and the national database for	officially protected as part of a designated	officially protected as part of a designated
energy performance certificates pursuant to	environment or because of their special	environment or because of their special
Article 19, an overview of market barriers	architectural or historical merit,	architectural or historical merit,
and market failures and an overview of the	construction periods and climatic zones,	construction periods and climatic zones of
capacities in the construction, energy	based, as appropriate, on statistical	each Member State,
efficiency and renewable energy sectors ;	sampling, energy and life-cycle GWP	based, as appropriate, on statistical
	benchmarking, the digital building	sampling, energy and life-cycle GWP
	logbook including the national database	benchmarking, the digital building
	for energy performance certificates	logbook including the national database
	pursuant to Article 19, an overview of	for energy performance certificates
	market barriers and market failures, share	pursuant to Article 19, an overview of
	of households in energy poverty, and an	market barriers and market failures, share
	overview of the capacities in the	of households in energy poverty, and an
	construction, energy efficiency and	overview of the capacities in the
	renewable energy sectors, as well as the	construction, energy efficiency and
	availability of one-stop-shops in	renewable energy sectors, as well as the
	accordance with Article 21 of Directive	availability of one-stop-shops in
	(EU)/ [recast EED] per 50 000	accordance with Article 21 of Directive
	inhabitants;	(EU)/ [recast EED] per 50 000
		inhabitants;

#### **Justification**

The situations regarding climate zones are very different from one country to another.

For example, Italy (but also other countries) is characterized by six climate zones (from the coldest zone in the mountains to the very hot islands south of Sicily). Sicily itself has five climate zones. Member States should therefore be given the possibility to provide a more detailed overview of the national building stock, including different climatic zones inside their territory.

Amendment 91

Art. 3 para. 1 – subparagraph 3 – National targets for circular use of materials, recycled contents, and secondary materials in renovation roadmap

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	



The roadmap referred to in point (b) shall	Not support/delete (b) national targets for
include:	<del>circular use of</del>
(a) national targets in accordance with the	materials, recycled contents and
IPCC ratched-up mechanism and a 1,5-	secondary materials, and sufficiency
degree compliant EU WLC roadmap	every
scenario to decarbonise the built	<del>five years</del>
environment, as regards to the annual	
energy renovation rate, rate of deep	
renovation, and WLC emissions for	
different building typologies;	
(b) national targets for circular use of	
materials, recycled contents and	
secondary materials, and sufficiency	
every	
five years;	
(f) a pathway with numerical targets for	
the deployment of solar energy and heat	
<i>pumps in</i> buildings;	
(k) an overview of implemented and	
planned policies to increase the	
availability of qualified construction,	
efficiency, and renewable energy sector	
professionals, in line with the projected	
rise in demand for deep renovations.	

# **Justification**

We are skeptical of having to provide an overview of national targets for circular use of materials, recycled contents, and secondary materials every five years as part of the roadmaps. The recast EPBD should not become a catch-all instrument for all types of measures but be a lean and targeted Directive and mainly address energy efficiency and the energy performance of buildings. <u>We therefore recommend not supporting/deleting point (b) as proposed by the rapporteur.</u>

**Amendment 99** 

Article 3 a (new) - point 6 – Integrated district approach to building renovation and preference for local and regional resources, including materials

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
	6. Member States shall ensure that, in	Not support/delete
	their IRPs, regional and local authorities	
	prioritise local and regional resources,	
	including materials, also with a view to	
	circularity and sufficiency.	

#### Justification

We are skeptical of this proposal. It must be emphasized that many building materials are not available locally or materials from distant suppliers are still cheaper or of better quality than locally sourced materials. Currently, many goods are not available at all or can only be obtained by paying high



surcharges due to the shortage/limited availability of materials/products (often leading to serious delays in delivery, sometimes up to several weeks or even months), and with rising inflation rates and prices having tripled in some countries for certain projects, clients face serious difficulties in seriously calculating and bearing costs. This applies to new construction projects as well as to renovation works. In addition, introducing a provision on 'locally sourced materials' could distort competition. It is also not clear what 'local and regional resources/materials' really means, as it is not clearly defined. What distance or area does 'local' cover? <u>We recommend not supporting/deleting this amendment.</u>

# Amendment 106, 107

# Art. 7 – paragraph 1 – subparagraph 1 – point a – New zero-emission buildings

Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
(c) Member States shall ensure that from	(e) Member States shall ensure that from	Stick to text proposed by the Commission
the following dates, new buildings are	the following dates, new buildings are	
zero-emission buildings in	zero-emission buildings in	
accordance with Annex III:	accordance with Annex III:	
(d) as of 1 January 2027, new buildings	(f) <b>from 1 January 2025,</b> new	
occupied or owned by public authorities;	buildings occupied <b>, operated</b> or owned by	
and	public authorities; and	
(g) as of 1 January 2030, all new	(h) <i>from</i> 1 January 2025, all new	Stick to text proposed by the Commission
buildings;	buildings;	

# **Justification**

See full and similar explanation for 'deep renovation', Art. 2 para. 1 point 19. Given the enormous challenges that the construction sector is currently facing and will have to face in the (near) future, we consider these timeframes unrealistic to comply with in practice. <u>We therefore urgently recommend</u> sticking to the text proposed by the Commission. Instead of bringing the deadlines forward by respectively 2 and 5 years, it would be better to postpone them by two or three years. Some member federations are in favor of postponing the deadlines by at least three years.

# Amendment 108, 110

# Art. 7 – paragraph 1 – subparagraph 2 – point b – Calculation of the life-cycle Global Warming Potential for New Buildings

Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
2. Member States shall ensure that the life-	Member States shall ensure that, from 1	Stick to text proposed by the Commission
cycle Global Warming Potential (GWP) is	January 2027, the life-cycle GWP is	

calculated in accordance with Annex III and	calculated <b>for all new buildings,</b> in
disclosed through the energy performance	accordance with Annex III and disclosed
certificate of the building:	through the energy performance certificate of
	the building.
(a) as of 1 January 2027, for all new	
buildings with a useful floor area	Deleted
larger than 2000 square meters; and	
(b) as of 1 January 2030, for all new	(b) <i>from</i> 1 January <b>2027</b> , for all new
buildings.	buildings.

**Justification** 



We are generally in favor of the whole life carbon approach. However, we recommend sticking to the text proposed by the Commission. The deadlines for the mandatory assessment of the GWP are too short, considering that there is no established and widespread experience among the actors of the construction value chain (designers, manufacturers...) how to properly calculate the life-cycle GWP. This could lead to serious problems in the implementation of the new Directive.

In addition, the reliability and accuracy of the new calculation method (via the Union-wide harmonized methodology) should be ensured before introducing a requirement on calculating the life-cycle GWP of buildings. <u>These remarks also apply to the newly proposed para. 2 a of Art. 8 for existing buildings, or</u> to Annex II – table – point a – column 2 – row 5 (life-cycle GWP kgCO2eq/m2) per building type).

# Amendment 111

Art. 7	- paragraph 2 a (new) -	- Delegated act setting out a	harmonized Union methodology f	for the calculation of life-cycle GWP
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Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
	2 a. By 31 December 2026, the	See comment below
	Commission shall adopt a delegated act	
	in	
	accordance with Article 29 to supplement	
	this Directive by setting out a harmonised	
	methodology for the calculation of	
	lifecycle	
	GWP, developed in an inclusive	
	stakeholder process and building on the	
	LEVELs framework, as well as the EU-	
	wide	
	Life-carbon Roadmap and the Bill of	
	Materials.	

FIEC generally supports the idea of a harmonized Union methodology for the calculation of the life-cycle GWP of buildings. We think that a harmonized methodology could form the basis for a clear baseline for such a calculation and avoid fragmentation across the EU when calculating the life-cycle GWP of buildings and conducting life-cycle assessments (LCAs). However, FIEC would like to stress that it does not consider a delegated act as appropriate (legislative) instrument to set out this harmonized methodology, as the procedure for adopting delegated acts is untransparent and often does not give stakeholders a fair chance to express themselves. It is therefore of the utmost importance that, should the methodology be set out in a delegated act supplementing this Directive, FIEC and other construction stakeholders are closely involved in the elaboration and are a key part of the 'inclusive stakeholder process'.

These remarks also apply to other provisions foreseen by the rapporteur, e.g., <u>amendments of the rapporteur to recital 9</u>, or the new para. 1 of Art. 25, or to Annex III point II – paragraph 1.

#### Amendment 114

#### Art. 7 – paragraph 4b (new) – Use of secondary, locally sourced materials in buildings

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
	4 b. Member States shall ensure that:	Not support/delete
	(a) by 2025, at least 15% of secondary, locally sourced materials are used, based	



upon current average levels;	
(b) by 2030, at least double the current rate of use of secondary materials for each material class;	
(c) by 2025, the majority of new buildings are constructed on 'brownfield' sites;	
(d) by 2025, upon completion of construction works, a Bill of Material is made available.	

#### **Justification**

This proposal is problematic for different reasons. As laid down in our position paper of 31 March, the EPBD should not become a catch-all instrument to decarbonize buildings and the whole construction value chain but be a lean and targeted directive and mainly address energy efficiency and the energy performance of buildings. The recast EPBD is not the right legislative instrument to propose provisions on minimum requirements for the use of secondary, locally sourced materials in buildings. Provisions on the use of secondary materials should be regulated by other EU legislation, such as the Construction Products Regulation (CPR).

FIEC insists that certain materials should not be promoted over others, especially considering the limited availability of (primary raw) materials. This also has an impact on secondary materials. There is currently no real market for secondary materials – the market for reusable building materials and components is intrinsically linked to the deconstruction of buildings. Existing buildings that are currently being deconstructed have not been built with the idea or objective of a possible second life cycle for their building materials. Their reuse is often not technically feasible. In addition, many of these materials (currently) do not satisfy most of the characteristics related to fire safety or energy efficiency (requirements).

The use of secondary materials is, in many cases, a case-by-case decision and is very much dependent on regulatory requirements set at national level. It must also be emphasized that many building materials are (still) not available locally or materials from distant suppliers are still cheaper or of better quality than locally sourced materials. Currently, many goods are not available at all or can only be obtained by paying high surcharges due to the shortage/limited availability of materials/products (often leading to serious delays in delivery, sometimes up to several weeks or even months), and with rising inflation rates and prices having tripled in some countries for certain projects, clients face serious difficulties in seriously calculating and bearing costs. This applies to both new construction projects and renovation works. Prescribing a minimum number of secondary materials in these circumstances could further exacerbate this already difficult context, make renovation projects more expensive and slow down the pace of renovations. It is therefore highly questionable whether harmonizing the use of materials at Union level is possible/desirable.

In addition, introducing a provision on 'locally sourced materials' risks limiting competition. It is not clear what 'locally sourced' really means, as it is not clearly defined. What distance or area does 'locally sourced' cover? It is also not clear what is meant by 'each material class'. Moreover, the timeframes chosen by the rapporteur are overly ambitious and unrealistic to achieve. We therefore urgently recommend not supporting/deleting this amendment.

These remarks also apply to other provisions foreseen by the rapporteur, e.g., regarding the National Building Renovation Plans (Annex II – table – point c – column 2 – row 19 – point h a (new)).

#### Amendment 115

# Art. 7 – paragraph 4c (new) – Five-year national limits for life-cycle GWP of new buildings

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
	4c. Member States shall set limits for	See comment below
	life-cycle GWP of new buildings that	
	decrease every five years, by 2030 based	
	on the harmonised methodology at Union	



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ievei.	

We consider this proposal on five-year national reduction targets for the life-cycle GWP of new buildings to be very overly ambitious, for similar reasons as for the proposed amendments for Art. 7 para. 1 subparagraph 2.

FIEC generally supports the proposal for a harmonized Union methodology for the calculation of the life-cycle GWP of buildings. We think that a harmonized methodology could form the basis for a clear baseline for such a calculation and thereby could help avoid fragmentation across the EU. However, FIEC would like to stress that it does not consider a delegated act as appropriate (legislative) instrument to set out this harmonized methodology, as the delegated act procedure often is untransparent and does not give stakeholders a fair chance to express themselves. It is therefore of the utmost importance that, should the methodology be set out in a delegated act supplementing this Directive, FIEC is closely involved in the elaboration and adoption process of this delegated act. These remarks also apply to other amendments, e.g., to amendments made to Annex II – table – point b – column 2 – row 13.

# Amendment 117

# Art. 8 – para. 2 a (new) – Calculation of life-cycle GWP of existing buildings

Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
	2a Member States shall ensure that	See comment below
	the life-cycle GWP is calculated in	occ comment below
	accordance with Annex III and disclosed	
	through the energy performance	
	certificate of the building:	
	(a) from 1 January 2027, for all buildings	
	undergoing major renovation;	
	(b) from 1 January 2030, for all buildings	
	that are being issued Energy Performance	
	Certificates.	

We consider this proposal to be very ambitious and calculating the life-cycle GWP of renovated buildings might be even more difficult than for new buildings. See comment on Art. 7 para. 1 subparagraph 1 for full explanation.

#### Amendment 121

Art. 8 - para. 3 c (new) - Use of secondary, locally sourced materials used in buildings

Text proposed by the Commission	I ext proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
	3c. Member States shall ensure that, for buildings undergoing major renovation, the following requirements apply:	Not support/delete
	by 2025, at least 15% of secondary, locally sourced materials are used in buildings based upon current average levels;	



by 2030, at least double the current	
rate of use of secondary materials for	
each material class;	

# **Justification**

See also explanation for Art. 7 – para. 4 b (new). We believe that renovation projects/works should be material and technology neutral, allowing for the best choice of materials and processes according to local climatic conditions and building practices. <u>We therefore urgently recommend not</u> <u>supporting/deleting this amendment.</u>

These remarks also apply to other provisions foreseen by the rapporteur, e.g., regarding the National Building Renovation Plans (Annex II – table – point c – column 2 – row 19 – point h a (new)).

## Amendment 122

# Art. 8 – para. 3 d (new) – Five-year national limits for life-cycle GWP of renovated buildings

Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
	3d. Member States shall set limits for	See comment below
	life-cycle GWP of renovated buildings	
	that decrease every five years, by 1	
	January 2030, in accordance with the	
	harmonised methodology set at Union	
	level.	

We consider this proposal on five-year national targets to be very ambitious and calculating the life-cycle GWP of renovated buildings might be even more difficult than for new buildings. See comment on Art. 7 para. 1 subparagraph 1 for full explanation.

These remarks also apply to the provisions foreseen in the National Building Renovation Plans, e.g., Annex II – table – point b- column 2 – row 13.

# Amendments 125 to 131

Art. 9 – para. 1 – subparagraph 1 – point a – introductory part, point a – point i, ii, point b – point i, ii, point c – point i, ii – Minimum energy performance standards

Text proposed by the Commission	Text proposed by the rapporteur in the ITRE Committee	FIEC comment/amendment
buildings and building units owned	buildings and building units owned,	Stick to text proposed by the Commission
by public bodies achieve at the latest	operated or occupied by public bodies	
	achieve at the latest:	
after 1 January 2027, at least energy	after 1 January 2027, at least energy	Stick to text proposed by the Commission
performance class <i>F</i> ; and	performance class <b>D</b> ; and	
after 1 January 2030, at least energy	after 1 January 2030, at least energy	Stick to text proposed by the Commission
performance class <i>E</i> ;	performance class <b>C</b> ;	
after 1 January 2027, at least energy	after 1 January 2027, at least energy	Stick to text proposed by the Commission
performance class <i>F</i> ; and	performance class <b>D</b> ; and	
after 1 January 2030, at least energy	after 1 January 2030, at least energy	Stick to text proposed by the Commission
performance class <i>E</i> ;	performance class <b>C</b> ;	
after 1 January 2030, at least energy	after 1 January 2030, at least energy	Stick to text proposed by the Commission
performance class <i>F</i> ; and	performance class <i>D</i> ; and	



after 1 January 2033, at least energy	after 1 January 2033, at least energy	Stick to text proposed by the Commission
performance class <i>E</i> ;	performance class <b>C</b> ;	

# **Justification**

See justification for 'deep renovation'. We generally welcome the introduction of minimum energy performance standards. However, given the enormous challenges that the construction sector faces (e.g., the shortage of skilled workers, rising material prices...), we consider the proposals made by the rapporteur on energy performance classes and the corresponding timeframes unrealistic to achieve and to comply with in practice in such short timeframes. <u>We therefore urgently recommend sticking to the text proposed by the Commission.</u> These remarks also apply to other provisions made in the report and that are related to the minimum energy performance standards, such as to <u>Art. 2 para. 1 point 3 a (new) on the corresponding energy performance of 'worst performing buildings', to the new para. 3 e of Art. 8, or to Annex II – table – point b – column 2 – row 12.</u>

# Amendment 137

# Art. 9 a (new) - Solar-readiness/solar energy in buildings

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
	Article 9a	See comment below
	Solar energy in buildings	
	1. Member States shall ensure that by	
	1 January 2025 all new buildings are	
	designed to optimise their solar energy	
	generation potential on the basis of the	
	solar irradiance of the site and enable the	
	cost-effective installation of solar	
	technologies.	
	2. Member States shall ensure that	
	all existing buildings undergoing major	
	renovation, renovation of the roof, or	
	replacement of technical building	
	systems	
	are combined with the deployment of	
	suitable solar energy installations.	
	3. Member States shall ensure that	
	suitable solar energy installations are	
	deployed:	
	(a) by 1 January 2025, on all new	
	public and commercial buildings with	
	useful floor area larger than 250 square	
	meters;	
	(b) by 31 December 2027, on all	
	existing public and commercial buildings	
	with useful floor area larger than 250	
	square meters; and	
	(c) by 31 December 2030, on all	





organisations storage providers and other

organisations storage providers and other
stakeholders assess the need for
necessary
additional measures with regard to the
distribution system to achieve the
objectives of this Article. This shall
include the required connection and
procurement of flexible distributed energy
generation in line with the provisions of
the Regulation (EU) 2019/9431a and the
Directive (EU) 2019/944 1b, in particular
considering a necessary level-playing
field



and fair remuneration for active	
customers and energy communities.	

We welcome the objectives of the 'REPowerEU plan' presented on 18 May 2022 and strongly believe that it will contribute to making the Union less dependent of (Russian) fossil fuels. We also support the objective of promoting the energy efficiency of buildings and renewable energy sources, such as solar energy.

However, we are of the opinion that the principle of technology neutrality when it comes to (renewable) energy sources should be kept and continue to apply. <u>We urgently recommend giving more flexibility to Member States instead of prescribing from the outset that a specific technology (in this case, solar energy installations) should be deployed on certain buildings or building types</u>. In addition, the installation of solar energy (panels) on buildings risks becoming a real cost driver for (future) construction and renovation projects and exacerbating the already difficult situation. Some Member States and regions already have rules on mandatory solar installation in place for some building types (e.g., the German state of Bade-Wurttemberg, Berlin from 2023, etc...) but requirements on solar energy installation must be accompanied by appropriate financial support. It must also be stressed that the solar energy generation potential/the effectiveness of solar panels often depends on several factors (e.g., on where the building is located, the incoming solar radiation, or climatic conditions). These parameters can considerably vary from one Member State to another.

These remarks also apply to other provisions proposed by the rapporteur, e.g., to recital 28a (new), or to the National Building Renovation Plan (Annex II – table – point c – column 2 – row 19 – point ga (new)).

# Amendment 167

# Art. 12 – para. 9 a (new) - 'Minimum' vs. 'maximum' car parking requirements

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
	9 a. Member States shall update their	9 a. Member States shall update their
	national building codes in order to	national building codes in order to
	replace 'minimum' car parking	replace 'minimum' car parking
	requirements with 'maximum' car	requirements with 'maximum' car
	parking requirements, particularly in	parking requirements, particularly in
	those areas that are already well served	those areas that are already well served
	by	<del>by</del>
	public transport and active mobility	public transport and active mobility
	options.	options.
	Member States shall support local	Member States should support local
	authorities in developing and	authorities in developing and
	implementing sustainable urban mobility	implementing sustainable urban mobility
	plans (SUMPSs) with a particular focus	plans with a particular focus on the
	on the integration of housing policies with	integration of housing policies with
	sustainable mobility and urban planning,	sustainable mobility and urban planning,
	hereby ensuring and prioritizing	thereby ensuring an effective combination
	accessibility of all new major urban	of private e-mobility, active mobility and
	developments by active mobility and	public transport.
	public transport.	

#### **Justification**

#### This section/wording of 'maximum' and 'minimum' car parking requirements should be deleted.

It is important to strengthen and improve all modes of transport equally to allow decarbonized transport in the future. FIEC believes that people (in this case: homeowners/building occupants) need freedom to choose their favorite means /modes of transport. Public transport and other individual transport modes, such as bicycles, cannot satisfy all mobility needs of citizens, especially in rural areas. Citizens should choose freely according to their



transportation needs. Furthermore, this paragraph contains unclear legal terms that are open to interpretation, and it also interferes with national competences regarding the building code(s).

# Amendments 267, 268

# Annex III - point I - paragraph 1 a (new) - Climatic zones for the calculation of the total annual primary energy use of buildings

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
	Member States may choose to classify	Not support/delete
	internal regions in different climatic	
	zones so far as it complies with the table	
	below.	

# Justification

We support harmonized and ambitious energy performance requirements from the outset but want to emphasize that the proposed repartition of countries (as proposed by the Commission) and different climate zones is debatable as there can be substantially different climatic conditions even within the same country. For example, Italy (but also other countries) is characterized by six climate zones (from the coldest zone in the mountains to the very hot islands south of Sicily). Sicily alone has five climate zones.

In principle, each Member State should have enough flexibility to define its own climate zones and set own minimum/maximum values for energy efficiency calculations. Setting uniform values for individual countries from the outset without adequate technical/economic assessments is problematic for construction companies as with a single maximum value for the whole country, there would be unjustified extra costs for construction companies in some cases . The correct criterion would have been to use the 'cost optimal' method to assess the optimal level of energy requirements depending on the construction costs and the climatic situation of the place/city where the building is located/ will be located. This approach would help to keep costs at an affordable level.

The text proposed by the rapporteur cannot be considered an improvement compared to the Commission text. The proposed repartition into different zones remains questionable from an economic and practical point of view. <u>It would be better to leave this decision to Member States and therefore to delete this provision.</u>

# Text proposed by the Commission (FIEC proposal: delete – see abovementioned justification)

EU climatic zone <sup>3</sup>	Residential building	Office building	Other non-residential building*
Mediterranean	<60 kWh/(m2.y)	<70 kWh <u>/(</u> m <sup>2</sup> .y)	< NZEB total primary energy use defined at national level
Oceanic	<60 kWh/(m2.y)	<85 kWh <u>/(</u> m².y)	< NZEB total primary energy use defined at national level
Continental	<65 kWh/(m <sup>2</sup> .y)	<85 kWh <u>/(</u> m <sup>2</sup> .y)	< NZEB total primary energy use defined at national level
Nordic	<75 kWh/(m <sup>2</sup> .y)	<90 kWh/((m².y)	< NZEB total primary energy use defined at national level

\*Note: the threshold should be smaller than the threshold for total primary energy use established at the Member State level for nearly zero-energy non-residential buildings type other than offices

<sup>3</sup> Mediterranean: CY, HR, IT, EL, MT, ES, PT, Oceanic: BE, DK, IE, DE, FR, LU, NL, Continental: AT. BG. CZ. HU. PL. RO. SL. SK. Nordic: EE, FI, LV, LT, SE.

EU alimatia anna <sup>3</sup>	<b>Basidantial building</b>	Office building	Other non-residential
EU chimatic zone-	Residential building	Office building	

	-	_	building*
Mediterranean	<60 kWh/(m2.y)	<70 kWh/(m <sup>2</sup> .y)	< NZEB total primary energy use defined at national level
Oceanic	<60 kWh/(m2.y)	<85 kWh <u>/(</u> m <sup>2</sup> .y)	< NZEB total primary energy use defined at national level
Continental	<65 kWh/((m².y)	<85 kWh/(m².y)	< NZEB total primary energy use defined at national level
Nordic	<75 kWh/(m².y)	<90 kWh/(m².y)	< NZEB total primary energy use defined at national level

\*Note: the threshold should be smaller than the threshold for total primary energy use established at the Member State level for nearly zero-energy non-residential buildings type other than offices

<sup>3</sup> Mediterranean: CY, HR, IT, EL, MT, ES, PT, Oceanic: BE, DK, IE, DE, FR, LU, NL, Continental: AT, BG, CZ, HU, PL, RO, SL, SK, Nordic: EE, FI, LV, LT, SE.



# Text proposed by the rapporteur in the ITRE Committee (FIEC proposal: delete - see abovementioned justification)

	requirements for existing buildings			requirements for new builings		new builings	
EU climatic zone[1]	Resident ial building	Office building	Other non- residenti al building *	EU climatic zone[1]	Residenti al building	Office building	Other non- residential building®
Mediterra nean	ح60 kWh <u>(m2</u> y)	<70 kWh <u>((m</u> ². y)	< NZEB total primary energy use defined at national level	Mediuerr anean	<30 kWh <u>U</u> (m2 .y)	<40 kWh <u>U(</u> m² .y)	< NZEB total primary energy use defined at national level
Oceanic	ح60 kWh <u>(m2</u> y)	<85 kWh/(m² y)	< NZEB total primary energy use defined at national level	Oceanic	<30 kWh/(m2 .y)	<55 kWhilm? .y)	< NZEB total primary energy use defined at national level
Continent al	ح65 kWhi(m². y)	<85 kWh <u>((m</u> ²) y)	< NZEB total primary use defined at national level	Continen tal	<35 kWhitem² .y)	<55 kWhitm² .y)	< NZEB total primary energy use defined at national level

Nordic	<75 kWh <u>((m</u> ². y)	<90 kWh/(m². y)	< NZEB total primary energy use defined at national level	Nordie	<45 kWhilam² -39	<60 kWhilom² -3)	< NZEB total primary energy use defined at national level
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\*Note: the threshold should be smaller than the threshold for total primary energy use established at the Member State level for nearly zero-energy non-residential buildings type other than offices

## Annex III – point I – paragraph 1 a (new) – Climatic zones for the calculation of the total annual primary energy use of buildings

Text proposed by the Commission	Text proposed by the rapporteur in the	FIEC comment/amendment
	ITRE Committee	
The total annual primary energy use of a new		The total annual primary energy use of a new
or renovated zero-emission building shall be		or renovated zero-emission building shall be
fully covered, on a net annual basis, by		fully covered, on a net annual basis, by
<ul> <li>energy from renewable sources generated</li> </ul>		<ul> <li>energy from renewable sources generated</li> </ul>
on-site and fulfilling the criteria of Article 7 of		on-site and fulfilling the criteria of Article 7 of
Directive (EU) 2018/2001 [amended RED],		Directive (EU) 2018/2001 [amended RED],
<ul> <li>renewable energy provided from a</li> </ul>		<ul> <li>renewable energy provided from a</li> </ul>
renewable energy community within the		renewable energy community within the
meaning of Article 22 of Directive (EU)		meaning of Article 22 of Directive (EU)
2018/2001 [amended RED], or		2018/2001 [amended RED], or
<ul> <li>renewable energy and waste heat from an</li> </ul>		- renewable energy and waste heat from an
efficient district heating and cooling system in		efficient district heating and cooling system in
accordance with Article (24(1) of Directive		accordance with Article (24(1) of Directive
(EU)/ [recast EED].		(EU)/ [recast EED].

#### **Justification**

As already laid down in our position paper of 31 March, we advocate for taking a more flexible, technology-neutral approach when it comes to the source of energy for buildings. <u>Member States should have enough room for maneuver and have the possibility to consider different national energy mixes and</u> <u>infrastructures. In our view, it should not be important where the energy is sourced from, provided that it is decarbonized.</u> It should still be possible in the future that the amount of energy required by a building, even if very low, is produced nearby/in the neighborhood and not exclusively 'on-site'.



# Additional remarks

The texts proposed by the Commission and the rapporteur sometimes refer to the useful floor area of buildings measured in square meters (e.g., "Member States shall ensure that suitable solar energy installations are deployed .... on all existing public and commercial buildings with useful floor area larger than 250 square meters"). However, it its questionable whether there is sufficient comparability across Europe of how the 'floor area' is determined or has been determined for older/already existing buildings in the past. For example, in Bulgaria, the area of buildings/dwellings has been calculated in a different way before 1991 than after 1991 when new rules on 'determining the basic market prices of real estate' were adopted and new areas in and around buildings (balconies, verandas...) were considered. These differences should also be considered in the future EPBD when setting rules that take into account the (useful) floor area of buildings, especially of existing buildings.

20/20