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Subject: Draft DECISION OF THE EEA JOINT COMMITTEE amending Annex IV
(Energy) to the EEA Agreement

DRAFT

DECISION OF THE EEA JOINT COMMITTEE

No ...

of ...

amending Annex IV (Energy) to the EEA Agreement

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) Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency¹ is to be incorporated into the EEA Agreement.
- (2) The EFTA States are not included in the Union's 2030 headline target for energy efficiency in accordance with Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC² as amended by Directive (EU) 2018/2002 of the European Parliament and of the Council of 11 December 2018 amending Directive 2012/27/EU on energy efficiency³. Consequently, the EFTA States shall not specify how they contribute to achieving the Union's energy efficiency target in their respective long-term strategies in Article 2a(2) of Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (recast)⁴ as amended by Directive (EU) 2018/844.

¹ OJ L 156, 19.6.2018, p. 75.

² OJ L 315, 14.11.2012, p. 1.

³ OJ L 328, 21.12.2018, p. 210.

⁴ OJ L 153, 18.6.2010, p. 13.

- (3) 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 is agreed. That exemption should apply to Directive 2010/31/EU as amended by Directive (EU) 2018/844. The exemption should be strictly limited in time and should apply only until Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the Energy Performance in Buildings (recast)⁵ has been incorporated into the EEA Agreement.
- (4) Annex IV to the EEA Agreement should therefore be amended accordingly,

HAS ADOPTED THIS DECISION:

⁵ OJ L, 2024/1275, 8.5.2024, ELI: <http://data.europa.eu/eli/dir/2024/1275/oj>.

Article 1

Annex IV to the EEA Agreement is amended as follows:

1. Point 17 (Directive 2010/31/EU of the European Parliament and of the Council) shall be amended as follows:
 - (i) the following is added:

‘, as amended by:

 - **32018 L 0844**: Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 (OJ L 156, 19.6.2018, p. 75).’;
 - (ii) adaptation (d) shall be renumbered as adaptation (g); adaptation (c) is renumbered as adaptation (e); adaptation (b) shall be renumbered as adaptation (c);
 - (iii) the following adaptation shall be inserted after adaptation (a):

‘(b) In Article 2a(2), the words “, and specify how they contribute to achieving the Union’s energy efficiency targets in accordance with Directive 2012/27/EU” shall not apply to the EFTA States.’;

(iv) the following adaptation shall be inserted after adaptation (c):

‘(d) In Article 8:

- (i) in paragraph 3, the words “, or, as regards the EFTA States, by [five years] after the entry into force of Decision of the EEA Joint Committee No .../... of ... [this Decision]” shall be inserted after the words “1 January 2025”;
- (ii) in paragraph 6, the words “or, or as regards the EFTA States, one year after the entry into force of Decision of the EEA Joint Committee No .../... of ... [this Decision]” shall be inserted after the words “10 March 2021”.’;

(v) the following adaptation is inserted after adaptation (e):

‘(f) In Articles 14(4) and 15(4), the words “, or, as regards the EFTA States, five years after the entry into force of Decision of the EEA Joint Committee No .../... of ... [this Decision]” shall be inserted after the word “2025”.’.

2. The following indent is added in point 24 (Directive 2012/27/EU of the European Parliament and of the Council):

‘– **32018 L 0844**: Directive (EU) 2018/844 of the European Parliament and of the Council of 30 May 2018 (OJ L 156, 19.6.2018, p. 75).’.

Article 2

The text of Directive (EU) 2018/844 in the Icelandic and Norwegian languages, to be published in the EEA Supplement to the *Official Journal of the European Union*, shall be authentic.

Article 3

This Decision shall enter into force on ... , provided that all the notifications under Article 103(1) of the EEA Agreement have been made*, or on the day of the entry into force of Decision of the EEA Joint Committee No .../... of ...⁶ [incorporating {Directive 2012/27/EU} into the EEA Agreement], whichever is the later.

* [No constitutional requirements indicated.] [Constitutional requirements indicated.]
6 OJ L, ..., ELI: ...

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 ..., ...

For the EEA Joint Committee
The President

The Secretaries
To the EEA Joint Committee

Declaration by the Government of Iceland
to Decision No ...
incorporating Directive (EU) 2018/844 of the European Parliament and of the Council
into the Agreement

[for adoption with the Decision and for publication in the OJ]

Iceland expresses its commitment to work towards assessing the incorporation of Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (recast) into the EEA Agreement.

Iceland has not implemented any previous versions of the EU energy performance in buildings acquis. Iceland's unique characteristics, such as a relatively recent and uniform building stock, extensive use of renewable heating, and climatic conditions that differ substantially from many EU Member States call for a thorough assessment of the impact of incorporating the Directive and any adaptations necessary for its implementation in Iceland. Furthermore, any implementation of the Directive will require the development of a completely new legislative framework in Iceland.
