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NOTE

From:	General Secretariat of the Council
To:	Delegations
Subject:	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on energy efficiency (recast) - 4 column document

Delegations will find attached, for information, the 4column document of the abovementioned proposal.

Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (recast) (Text with EEA relevance)

2021/0203(COD)

DRAFT [Draft table, 3/10/2022, 15:37]

03-10-2022 at 15h36

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Formula				
1	THIS ELEMENT IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.	THIS ELEMENT IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.	THIS ELEMENT IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.	
Proposal Title				
2	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (recast) (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (recast) (Text with EEA relevance)	Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC (recast) (Text with EEA relevance)	
Formula				

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3	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,	
Citation 1				
4	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	Having regard to the Treaty on the Functioning of the European Union, and in particular Article 194(2) thereof,	
Citation 2				
5	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	Having regard to the proposal from the European Commission,	
Citation 3				
6	After transmission of the draft legislative act to the national Parliaments,	After transmission of the draft legislative act to the national Parliaments,	After transmission of the draft legislative act to the national Parliaments,	
Citation 4				
7	Having regard to the opinion of the European Economic and Social Committee[1],	Having regard to the opinion of the European Economic and Social Committee[1],	Having regard to the opinion of the European Economic and Social Committee[1],	

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	1. OJ C […], […], p. […].	1. OJ C […], […], p. […].	1. OJ C […], […], p. […].	
Citation 5				
8	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C […], […], p. […].	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C […], […], p. […].	Having regard to the opinion of the Committee of the Regions[1], 1. OJ C […], […], p. […].	
Citation 6				
9	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	Acting in accordance with the ordinary legislative procedure,	
Formula				
10	Whereas:	Whereas:	Whereas:	
Recital 1				
11	(1) Directive 2012/27/EU of the European Parliament and of the Council[1] has been substantially amended several times[2]. Since further amendments are to be made, that Directive should be recast in the interests of clarity. _____	(1) Directive 2012/27/EU of the European Parliament and of the Council[1] has been substantially amended several times[2]. Since further amendments are to be made, that Directive should be recast in the interests of clarity. _____	(1) Directive 2012/27/EU of the European Parliament and of the Council[1] has been substantially amended several times[2]. Since further amendments are to be made, that Directive should be recast in the interests of clarity. _____	

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	1. 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/EC (OJ L 315, 14.11.2012, p. 1). 2. See Annex XV, Part A.	1. 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/EC (OJ L 315, 14.11.2012, p. 1). 2. See Annex XV, Part A.	1. 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/EC (OJ L 315, 14.11.2012, p. 1). 2. See Annex XV, Part A.	
Recital 2				
12	(2) With the Climate Target Plan[1], the Commission proposed to raise the Union's ambition by increasing the greenhouse gas emissions (´GHG´) target to at least 55% below 1990 levels by 2030. That is a substantial increase compared to the existing 40% target. The proposal delivered on the commitment made in the Communication on the European Green Deal[2] to put forward a comprehensive plan to increase the Union's target for 2030 towards 55% in a responsible way. It is also in accordance with the objectives of the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (the 'Paris Agreement') to keep the global temperature increase to well below 2°C and	(2) With the Climate Target Plan[1], the Commission proposed to raise the Union's ambition by increasing the greenhouse gas emissions (´GHG´) target to at least 55% below 1990 levels by 2030. That is a substantial increase compared to the existing 40% target. The proposal delivered on the commitment made in the Communication on the European Green Deal[2] to put forward a comprehensive plan to increase the Union's target for 2030 towards 55% in a responsible way. It is also in accordance with the objectives of the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (the 'Paris Agreement') to keep the global temperature increase to well below 2°C and	(2) With the Climate Target Plan[1], the Commission proposed to raise the Union's ambition by increasing the greenhouse gas emissions (´GHG´) target to at least 55% below 1990 levels by 2030. That is a substantial increase compared to the existing 40% target. The proposal delivered on the commitment made in the Communication on the European Green Deal[2] to put forward a comprehensive plan to increase the Union's target for 2030 towards 55% in a responsible way. It is also in accordance with the objectives of the 21st Conference of the Parties to the United Nations Framework Convention on Climate Change (the 'Paris Agreement') to keep the global temperature increase to well below 2°C and	

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	pursue efforts to keep it to 1,5°C. _____ 1. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Stepping up Europe's 2030 climate ambition Investing in a climate-neutral future for the benefit of our people, COM/2020/562 final. 2. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS The European Green Deal, COM/2019/640 final.	pursue efforts to keep it to 1,5°C. _____ 1. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Stepping up Europe's 2030 climate ambition Investing in a climate-neutral future for the benefit of our people, COM/2020/562 final. 2. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS The European Green Deal, COM/2019/640 final.	pursue efforts to keep it to 1,5°C. _____ 1. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Stepping up Europe's 2030 climate ambition Investing in a climate-neutral future for the benefit of our people, COM/2020/562 final. 2. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE EUROPEAN COUNCIL, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS The European Green Deal, COM/2019/640 final.	
Recital 3				
13	(3) In December 2020, the European Council endorsed a binding Union target of a net domestic reduction of at least 55% in greenhouse gas emissions by 2030 compared to 1990.[1] The European Council concluded that the climate ambition needed to be raised in a manner that would spur sustainable economic growth, create jobs, deliver health and environmental benefits for Union	(3) In December 2020, the European Council endorsed a binding Union target of a net domestic reduction of at least 55% in greenhouse gas emissions by 2030 compared to 1990.[1] The European Council concluded that the climate ambition needed to be raised in a manner that would spur sustainable economic growth, create jobs, deliver health and environmental benefits for Union	(3) In December 2020, the European Council endorsed a binding Union target of a net domestic reduction of at least 55% in greenhouse gas emissions by 2030 compared to 1990.[1] The European Council concluded that the climate ambition needed to be raised in a manner that would spur sustainable economic growth, create jobs, deliver health and environmental benefits for Union	

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	citizens, and contribute to the long-term global competitiveness of the Union´s economy by promoting innovation in green technologies. _____ 1. https://www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf.	citizens, and contribute to the long-term global competitiveness of the Union´s economy by promoting innovation in green technologies. _____ 1. https://www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf.	citizens, and contribute to the long-term global competitiveness of the Union´s economy by promoting innovation in green technologies. _____ 1. https://www.consilium.europa.eu/media/47296/1011-12-20-euco-conclusions-en.pdf.	
Recital 4				
14	(4) To implement those objectives, the European Commission 2021 Work Programme[1] announced a 'Fit for 55' package to reduce GHG emissions by at least 55% by 2030, and to achieve a climate-neutral European Union by 2050. This package covers a range of policy areas including energy efficiency, renewable energy, land use, land change and forestry, energy taxation, effort sharing and emissions trading. _____ 1. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Commission Work Programme 2021 A Union of vitality in a world of fragility COM/2020/690 final.	(4) To implement those objectives, the European Commission 2021 Work Programme[1] announced a 'Fit for 55' package to reduce GHG emissions by at least 55% by 2030, and to achieve a climate-neutral European Union by 2050. This package covers a range of policy areas including energy efficiency, renewable energy, land use, land change and forestry, energy taxation, effort sharing and emissions trading. _____ 1. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Commission Work Programme 2021 A Union of vitality in a world of fragility COM/2020/690 final.	(4) To implement those objectives, the European Commission 2021 Work Programme[1] announced a 'Fit for 55' package to reduce GHG emissions by at least 55% by 2030, and to achieve a climate-neutral European Union by 2050. This package covers a range of policy areas including energy efficiency, renewable energy, land use, land change and forestry, energy taxation, effort sharing and emissions trading. _____ 1. COMMUNICATION FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT, THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL COMMITTEE AND THE COMMITTEE OF THE REGIONS Commission Work Programme 2021 A Union of vitality in a world of fragility COM/2020/690 final.	

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Recital 4a				
14a		***(4a) The 'Fit for 55' package should safeguard and create jobs in the Union and enable the Union to become a world leader in the development and uptake of clean technologies in the global energy transition, with particular regard to energy efficiency solutions.***		
Recital 5				
15	(5) Projections indicate that, with the full implementation of current policies, GHG emissions reductions by 2030 would be around 45% compared to 1990 levels, when excluding land use emissions and absorptions, and around 47%, when including these. The 2030 Climate Target Plan therefore foresees a set of actions required across all sectors of the economy and revisions of the key legislative instruments to reach that increased ambition.	(5) Projections indicate that, with the full implementation of current policies, GHG emissions reductions by 2030 would be around 45% compared to 1990 levels, when excluding land use emissions and absorptions, and around 47%, when including these. The 2030 Climate Target Plan therefore foresees a set of actions required across all sectors of the economy and revisions of the key legislative instruments to reach that increased ambition.	(5) Projections indicate that, with the full implementation of current policies, GHG emissions reductions by 2030 would be around 45% compared to 1990 levels, when excluding land use emissions and absorptions, and around 47%, when including these. The 2030 Climate Target Plan therefore foresees a set of actions required across all sectors of the economy and revisions of the key legislative instruments to reach that increased ambition.	

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Recital 6				
16	(6) Energy efficiency is a key area of action, without which the full decarbonisation of the Union´s economy cannot be achieved[1]. The need to capture the cost-effective energy saving opportunities has led to the Union´s current energy efficiency policy. In December 2018, a new 2030 Union headline energy efficiency target of at least 32,5% (compared to projected energy use in 2030) was included as part of the 'Clean Energy for All Europeans package'. _____ 1. Communication A Clean Planet for all – A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy (COM/2018/773 final), where the role of energy efficiency as a condition sine qua non for all decarbonisation scenarios is assessed.	(6) Energy efficiency is a key area of action, without which the full decarbonisation of the Union´s economy cannot be achieved[1]. The need to capture the cost-effective energy saving opportunities has led to the Union´s current energy efficiency policy. In December 2018, a new 2030 Union headline energy efficiency target of at least 32,5% (compared to projected energy use in 2030) was included as part of the 'Clean Energy for All Europeans package'. _____ 1. Communication A Clean Planet for all – A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy (COM/2018/773 final), where the role of energy efficiency as a condition sine qua non for all decarbonisation scenarios is assessed.	(6) Energy efficiency is a key area of action, without which the full decarbonisation of the Union´s economy cannot be achieved[1]. The need to capture the cost-effective energy saving opportunities has led to the Union´s current energy efficiency policy. In December 2018, a new 2030 Union headline energy efficiency target of at least 32,5% (compared to projected energy use in 2030) was included as part of the 'Clean Energy for All Europeans package'. _____ 1. Communication A Clean Planet for all – A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy (COM/2018/773 final), where the role of energy efficiency as a condition sine qua non for all decarbonisation scenarios is assessed.	
Recital 7				
17	(7) To achieve the increased climate ambition, the impact assessment accompanying the Climate Target Plan has shown that energy efficiency improvements	(7) To achieve the increased climate ambition, the impact assessment accompanying the Climate Target Plan has shown that energy efficiency improvements	(7) To achieve the increased climate ambition, the impact assessment accompanying the Climate Target Plan has shown that energy efficiency improvements	

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	will need to be significantly raised from the current level of ambition of 32,5%.	will need to be significantly raised from the current level of ambition of 32,5%. ***An increased ambition of the Union's 2030 energy efficiency target can reduce the energy prices and be crucial in reducing greenhouse gas emissions, accompanied by an increase and uptake of electrification, hydrogen, e-fuels and other relevant technologies necessary for the green transition, including in the transport sector. Even with rapid growth of green electricity generation, energy efficiency can reduce the need of new power generation capacity. Increased energy efficiency is also highly important for the security of energy supply of the Union through lowering its dependence on import of fuels from third countries. Energy efficiency is one of the cleanest and most cost-efficient measures by which to address that dependency.***	will need to be significantly raised from the current level of ambition of 32,5%.	
Recital 8				
18	(8) The sum of national contributions communicated by	(8) The sum of national contributions communicated by	(8) The sum of national contributions communicated by	

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	Member States in their National Energy and Climate Plans (NECPs) falls short of the Union's level of ambition of 32,5%. The contributions collectively would lead to a reduction of 29,4% for final energy consumption and 29,7% for primary energy consumption compared to the projections from the 2007 reference scenario for 2030. That would translate in a collective gap of 2,8 percentage points for primary energy consumption and 3,1 percentage points for final energy consumption for the EU 27.	Member States in their National Energy and Climate Plans (NECPs) falls short of the Union's level of ambition of 32,5%. The contributions collectively would lead to a reduction of 29,4% for final energy consumption and 29,7% for primary energy consumption compared to the projections from the 2007 reference scenario for 2030. That would translate in a collective gap of 2,8 percentage points for primary energy consumption and 3,1 percentage points for final energy consumption for the EU 27. ***As regards the primary and final energy consumption figures for 2020 and the achievement of the Union target, they should be seen in the context of the temporary effects of the COVID-19 pandemic measures taken in 2020 that considerably slowed down economic activity and transport in particular. The reported levels of primary and final energy consumption for 2020 require careful analysis.***	Member States in their National Energy and Climate Plans (NECPs) falls short of the Union's level of ambition of 32,5%. The contributions collectively would lead to a reduction of 29,4% for final energy consumption and 29,7% for primary energy consumption compared to the projections from the 2007 reference scenario for 2030. That would translate in a collective gap of 2,8 percentage points for primary energy consumption and 3,1 percentage points for final energy consumption for the EU 27.	
Recital 8a				

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18a			**(8a) A number of Member States presented ambitious NECPs, assessed by the Commission as "sufficient", and containing measures that will allow these Member States to contribute reaching the collective targets for energy efficiency with a ratio larger than the EU average. In addition, a number of Member States have documented "early efforts" in achieving energy savings, i.e. energy savings above the EU average trajectories in the last years. In both cases, these are important efforts that should be recognised and be included in future EU modelling projections and that can serve as good examples of how all Member States can work on their energy efficiency potential to deliver significant benefits to their economies and societies.**	
Recital 8b				
18b			**(8b) In some cases, the assumptions used by the**	

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			Commission in the 2020 Reference Scenario and the assumptions used by some Member States for their reference scenarios underpinning their NECPs are different. This may lead to divergencies as regards the calculation of Primary Energy Consumption (PEC) but both approaches are valid with regard to PEC.	
Recital 9				
19	(9) While the energy savings potential remains large in all sectors, there is a particular challenge related to transport, as it is responsible for more than 30% of final energy consumption, and to buildings, since 75% of the Union´s building stock has a poor energy performance. Another increasingly important sector is the information and communications technology (ICT) sector, which is responsible for 5-9% of the world's total electricity use and more than 2% of all emissions. In 2018, data centres accounted for 2,7% of the electricity demand in the EU28.[1] In	(9) While the energy savings potential remains large in all sectors, there is a particular challenge related to transport, as it is responsible for more than 30% of final energy consumption, and to buildings, since 75% of the Union´s building stock has a poor energy performance. Another increasingly important sector is the information and communications technology (ICT) sector, which is responsible for 5-9% of the world's total electricity use and more than 2% of all emissions. In 2018, data centres accounted for 2,7% of the electricity demand in the EU28.[1] In	(9) While the energy savings potential remains large in all sectors, there is a particular challenge related to transport, as it is responsible for more than 30% of final energy consumption, and to buildings, since 75% of the Union´s building stock has a poor energy performance. Another increasingly important sector is the information and communications technology (ICT) sector, which is responsible for 5-9% of the world's total electricity use and more than 2% of all emissions. In 2018, data centres accounted for 2,7% of the electricity demand in the EU28.[1] In	

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	that context, the Union's Digital Strategy[2] highlighted the need for highly energy-efficient and sustainable data centres and transparency measures for telecoms operators as regards their environmental footprint. Furthermore, the possible increase in industry's energy demand that may result from its decarbonisation, particularly for energy intensive processes, should also be taken into account. _____ 1. See also European Commission, Final study report, Energy-efficient Cloud Computing Technologies and Policies for an Eco-friendly Cloud Market, https://digital-strategy.ec.europa.eu/en/library/energy-efficient-cloud-computing-technologies-and-policies-eco-friendly-cloud-market. 2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Shaping Europe's digital future (COM(2020) 67 final).	that context, the Union's Digital Strategy[2] highlighted the need for highly energy-efficient and sustainable data centres and transparency measures for telecoms operators as regards their environmental footprint. Furthermore, the possible increase in industry's energy demand that may result from its decarbonisation, particularly for energy intensive processes, should also be taken into account. _____ 1. See also European Commission, Final study report, Energy-efficient Cloud Computing Technologies and Policies for an Eco-friendly Cloud Market, https://digital-strategy.ec.europa.eu/en/library/energy-efficient-cloud-computing-technologies-and-policies-eco-friendly-cloud-market. 2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Shaping Europe's digital future (COM(2020) 67 final).	that context, the Union's Digital Strategy[2] highlighted the need for highly energy-efficient and sustainable data centres and transparency measures for telecoms operators as regards their environmental footprint. Furthermore, the possible increase in industry's energy demand that may result from its decarbonisation, particularly for energy intensive processes, should also be taken into account. _____ 1. See also European Commission, Final study report, Energy-efficient Cloud Computing Technologies and Policies for an Eco-friendly Cloud Market, https://digital-strategy.ec.europa.eu/en/library/energy-efficient-cloud-computing-technologies-and-policies-eco-friendly-cloud-market. 2. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions – Shaping Europe's digital future (COM(2020) 67 final).	
Recital 10				
20	(10) The higher level of ambition requires a stronger promotion of cost-effective energy efficiency	(10) The higher level of ambition requires a stronger promotion of cost-effective energy efficiency	(10) The higher level of ambition requires a stronger promotion of cost-effective energy efficiency	

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	measures in all areas of the energy system and in all relevant sectors where activity affects energy demand, such as the transport, water and agriculture sectors. Improving energy efficiency throughout the full energy chain, including energy generation, transmission, distribution and end-use, will benefit the environment, improve air quality and public health, reduce GHG emissions, improve energy security, cut energy costs for households and companies, help alleviate energy poverty, and lead to increased competitiveness, more jobs and increased economic activity throughout the economy, thus improving citizens' quality of life. That complies with the Union commitments made in the framework of the Energy Union and global climate agenda established by the 2015 Paris Agreement.	measures in all areas of the energy system and in all relevant sectors where activity affects energy demand, such as the transport, water and agriculture sectors. Improving energy efficiency throughout the full energy chain, including energy generation, transmission, distribution and end-use, will benefit the environment, improve air quality and public health, reduce GHG emissions, improve energy security ***by decreasing the need for energy imports, in particular of fossil fuels***, cut energy costs for households and companies, help alleviate energy poverty, and lead to increased competitiveness, more jobs and increased economic activity throughout the economy, thus improving citizens' quality of life. That complies with the Union commitments made in the framework of the Energy Union and global climate agenda established by the 2015 Paris Agreement.	measures in all areas of the energy system and in all relevant sectors where activity affects energy demand, such as the transport, water and agriculture sectors. Improving energy efficiency throughout the full energy chain, including energy generation, transmission, distribution and end-use, will benefit the environment, improve air quality and public health, reduce GHG emissions, improve energy security, cut energy costs for households and companies, help alleviate energy poverty, and lead to increased competitiveness, more jobs and increased economic activity throughout the economy, thus improving citizens' quality of life. That complies with the Union commitments made in the framework of the Energy Union and global climate agenda established by the 2015 Paris Agreement.	
Recital 10a				
20a				

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		(10a) Improving the energy performance of various sectors, including transport and housing, has the potential to foster urban regeneration, employment, improvement of buildings and changes in mobility and accessibility patterns. It is therefore essential to promote more efficient, sustainable and affordable options.		
Recital 11				
21	(11) This Directive takes a step forward towards climate neutrality by 2050 , under which energy efficiency is to be treated as an energy source in its own right. The energy efficiency first principle is an overarching principle that should be taken into account across all sectors, going beyond the energy system, at all levels, including in the financial sector. Energy efficiency solutions should be considered as the first option in policy, planning and investment decisions, when setting new rules for the supply side and other policy areas. While the energy efficiency	(11) This Directive takes a step forward towards climate neutrality by 2050-, under which energy efficiency is to be treated as an energy source in its own right. The energy efficiency first principle is an overarching principle that should be taken into account across all sectors, going beyond the energy system, at all levels, including in the financial sector. Energy efficiency solutions should be considered as the first option in policy, planning and investment decisions,– ***unless that would lead to an increase of greenhouse gas emissions,*** when setting new rules	(11) This Directive takes a step forward towards climate neutrality by 2050 , under which energy efficiency is to be treated as an energy source in its own right. The energy efficiency first principle is an overarching principle that should be taken into account across all sectors, going beyond the energy system, at all levels, including in the financial sector. Energy efficiency solutions should be considered as the first option in policy, planning and investment decisions, when setting new rules for the supply side and other policy areas. While the energy efficiency	

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	first principle should be applied without prejudice to other legal obligations, objectives and principles, they should also not hamper its application or exempt from applying the principle. The Commission should ensure that energy efficiency and demand-side response can compete on equal terms with generation capacity. Energy efficiency improvements need to be made whenever they are more cost-effective than equivalent supply-side solutions. That should help exploit the multiple benefits of energy efficiency for the Union, in particular for citizens and businesses. Implementing energy efficiency improvement measures should also be a priority in alleviating energy poverty.	for the supply side and other policy areas. While the energy efficiency first principle should be applied without prejudice to other legal obligations, objectives and principles, they should also not hamper its application or exempt from applying the principle. The Commission should ensure that energy efficiency and demand-side response can compete on equal terms with generation capacity. Energy efficiency improvements need to be made whenever they are more cost-effective than equivalent supply-side solutions. That should help exploit the multiple benefits of energy efficiency for the Union, in particular for citizens and businesses. Implementing energy efficiency improvement measures should also be a priority in alleviating energy poverty.	first principle should be applied without prejudice to other legal obligations, objectives and principles, they should also not hamper its application or exempt from applying the principle. The Commission should ensure that energy efficiency and demand-side response can compete on equal terms with generation capacity. Energy efficiency improvements need to be made whenever they are more cost-effective than equivalent supply-side solutions. That should help exploit the multiple benefits of energy efficiency for the Union, in particular for citizens and businesses. Implementing energy efficiency improvement measures should also be a priority in alleviating energy poverty.	
Recital 12				
22	(12) Energy efficiency should be recognised as a crucial element and a priority consideration in future investment decisions on the Union's energy infrastructure. The	(12) Energy efficiency should be recognised as a crucial element and a priority consideration in future investment decisions on the Union's energy infrastructure. The	(12) Energy efficiency should be recognised as a crucial element and a priority consideration in future investment decisions on the Union's energy infrastructure. The	

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	energy efficiency first principle should be applied taking primarily the system efficiency approach and societal perspective into consideration. Consequently, it should help increase the efficiency of individual end-use sectors and of the whole energy system. Application of the principle should also support investments in energy-efficient solutions contributing to environmental objectives listed in Regulation (EU) 2020/852 of the European Parliament and of the Council[1]. _____ 1. OJ L 198, 22.6.2020, p. 13–43.	energy efficiency first principle should be applied taking primarily the system efficiency approach and societal ***and health*** perspective into consideration***, paying attention to security of supply, energy system integration and the transition to climate neutrality***. Consequently, it should help increase the efficiency of individual end-use sectors and of the whole energy system. Application of the principle should also support investments in energy-efficient solutions contributing to environmental objectives listed in Regulation (EU) 2020/852 of the European Parliament and of the Council[1]. _____ 1. ***[1]*** OJ L 198, 22.6.2020, p. 13–43.	energy efficiency first principle should be applied taking primarily the system efficiency approach and societal perspective into consideration. Consequently, it should help increase the efficiency of individual end-use sectors and of the whole energy system. Application of the principle should also support investments in energy-efficient solutions contributing to environmental objectives listed in Regulation (EU) 2020/852 of the European Parliament and of the Council[1]. _____ 1. OJ L 198, 22.6.2020, p. 13–43.	
Recital 13				
23	(13) The energy efficiency first principle was defined in the Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] and is at the core of the Energy System Integration Strategy[2]. While the principle is	(13) The energy efficiency first principle was defined in the Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] and is at the core of the Energy System Integration Strategy[2]. While the principle is	(13) The energy efficiency first principle was defined in the Regulation (EU) 2018/1999 of the European Parliament and of the Council[1] and is at the core of the Energy System Integration Strategy[2]. While the principle is	

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	based on cost-effectiveness, its application has wider implications, which can vary depending on the circumstances. The Commission prepared dedicated guidelines for the operation and application of the principle, by proposing specific tools and examples of application in various sectors. The Commission has also issued a recommendation to Member States that builds on the requirements of this Directive and calls for specific actions in relation to the application of the principle. _____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council, PE/55/2018/REV/1, OJ L 328, 21.12.2018, p. 1–77. 2. An EU Strategy for Energy System Integration COM(2020) 299 final.	based on cost-effectiveness, its application has wider implications ***from the societal perspective***, which ~~can vary depending on the circumstances~~***should be carefully evaluated through robust cost-benefit assessment methodologies that take into account the multiple benefits of energy efficiency***. The Commission prepared dedicated guidelines for the operation and application of the principle, by proposing specific tools and examples of application in various sectors. The Commission has also issued a recommendation to Member States that builds on the requirements of this Directive and calls for specific actions in relation to the application of the principle. ***Member States should take the utmost account of that recommendation and be guided by it in implementing the energy efficiency principle in practice.*** _____ 1. ***[1]*** Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC,	based on cost-effectiveness, its application has wider implications, which can vary depending on the circumstances. The Commission prepared dedicated guidelines for the operation and application of the principle, by proposing specific tools and examples of application in various sectors. The Commission has also issued a recommendation to Member States that builds on the requirements of this Directive and calls for specific actions in relation to the application of the principle. _____ 1. Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council, PE/55/2018/REV/1, OJ L 328, 21.12.2018, p. 1–77. 2. An EU Strategy for Energy System Integration COM(2020) 299 final.	

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		2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council, PE/55/2018/REV/1, OJ L 328, 21.12.2018, p. 1–77. 2. *[2]* An EU Strategy for Energy System Integration COM(2020) 299 final.		
Recital 13a				
23a		***(13a) The energy efficiency first principle implies adopting a holistic approach, which takes into account the overall efficiency of the integrated energy system, security of supply and cost effectiveness and promotes the most efficient solutions for climate neutrality across the whole value chain, from energy production, network transport to final energy consumption, so that efficiencies are achieved in both primary and final energy consumption. That approach should look at the system performance and dynamic use of energy, where demand-side resources and system flexibility are considered to be efficiency solutions. At the same time, the***		

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		principle can also be applied at a lower asset level when energy efficiency performance of specific solutions is to be identified and solutions are adapted to favour those with a higher efficiency where they also represent a cost-effective decarbonisation pathway.		
Recital 14				
24	(14) In order to have an impact, the energy efficiency first principle needs to be consistently applied by decision makers in all relevant policy, planning and major investment decisions – that is to say large-scale investments with a value of more than 50 euro million each or 75 euro million for transport infrastructure projects – affecting energy consumption or supply. The proper application of the principle requires using the right cost-benefit analysis methodology, setting enabling conditions for energy efficient solutions and proper monitoring. Demand side flexibility can bring significant benefits to consumers and to society at large, and can	(14) In order to have an impact, the energy efficiency first principle needs to be consistently applied by ***national, regional, local and sectoral*** decision makers in all relevant ***scenarios and*** policy, planning and major investment decisions – that is to say large-scale investments with a value of more than 50 euro million each or 75 euro million for transport infrastructure projects – affecting energy consumption***, transmission, distribution, storage*** or supply. The proper application of the principle requires using the right cost-benefit analysis methodology, setting enabling conditions for energy efficient solutions and proper monitoring. ***Cost-benefit***	(14) In order to have an impact, the energy efficiency first principle needs to be consistently applied by decision makers in all relevant policy, planning and major investment decisions – that is to say large-scale investments with a value of more than ~~50~~**150** euro million each or ~~75~~**250** euro million for transport infrastructure projects – affecting energy consumption or supply. The proper application of the principle requires using the right cost-benefit analysis methodology, setting enabling conditions for energy efficient solutions and proper monitoring. Demand side flexibility can bring significant benefits to consumers and to society at large, and can	

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	increase the efficiency of the energy system and decrease the energy costs, for example by reducing system operation costs resulting in lower tariffs for all consumers. Member States should take into account potential benefits from demand side flexibility in applying the energy efficiency first principle and where relevant consider demand response, energy storage and smart solutions as part of their efforts to increase efficiency of the integrated energy system.	***analyses should always be based on the most up-to-date information on energy prices and include scenarios for rising prices, such as due to decreasing ETS allowances, in order to provide an incentive to apply energy efficiency measures, and should be systematically developed, carried out and made publicly available. Priority should be given to demand-side solutions where they are more cost-effective than investments in energy supply infrastructure in meeting policy objectives.*** Demand side flexibility can bring ~~*significant*~~***wider economic, environmental and societal*** benefits to consumers and ~~*to society at large*~~***local communities***, and can increase the efficiency of the energy system and decrease the energy costs, for example by reducing system operation costs resulting in lower tariffs for all consumers. Member States should take into account potential benefits from demand side flexibility in applying the energy efficiency first principle and where relevant consider demand response ***at both***	increase the efficiency of the energy system and decrease the energy costs, for example by reducing system operation costs resulting in lower tariffs for all consumers. Member States should take into account potential benefits from demand side flexibility in applying the energy efficiency first principle and where relevant consider demand response, energy storage and smart solutions as part of their efforts to increase efficiency of the integrated energy system.	

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		centralised and decentralised level, energy storage, and smart solutions as part of their efforts to increase efficiency of the integrated energy system.		
Recital 15				
25	(15) The energy efficiency first principle should always be applied in a proportional way and the requirements of this Directive should not entail overlapping or conflicting obligations on Member States, where the application of the principle is ensured directly by other legislation. This might be the case for the projects of common interest included in the Union list pursuant to [Article 3 of the revised TEN-E regulation], which introduces the requirements to consider the energy efficiency first principle in the development and assessment for those projects.	(15) The energy efficiency first principle should always be applied in a proportional way and the requirements of this Directive should not entail overlapping or conflicting obligations on Member States, where the application of the principle is ensured directly by other legislation. This might be the case for the projects of common interest included in the Union list pursuant to ~~[~~Article 3 of ***Regulation (EU) 2022/869 of the European Parliament and of the Council***[1]~~the revised TEN-E regulation]~~, which introduces the requirements to consider the energy efficiency first principle in the development and assessment for those projects. 1. ***Regulation (EU) 2022/869 of the European Parliament and of the Council of 30 May 2022 on guidelines for trans-***	(15) The energy efficiency first principle should always be applied in a proportional way and the requirements of this Directive should not entail overlapping or conflicting obligations on Member States, where the application of the principle is ensured directly by other legislation. This might be the case for the projects of common interest included in the Union list pursuant to [Article 3 of the revised TEN-E regulation], which introduces the requirements to consider the energy efficiency first principle in the development and assessment for those projects.	

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		European energy infrastructure, amending Regulations (EC) No 715/2009, (EU) 2019/942 and (EU) 2019/943 and Directives 2009/73/EC and (EU) 2019/944, and repealing Regulation (EU) No 347/2013 (OJ L 152, 3.6.2022, p. 45).		
Recital 16				
26	(16) A fair transition towards a climate-neutral Union by 2050 is central to the European Green Deal. Energy poverty is a key concept consolidated in the legislative package entitled 'Clean Energy for All Europeans' and designed to facilitate a just energy transition. Pursuant to Regulation (EU) 2018/1999 and Directive (EU) 2019/944 of the European Parliament and of the Council[1], the Commission provided indicative guidance on appropriate indicators for measuring energy poverty and defining what a 'significant number of households in energy poverty' is.[2] Directive (EU) 2019/944 and Directive 2009/73/EC of the European Parliament and of the Council[3] requires Member States to take appropriate measures to address	(16) A fair transition towards a climate-neutral Union by 2050 is central to the European Green Deal. Energy poverty is a key concept consolidated in the legislative package entitled 'Clean Energy for All Europeans' and designed to facilitate a just energy transition. Pursuant to Regulation (EU) 2018/1999 and Directive (EU) 2019/944 of the European Parliament and of the Council[1], the Commission provided indicative guidance on appropriate indicators for measuring energy poverty and defining what a 'significant number of households in energy poverty' is.[2] Directive (EU) 2019/944 and Directive 2009/73/EC of the European Parliament and of the Council[3] requires Member States to take appropriate measures to address	(16) A fair transition towards a climate-neutral Union by 2050 is central to the European Green Deal. Energy poverty is a key concept consolidated in the legislative package entitled 'Clean Energy for All Europeans' and designed to facilitate a just energy transition. Pursuant to Regulation (EU) 2018/1999 and Directive (EU) 2019/944 of the European Parliament and of the Council[1], the Commission provided indicative guidance on appropriate indicators for measuring energy poverty and defining what a 'significant number of households in energy poverty' is.[2] Directive (EU) 2019/944 and Directive 2009/73/EC of the European Parliament and of the Council[3] requires Member States to take appropriate measures to address	

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	energy poverty wherever it is identified, including measures addressing the broader context of poverty. _____ 1. Directive (EU) 2019/944 of the European Parliament and of the Council on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125). 2. Commission Recommendation on energy poverty, C(2020) 9600 final. 3. Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).	energy poverty wherever it is identified, including measures addressing the broader context of poverty. ***This is particularly relevant in a context of rising energy prices and inflationary pressure, where both short and long-term measures should be implemented to address systemic challenges to the Union's energy system.*** _____ 1. *[1]* Directive (EU) 2019/944 of the European Parliament and of the Council on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125). 2. *[2]* Commission Recommendation on energy poverty, C(2020) 9600 final. 3. *[3]* Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).	energy poverty wherever it is identified, including measures addressing the broader context of poverty. _____ 1. Directive (EU) 2019/944 of the European Parliament and of the Council on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125). 2. Commission Recommendation on energy poverty, C(2020) 9600 final. 3. Directive 2009/73/EC of the European Parliament and of the Council of 13 July 2009 concerning common rules for the internal market in natural gas and repealing Directive 2003/55/EC (OJ L 211, 14.8.2009, p. 94).	
Recital 17				
27	(17) Low and medium income households, vulnerable customers, including final users, people facing or risking energy poverty and	(17) Low and medium income households, vulnerable customers, including final users, people facing or risking energy poverty and	(17) Low and medium income households, vulnerable customers, including final users, people facing or risking energy poverty and	

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	people living in social housing should benefit from the application of the energy efficiency first principle. Energy efficiency measures should be implemented as a priority to improve the situations of those individuals and households or to alleviate energy poverty. A holistic approach in policy making and in implementing policies and measures requires Member States to ensure that other policies and measures have no adverse effect on these individuals and households.	people living in social housing***, as well as SMEs and micro-enterprises,*** should benefit from the application of the energy efficiency first principle. Energy efficiency measures should be implemented as a priority to improve the situations of those individuals and households ~~or~~***and*** to alleviate energy poverty ***and should not encourage any disproportionate increase in housing, mobility or energy costs***. A holistic approach in policy making and in implementing policies and measures requires Member States to ensure that other policies and measures have no adverse effect on these individuals and households.	people living in social housing should benefit from the application of the energy efficiency first principle. Energy efficiency measures should be implemented as a priority to improve the situations of those individuals and households or to alleviate energy poverty. A holistic approach in policy making and in implementing policies and measures requires Member States to ensure that other policies and measures have no adverse effect on these individuals and households.	
Recital 18				
28	(18) This Directive is part of a broader policy framework of energy efficiency policies addressing energy efficiency potentials in specific policy areas, including buildings (Directive 2010/31/EC[1]), products (Directive 2009/125/EC, Regulation (EU)	(18) This Directive is part of a broader policy framework of energy efficiency policies addressing energy efficiency potentials in specific policy areas, including buildings (Directive 2010/31/EC[1]), products (Directive 2009/125/EC, Regulation (EU)	(18) This Directive is part of a broader policy framework of energy efficiency policies addressing energy efficiency potentials in specific policy areas, including buildings (Directive 2010/31/EC[1]), products (Directive 2009/125/EC, Regulation (EU)	

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	2017/1369 and Regulation (EU) 2020/740[2]) and governance mechanism (Regulation (EU) 2018/1999). Those policies play a very important role in delivering energy savings when products are replaced or buildings constructed or renovated[3]. _____ 1. Directive 2010/31/EC of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings. 2. Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products; Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters respectively. 3. Moreover, implementation of the product reviews under the Ecodesign Working Plan 2020-2024 and the "Renovation Wave" Action plan, together with the review of the EPBD, will make an important contribution to reaching the 2030 energy saving target.	2017/1369 and Regulation (EU) 2020/740[2]) and governance mechanism (Regulation (EU) 2018/1999). Those policies play a very important role in delivering energy savings when products are replaced or buildings constructed or renovated[3]. _____ 1. Directive 2010/31/EC of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings. 2. Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products; Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters respectively. 3. Moreover, implementation of the product reviews under the Ecodesign Working Plan 2020-2024 and the "Renovation Wave" Action plan, together with the review of the EPBD, will make an important contribution to reaching the 2030 energy saving target.	2017/1369 and Regulation (EU) 2020/740[2]) and governance mechanism (Regulation (EU) 2018/1999). Those policies play a very important role in delivering energy savings when products are replaced or buildings constructed or renovated[3]. _____ 1. Directive 2010/31/EC of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings. 2. Directive 2009/125/EC of the European Parliament and of the Council of 21 October 2009 establishing a framework for the setting of ecodesign requirements for energy-related products; Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters respectively. 3. Moreover, implementation of the product reviews under the Ecodesign Working Plan 2020-2024 and the "Renovation Wave" Action plan, together with the review of the EPBD, will make an important contribution to reaching the 2030 energy saving target.	
Recital 19				
29				

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	(19) Reaching an ambitious energy efficiency target requires barriers to be removed in order to facilitate investment in energy efficiency measures. The LIFE Clean Energy Transition sub-programme will dedicate funding to support development of the European best practice in energy efficiency policy implementation addressing behavioural, market, and regulatory barriers to energy efficiency.	(19) Reaching an ambitious energy efficiency target requires barriers to be removed in order to facilitate investment in energy efficiency measures. The LIFE Clean Energy Transition sub-programme will dedicate funding to support development of the European best practice in energy efficiency policy implementation addressing behavioural, market, and regulatory barriers to energy efficiency.	(19) Reaching an ambitious energy efficiency target requires barriers to be removed in order to facilitate investment in energy efficiency measures. The LIFE Clean Energy Transition sub-programme will dedicate funding to support development of the European best practice in energy efficiency policy implementation addressing behavioural, market, and regulatory barriers to energy efficiency.	
Recital 20				
30	(20) The European Council of 23 and 24 October 2014 supported a 27% energy efficiency target for 2030 at Union level, to be reviewed by 2020 having in mind a Union-level target of 30%. In its resolution of 15 December 2015 entitled 'Towards a European Energy Union', the European Parliament called on the Commission to assess, in addition, the viability of a 40% energy efficiency target for the same timeframe.	(20) The European Council of 23 and 24 October 2014 supported a 27% energy efficiency target for 2030 at Union level, to be reviewed by 2020 having in mind a Union-level target of 30%. In its resolution of 15 December 2015 entitled 'Towards a European Energy Union', the European Parliament called on the Commission to assess, in addition, the viability of a 40% energy efficiency target for the same timeframe.	(20) The European Council of 23 and 24 October 2014 supported a 27% energy efficiency target for 2030 at Union level, to be reviewed by 2020 having in mind a Union-level target of 30%. In its resolution of 15 December 2015 entitled 'Towards a European Energy Union', the European Parliament called on the Commission to assess, in addition, the viability of a 40% energy efficiency target for the same timeframe.	

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Recital 21				
31	(21) It is projected that the 32,5% Union´s energy efficiency target for 2030 and the other policy instruments of the existing framework would lead to a reduction in GHG emission of about 45% by 2030.[1] For an increased climate ambition of a 55% decrease of GHG emissions by 2030, the impact assessment of the 2030 Climate Target Plan assessed what level of efforts would be needed in the different policy areas. It concluded that, in relation to the baseline, achieving the GHG emissions target in a cost-optimal way meant that final and primary energy consumption are to decreased by at least 36-37% and 39-41% respectively. _____ 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank – A Clean Planet for all A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy (COM(2018) 773 final).	(21) It is projected that the 32,5% Union´s energy efficiency target for 2030 and the other policy instruments of the existing framework would lead to a reduction in GHG emission of about 45% by 2030.[1] For an increased climate ambition of a 55% decrease of GHG emissions by 2030, the impact assessment of the 2030 Climate Target Plan assessed what level of efforts would be needed in the different policy areas. It concluded that, in relation to the baseline, achieving the GHG emissions target in a cost-optimal way meant that final and primary energy consumption are to decreased by at least 36-37% and 39-41% respectively. _____ 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank – A Clean Planet for all A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy (COM(2018) 773 final).	(21) It is projected that the 32,5% Union´s energy efficiency target for 2030 and the other policy instruments of the existing framework would lead to a reduction in GHG emission of about 45% by 2030.[1] For an increased climate ambition of a 55% decrease of GHG emissions by 2030, the impact assessment of the 2030 Climate Target Plan assessed what level of efforts would be needed in the different policy areas. It concluded that, in relation to the baseline, achieving the GHG emissions target in a cost-optimal way meant that final and primary energy consumption are to decreased by at least 36-37% and 39-41% respectively. _____ 1. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee, the Committee of the Regions and the European Investment Bank – A Clean Planet for all A European strategic long-term vision for a prosperous, modern, competitive and climate neutral economy (COM(2018) 773 final).	
Recital 22				

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32	(22) The Union's energy efficiency target was initially set and calculated using the 2007 Reference Scenario projections for 2030 as a baseline. The change in the Eurostat energy balance calculation methodology and improvements in subsequent modelling projections call for a change of the baseline. Thus, using the same approach to define the target, that is to say comparing it to the future baseline projections, the ambition of the Union's 2030 energy efficiency target is set compared to the 2020 Reference Scenario projections for 2030 reflecting national contributions from the NECPs. With that updated baseline, the Union will need to further increase its energy efficiency ambition by at least 9% in 2030 compared to the level of efforts under the 2020 Reference Scenario. The new way of expressing the level of ambition for the Union's targets does not affect the actual level of efforts needed and corresponds to a reduction of 36% for final and 39% for primary energy consumption respectively	(22) The Union's energy efficiency target was initially set and calculated using the 2007 Reference Scenario projections for 2030 as a baseline. The change in the Eurostat energy balance calculation methodology and improvements in subsequent modelling projections call for a change of the baseline. Thus, using the same approach to define the target, that is to say comparing it to the future baseline projections, the ambition of the Union's 2030 energy efficiency target is set compared to the 2020 Reference Scenario projections for 2030 reflecting national contributions from the NECPs. With that updated baseline, the Union will need to further increase its energy efficiency ambition ~~*by at least 9% in 2030 compared to the level of efforts under the 2020 Reference Scenario*~~. The new way of expressing the level of ambition for the Union's targets does not affect the actual level of efforts needed ~~*and corresponds to a reduction of 36% for final and 39% for primary energy consumption respectively*~~	(22) The Union's energy efficiency target was initially set and calculated using the 2007 Reference Scenario projections for 2030 as a baseline. The change in the Eurostat energy balance calculation methodology and improvements in subsequent modelling projections call for a change of the baseline. Thus, using the same approach to define the target, that is to say comparing it to the future baseline projections, the ambition of the Union's 2030 energy efficiency target is set compared to the 2020 Reference Scenario projections for 2030 reflecting national contributions from the NECPs. With that updated baseline, the Union will need to further increase its energy efficiency ambition by at least 9% in 2030 compared to the level of efforts under the 2020 Reference Scenario. The new way of expressing the level of ambition for the Union's targets does not affect the actual level of efforts needed and corresponds to a reduction of 36% for final and 39% for primary energy consumption respectively	

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	when compared to the 2007 Reference Scenario projections for 2030.	~~*when compared to the 2007 Reference Scenario projections for 2030*~~.	when compared to the 2007 Reference Scenario projections for 2030.	
Recital 23				
33	(23) The methodology for calculation of final and primary energy consumption is aligned with the new Eurostat methodology, but the indicators used for the purpose of this Directive have different scope - that is they exclude ambient heat and include energy consumption in international aviation for the target in final energy consumption. The use of new indicators also implies that any changes in energy consumption of blast furnaces are now only reflected in primary energy consumption.	(23) The methodology for calculation of final and primary energy consumption is aligned with the new Eurostat methodology, but the indicators used for the purpose of this Directive have different scope - that is they exclude ambient heat and include energy consumption in international aviation for the target in final energy consumption. The use of new indicators also implies that any changes in energy consumption of blast furnaces are now only reflected in primary energy consumption.	(23) The methodology for calculation of final and primary energy consumption is aligned with the new Eurostat methodology, but the indicators used for the purpose of this Directive have different scope - that is they exclude ambient ~~heat~~ **energy** and include energy consumption in international aviation for the ~~target in~~**targets in primary and** final energy consumption. The use of new indicators also implies that any changes in energy consumption of blast furnaces are now only reflected in primary energy consumption.	
Recital 24				
34	(24) The need for the Union to improve its energy efficiency should be expressed in primary and final energy consumption, to	(24) The need for the Union to improve its energy efficiency should be expressed in primary and final energy consumption, to	(24) The need for the Union to improve its energy efficiency should be expressed in primary and final energy consumption, to	

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	be achieved in 2030, indicating additional level of efforts required when compared to the measures in place or planned measures in the national energy and climate plans. The 2020 Reference Scenario projects 864 Mtoe of final energy consumption and 1124 Mtoe of primary energy consumption to be reached in 2030 (excluding ambient heat and including international aviation). An additional reduction of 9% results in 787 Mtoe and 1023 Mtoe in 2030 respectively. Compared to 2005 levels, it means that final energy consumption in the Union should be reduced by some 23% and primary energy consumption should be reduced by some 32%. There are no binding targets at Member State level in the 2020 and 2030 perspectives, and Member States should establish their contributions to the achievement of the Union's energy efficiency target taking into account the formula provided in this Directive. Member States should be free to set their national objectives based either on primary or final energy consumption or primary or final	be achieved in 2030, indicating additional level of efforts required when compared to the measures in place or planned measures in the national energy and climate plans. The 2020 Reference Scenario projects 864 Mtoe of final energy consumption and 1124 Mtoe of primary energy consumption to be reached in 2030 (excluding ambient heat and including international aviation). An additional reduction of ~~9%~~***14,5 %*** results in ~~787~~***740*** Mtoe and ~~1023~~***960*** Mtoe in 2030 respectively. ~~Compared to 2005 levels, it means that~~***This corresponds to a reduction of 40 % for*** final energy consumption ~~in the Union should be reduced by some 23% and primary energy consumption should be reduced by some 32%.~~ ***and 42,5 % for primary energy consumption respectively when compared to the 2007 Reference Scenario projections for 2030.*** There are no binding targets at Member State level ~~in~~***to achieve*** the 2020 ~~and 2030 perspectives~~***energy efficiency target. For the 2030 target, national contributions should***	be achieved in 2030, indicating additional level of efforts required when compared to the measures in place or planned measures in the national energy and climate plans. The 2020 Reference Scenario projects 864 Mtoe of final energy consumption and 1124 Mtoe of primary energy consumption to be reached in 2030 (excluding ambient ~~heat~~**energy** and including international aviation). An additional reduction of 9% results in 787 Mtoe and 1023 Mtoe in 2030 respectively. Compared to 2005 levels, it means that final energy consumption in the Union should be reduced by some 23% and primary energy consumption should be reduced by some 32%. There are no binding targets at Member State level in the 2020 and 2030 perspectives, and Member States should establish their contributions to the achievement of the Union's energy efficiency target taking into account the formula provided in this Directive. Member States should be free to set their national objectives based either on primary or final energy consumption or primary or final	

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	energy savings, or on energy intensity. This Directive amends the way how Member States should express their national contributions to the Union´s target. Member States' contributions to the Union's target should be expressed in final and primary energy consumption to ensure consistency and monitoring of progress. A regular evaluation of progress towards the achievement of the Union's 2030 targets is necessary and is provided for in Regulation (EU) 2018/1999.	***become binding***, and Member States should establish their contributions to the achievement of the Union's energy efficiency target ~~*taking into account*~~***according to*** the formula provided in this Directive. Member States should be free~~-~~ to set their national objectives~~-~~ based either on primary or final energy consumption or primary or final energy savings, or on energy intensity. This Directive amends the way how Member States should express their ***binding*** national contributions to the ***binding*** Union's target. Member States' ***binding*** contributions to the Union's target should be expressed in final and primary energy consumption to ensure consistency and monitoring of progress.~~-~~ A regular evaluation of progress towards the achievement of the Union's 2030 targets is necessary and is provided for in Regulation (EU) 2018/1999.	energy savings, or on energy intensity. This Directive amends the way how Member States should express their national contributions to the Union's target. Member States' contributions to the Union's target should be expressed in final and primary energy consumption to ensure consistency and monitoring of progress. A regular evaluation of progress towards the achievement of the Union's 2030 targets is necessary and is provided for in Regulation (EU) 2018/1999.	
Recital 25				
35	(25) It would be preferable for the	(25) ~~*It would be preferable for the*~~	(25) It would be preferable for the	

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	energy efficiency target to be achieved as a result of the cumulative implementation of specific national and European measures promoting energy efficiency in different fields. Member States should be required to set national energy efficiency policies and measures . Those policies and measures and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal	***The*** energy efficiency target ~~to~~***should*** be achieved as a result of the cumulative implementation of specific ***local, regional,*** national and European measures promoting energy efficiency in different fields. Member States should be required to set national energy efficiency policies and measures~~-~~. Those policies and measures~~–~~ and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal.	energy efficiency target to be achieved as a result of the cumulative implementation of specific national and European measures promoting energy efficiency in different fields. Member States should be required to set national energy efficiency policies and measures . Those policies and measures and the individual efforts of each Member State should be evaluated by the Commission, alongside data on the progress made, to assess the likelihood of achieving the overall Union target and the extent to which the individual efforts are sufficient to meet the common goal	
Recital 26				
36	(26) The public sector is responsible for around 5 to 10% of total Union's final energy consumption. Public authorities spend approximately 1.8 trillion euro annually. This represents around 14% of the Union's gross domestic product. For that reason the public sector constitutes an	(26) The public sector is responsible for around 5 to 10% of total Union's final energy consumption. Public authorities spend approximately 1.8 trillion euro annually. This represents around 14% of the Union's gross domestic product. For that reason the public sector constitutes an	(26) The public sector is responsible for around 5 to 10% of total Union's final energy consumption. Public authorities spend approximately 1.8 trillion euro annually. This represents around 14% of the Union's gross domestic product. For that reason the public sector constitutes an	

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	important driver to stimulate market transformation towards more efficient products, buildings and services, as well as to trigger behavioural changes in energy consumption by citizens and enterprises. Furthermore, decreasing energy consumption through energy efficiency improvement measures can free up public resources for other purposes. Public bodies at national, regional and local level should fulfil an exemplary role as regards energy efficiency.	important driver to stimulate market transformation towards more efficient products, buildings and services, as well as to trigger behavioural changes in energy consumption by citizens and enterprises. Furthermore, decreasing energy consumption through energy efficiency improvement measures can free up public resources for other purposes. Public bodies at national, regional and local level should fulfil an exemplary role as regards energy efficiency.	important driver to stimulate market transformation towards more efficient products, buildings and services, as well as to trigger behavioural changes in energy consumption by citizens and enterprises. Furthermore, decreasing energy consumption through energy efficiency improvement measures can free up public resources for other purposes. Public bodies at national, regional and local level should fulfil an exemplary role as regards energy efficiency.	
Recital 27				
37	(27) To lead by example, the public sector should set its own decarbonisation and energy efficiency goals. Energy efficiency improvements in the public sector should reflect the efforts required at Union level. To comply with the final energy consumption target, the Union should decrease its final energy consumption by 19% by 2030 as compared to the average energy consumption in years 2017, 2018 and 2019. An obligation to	(27) To lead by example, the public sector should set its own decarbonisation and energy efficiency goals. Energy efficiency improvements in the public sector should reflect the efforts required at Union level. ~~*To comply with the final energy consumption target, the Union should decrease its final energy consumption by 19% by 2030 as compared to the average energy consumption in years 2017, 2018 and 2019.*~~ An obligation to	(27) To lead by example, the public sector should set its own decarbonisation and energy efficiency goals. Energy efficiency improvements in the public sector should reflect the efforts required at Union level. To comply with the final energy consumption target, the Union should decrease its final energy consumption by 19% by 2030 as compared to the average energy consumption in years 2017, 2018 and 2019. An obligation to	

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	achieve an annual reduction of the energy consumption in the public sector by at least 1,7% should ensure that the public sector fulfils its exemplary role. Member States retain full flexibility regarding the choice of energy efficiency improvement measures to achieve a reduction of the final energy consumption. Requiring an annual reduction of final energy consumption has a lower administrative burden than establishing measurement methods for energy savings.	achieve an annual reduction of the energy consumption in the public sector by at least ~~1,7%~~***2%*** should ensure that the public sector fulfils its exemplary role. Member States retain full flexibility regarding the choice of energy efficiency improvement measures to achieve a reduction of the final energy consumption. Requiring an annual reduction of final energy consumption has a lower administrative burden than establishing measurement methods for energy savings.	achieve an annual reduction of the energy consumption in the public sector by at least 1,7% should ensure that the public sector fulfils its exemplary role. Member States retain full flexibility regarding the choice of energy efficiency improvement measures to achieve a reduction of the final energy consumption. Requiring an annual reduction of final energy consumption has a lower administrative burden than establishing measurement methods for energy savings.	
Recital 28				
38	(28) To fulfil their obligation, Member States should target the final energy consumption of all public services and installations of public bodies. To determine the scope of addressees, Member States should apply the definition of contracting authorities provided in the Directive 2014/24/EU of the European Parliament and of the Council[1]. The obligation can be fulfilled by the reduction of final energy consumption in any area of	(28) To fulfil their obligation, Member States should target the final energy consumption of all public services and installations of public bodies. To determine the scope of addressees, Member States should apply the definition of contracting authorities provided in the Directive 2014/24/EU of the European Parliament and of the Council[1]. The obligation can be fulfilled by the reduction of final energy consumption in any area of	(28) To fulfil their obligation, Member States should target the final energy consumption of all public services and installations of public bodies. ~~To determine the scope of addressees, Member States should apply the definition of contracting~~**Public bodies are determined as national, regional or local authorities and entities directly financed and administered by these** authorities ~~provided in the Directive~~	

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	the public sector, including transport, public buildings, healthcare, spatial planning, water management and wastewater treatment, sewage and water purification, waste management, district heating and cooling, energy distribution, supply and storage, public lighting, infrastructure planning. To lower the administrative burden for public bodies, Member States should establish digital platforms or tools to collect the aggregated consumption data from public bodies, make them publicly available, and report the data to the Commission. _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94 28.3.2014, p. 65.	the public sector, including transport, public buildings, healthcare, spatial planning, water management and wastewater treatment, sewage and water purification, waste management, district heating and cooling, energy distribution, supply and storage, public lighting, infrastructure planning. To lower the administrative burden for public bodies, Member States should establish digital platforms or tools to collect the aggregated consumption data from public bodies, make them publicly available, and report the data to the Commission. _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94 28.3.2014, p. 65.	~~2014/24/EU~~**but not having industrial or commercial character. To this end, "administered by these authorities" means that a national, regional or local authority has a majority on the decision of the choice** of the ~~European Parliament and of the Council[1]~~**entity's management and "financed by these authorities" means that these entities are mostly funded by public funds**. The obligation can be fulfilled by the reduction of final energy consumption in any area of the public sector, including transport, public buildings, healthcare, spatial planning, water management and wastewater treatment, sewage and water purification, waste management, district heating and cooling, energy distribution, supply and storage, public lighting, infrastructure planning. **Only the final energy consumption of public bodies is covered by the obligation. That will for example exclude energy consumption from social housing and district heating, when the final energy consumption is not from public**	

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			bodies. To lower the administrative burden for public bodies, Member States should establish digital platforms or tools to collect the aggregated consumption data from public bodies, make them publicly available, and report the data to the Commission. **Member States should provide planning and annual reporting on the consumption of public bodies in an aggregated form per sector. The aggregation should be made, where available, at the level of NACE codes, such as E36, E37-39, H49, M72, O84, P85, Q86, Q87-88, R90-92, as well as separately for activates such as public transport (a small portion of code H) or street lighting, which do not have their NACE code.** _____ ~~1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC, OJ L 94 28.3.2014, p. 65.~~	
Recital 29				
39				

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	(29) Member States should exercise an exemplary role by ensuring that all energy performance contracts and energy management systems are carried out in the public sector in line with European or international standards, or that energy audits are used to a large extent in the intense energy consuming parts of the public sector.	(29) Member States should exercise an exemplary role by ensuring that all energy performance contracts***, energy audits*** and energy management systems are carried out in the public sector in line with European or international standards, or that energy audits are used to a large extent in the intense energy consuming parts of the public sector. ***Member States should provide clear guidance and procedures for the use of those instruments.***	(29) Member States should exercise an exemplary role by ensuring that all energy performance contracts and energy management systems are carried out in the public sector in line with European or international standards, or that energy audits are used to a large extent in the intense energy consuming parts of the public sector.	
Recital 30				
40	(30) Public authorities are encouraged to obtain support from entities such as sustainable energy agencies, where applicable established at regional or local level. The organisation of those agencies usually reflect the individual needs of public authorities in a certain region or operating in a certain area of the public sector. Centralised agencies can serve the needs better and work more effectively in other respects,		(30) Public authorities are encouraged to obtain support from entities such as sustainable energy agencies, where applicable established at regional or local level. The organisation of those agencies usually reflect the individual needs of public authorities in a certain region or operating in a certain area of the public sector. Centralised agencies can serve the needs better and work more effectively in other respects,	

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	for example, in smaller or centralised Member States or regarding complex or cross-regional aspects such as district heating and cooling. Sustainable energy agencies can serve as one-stop-shops pursuant to Article 21. Those agencies are often responsible for developing local or regional decarbonisation plans, which may also include other decarbonisation measures, such as the exchange of fossil fuels boilers, and to support public authorities in the implementation of energy related policies. Sustainable energy agencies or other entities to assist regional and local authorities may have clear competences, objectives and resources in the field of sustainable energy. Sustainable energy agencies could be encouraged to consider initiatives taken in the framework of the Covenant of Mayors, which brings together local governments voluntarily committed to implementing the Union´s climate and energy objectives, and other existing initiatives for this purpose. The decarbonisation plans should be linked to territorial development		for example, in smaller or centralised Member States or regarding complex or cross-regional aspects such as district heating and cooling. Sustainable energy agencies can serve as one-stop-shops pursuant to Article 21. Those agencies are often responsible for developing local or regional decarbonisation plans, which may also include other decarbonisation measures, such as the exchange of fossil fuels boilers, and to support public authorities in the implementation of energy related policies. Sustainable energy agencies or other entities to assist regional and local authorities may have clear competences, objectives and resources in the field of sustainable energy. Sustainable energy agencies could be encouraged to consider initiatives taken in the framework of the Covenant of Mayors, which brings together local governments voluntarily committed to implementing the Union´s climate and energy objectives, and other existing initiatives for this purpose. The decarbonisation plans should be linked to territorial development	

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	plans and take into account the comprehensive assessment which the Member States should carry out.		plans and take into account the comprehensive assessment which the Member States should carry out.	
Recital 31				
41	(31) Member States should support public bodies in planning and the uptake of energy efficiency improvement measures, including at regional and local levels, by providing guidelines promoting competence building and training opportunities and encouraging cooperation amongst public bodies including amongst agencies. For that purpose, Member States could set up national competence centres on complex issues, such as advising local or regional energy agencies on district heating or cooling.	(31) Member States should support public bodies in planning and the uptake of energy efficiency improvement measures, including at regional and local levels, by providing ***financial and technical support and submitting plans addressing the lack of workforce and qualified professionals needed for all stages of the green transition, including craftspeople as well as high-skilled green technology experts, applied scientists and innovators. Member States should support public bodies to take into account the wider benefits beyond energy savings, such as the improved quality of indoor air and healthier indoor environment as well as an improvement of people's quality of life, in particular for schools, day care centres, nursing homes, sheltered housing and hospitals.***	(31) Member States should support public bodies in planning and the uptake of energy efficiency improvement measures, including at regional and local levels, by providing guidelines promoting competence building and training opportunities and encouraging cooperation amongst public bodies including amongst agencies. For that purpose, Member States could set up national competence centres on complex issues, such as advising local or regional energy agencies on district heating or cooling. **The requirement to transform buildings into nearly zero-energy buildings does not exclude or prohibit a differentiation between nearly zero-energy building levels for new or renovated buildings. The definition of nearly zero-energy**	

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		Member States should provide guidelines promoting competence building and training opportunities and ~~*encouraging*~~***encourage*** cooperation amongst public bodies including amongst agencies. For that purpose, Member States could set up national ***and regional*** competence centres on complex issues, such as advising local or regional energy agencies on district heating or cooling.	**buildings, including the cost-optimal level, is defined in Directive 2010/31/EU.**	
Recital 31a				
41a		***(31a) In a situation of energy security crisis and a surge in energy prices, Member States should be provided with incentives to frontload investments in energy savings. To that end, Member States that renovate more than 3 % of the total floor area of their buildings in any given year during the 2024-2026 period should be given the possibility to count the surplus towards the annual renovation rate of any of the three following years. A Member State that renovates more than 3 % of the total floor area of its buildings***		

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		from 1 January 2027 may count the surplus towards the annual renovation rate of the following two years. That possibility should not be used for purposes that are not in line with the general objectives and the level of ambition of this Directive.		
Recital 32				
42	(32) Buildings and transport, alongside industry, are the main energy users and main source of emissions.[1] Buildings are responsible for about 40% of the Union's total energy consumption and for 36% of its GHG from energy.[2] The Commission Communication entitled Renovation Wave[3] addresses the twin challenge of energy and resource efficiency and affordability in the building sector and aims at doubling the renovation rate. It focusses on the worst performing buildings, energy poverty and on public buildings. Moreover, buildings are crucial to achieving the Union objective of reaching climate neutrality by	(32) Buildings and transport, alongside industry, are the main energy users and main source of emissions.[1] Buildings are responsible for about 40% of the Union's total energy consumption and for 36% of its GHG from energy.[2] The Commission Communication entitled Renovation Wave[3] addresses the twin challenge of energy and resource efficiency and affordability in the building sector and aims at doubling the renovation rate. It focusses on the worst performing buildings, energy poverty and on public buildings. Moreover, buildings are crucial to achieving the Union objective of reaching climate neutrality– by	(32) Buildings and transport, alongside industry, are the main energy users and main source of emissions.[1] Buildings are responsible for about 40% of the Union's total energy consumption and for 36% of its GHG from energy.[2] The Commission Communication entitled Renovation Wave[3] addresses the twin challenge of energy and resource efficiency and affordability in the building sector and aims at doubling the renovation rate. It focusses on the worst performing buildings, energy poverty and on public buildings. Moreover, buildings are crucial to achieving the Union objective of reaching climate neutrality by	

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	2050. Buildings owned by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate to set an annual rate of renovation of buildings owned by public bodies on the territory of a Member State to upgrade their energy performance. Member States are invited to set a higher renovation rate, where that is cost-effective in the framework of the renovation of their buildings stock in conformity with their Long Term Renovation Strategies or national renovation programmes. That renovation rate should be without prejudice to the obligations with regard to nearly-zero energy buildings (NZEBs) set in Directive 2010/31/EU of the European Parliament and of the Council[4]. During the next review of Directive 2010/31/EU, the Commission should assess the progress Member States achieved regarding the renovation of public bodies' buildings. The Commission should consider submitting a legislative proposal to revise the renovation rate, while taking into account the progress achieved by	2050. Buildings owned by public bodies***, and buildings providing services of general interest, such as education (such as day care centres, schools and universities), health (such as hospitals and nursing homes for older people) and social services (such as community centres serving young people, older people and people living in low-income households), or social housing,*** account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate to set an annual rate of renovation of buildings owned by public bodies~~–~~ ***and buildings for social purposes*** on the territory of a Member State to upgrade their energy performance ***and be transformed into at least nearly zero-energy buildings or zero-emission buildings***. Member States are invited to set a higher renovation rate, where that is cost-effective in the framework of the renovation of their buildings stock in conformity with their Long Term Renovation Strategies or national renovation programmes. ~~That~~ ***That*** renovation rate should	2050. Buildings owned by public bodies account for a considerable share of the building stock and have high visibility in public life. It is therefore appropriate to set an annual rate of renovation of buildings owned by public bodies on the territory of a Member State to upgrade their energy performance. Member States are invited to set a higher renovation rate, where that is cost-effective in the framework of the renovation of their buildings stock in conformity with their Long Term Renovation Strategies or national renovation programmes. That renovation rate should be without prejudice to the obligations with regard to nearly-zero energy buildings (NZEBs) set in Directive 2010/31/EU of the European Parliament and of the Council[4]. During the next review of Directive 2010/31/EU, the Commission should assess the progress Member States achieved regarding the renovation of public bodies' buildings. The Commission should consider submitting a legislative proposal to revise the renovation rate, while taking into account the progress achieved by	

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	the Member States, substantial economic or technical developments, or where needed, the Union´s commitments for decarbonisation and zero pollution. The obligation to renovate public bodies' buildings in this Directive complements that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet the requirements on NZEBs . _____ 1. COM/2020/562 final. 2. See IRP, Resource Efficiency and Climate Change, 2020, and UN Environment Emissions Gap Report, 2019. These figures refer to the use and operation of buildings, including indirect emissions in the power and heat sector, not their full life cycle. The embodied carbon in construction is estimated to account for about 10% of total yearly greenhouse gas emissions worldwide. 3. COM/2020/662 final. 4. Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).	be without prejudice to the obligations with regard to nearly-zero energy buildings (NZEBs) set in Directive 2010/31/EU of the European Parliament and of the Council.[4] ***Member States should be able to apply less stringent requirements to some buildings, such as buildings with special architectural or historical merit***[4]. During the next review of Directive 2010/31/EU, the Commission should assess the progress Member States achieved regarding the renovation of public bodies' buildings. The Commission should consider submitting a legislative proposal to revise the renovation rate, while taking into account the progress achieved by the Member States, substantial economic or technical developments, or where needed, the Union's commitments for decarbonisation and zero pollution. The obligation to renovate public bodies'– buildings in this Directive complements that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so	the Member States, substantial economic or technical developments, or where needed, the Union´s commitments for decarbonisation and zero pollution. The obligation to renovate public bodies' buildings in this Directive complements that Directive, which requires Member States to ensure that when existing buildings undergo major renovation their energy performance is upgraded so that they meet the requirements on NZEBs . _____ 1. COM/2020/562 final. 2. See IRP, Resource Efficiency and Climate Change, 2020, and UN Environment Emissions Gap Report, 2019. These figures refer to the use and operation of buildings, including indirect emissions in the power and heat sector, not their full life cycle. The embodied carbon in construction is estimated to account for about 10% of total yearly greenhouse gas emissions worldwide. 3. COM/2020/662 final. 4. Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).	

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		that they meet the requirements on NZEBs. ***Additional guidance should be provided by the Commission and the Member States on the deep renovation of buildings with historic value***. _____ 1. COM/2020/562 final. 2. See IRP, Resource Efficiency and Climate Change, 2020, and UN Environment Emissions Gap Report, 2019. These figures refer to the use and operation of buildings, including indirect emissions in the power and heat sector, not their full life cycle. The embodied carbon in construction is estimated to account for about 10% of total yearly greenhouse gas emissions worldwide. 3. COM/2020/662 final. 4. Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).		
Recital 33				
43	(33) To set the rate of renovations, Member States need to have an overview of the buildings that do not reach the NZEB level. Therefore, Member States should publish and keep updated an inventory of public buildings as part of an overall database of	(33) To set the rate of renovations, Member States need to have an overview of the buildings that do not reach the NZEB level. Therefore, Member States should publish and keep updated an inventory of public buildings ***including social housing*** as part of	(33) To set the rate of renovations, Member States need to have an overview of the buildings that do not reach the NZEB level. Therefore, Member States should publish and keep updated an inventory of public buildings as part of an overall database of	

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	energy performance certificates. That inventory should enable also private actors including energy service companies to propose renovation solutions and they can be aggregated by the Union Building Stock Observatory.	an overall database of energy performance certificates. That inventory should enable also private actors including energy service companies ***(ESCOs)*** to propose renovation solutions and they can be aggregated by the Union Building Stock Observatory.	energy performance certificates. That inventory should enable also private actors including energy service companies to propose renovation solutions and they can be aggregated by the Union Building Stock Observatory.	
Recital 34				
44	(34) In 2020, more than half of the world's population lives in urban areas. That figure is expected to reach 68% by 2050[1]. In addition, half of the urban infrastructures by 2050 are still to be built[2]. Cities and metropolitan areas are centres of economic activity, knowledge generation, innovation and new technologies. Cities influence the quality of life of the citizens who live or work in them. Member States should support municipalities technically and financially. A number of municipalities and other public bodies in the Member States have already put into place integrated approaches to energy saving and energy supply, for example via	(34) In 2020, more than half of the world's population lives in urban areas. That figure is expected to reach 68% by 2050[1]. In addition, half of the urban infrastructures by 2050 are still to be built[2]. Cities and metropolitan areas are centres of economic activity, knowledge generation, innovation and new technologies. Cities influence the quality of life of the citizens who live or work in them. Member States should support municipalities technically and financially. A number of municipalities and other public bodies in the Member States have already put into place integrated approaches to energy saving and energy supply ***and sustainable***	(34) In 2020, more than half of the world's population lives in urban areas. That figure is expected to reach 68% by 2050[1]. In addition, half of the urban infrastructures by 2050 are still to be built[2]. Cities and metropolitan areas are centres of economic activity, knowledge generation, innovation and new technologies. Cities influence the quality of life of the citizens who live or work in them. Member States should support municipalities technically and financially. A number of municipalities and other public bodies in the Member States have already put into place integrated approaches to energy saving and energy supply, for example via	

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	sustainable energy action plans, such as those developed under the Covenant of Mayors initiative, and integrated urban approaches which go beyond individual interventions in buildings or transport modes. _____ 1. https://www.unfpa.org/world-population-trends 2. https://www.un.org/en/ecosoc/integration/pdf/fact_sheet.pdf	***mobility***, for example via sustainable energy action ***plans or sustainable urban mobility*** plans, such as those developed under the Covenant of Mayors initiative, and integrated urban approaches which go beyond individual interventions in buildings or transport modes. ***Further efforts are needed in the area of improving the energy efficiency of urban mobility, for both passenger and freight transport, as it uses around 40 % of all road transport energy. Regulation ... [revised TEN-T Regulation - COD 2021/420] should contribute significantly to addressing the energy efficiency of urban transport with a consistent, integrated and multimodal approach via the requirement to adopt sustainable urban mobility plans (SUMP) as defined in that Regulation. Moreover, in order to reach the goals of this Directive, Member States should strongly encourage as many local authorities as possible to adopt SUMPs in order to contribute to the reduction of energy consumption and avoid unnecessary transport where***	sustainable energy action plans, such as those developed under the Covenant of Mayors initiative, and integrated urban approaches which go beyond individual interventions in buildings or transport modes. _____ 1. https://www.unfpa.org/world-population-trends 2. https://www.un.org/en/ecosoc/integration/pdf/fact_sheet.pdf	

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		possible, in line with the energy efficiency first principle. _____ 1. ***[1]*** https://www.unfpa.org/world-population-trends 2. ***[2]*** https://www.un.org/en/ecosoc/integration/pdf/fact_sheet.pdf		
Recital 34a				
44a			**(34a) All the principles of the Directive 2014/23/EU of the European Parliament and the Council of 26 February 2014 on the award of concession contracts, the Directive 2014/24/EU of the European Parliament and the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC and the Directive 2014/25/EU of the European Parliament and the Council of 26 February 2014 on procurement by entities operating in the water, energy, transport and postal services sectors and repealing Directive 2004/17/EC remain fully applicable within the framework of this Directive.**	

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Recital 35				
45	(35) With regard to the purchase of certain products and services and the purchase and rent of buildings, contracting authorities and contracting entities which conclude public works, supply or service contracts should lead by example and make energy-efficient purchasing decisions and apply the energy efficiency first principle, including for those public contracts and concessions for which no specific requirements are provided for in Annex IV. This should apply to the administrative departments whose competence extends over the whole territory of a Member State. When in a given Member State and for a given competence no such relevant administrative department exists that covers the whole territory, the obligation should apply to those administrative departments whose competences cover collectively the whole territory. The provisions of the Union's public procurement directives should not however be	(35) With regard to the purchase of certain products and services and the purchase and rent of buildings, contracting authorities and contracting entities which conclude public works, supply or service contracts should lead by example and make energy-efficient purchasing decisions and apply the energy efficiency first principle, including for those public contracts and concessions for which no specific requirements are provided for in Annex IV. This should apply to the administrative departments whose competence extends over the whole territory of a Member State. When in a given Member State and for a given competence no such relevant administrative department exists that covers the whole territory, the obligation should apply to those administrative departments whose competences cover collectively the whole territory. The provisions of the Union's public procurement directives should not however be	(35) With regard to the purchase of certain products and services and the purchase and rent of buildings, contracting authorities and contracting entities which conclude public works, supply or service contracts should lead by example and make energy-efficient purchasing decisions and apply the energy efficiency first principle, including for those public contracts and concessions for which no specific requirements are provided for in Annex IV. This should apply to the administrative departments whose competence extends over the whole territory of a Member State. When in a given Member State and for a given competence no such relevant administrative department exists that covers the whole territory, the obligation should apply to those administrative departments whose competences cover collectively the whole territory. The provisions of the Union's public procurement directives should not however be	

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	affected. Member States should remove barriers to joint procurement within a Member State or across borders if this can reduce the costs, enhance the benefits of the internal market by creating business opportunities for suppliers and energy service providers.	affected. Member States should remove barriers to joint procurement within a Member State or across borders if this can reduce the costs, enhance the benefits of the internal market by creating business opportunities for suppliers and energy service providers.	affected. Member States should remove barriers to joint procurement within a Member State or across borders if this can reduce the costs, enhance the benefits of the internal market by creating business opportunities for suppliers and energy service providers.	
Recital 36				
46	(36) All public entities investing public resources through procurement should lead by example when awarding contracts and concessions by choosing products, services works and buildings with the highest energy efficiency performance, also in relation to those procurements that are not subject to specific requirements under Directive 2009/30/EC. In that context, all award procedures for public contracts and concessions with the value above the thresholds set out in Articles 6 and 7 of Directive 2014/23/EU of the European Parliament and of the Council[1], Article 2(1) of Directive	(36) All public entities investing public resources through procurement should lead by example when awarding contracts and concessions by choosing products, services works and buildings with the highest energy efficiency performance, also in relation to those procurements that are not subject to specific requirements under Directive 2009/30/EC. In that context, all award procedures for public contracts and concessions with the value above the thresholds set out in Articles 6 and 7 of Directive 2014/23/EU of the European Parliament and of the Council[1], Article 2(1) of Directive	(36) All public entities investing public resources through procurement should lead by example when awarding contracts and concessions by choosing products, services works and buildings with the highest energy efficiency performance, also in relation to those procurements that are not subject to specific requirements under Directive 2009/30/EC. In that context, all award procedures for public contracts and concessions with the value above the thresholds set out in Articles 6 and 7 of Directive 2014/23/EU of the European Parliament and of the Council[1], Article 2(1) of Directive	

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	2014/24/EU of the European Parliament and of the Council[2], and Articles 3 and 4 of Directive 2014/25/EU of the European Parliament and of the Council, need to take into account the energy efficiency performance of the products, buildings and services set by Union or national law, by considering as priority the energy efficiency first principle in their procurement procedures, _____ 1. Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1. 2. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	2014/24/EU of the European Parliament and of the Council[2], and Articles 3 and 4 of Directive 2014/25/EU of the European Parliament and of the Council, need to take into account the energy efficiency performance of the products, buildings and services set by Union or national law, by considering as priority the energy efficiency first principle in their procurement procedures, _____ 1. Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1. 2. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	2014/24/EU of the European Parliament and of the Council[2], and Articles 3 and 4 of Directive 2014/25/EU of the European Parliament and of the Council, need to take into account the energy efficiency performance of the products, buildings and services set by Union or national law, by considering as priority the energy efficiency first principle in their procurement procedures, _____ 1. Directive 2014/23/EU of the European Parliament and of the Council of 26 February 2014 on the award of concession contracts, OJ L 94, 28.3.2014, p. 1. 2. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	
Recital 37				
47	(37) It is also important that Member States monitor how the energy efficiency requirements are taken into account by contracting authorities and contracting entities in the procurement of products, buildings, works and services by ensuring that information about the	(37) It is also important that Member States monitor how the energy efficiency requirements are taken into account by contracting authorities and contracting entities in the procurement of products, buildings, works and services by ensuring that information about the	(37) It is also important that Member States monitor how the energy efficiency requirements are taken into account by contracting authorities and contracting entities in the procurement of products, buildings, works and services by ensuring that information about the	

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	impact on energy efficiency of those winning tenders above the thresholds referred to in the procurement directives are made publically available. That allows stakeholders and citizens to assess the role of public sector towards ensuring energy efficiency first in public procurement in a transparent manner.	impact on energy efficiency of those winning tenders above the thresholds referred to in the procurement directives are made publically available. That allows stakeholders and citizens to assess the role of public sector towards ensuring energy efficiency first in public procurement in a transparent manner.	impact on energy efficiency of those winning tenders above the thresholds referred to in the procurement directives are made publically available. That allows stakeholders and citizens to assess the role of public sector towards ensuring energy efficiency first in public procurement in a transparent manner.	
Recital 38				
48	(38) The European Green Deal recognises the role of circular economy in contributing to overall Union decarbonisation objectives. The public sector can contribute to those objectives by using their purchasing power to, where appropriate, choose environmentally friendly products, buildings, services and works via available tools for green public procurement, and thus making an important contribution to reduce energy consumption and environmental impacts.	(38) The European Green Deal recognises the role of circular economy in contributing to overall Union decarbonisation objectives. The public sector ~~can~~***should*** contribute to those objectives by using their purchasing power to, where appropriate, choose environmentally friendly products, buildings, services and works via available tools for green public procurement, and thus making an important contribution to reduce energy consumption and environmental impacts.	(38) The European Green Deal recognises the role of circular economy in contributing to overall Union decarbonisation objectives. The public sector can contribute to those objectives by using their purchasing power to, where appropriate, choose environmentally friendly products, buildings, services and works via available tools for green public procurement, and thus making an important contribution to reduce energy consumption and environmental impacts.	
Recital 39				

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49	(39) It is important that Member States provide the necessary support to public bodies in the uptake of energy efficiency requirements in public procurement and, where appropriate, use of green public procurement, by providing necessary guidelines and methodologies on carrying out the assessment of life-cycle costs, and environment impacts and costs. Well-designed tools, in particular digital tools, are expected to facilitate the procurement procedures and reduce the administrative costs especially in smaller Member States that may not have sufficient capacity to prepare tenders. In this regard, Member States should actively promote the use of digital tools and cooperation amongst contracting authorities including across borders for the purpose of exchanging best practice.	(39) It is important that Member States provide the necessary support to public bodies in the uptake of energy efficiency requirements in public procurement and~~, *where appropriate,*~~ use of green public procurement, by providing necessary guidelines and methodologies on carrying out the assessment of life-cycle costs, and environment impacts and costs. Well-designed tools, in particular digital tools, are expected to facilitate the procurement procedures and reduce the administrative costs especially in smaller Member States that may not have sufficient capacity to prepare tenders. In this regard, Member States should actively promote the use of digital tools and cooperation amongst contracting authorities including across borders for the purpose of exchanging best practice.	(39) It is important that Member States provide the necessary support to public bodies in the uptake of energy efficiency requirements in public procurement and, where appropriate, use of green public procurement, by providing necessary guidelines and methodologies on carrying out the assessment of life-cycle costs, and environment impacts and costs. Well-designed tools, in particular digital tools, are expected to facilitate the procurement procedures and reduce the administrative costs especially in smaller Member States that may not have sufficient capacity to prepare tenders. In this regard, Member States should actively promote the use of digital tools and cooperation amongst contracting authorities including across borders for the purpose of exchanging best practice.	
Recital 40				
50	(40) Given that buildings are	(40) Given that buildings are	(40) Given that buildings are	

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	responsible for greenhouse gas emissions before and after their operational lifetime, Member States should also consider the whole life-cycle of carbon emissions of buildings. That takes place in the context of efforts to increase attention to whole life cycle performance, circular economy aspects and environmental impacts, as part of the exemplary role of the public sector. Public procurement can thus serve as an opportunity to address the embodied carbon in buildings over their life-cycle. In this regard, contracting authorities are important actors that can take action as part of procurement procedures by purchasing new buildings that address global warming potential over the full life-cycle.	responsible for greenhouse gas emissions before and after their operational lifetime, Member States should also consider the whole life-cycle of carbon emissions of buildings. That takes place in the context of efforts to increase attention to whole life cycle performance, circular economy aspects and environmental impacts, as part of the exemplary role of the public sector. Public procurement can thus serve as an opportunity to address the embodied carbon in buildings over their life-cycle. In this regard, contracting authorities are important actors that ~~can~~***should*** take action as part of procurement procedures by purchasing new buildings that address global warming potential over the full life-cycle.	responsible for greenhouse gas emissions before and after their operational lifetime, Member States should also consider the whole life-cycle of carbon emissions of buildings. That takes place in the context of efforts to increase attention to whole life cycle performance, circular economy aspects and environmental impacts, as part of the exemplary role of the public sector. Public procurement can thus serve as an opportunity to address the embodied carbon in buildings over their life-cycle. In this regard, contracting authorities are important actors that can take action as part of procurement procedures by purchasing new buildings that address global warming potential over the full life-cycle.	
Recital 41				
51	(41) The global warming potential over the full life-cycle measures the greenhouse gas emissions associated with the building at different stages along its life cycle.	(41) The global warming potential over the full life-cycle measures the greenhouse gas emissions associated with the building at different stages along its life cycle.	(41) The global warming potential over the full life-cycle measures the greenhouse gas emissions associated with the building at different stages along its life cycle.	

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	It therefore measures the building's overall contribution to emissions that lead to climate change. That is sometimes referred to as a carbon footprint assessment or the whole life carbon measurement. It brings together carbon emissions embodied in building materials with direct and indirect carbon emissions from use stage. Buildings are a significant material bank, being repositories for carbon intensive resources over many decades, and so it is important to explore designs that facilitate future reuse and recycling at the end of the operational life.	It therefore measures the building's overall contribution to emissions that lead to climate change. That is sometimes referred to as a carbon footprint assessment or the whole life carbon measurement. It brings together carbon emissions embodied in building materials with direct and indirect carbon emissions from use stage. Buildings are a significant material bank, being repositories for carbon intensive resources over many decades, and so it is important to explore designs that facilitate future reuse and recycling at the end of the operational life ***in line with the new circular economy action plan. Member States should promote circularity, durability, and adaptability of building materials, in order to address the sustainability performance of construction products while setting a competitive and attractive cost, by using all the available financial instruments to provide incentives for the use of circular materials***.	It therefore measures the building's overall contribution to emissions that lead to climate change. That is sometimes referred to as a carbon footprint assessment or the whole life carbon measurement. It brings together carbon emissions embodied in building materials with direct and indirect carbon emissions from use stage. Buildings are a significant material bank, being repositories for carbon intensive resources over many decades, and so it is important to explore designs that facilitate future reuse and recycling at the end of the operational life.	
Recital 42				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
52	(42) The global warming potential is expressed as a numeric indicator in kgCO2e/m² (of useful internal floor area) for each life-cycle stage averaged for one year of a reference study period of 50 years. The data selection, scenario definition and calculations are carried out in accordance with standard EN 15978. The scope of building elements and technical equipment are set out in indicator 1,2 of the Level(s) common Union framework. Where a national calculation tool exists, or is required for making disclosures or for obtaining building permits, it should be possible to use that national tool to provide the required information. It should be possible to use other calculation tools, if they fulfil the minimum criteria laid down by the Level(s) common Union framework.	(42) The global warming potential is expressed as a numeric indicator in kgCO2e/m² (of useful internal floor area) for each life-cycle stage averaged for one year of a reference study period of 50 years. The data selection, scenario definition and calculations are carried out in accordance with standard EN 15978. The scope of building elements and technical equipment are set out in indicator 1,2 of the Level(s) common Union framework. Where a national calculation tool exists, or is required for making disclosures or for obtaining building permits, it should be possible to use that national tool to provide the required information. It should be possible to use other calculation tools, if they fulfil the minimum criteria laid down by the Level(s) common Union framework.	(42) The global warming potential is expressed as a numeric indicator in kgCO2e/m² (of useful internal floor area) for each life-cycle stage averaged for one year of a reference study period of 50 years. The data selection, scenario definition and calculations are carried out in accordance with standard EN 15978. The scope of building elements and technical equipment are set out in indicator 1,2 of the Level(s) common Union framework. Where a national calculation tool exists, or is required for making disclosures or for obtaining building permits, it should be possible to use that national tool to provide the required information. It should be possible to use other calculation tools, if they fulfil the minimum criteria laid down by the Level(s) common Union framework.	
Recital 43				
53	(43) Directive 2010/75/EU of the European Parliament and of the Council[1] governs installations that	(43) Directive 2010/75/EU of the European Parliament and of the Council[1] governs installations that	(43) Directive 2010/75/EU of the European Parliament and of the Council[1] governs installations that	

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	contribute to energy production or use energy for production purposes, and information on the energy used in or generated by the installation must be included in applications for integrated permits (Article 12(1)(b)). Moreover, that Directive specifies in Article 11 of that Directive that efficient use of energy is one of the general principles governing the basic obligations of the operator and one of the criteria for determining best available techniques pursuant to Annex III of the Directive 2010/75/EU. The operational efficiency of energy systems at any given moment is influenced by the ability to feed power generated from different sources — with different degrees of inertia and start-up times — into the grid smoothly and flexibly. Improving efficiency will enable better use to be made of renewable energy. _____ 1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), OJ L 334, 17.12.2010, p. 17.	contribute to energy production or use energy for production purposes, and information on the energy used in or generated by the installation must be included in applications for integrated permits (Article 12(1)(b)). Moreover, that Directive specifies in Article 11 of that Directive that efficient use of energy is one of the general principles governing the basic obligations of the operator and one of the criteria for determining best available techniques pursuant to Annex III of the Directive 2010/75/EU. The operational efficiency of energy systems at any given moment is influenced by the ability to feed power generated from different sources — with different degrees of inertia and start-up times — into the grid smoothly and flexibly. Improving efficiency will enable better use to be made of renewable energy. _____ 1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), OJ L 334, 17.12.2010, p. 17.	contribute to energy production or use energy for production purposes, and information on the energy used in or generated by the installation must be included in applications for integrated permits (Article 12(1)(b)). Moreover, that Directive specifies in Article 11 of that Directive that efficient use of energy is one of the general principles governing the basic obligations of the operator and one of the criteria for determining best available techniques pursuant to Annex III of the Directive 2010/75/EU. The operational efficiency of energy systems at any given moment is influenced by the ability to feed power generated from different sources — with different degrees of inertia and start-up times — into the grid smoothly and flexibly. Improving efficiency will enable better use to be made of renewable energy. _____ 1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control), OJ L 334, 17.12.2010, p. 17.	
Recital 44				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
54	(44) Improvement in energy efficiency can contribute to higher economic output. Member States and the Union should aim to decrease energy consumption regardless of levels of economic growth.	(44) Improvement in energy efficiency can contribute to higher economic output. Member States and the Union should aim to decrease energy consumption regardless of levels of economic growth.	(44) Improvement in energy efficiency can contribute to higher economic output. Member States and the Union should aim to decrease energy consumption regardless of levels of economic growth.	
Recital 45				
55	(45) The energy savings obligation established by this Directive should be increased and should also apply after 2030 . That ensures stability for investors and thus encourage long-term investments and long-term energy efficiency measures, such as the deep renovation of buildings with the long-term objective of facilitating the cost effective transformation of existing buildings into NZEBs. The energy savings obligation has an important role in the creation of local growth, jobs, competitiveness and alleviating energy poverty. It should ensure that the Union can achieve its energy and climate objectives by creating further	(45) -The energy savings obligation established by this Directive should be increased and should also apply after 2030-. That ensures– stability for investors and thus encourage long-term investments and long-term energy efficiency measures, such as the deep renovation of buildings with the long-term objective of facilitating the cost effective transformation of existing buildings into NZEBs. ***Deep renovations that improve the energy performance of a building by at least 60 % are currently carried out annually in only 0,2 % of the building stock, and energy efficiency is significantly improved in only a fifth of the***	(45) The energy savings obligation established by this Directive should be increased and should also apply after 2030 . That ensures stability for investors and thus encourage long-term investments and long-term energy efficiency measures, such as the deep renovation of buildings with the long-term objective of facilitating the cost effective transformation of existing buildings into NZEBs. The energy savings obligation has an important role in the creation of local growth, jobs, competitiveness and alleviating energy poverty. It should ensure that the Union can achieve its energy and climate objectives by creating further	

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	opportunities and to break the link between energy consumption and growth. Cooperation with the private sector is important to assess the conditions on which private investment for energy efficiency projects can be unlocked and to develop new revenue models for innovation in the field of energy efficiency.	***cases.*** The energy savings obligation has an important role in the creation of local growth, jobs, competitiveness and alleviating energy poverty. ~~It~~ ***It*** should ensure that the Union can achieve its energy and climate objectives by creating further opportunities and to break the link between energy consumption and growth. Cooperation with the private sector is important to assess the conditions on which private investment for energy efficiency projects can be unlocked and to develop new revenue models for innovation in the field of energy efficiency.	opportunities and to break the link between energy consumption and growth. Cooperation with the private sector is important to assess the conditions on which private investment for energy efficiency projects can be unlocked and to develop new revenue models for innovation in the field of energy efficiency.	
Recital 46				
56	(46) Energy efficiency improvement measures also have a positive impact on air quality, as more energy efficient buildings contribute to reducing the demand for heating fuels, including solid heating fuels. Energy efficiency measures therefore contribute to improving indoor and outdoor air quality and help achieve, in a cost	(46) Energy efficiency improvement measures also have a positive impact on air quality, as more energy efficient buildings contribute to reducing the demand for heating fuels, including solid heating fuels. Energy efficiency measures therefore contribute to improving indoor and outdoor air quality and help achieve, in a cost	(46) Energy efficiency improvement measures also have a positive impact on air quality, as more energy efficient buildings contribute to reducing the demand for heating fuels, including solid heating fuels. Energy efficiency measures therefore contribute to improving indoor and outdoor air quality and help achieve, in a cost	

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	effective manner, the objectives of the Union's air quality policy, as established in particular by Directive (EU) 2016/2284 of the European Parliament and of the Council[1]. _____ 1. Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).	effective manner, the objectives of the Union's air quality policy, as established in particular by Directive (EU) 2016/2284 of the European Parliament and of the Council[1]. _____ 1. Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).	effective manner, the objectives of the Union's air quality policy, as established in particular by Directive (EU) 2016/2284 of the European Parliament and of the Council[1]. _____ 1. Directive (EU) 2016/2284 of the European Parliament and of the Council of 14 December 2016 on the reduction of national emissions of certain atmospheric pollutants, amending Directive 2003/35/EC and repealing Directive 2001/81/EC (OJ L 344, 17.12.2016, p. 1).	
Recital 47				
57	(47) Member States are required to achieve cumulative end-use energy savings for the entire obligation period up to 2030, equivalent to new annual savings of at least 0,8% of final energy consumption up to 31 December 2023 and of at least 1,5% as of 1 January 2024 . That requirement could be met by new policy measures that are adopted during the obligation period from 1 January 2021 to 31 December 2030 or by new individual actions as a result of policy measures adopted during or	(47) Member States are required to achieve cumulative end-use energy savings for the entire obligation period ~~up~~ ***up*** to 2030, equivalent to new annual savings of at least 0,8% of final energy consumption up to 31 December 2023 and of at least ~~1,5%~~***2 %*** as of 1 January 2024 . That requirement could be met by new policy measures that are adopted during the obligation period from 1 January 2021 to 31 December 2030 or by new individual actions as a result of policy measures adopted during or	(47) Member States are required to achieve cumulative end-use energy savings for the entire obligation period up– to 2030, equivalent to new annual savings of at least 0,8% of final energy consumption up to 31 December 2023 and of at least 1,~~5%~~**1%** as of 1 January 2024**; 1,3% as of 1 January 2026 and 1,5% as of 1 January 2028**-. That requirement could be met by new policy measures that are adopted during the obligation period from 1 January 2021 to 31 December 2030 or by new	

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	before the previous period, provided that the individual actions that trigger energy savings are introduced during the following period. To that end, Member States should be able to make use of an energy efficiency obligation scheme, alternative policy measures, or both.	before the previous period, provided that the individual actions that trigger energy savings are introduced during the following period. To that end, Member States should be able to make use of an energy efficiency obligation scheme, alternative policy measures, or both.	individual actions as a result of policy measures adopted during or before the previous period, provided that the individual actions that trigger energy savings are introduced during the following period. To that end, Member States should be able to make use of an energy efficiency obligation scheme, alternative policy measures, or both.	
Recital 48				
58	(48) For the period 2021 to 31 December 2023, Cyprus and Malta should be required to achieve cumulative end-use energy savings equivalent to new savings of 0,24 % of final energy consumption only for the period 2021 to 2030. That individual savings rate should cease to apply from 1 January 2024.	(48) For the period 2021 to 31 December 2023, Cyprus and Malta should be required to achieve cumulative end-use energy savings equivalent to new savings of 0,24 % of final energy consumption only for the period 2021 to 2030. That individual savings rate should cease to apply from 1 January 2024.	(48) For the period 2021 to 31 December 2023,– Cyprus and Malta should be required to achieve cumulative end-use energy savings equivalent to new savings of 0,24 % of final energy consumption only– for the period 2021 to ~~2030. That individual~~**2023 and new new** savings ~~rate should cease to apply from~~**each year from 1 January 2024 to 31 December 2030 equivalent to 0,45 % of annual final energy consumption, averaged over the most recent three-year period prior to** 1 January ~~2024~~**2019**.	

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Recital 49				
59	(49) Where using an obligation scheme, Member States should designate obligated parties among transmission system operators, energy distributors, retail energy sales companies and transport fuel distributors or retailers on the basis of objective and non-discriminatory criteria. The designation or exemption from designation of certain categories of such distributors or retailers should not be understood to be incompatible with the principle of non-discrimination. Member States are therefore able to choose whether such transmission system operators, distributors or retailers or only certain categories thereof are designated as obligated parties. To empower and protect vulnerable customers, people affected by energy poverty and people living in social housing, and to implement policy measures as a priority among those people, Member States can require obligated parties to achieve energy savings among vulnerable customers, people affected by energy poverty and	(49) Where using an obligation scheme, Member States should designate obligated parties among transmission ***system operators, distribution*** system operators, energy distributors, retail energy sales companies and transport fuel distributors or retailers on the basis of objective and non-discriminatory criteria. The designation or exemption from designation of certain categories of such distributors or retailers should not be understood to be incompatible with the principle of non-discrimination. Member States are therefore able to choose whether such transmission system operators, ***distribution system operators,*** distributors or retailers or only certain categories thereof are designated as obligated parties. To empower and protect vulnerable customers ***and low-income households***, people affected by energy poverty and people living in social housing, and to implement policy measures as a priority among those people, Member States can require obligated parties	(49) Where using an obligation scheme, Member States should designate obligated parties among transmission system operators, energy distributors, retail energy sales companies and transport fuel distributors or retailers on the basis of objective and non-discriminatory criteria. The designation or exemption from designation of certain categories of such distributors or retailers should not be understood to be incompatible with the principle of non-discrimination. Member States are therefore able to choose whether such transmission system operators, distributors or retailers or only certain categories thereof are designated as obligated parties. To empower and protect vulnerable customers, people affected by energy poverty and people living in social housing, and to implement policy measures as a priority among those people, Member States can require obligated parties to achieve energy savings among vulnerable customers, people affected by energy poverty and	

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	people living in social housing. For that purpose, Member States can also establish energy cost reduction targets. Obligated parties could achieve these targets by promoting the installation of measures that lead to energy savings and financial savings on energy bills, such as the installation of insulation and heating measures.	to achieve energy savings among vulnerable customers, people affected by energy poverty and people living in social housing. For that purpose, Member States can also establish energy cost reduction targets. Obligated parties could achieve these targets by promoting the installation of measures that lead to energy savings and financial savings on energy bills, such as the installation of insulation and heating measures, ***and by supporting energy savings initiatives by renewable energy communities and citizen energy communities. Those measures can be particularly beneficial to vulnerable customers, people affected by energy poverty and people living in social housing, as those people tend to live in worse-performing buildings and thus stand to benefit the most from energy efficiency improvements***.	people living in social housing. For that purpose, Member States can also establish energy cost reduction targets. Obligated parties could achieve these targets by promoting the installation of measures that lead to energy savings and financial savings on energy bills, such as the installation of insulation and heating measures.	
Recital 50				
60	(50) When designing policy measures to fulfil the energy savings obligation, Member States	(50) When designing policy measures to fulfil the energy savings obligation, Member States	(50) When designing policy measures to fulfil the energy savings obligation, Member States	

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	should respect the climate and environmental standards and priorities of the Union and comply with the principle of 'do no significant harm' within the meaning of Regulation (EU) 2020/852[1]. Member States should not promote activities that are not environmentally sustainable such as use of solid fossil fuels. The energy savings obligation aims at strengthening the response to climate change by promoting incentives to Member States to implement a sustainable and clean policy mix, which is resilient, and mitigates climate change. Therefore, energy savings from policy measures regarding the use of direct fossil fuel combustion will not be eligible energy savings under energy savings obligation as of transposition of this Directive. It will allow aligning the energy savings obligation with the objectives of the European Green Deal, the Climate Target Plan, the Renovation Wave Strategy, and mirror the need for action identified by the IEA in its net zero report[2]. The restriction aims at encouraging Member States to	should respect the climate and environmental standards and priorities of the Union and comply with the principle of 'do no significant harm' within the meaning of Regulation (EU) 2020/852[1]. Member States should not promote activities that are not environmentally sustainable such as use of ~~solid~~ fossil fuels. The energy savings obligation aims at strengthening the response to climate change by promoting incentives to Member States to implement a sustainable and clean policy mix, which is resilient, and mitigates climate change. Therefore, energy savings from policy measures regarding the use of direct fossil fuel combustion ~~will not~~***may*** be eligible energy savings under energy savings obligation ~~as of~~***under certain conditions and for a certain period following the*** transposition of this Directive ***in accordance with Annex V***. It will allow aligning the energy savings obligation with the objectives of the European Green Deal, the Climate Target Plan, the Renovation Wave Strategy, and mirror the need for action	should respect the climate and environmental standards and priorities of the Union and comply with the principle of 'do no significant harm' within the meaning of Regulation (EU) 2020/852[1]. Member States should not promote activities that are not environmentally sustainable such as use of solid fossil fuels. The energy savings obligation aims at strengthening the response to climate change by promoting incentives to Member States to implement a sustainable and clean policy mix, which is resilient, and mitigates climate change. Therefore, energy savings from policy measures regarding the use of direct fossil fuel combustion will not be eligible energy savings under energy savings obligation as of transposition of this Directive. It will allow aligning the energy savings obligation with the objectives of the European Green Deal, the Climate Target Plan, the Renovation Wave Strategy, and mirror the need for action identified by the IEA in its net zero report[2]. The restriction aims at encouraging Member States to	

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	spend public money into future-proof, sustainable technologies only. It is important that Member States provide a clear policy framework and investment certainty to market actors. The implementation of the calculation methodology under energy savings obligation should allow all market actors to adapt their technologies in a reasonable timeframe. Where Member States support the uptake of efficient fossil fuel technologies or early replacement of such technology, for example through subsidy schemes or energy efficiency obligation schemes, energy savings may not be eligible anymore under the energy savings obligation. While energy savings resulting, for example, from the promotion of natural gas-based cogeneration would not be eligible, the restriction would not apply for indirect fossil fuel usage, for example where the electricity production includes fossil fuel generation. Policy measures targeting behavioural changes to reduce the consumption of fossil fuel, for example through information campaigns, eco-	identified by the IEA in its net zero report[2]. The restriction aims at encouraging Member States to spend public money into future-proof, sustainable technologies only. It is important that Member States provide a clear policy framework and investment certainty to market actors. The implementation of the calculation methodology under energy savings obligation should allow all market actors to adapt their technologies in a reasonable timeframe. Where Member States support the uptake of efficient fossil fuel technologies or early replacement of such technology, for example through subsidy schemes or energy efficiency obligation schemes, energy savings may not be eligible anymore under the energy savings obligation. While energy savings resulting, for example, from the promotion of natural gas-based cogeneration would not be eligible, the restriction would not apply for indirect fossil fuel usage, for example where the electricity production includes fossil fuel generation. Policy measures targeting behavioural changes to	spend public money into future-proof, sustainable technologies only. It is important that Member States provide a clear policy framework and investment certainty to market actors. The implementation of the calculation methodology under energy savings obligation should allow all market actors to adapt their technologies in a reasonable timeframe. Where Member States support the uptake of efficient fossil fuel technologies or early replacement of such technology, for example through subsidy schemes or energy efficiency obligation schemes, energy savings may not be eligible anymore under the energy savings obligation. While energy savings resulting, for example, from the promotion of natural gas-based cogeneration would not be eligible, the restriction would not apply for indirect fossil fuel usage, for example where the electricity production includes fossil fuel generation. Policy measures targeting behavioural changes to reduce the consumption of fossil fuel, for example through information campaigns, eco-	

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	driving, should remain eligible. The energy savings from policy measures targeting building renovations may contain measures such as a replacement of fossil fuel heating systems together with building fabric improvements, which should be limited to those technologies that allow achieving the required energy savings according to the national building codes established in a Member State. Nevertheless, Member States should promote upgrading heating systems as part of deep renovations in line with the long-term objective of carbon neutrality, i.e. reducing the heating demand and covering the remaining heating demand with a carbon-free energy source. _____ 1. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, OJ L 198, 22.6.2020, p. 13–43. 2. IEA (International Energy Agency) (2021), Net Zero by 2050 A Roadmap for the Global Energy Sector, https://www.iea.org/reports/net-zero-by-2050.	reduce the consumption of fossil fuel, for example through information campaigns, eco-driving, should remain eligible. The energy savings from policy measures targeting building renovations may contain measures such as a replacement of fossil fuel heating systems together with building fabric improvements, which should be limited to those technologies that allow achieving the required energy savings according to the national building codes established in a Member State. Nevertheless, Member States should promote upgrading heating systems as part of deep renovations in line with the long-term objective of carbon neutrality, i.e. reducing the heating demand and covering the remaining heating demand with a carbon-free energy source. ***When accounting for the savings needed to achieve a share of the energy savings obligation among people affected by energy poverty, Member States may take into account their climatic conditions.*** _____ 1. ***[1]*** Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the	driving, should remain eligible. The energy savings from policy measures targeting building renovations may contain measures such as a replacement of fossil fuel heating systems together with building fabric improvements, which should be limited to those technologies that allow achieving the required energy savings according to the national building codes established in a Member State. Nevertheless, Member States should promote upgrading heating systems as part of deep renovations in line with the long-term objective of carbon neutrality, i.e. reducing the heating demand and covering the remaining heating demand with a carbon-free energy source. _____ 1. Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, OJ L 198, 22.6.2020, p. 13–43. 2. IEA (International Energy Agency) (2021), Net Zero by 2050 A Roadmap for the Global Energy Sector, https://www.iea.org/reports/net-zero-by-2050.	

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		establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088, OJ L 198, 22.6.2020, p. 13–43. 2. ***[2]*** IEA (International Energy Agency) (2021), Net Zero by 2050 A Roadmap for the Global Energy Sector, https://www.iea.org/reports/net-zero-by-2050.		
Recital 51				
61	(51) Member States' energy efficiency improvement measures in transport are eligible to be taken into account for achieving their end-use energy savings obligation. Such measures include policies that are, inter alia, dedicated to promoting more efficient vehicles, a modal shift to cycling, walking and collective transport, or mobility and urban planning that reduces demand for transport. In addition, schemes which accelerate the uptake of new, more efficient vehicles or policies fostering a shift to fuels with reduced levels of emissions, except policy measures regarding the use of direct fossil fuel combustion, that reduce energy use per kilometre are also capable of being eligible, subject to	(51) Member States' energy efficiency improvement measures in transport are eligible to be taken into account for achieving their end-use energy savings obligation. Such measures include policies that are, inter alia, dedicated to promoting more efficient vehicles, ***including battery powered modes of transport,*** a modal shift to cycling, walking and collective transport, or mobility and urban planning that reduces demand for transport. In addition, schemes which accelerate the uptake of new, more efficient vehicles or policies fostering a shift to fuels with reduced levels of ***greenhouse gas*** emissions, except policy measures regarding the use of direct fossil fuel combustion, that	(51) Member States' energy efficiency improvement measures in transport are eligible to be taken into account for achieving their end-use energy savings obligation. Such measures include policies that are, inter alia, dedicated to promoting more efficient vehicles, a modal shift to cycling, walking and collective transport, or mobility and urban planning that reduces demand for transport. In addition, schemes which accelerate the uptake of new, more efficient vehicles or policies fostering a shift to fuels with reduced levels of emissions, except policy measures regarding the use of direct fossil fuel combustion, that reduce energy use per kilometre are also capable of being eligible, subject to	

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	compliance with the rules on materiality and additionality set out in Annex V to this Directive. Policy measures promoting the uptake of new fossil fuel vehicles should not qualify as eligible measures under the energy savings obligation.	reduce energy use per kilometre are also capable of being eligible, subject to compliance with the rules on materiality and additionality set out in Annex V to this Directive. Policy measures promoting the uptake of new fossil fuel vehicles should not qualify as eligible measures under the energy savings obligation.	compliance with the rules on materiality and additionality set out in Annex V to this Directive. Policy measures promoting the uptake of new fossil fuel vehicles should not qualify as eligible measures under the energy savings obligation.	
Recital 52				
62	(52) Measures taken by Member States pursuant to Regulation (EU) 2018/842 of the European Parliament and of the Council[1] and which result in verifiable, and measurable or estimable, energy efficiency improvements can be considered to be a cost-effective way for Member States to fulfil their energy-saving obligation under this Directive. _____ 1. Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No	(52) Measures taken by Member States pursuant to Regulation (EU) 2018/842 of the European Parliament and of the Council[1] and which result in verifiable, and measurable or estimable, energy efficiency improvements can be considered to be a cost-effective way for Member States to fulfil their energy-saving obligation under this Directive. _____ 1. Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No	(52) Measures taken by Member States pursuant to Regulation (EU) 2018/842 of the European Parliament and of the Council[1] and which result in verifiable, and measurable or estimable, energy efficiency improvements can be considered to be a cost-effective way for Member States to fulfil their energy-saving obligation under this Directive. _____ 1. Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No	

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	525/2013 (OJ L 156, 19.6.2018, p. 26).	525/2013 (OJ L 156, 19.6.2018, p. 26).	525/2013 (OJ L 156, 19.6.2018, p. 26).	
Recital 53				
63	(53) As an alternative to requiring obligated parties to achieve the amount of cumulative end-use energy savings required under Article 8(1) of this Directive, it should be possible for Member States, in their obligation schemes, to permit or require obligated parties to contribute to an Energy Efficiency National Fund, which could be used to implement policy measures as a priority among vulnerable customers, people affected by energy poverty and people living in social housing.	(53) As an alternative to requiring obligated parties to achieve the amount of cumulative end-use energy savings required under Article 8(1) of this Directive, it should be possible for Member States, in their obligation schemes, to permit or require obligated parties to contribute to an Energy Efficiency National Fund, which could be used to implement policy measures as a priority among vulnerable customers, people affected by energy poverty and people living in social housing.	(53) As an alternative to requiring obligated parties to achieve the amount of cumulative end-use energy savings required under Article 8(1) of this Directive, it should be possible for Member States, in their obligation schemes, to permit or require obligated parties to contribute to an Energy Efficiency National Fund, which could be used to implement policy measures as a priority among vulnerable customers, people affected by energy poverty and people living in social housing.	
Recital 54				
64	(54) Member States and obligated parties should make use of all available means and technologies, except regarding the use of direct fossil fuel combustion technologies, to achieve the cumulative end-use energy savings required, including by promoting	(54) Member States and obligated parties should make use of all available means and technologies, except regarding the use of direct fossil fuel combustion technologies, to achieve the cumulative end-use energy savings required, including by promoting	(54) Member States and obligated parties should make use of all available means and technologies, except regarding the use of direct fossil fuel combustion technologies, to achieve the cumulative end-use energy savings required, including by promoting	

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	sustainable technologies in efficient district heating and cooling systems, efficient heating and cooling infrastructure and energy audits or equivalent management systems, provided that the energy savings claimed comply with the requirements laid down in Article 8 and Annex V to this Directive. Member States should aim for a high degree of flexibility in the design and implementation of alternative policy measures. Member States should encourage actions resulting in energy savings over the long lifetimes.	***smart and*** sustainable technologies in efficient district heating and cooling systems, efficient heating and cooling infrastructure***, efficient and smart buildings, electrical vehicles and industries*** and energy audits or equivalent management systems, provided that the energy savings claimed comply with the requirements laid down in Article 8 and Annex V to this Directive. Member States should aim for a high degree of flexibility in the design and implementation of alternative policy measures. Member States should encourage actions resulting in energy savings over the ~~long lifetimes~~***whole lifecycle***.	sustainable technologies in efficient district heating and cooling systems, efficient heating and cooling infrastructure and energy audits or equivalent management systems, provided that the energy savings claimed comply with the requirements laid down in Article 8 and Annex V to this Directive. Member States should aim for a high degree of flexibility in the design and implementation of alternative policy measures. Member States should encourage actions resulting in energy savings over the long lifetimes.	
Recital 55				
65	(55) Long-term energy efficiency measures will continue to deliver energy savings after 2020 but, in order to contribute to the Union's 2030 energy efficiency target, those measures should deliver new savings after 2020. On the other hand, energy savings achieved after 31 December 2020 should not	(55) Long-term energy efficiency measures will continue to deliver energy savings after 2020 but, in order to contribute to the Union's 2030 energy efficiency target, those measures should deliver new savings after 2020. On the other hand, energy savings achieved after 31 December 2020 should not	(55) Long-term energy efficiency measures will continue to deliver energy savings after 2020 but, in order to contribute to the Union's 2030 energy efficiency target, those measures should deliver new savings after 2020. On the other hand, energy savings achieved after 31 December 2020 should not	

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	count towards the cumulative end-use energy savings required for the period from 1 January 2014 to 31 December 2020.	count towards the cumulative end-use energy savings required for the period from 1 January 2014 to 31 December 2020.	count towards the cumulative end-use energy savings required for the period from 1 January 2014 to 31 December 2020.	
Recital 56				
66	(56) New savings should be additional to 'business as usual', so that savings that would have occurred in any event should not count towards the achievement of the energy savings requirements. In order to calculate the impact of the measures introduced, only net savings, measured as the change of energy consumption that is directly attributable to the energy efficiency measure in question implemented for the purpose of Article 8 of this Directive , should be counted. To calculate net savings, Member States should establish a baseline scenario of how the situation would evolve in the absence of the measure in question. The policy measure in question should be evaluated against that baseline. Member States should take into account minimum requirements provided by the relevant legislative	(56) New savings should be additional to 'business as usual', so that savings that would have occurred in any event should not count towards the achievement of the energy savings requirements. In order to calculate the impact of the measures introduced, only net savings, measured as the change of energy consumption that is directly attributable to the energy efficiency measure in question implemented for the purpose of Article 8 of this Directive , should be counted. To calculate net savings, Member States should establish a baseline scenario of how the situation would evolve in the absence of the measure in question. The policy measure in question should be evaluated against that baseline. Member States should take into account minimum requirements provided by the relevant legislative	(56) New savings should be additional to 'business as usual', so that savings that would have occurred in any event should not count towards the achievement of the energy savings requirements. In order to calculate the impact of the measures introduced, only net savings, measured as the change of energy consumption that is directly attributable to the energy efficiency measure in question implemented for the purpose of Article 8 of this Directive , should be counted. To calculate net savings, Member States should establish a baseline scenario of how the situation would evolve in the absence of the measure in question. The policy measure in question should be evaluated against that baseline. Member States should take into account minimum requirements provided by the relevant legislative	

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	framework at Union level, and should take into account the fact that other policy measures may be carried out in the same time frame which may also have an impact on the amount of energy savings, so that not all changes observed since the introduction of a particular policy measure being evaluated can be attributed to that policy measure alone. The actions of the obligated, participating or entrusted party should in fact contribute to the achievement of the energy savings claimed in order to ensure the fulfilment of the materiality requirement.	framework at Union level, and should take into account the fact that other policy measures may be carried out in the same time frame which may also have an impact on the amount of energy savings, so that not all changes observed since the introduction of a particular policy measure being evaluated can be attributed to that policy measure alone. The actions of the obligated, participating or entrusted party should in fact contribute to the achievement of the energy savings claimed in order to ensure the fulfilment of the materiality requirement.	framework at Union level, and should take into account the fact that other policy measures may be carried out in the same time frame which may also have an impact on the amount of energy savings, so that not all changes observed since the introduction of a particular policy measure being evaluated can be attributed to that policy measure alone. The actions of the obligated, participating or entrusted party should in fact contribute to the achievement of the energy savings claimed in order to ensure the fulfilment of the materiality requirement.	
Recital 57				
67	(57) It is important to consider, where relevant, all steps in the energy chain in the calculation of energy savings in order to increase the energy savings potential in the transmission and distribution of electricity. Studies carried out and consultation of stakeholders have revealed a significant potential. However, the physical and economic conditions are quite	(57) It is important to consider, where relevant, all steps in the energy chain in the calculation of energy savings in order to increase the energy savings potential in the transmission and distribution of electricity. Studies carried out and consultation of stakeholders have revealed a significant potential. However, the physical and economic conditions are quite	(57) It is important to consider, where relevant, all steps in the energy chain in the calculation of energy savings in order to increase the energy savings potential in the transmission and distribution of electricity. Studies carried out and consultation of stakeholders have revealed a significant potential. However, the physical and economic conditions are quite	

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	different among Member States, and often within several Member States, and there is a large number system operators. Those circumstances point to a decentralized approach, pursuant to the subsidiarity principle. National Regulatory Authorities have the required knowledge, legal competences and the administrative capacity to promote the development of an energy efficient electricity grid. Entities such as the European Network of Transmission System Operators for Electricity (ENTSO-E) and the European Entity for Distribution System Operators (the EU DSO Entity) can also provide useful contributions and should support their members in the uptake of energy efficiency measures.	different among Member States, and often within several Member States, and there is a large number system operators. Those circumstances point to a decentralized approach, pursuant to the subsidiarity principle. National Regulatory Authorities have the required knowledge, legal competences and the administrative capacity to promote the development of an energy efficient electricity grid. Entities such as the European Network of Transmission System Operators for Electricity (ENTSO-E) and the European Entity for Distribution System Operators (the EU DSO Entity) can also provide useful contributions and should support their members in the uptake of energy efficiency measures.	different among Member States, and often within several Member States, and there is a large number system operators. Those circumstances point to a decentralized approach, pursuant to the subsidiarity principle. National Regulatory Authorities have the required knowledge, legal competences and the administrative capacity to promote the development of an energy efficient electricity grid. Entities such as the European Network of Transmission System Operators for Electricity (ENTSO-E) and the European Entity for Distribution System Operators (the EU DSO Entity) can also provide useful contributions and should support their members in the uptake of energy efficiency measures.	
Recital 58				
68	(58) Similar considerations apply for the very large number of natural gas system operators. The role of natural gas and the rate of supply and coverage of the territory is highly variable among	(58) Similar considerations apply for the very large number of natural gas system operators. The role of natural gas and the rate of supply and coverage of the territory is highly variable among	(58) Similar considerations apply for the very large number of natural gas system operators. The role of natural gas and the rate of supply and coverage of the territory is highly variable among	

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	Member States. In those cases National Regulatory Authorities are best placed to monitor and steer the system evolution towards an increased efficiency, and entities such as European Network of Transmission System Operators for Gas (ENTSOG) can provide useful contributions and should support their members in the uptake of energy efficiency measures.	Member States. In those cases National Regulatory Authorities are best placed to monitor and steer the system evolution towards an increased efficiency, and entities such as European Network of Transmission System Operators for Gas (ENTSOG) can provide useful contributions and should support their members in the uptake of energy efficiency measures.	Member States. In those cases National Regulatory Authorities are best placed to monitor and steer the system evolution towards an increased efficiency, and entities such as European Network of Transmission System Operators for Gas (ENTSOG) can provide useful contributions and should support their members in the uptake of energy efficiency measures.	
Recital 58a				
68a		***(58a) ESCOs are important to develop, design, build, and arrange financing for projects that save energy, reduce energy costs, and decrease operations and maintenance costs in sectors such as buildings, industry and transport.***		
Recital 59				
69	(59) The effective management of water can make a significant contribution to energy savings. The water and wastewater sectors account for 3,5% of electricity use	(59) ***Consideration of the water-energy nexus is particularly important to address the interdependent energy and water use and the increasing pressure***	(59) The effective management of water can make a significant contribution to energy savings. The water and wastewater sectors account for 3,5% of electricity use	

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	in the Union and that share is expected to rise. At the same time, water leaks account for 24% of total water consumed in the Union and the energy sector is the largest consumer of water, accounting for 44% of consumption. The potential for energy savings through the use of smart technologies and processes should be fully explored and applied whenever cost-effective and the energy efficiency first principle should be considered. In addition, advanced irrigation technologies could substantially reduce water consumption in agriculture and the energy used for treating and transporting it .	***on both resources.*** The effective management of water can make a significant contribution to energy savings ***yielding not only climate benefits, but also economic and social benefits***. The water and wastewater sectors account for 3,5% of electricity use in the Union and that share is expected to rise. At the same time, water leaks account for 24% of total water consumed in the Union and the energy sector is the largest consumer of water, accounting for 44% of consumption. The potential for energy savings through the use of smart technologies and processes ***across all industrial, residential and commercial water cycles and applications*** should be fully explored and applied whenever cost-effective and the energy efficiency first principle should be considered. In addition, advanced irrigation technologies***, rainwater harvesting and water reuse technologies*** could substantially reduce water consumption in agriculture***, buildings and industry*** and the energy used for treating and transporting it-.	in the Union and that share is expected to rise. At the same time, water leaks account for 24% of total water consumed in the Union and the energy sector is the largest consumer of water, accounting for 44% of consumption. The potential for energy savings through the use of smart technologies and processes should be fully explored and applied whenever cost-effective and the energy efficiency first principle should be considered. In addition, advanced irrigation technologies could substantially reduce water consumption in agriculture and the energy used for treating and transporting it .	

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Recital 60				
70	(60) In accordance with Article 9 of the Treaty, the Union's energy efficiency policies should be inclusive and should therefore ensure equal access to energy efficiency measures for all consumers affected by energy poverty. Improvements in energy efficiency should, be implemented as a priority among vulnerable customers and final users , people affected by energy poverty, and, where appropriate, among medium-income households and people living in social housing, elderly people and those living in rural and remote areas . In this context, specific attention should be paid to particular groups which are more at risk of being affected by energy poverty or more susceptible to the adverse impacts of energy poverty, such as women, persons with disabilities, elderly people, children, and persons with a minority racial or ethnic background. Member States can require obligated parties to include	(60) In accordance with Article 9 of the Treaty, the Union's energy efficiency policies should be inclusive and should therefore ensure equal access- to energy efficiency measures for all consumers affected by energy poverty. Improvements ~~in~~ ***in*** energy efficiency should~~,~~ be implemented as a priority among vulnerable customers and final users-, people– affected by energy poverty, and~~, where appropriate~~ ***among low-income***, ~~among~~ medium-income households and people– living in social housing, elderly people and those living in rural and remote areas ***and in the outermost regions***. In this context, specific attention should be paid to particular groups which are more at risk of being affected by energy poverty or more susceptible to the adverse impacts of energy poverty, such as women, persons with disabilities, elderly people, children, and persons with a minority racial or ethnic	(60) In accordance with Article 9 of the Treaty, the Union's energy efficiency policies should be inclusive and should therefore ensure equal access to energy efficiency measures for all consumers affected by energy poverty. Improvements in energy efficiency should, be implemented as a priority among vulnerable customers and final users , people affected by energy poverty, and, where appropriate, among medium-income households and people living in social housing, elderly people and those living in rural and remote areas . In this context, specific attention should be paid to particular groups which are more at risk of being affected by energy poverty or more susceptible to the adverse impacts of energy poverty, such as women, persons with disabilities, elderly people, children, and persons with a minority racial or ethnic background. Member States can require obligated parties to include	

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	social aims in energy-saving measures in relation to energy poverty and this possibility had already been extended to alternative policy measures and Energy Efficiency National Funds. That should be transformed into an obligation to protect and empower vulnerable customers and final users and to alleviate energy poverty , while allowing Member States to retain full flexibility with regard to the type of policy measure, their size, scope and content. If an energy efficiency obligation scheme does not permit measures relating to individual energy consumers, the Member State may take measures to alleviate energy poverty by means of alternative policy measures alone. Within its policy mix, Member States should ensure that other policy measures do not have an adverse effect on vulnerable customers, final users, people affected by energy poverty and, where applicable, people living in social housing. Member States should make best possible use of public funding investments into energy efficiency improvement	background. Member States can require obligated parties to include social aims in energy-saving measures in relation to energy poverty and this possibility had already been extended to alternative policy measures and Energy Efficiency National Funds. That should be transformed into an obligation to protect and empower vulnerable customers and final users and to alleviate energy poverty, while allowing Member States to retain full flexibility with regard to the type of policy measure, their size, scope and content. If an energy efficiency obligation scheme does not permit measures relating to individual energy consumers, the Member State may take measures to alleviate energy poverty by means of alternative policy measures alone. Within its policy mix, Member States should ensure that other policy measures do not have an adverse effect on vulnerable customers, final users, people affected by energy poverty and, where applicable, people living in social housing. Member States should make best possible use of	social aims in energy-saving measures in relation to energy poverty and this possibility had already been extended to alternative policy measures and Energy Efficiency National Funds. That should be transformed into an obligation to protect and empower vulnerable customers and final users and to alleviate energy poverty , while allowing Member States to retain full flexibility with regard to the type of policy measure, their size, scope and content. If an energy efficiency obligation scheme does not permit measures relating to individual energy consumers, the Member State may take measures to alleviate energy poverty by means of alternative policy measures alone. Within its policy mix, Member States should ensure that other policy measures do not have an adverse effect on vulnerable customers, final users, people affected by energy poverty and, where applicable, people living in social housing. Member States should make best possible use of public funding investments into energy efficiency improvement	

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	measures, including funding and financial facilities established at Union level.	public funding investments into energy efficiency improvement measures, including funding and financial facilities established at Union level.	measures, including funding and financial facilities established at Union level.	
Recital 61				
71	(61) This Directive refers to the concept of vulnerable customers, which Member States are to establish pursuant to Directive (EU) 2019/944. In addition, pursuant to Directive 2012/27/EU, the notion of 'final users' alongside the notion of 'final customer' clarifies that the rights to billing and consumption information also apply to consumers without individual or direct contracts with the supplier of energy used for collective heating, cooling or domestic hot water production systems in multi-occupant buildings. The concept of vulnerable customers does not necessarily ensure the targeting of final users. Therefore, in order to ensure that the measures set out in this Directive reach all individuals and households in a situation of	(61) This Directive refers to the concept of vulnerable customers, which Member States are to establish pursuant to Directive (EU) 2019/944. In addition, pursuant to Directive 2012/27/EU, the notion of 'final users' alongside the notion of 'final customer' clarifies that the rights to billing and consumption information also apply to consumers without individual or direct contracts with the supplier of energy used for collective heating, cooling or domestic hot water production systems in multi-occupant buildings. The concept of vulnerable customers does not necessarily ensure the targeting of final users. Therefore, in order to ensure that the measures set out in this Directive reach all individuals and households in a situation of	(61) This Directive refers to the concept of vulnerable customers, which Member States are to establish pursuant to Directive (EU) 2019/944. **Each Member State shall define the concept of vulnerable customers which may refer to energy poverty and, inter alia, to the prohibition of disconnection of electricity to such customers in critical times. The concept of vulnerable customers may include income levels, the share of energy expenditure of disposable income, the energy efficiency of homes, critical dependence on electrical equipment for health reasons, age or other criteria. This allows Member States to include households that are considered as financially weak in the**	

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	vulnerability, Member States should include not only customers, in its strict sense, but also final users, in establishing their definition of vulnerable customers.	vulnerability, Member States should include not only customers, in its strict sense, but also final users, in establishing their definition of vulnerable customers.	**national context.** In addition, pursuant to Directive 2012/27/EU, the notion of 'final users' alongside the notion of 'final customer' clarifies that the rights to billing and consumption information also apply to consumers without individual or direct contracts with the supplier of energy used for collective heating, cooling or domestic hot water production systems in multi-occupant buildings. The concept of vulnerable customers does not necessarily ensure the targeting of final users. Therefore, in order to ensure that the measures set out in this Directive reach all individuals and households in a situation of vulnerability, Member States should include not only customers, in its strict sense, but also final users, in establishing their definition of vulnerable customers.	
Recital 62				
72	(62) Around 34 million households in the Union were unable to keep their home adequately warm in 2019[1] . The	(62) Around 34 million households in the Union were unable to keep their home adequately warm in 2019[1]. The	(62) Around 34 million households in the Union were unable to keep their home adequately warm in 2019[1] . The	

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	European Green Deal prioritises the social dimension of the transition by committing to the principle that `no one is left behind´. The green transition, including the clean transition, affects women and men differently and may have a particular impact on some disadvantaged groups including people with disabilities. Energy efficiency measures must therefore be central to any cost-effective strategy to address energy poverty and consumer vulnerability and are complementary to social security policies at Member State level. To ensure that energy efficiency measures reduce energy poverty for tenants sustainably, the cost-effectiveness of such measures, as well as their affordability to property owners and tenants, should be taken into account, and adequate financial and technical support for such measures should be guaranteed at Member State level. Member States should support the local and regional level in identifying and alleviating energy poverty. The Union's building stock needs, in the long term, to be converted to	European Green Deal prioritises the social dimension of the transition by committing to the principle that 'no one is left behind'. The green transition, including the clean transition, affects women and men differently and may have a particular impact on some disadvantaged groups including people with disabilities. Energy efficiency measures must therefore be central to any cost-effective strategy to address energy poverty and consumer vulnerability and are complementary to social security policies at Member State level. To ensure that energy efficiency measures reduce energy poverty for tenants sustainably, the cost-effectiveness of such measures, as well as their affordability to property owners and tenants, should be taken into account, and adequate financial and technical– support for such measures should be guaranteed at Member State level. Member States should support the local and regional level in identifying and alleviating energy poverty.– ***This includes identifying and addressing the specific needs of***	European Green Deal prioritises the social dimension of the transition by committing to the principle that `no one is left behind´. The green transition, including the clean transition, affects women and men differently and may have a particular impact on some disadvantaged groups including people with disabilities. Energy efficiency measures must therefore be central to any cost-effective strategy to address energy poverty and consumer vulnerability and are complementary to social security policies at Member State level. To ensure that energy efficiency measures reduce energy poverty for tenants sustainably, the cost-effectiveness of such measures, as well as their affordability to property owners and tenants, should be taken into account, and adequate financial and technical support for such measures should be guaranteed at Member State level. Member States should support the local and regional level in identifying and alleviating energy poverty. The Union's building stock needs, in the long term, to be converted to	

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	NZEBs in accordance with the objectives of the Paris Agreement. Current building renovation rates are insufficient and buildings occupied by citizens on low incomes who are affected by energy poverty are the hardest to reach. The measures laid down in this Directive with regard to energy savings obligations, energy efficiency obligation schemes and alternative policy measures are therefore of particular importance. _____ 1. COMMISSION RECOMMENDATION of 14.10.2020 on energy poverty, C(2020) 9600 final.	***particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, Member States should encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits. Member States should require obligated parties to work with regional and local authorities, and engage with social services and civil society organisations (such as consumer organisations, social NGOs and housing associations) to set up an engagement platform dedicated to the alleviation of energy poverty.*** The Union's building stock needs, in the long term, to be converted to NZEBs in accordance with the objectives of the Paris Agreement. Current building renovation rates are insufficient and buildings	NZEBs in accordance with the objectives of the Paris Agreement. Current building renovation rates are insufficient and buildings occupied by citizens on low incomes who are affected by energy poverty are the hardest to reach. The measures laid down in this Directive with regard to energy savings obligations, energy efficiency obligation schemes and alternative policy measures are therefore of particular importance. _____ 1. COMMISSION RECOMMENDATION of 14.10.2020 on energy poverty, C(2020) 9600 final.	

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		occupied by citizens on low incomes who are affected by energy poverty are the hardest to reach. The measures laid down in this Directive with regard to energy savings obligations, energy efficiency obligation schemes and alternative policy measures are therefore of particular importance. _____ 1. *[1]* COMMISSION RECOMMENDATION of 14.10.2020 on energy poverty, C(2020) 9600 final.		
Recital 63				
73	(63) To tap the energy savings potential in certain market segments where energy audits are generally not offered commercially (such as small and medium-sized enterprises (SMEs)), Member States should develop programmes to encourage SMEs to undergo energy audits. Energy audits should be mandatory and regular for large enterprises, as energy savings can be significant. Energy audits should take into account relevant European or International Standards, such as EN ISO 50001 (Energy Management Systems), or	(63) To tap the energy savings potential in certain market segments where energy audits are generally not offered commercially (such as small and medium-sized enterprises (SMEs)), Member States should develop programmes to encourage *and support* SMEs to undergo energy audits *and to implement recommendations from the energy audits, for example by setting up support schemes, such as energy audit centres for SMEs and microenterprises to cover costs of an energy audit. Such centres could be based in*	(63) To tap the energy savings potential in certain market segments where energy audits are generally not offered commercially (such as small and medium-sized enterprises (SMEs)), Member States should develop programmes to encourage SMEs to undergo energy audits. Energy audits should be mandatory and regular for ~~large enterprises~~**enterprises, with the average annual energy consumption above a certain threshold**, as energy savings can be significant. Energy audits should take into account relevant	

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	EN 16247-1 (Energy Audits), or, if including an energy audit, EN ISO 14000 (Environmental Management Systems) and thus be also in line with the provisions of Annex VI to this Directive as such provisions do not go beyond the requirements of these relevant standards. A specific European standard on energy audits is currently under development. Energy audits may be carried out on a stand-alone basis or be part of a broader environmental management system or an energy performance contract. In all such cases those systems should comply with the minimum requirements of Annex VI. In addition, specific mechanisms and schemes established to monitor emissions and fuel consumption by certain transport operators, for example under EU law the EU ETS, may be considered compatible with energy audits, including in energy management systems, if they comply with the minimum requirements set out in Annex VI.	***universities, with a central database for collecting and communicating audit results***. Energy audits should be mandatory and regular for large enterprises, as energy savings can be significant. Energy audits should take into account relevant European or international standards, such as EN ISO 50001 (Energy Management Systems), ~~or~~***EN ISO 50005 (Energy Management Systems),*** EN 16247-1 (Energy Audits), ***ISO 50002 (Energy Audits)*** or, if including an energy audit, EN ISO 14000 (Environmental Management Systems) and thus be also in line with the provisions of Annex VI to this Directive as such provisions do not go beyond the requirements of these relevant standards. A specific European standard on energy audits is currently under development. Energy audits may be carried out on a stand-alone basis or be part of a broader environmental management system or an energy performance contract. In all such cases those systems should comply with the minimum requirements of Annex VI. In addition, specific	European or International Standards, such as EN ISO 50001 (Energy Management Systems), or EN 16247-1 (Energy Audits), or, if including an energy audit, EN ISO 14000 (Environmental Management Systems) and thus be also in line with the provisions of Annex VI to this Directive as such provisions do not go beyond the requirements of these relevant standards. A specific European standard on energy audits is currently under development. Energy audits may be carried out on a stand-alone basis or be part of a broader environmental management system or an energy performance contract. In all such cases those systems should comply with the minimum requirements of Annex VI. In addition, specific mechanisms and schemes established to monitor emissions and fuel consumption by certain transport operators, for example under EU law the EU ETS, may be considered compatible with energy audits, including in energy management systems, if they comply with the minimum requirements set out in Annex VI.	

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		mechanisms and schemes established to monitor emissions and fuel consumption by certain transport operators, for example under EU law the EU ETS, may be considered compatible with energy audits, including in energy management systems, if they comply with the minimum requirements set out in Annex VI.		
Recital 63a				
73a		***(63a) Member States should ensure the mandatory nature of implementing the recommendations of energy audits by enterprises. The absence of the obligation to implement audit recommendations is a major reason why those recommendations are not adequately taken into account by enterprises.***		
Recital 64				
74	(64) The enterprise's average consumption should be the criterion to define the application	(64) The enterprise's average consumption should be the criterion to define the application	(64) The enterprise's average consumption should be the criterion to define the application	

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	of energy management systems and of energy audits in order to increase the sensitivity of those mechanisms in identifying relevant opportunities for cost-effective energy savings. Enterprises that are below the consumption thresholds defined for energy management systems and energy audits should be encouraged to undergo energy audits and to implement the recommendations resulting from those audits.	of energy management systems and of energy audits in order to increase the sensitivity of those mechanisms in identifying relevant opportunities for cost-effective energy savings. Enterprises that are below the consumption thresholds defined for energy management systems and energy audits should be encouraged ***and be provided technical support*** to undergo energy audits and to implement the recommendations resulting from those audits.	of energy management systems and of energy audits in order to increase the sensitivity of those mechanisms in identifying relevant opportunities for cost-effective energy savings. Enterprises that are below the consumption thresholds defined for energy management systems and energy audits should be encouraged to undergo energy audits and to implement the recommendations resulting from those audits.	
Recital 65				
75	(65) Where energy audits are carried out by in-house experts, the necessary independence would require these experts not to be directly engaged in the activity audited.	(65) Where energy audits are carried out by in-house experts, the necessary independence would require these experts not to be directly engaged in the activity audited.	(65) Where energy audits are carried out by in-house experts, the necessary independence would require these experts not to be directly engaged in the activity audited.	
Recital 66				
76	(66) The information and communications technology (ICT) sector another important sector which receives increasing	(66) The information and communications technology (ICT) sector another important sector which receives increasing	(66) The information and communications technology (ICT) sector another important sector which receives increasing	

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	attention. In 2018 the energy consumption of data centres in the EU was 76,8 TWh. This is expected to rise to 98.5 TWh by 2030, a 28% increase. This increase in absolute terms can as well be seen in relative terms: within the EU, data centres accounted for 2,7% of electricity demand in 2018 and will reach 3,21% by 2030 if development continues on the current trajectory[1]. Europe's Digital Strategy already highlighted the need for highly energy-efficient and sustainable data centres and calls for transparency measures for telecommunication operators on their environmental footprint. To promote sustainable development in the ICT sector, particularly of data centres, Member States should collect and publish data, which is relevant for the energy performance and water footprint of data centres. Member States should collect and publish data only about data centres with a significant footprint, for which appropriate design or efficiency interventions, for new or existing installations respectively, can result in a	attention. In 2018 the energy consumption of data centres in the EU was 76,8 TWh. This is expected to rise to 98.5 TWh by 2030, a 28% increase. This increase in absolute terms can as well be seen in relative terms: within the EU, data centres accounted for 2,7% of electricity demand in 2018 and will reach 3,21% by 2030 if development continues on the current trajectory[1]. Europe's Digital Strategy already highlighted the need for highly energy-efficient and sustainable data centres and calls for transparency measures for telecommunication operators on their environmental footprint. To promote sustainable development in the ICT sector, particularly of data centres, Member States should collect and publish data, which is relevant for the energy performance ~~and~~, water footprint ***and demand-side flexibility*** of data centres***, on the basis of a common Union template***. Member States should collect and publish data only about data centres with ~~a significant footprint~~***an installed IT power demand of at least 100 kW***,	attention. In 2018 the energy consumption of data centres in the EU was 76,8 TWh. This is expected to rise to 98.5 TWh by 2030, a 28% increase. This increase in absolute terms can as well be seen in relative terms: within the EU, data centres accounted for 2,7% of electricity demand in 2018 and will reach 3,21% by 2030 if development continues on the current trajectory[1]. Europe's Digital Strategy already highlighted the need for highly energy-efficient and sustainable data centres and calls for transparency measures for telecommunication operators on their environmental footprint. To promote sustainable development in the ICT sector, particularly of data centres, Member States should collect and publish data, which is relevant for the energy performance and water footprint of data centres. Member States should collect and publish data only about data centres with a significant footprint, for which appropriate design or efficiency interventions, for new or existing installations respectively, can result in a	

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	considerable reduction of the energy and water consumption or in the reuse of waste heat in nearby facilities and heat networks. A data centre sustainability indicator can be established on the basis of that data collected _____ 1. https://digital-strategy.ec.europa.eu/en/library/energy-efficient-cloud-computing-technologies-and-policies-eco-friendly-cloud-market	for which appropriate design or efficiency interventions, for new or existing installations respectively, can result in a considerable reduction of the energy and water consumption***, an increase in systems' efficiency promoting decarbonisation of the grid*** or in the reuse of waste heat in nearby facilities and heat networks.~~1~~ Data centre sustainability ~~*indicator can*~~***indicators should*** be established on the basis of that data collected***, taking also into account already existing initiatives in the sector. With a view to facilitating disclosure, the Commission should prepare guidelines on monitoring and publishing information about the energy performance of data centres, after carrying out consultations with relevant stakeholders and considering existing standardised metrics. It is imperative to have a harmonised approach across Member States, in order to avoid different reporting schemes and key performance indicators between Member States.*** _____ 1. ***[1]*** https://digital-	considerable reduction of the energy and water consumption or in the reuse of waste heat in nearby facilities and heat networks. A data centre sustainability indicator can be established on the basis of that data collected _____ 1. https://digital-strategy.ec.europa.eu/en/library/energy-efficient-cloud-computing-technologies-and-policies-eco-friendly-cloud-market	

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		strategy.ec.europa.eu/en/library/energy-efficient-cloud-computing-technologies-and-policies-eco-friendly-cloud-market		
Recital 67				
77	(67) The data centre sustainability indicators can be used to measure four basic dimensions of a sustainable data centre, namely how efficiently it uses energy, how much of that energy comes from renewable energy sources, the reuse of any waste heat that it produces and the usage of freshwater. The data centre sustainability indicators should raise awareness amongst data centre owners and operators, manufactures of equipment, developers of software and services, users of data centre services at all levels as well as entities and organisations that deploy, use or procure cloud and data centre services. It should also give confidence about the actual improvements following efforts and measures to increase the sustainability in new or existing data centres. Finally, it should be used as a basis for transparent and	(67) The data centre sustainability indicators ~~can~~***should*** be used to measure four basic dimensions of a sustainable data centre, namely how efficiently it uses energy, how much of that energy comes from renewable energy sources, the reuse of any waste heat that it produces***, the effectiveness of cooling, the effectiveness of carbon usage*** and the usage of freshwater. The data centre sustainability indicators should raise awareness amongst ***network operators,*** data centre owners and operators, manufactures of equipment, developers of software and services, users of data centre services at all levels as well as entities and organisations that deploy, use or procure cloud and data centre services. It should also give confidence about the actual improvements following efforts and measures to increase the sustainability in new or existing	(67) The data centre sustainability indicators can be used to measure four basic dimensions of a sustainable data centre, namely how efficiently it uses energy, how much of that energy comes from renewable energy sources, the reuse of any waste heat that it produces and the usage of freshwater. The data centre sustainability indicators should raise awareness amongst data centre owners and operators, manufactures of equipment, developers of software and services, users of data centre services at all levels as well as entities and organisations that deploy, use or procure cloud and data centre services. It should also give confidence about the actual improvements following efforts and measures to increase the sustainability in new or existing data centres. Finally, it should be used as a basis for transparent and	

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	evidence-based planning and decision-making. Use of the data centre sustainability indicators should be optional for Member States. Use of the data centre sustainability indicator should be optional for Member States.	data centres. Finally, it should be used as a basis for transparent and evidence-based planning and decision-making. Use of the data centre sustainability indicators should be ~~optional~~***mandatory*** for Member States. Use of the data centre sustainability indicator should be optional for Member States. ***The Commission should assess the efficiency of data centres based on the information communicated by Member States.***	evidence-based planning and decision-making. Use of the data centre sustainability indicators should be optional for Member States. Use of the data centre sustainability indicator should be optional for Member States.	
Recital 67a				
77a		***(67a) The Commission should, in line with Regulation (EU) 2021/1119 of the European Parliament and of the Council[1], establish sector-specific energy efficiency partnerships by bringing together key stakeholders, including NGOs and social partners, in sectors such as ICT, transport, finance and buildings in an inclusive and representative manner.*** _____ ***1. Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the***		

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		framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).		
Recital 68				
78	(68) Lower consumer spending on energy should be achieved by assisting consumers in reducing their energy use by reducing the energy needs of buildings and improvements in the efficiency of appliances, which should be combined with the availability of low-energy transport modes integrated with public transport and cycling. Member States should also consider improving connectivity in rural and remote areas.	(68) Lower consumer spending on energy should be achieved by assisting consumers in reducing their energy use by reducing the energy needs of buildings and improvements in the efficiency of appliances, which should be combined with the availability of low-energy transport modes integrated with public transport, ***shared mobility*** and cycling. Member States should also consider improving connectivity in rural and remote areas.	(68) Lower consumer spending on energy should be achieved by assisting consumers in reducing their energy use by reducing the energy needs of buildings and improvements in the efficiency of appliances, which should be combined with the availability of low-energy transport modes integrated with public transport and cycling. Member States should also consider improving connectivity in rural and remote areas.	
Recital 69				
79	(69) It is crucial to raise the awareness of all Union citizens about the benefits of increased energy efficiency and to provide them with accurate information on the ways in which it can be	(69) It is crucial to raise the awareness of all Union citizens about the benefits of increased energy efficiency and to provide them with accurate information on the ways in which it can be	(69) It is crucial to raise the awareness of all Union citizens about the benefits of increased energy efficiency and to provide them with accurate information on the ways in which it can be	

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	achieved. Citizens of all ages should also be involved in the energy transition via the European Climate Pact and the Conference on the Future of Europe. Increased energy efficiency is also highly important for the security of energy supply of the Union through lowering its dependence on import of fuels from third countries.	achieved. Citizens of all ages should also be involved in the energy transition via the European Climate Pact and the Conference on the Future of Europe. Increased energy efficiency is also highly important for the security of energy supply of the Union through lowering its dependence on import of fuels from third countries.	achieved. Citizens of all ages should also be involved in the energy transition via the European Climate Pact and the Conference on the Future of Europe. Increased energy efficiency is also highly important for the security of energy supply of the Union through lowering its dependence on import of fuels from third countries.	
Recital 70				
80	(70) The costs and benefits of all energy efficiency measures taken, including pay-back periods, should be made fully transparent to consumers.	(70) The costs and benefits of all energy efficiency measures taken, including pay-back periods, should be made fully transparent to consumers.	(70) The costs and benefits of all energy efficiency measures taken, including pay-back periods, should be made fully transparent to consumers.	
Recital 71				
81	(71) When implementing this Directive and taking other measures in the field of energy efficiency, Member States should pay particular attention to synergies between energy efficiency measures and the efficient use of natural resources in line with the principles of the	(71) When implementing this Directive and taking other measures in the field of energy efficiency, Member States should pay particular attention to synergies between energy efficiency measures and the efficient use of natural resources in line with the principles of the	(71) When implementing this Directive and taking other measures in the field of energy efficiency, Member States should pay particular attention to synergies between energy efficiency measures and the efficient use of natural resources in line with the principles of the	

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	circular economy.	circular economy.	circular economy.	
Recital 72				
82	(72) Taking advantage of new business models and technologies, Member States should endeavour to promote and facilitate the uptake of energy efficiency measures, including through innovative energy services for large and small customers.	(72) Taking advantage of new business models and technologies, Member States should endeavour to promote and facilitate the uptake of energy efficiency measures, including through innovative energy services for large and small customers.	(72) Taking advantage of new business models and technologies, Member States should endeavour to promote and facilitate the uptake of energy efficiency measures, including through innovative energy services for large and small customers.	
Recital 73				
83	(73) It is necessary to provide for frequent and enhanced feedback on energy consumption where technically feasible and cost-efficient in view of the measurement devices in place. This Directive clarifies that whether sub-metering is cost-efficient or not depends on whether the related costs are proportionate to the potential energy savings. The assessment of whether sub-metering is cost-efficient may take into account the effect of other concrete, planned measures in a	(73) It is necessary to provide for frequent and enhanced feedback on energy consumption where technically feasible and cost-efficient in view of the measurement devices in place. This Directive clarifies that whether sub-metering is cost-efficient or not depends on whether the related costs are proportionate to the potential energy savings. The assessment of whether sub-metering is cost-efficient may take into account the effect of other concrete, planned measures in a	(73) It is necessary to provide for frequent and enhanced feedback on energy consumption where technically feasible and cost-efficient in view of the measurement devices in place. This Directive clarifies that whether sub-metering is cost-efficient or not depends on whether the related costs are proportionate to the potential energy savings. The assessment of whether sub-metering is cost-efficient may take into account the effect of other concrete, planned measures in a	

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	given building, such as any forthcoming renovation.	given building, such as any forthcoming renovation. ***Member States should ensure that, in so far as it is technically possible, financially reasonable, and proportionate to the potential energy savings, for natural gas, heating, cooling and domestic hot water, final customers are provided with competitively priced individual meters that accurately reflect the final customer's actual energy consumption and that provide information on actual time of use.***	given building, such as any forthcoming renovation.	
Recital 74				
84	(74) This Directive also clarifies that rights relating to billing, and information about billing or consumption should apply to consumers of heating, cooling or domestic hot water supplied from a central source even where they have no direct, individual contractual relationship with an energy supplier.	(74) This Directive also clarifies that rights relating to billing, and information about billing or consumption should apply to consumers of heating, cooling or domestic hot water supplied from a central source even where they have no direct, individual contractual relationship with an energy supplier.	(74) This Directive also clarifies that rights relating to billing, and information about billing or consumption should apply to consumers of heating, cooling or domestic hot water supplied from a central source even where they have no direct, individual contractual relationship with an energy supplier.	
Recital 75				

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85	(75) In order to achieve the transparency of accounting for individual consumption of thermal energy and thereby facilitate the implementation of sub-metering, Member States should ensure they have in place transparent, publicly available national rules on the allocation of the cost of heating, cooling and domestic hot water consumption in multi-apartment and multi-purpose buildings. In addition to transparency, Member States could consider taking measures to strengthen competition in the provision of sub-metering services and thereby help ensure that any costs borne by the final users are reasonable.	(75) In order to achieve the transparency of accounting for individual consumption of thermal energy and thereby facilitate the implementation of sub-metering, Member States should ensure they have in place transparent, publicly available national rules on the allocation of the cost of heating, cooling and domestic hot water consumption in multi-apartment and multi-purpose buildings. In addition to transparency, Member States could consider taking measures to strengthen competition in the provision of sub-metering services and thereby help ensure that any costs borne by the final users are reasonable.	(75) In order to achieve the transparency of accounting for individual consumption of thermal energy and thereby facilitate the implementation of sub-metering, Member States should ensure they have in place transparent, publicly available national rules on the allocation of the cost of heating, cooling and domestic hot water consumption in multi-apartment and multi-purpose buildings. In addition to transparency, Member States could consider taking measures to strengthen competition in the provision of sub-metering services and thereby help ensure that any costs borne by the final users are reasonable.	
Recital 76				
86	(76) Newly installed heat meters and heat cost allocators should be remotely readable to ensure cost-effective, frequent provision of consumption information. The provisions of this Directive relating to metering for heating, cooling and domestic hot water; sub-	(76) Newly installed heat meters and heat cost allocators should be remotely readable to ensure cost-effective, frequent provision of consumption information ***and to be able to deliver information such as detailed temperatures and phase load. All data should be***	(76) Newly installed heat meters and heat cost allocators should be remotely readable to ensure cost-effective, frequent provision of consumption information. The provisions of this Directive relating to metering for heating, cooling and domestic hot water; sub-	

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	metering and cost allocation for heating, cooling and domestic hot water; remote reading requirement; billing and consumption information for heating and cooling and domestic hot water; cost of access to metering and billing and consumption information for heating, cooling and domestic hot water; and the minimum requirements for billing and consumption information for heating, cooling and domestic hot water are intended to apply only to heating, cooling and domestic hot water supplied from a central source. Member States are free to decide whether walk-by or drive-by technologies are to be considered remotely readable or not. Remotely readable devices do not require access to individual apartments or units to be read.	***made easily available in real time and shareable for the final energy customer. Meters and sub-meters should display energy consumption in an accessible and user-friendly form***. The provisions of- this Directive relating to metering for heating, cooling and domestic hot water; sub-metering and cost allocation for heating, cooling and domestic hot water; remote reading requirement; billing and consumption information for heating and cooling and domestic hot water; cost of access to metering and billing and consumption information for heating, cooling and domestic hot water; and the minimum requirements for billing and consumption information for heating, cooling and domestic hot water are intended to apply only to heating, cooling and domestic hot water supplied from a central source. Member States are free to decide whether walk-by or drive-by technologies are to be considered remotely readable or not. Remotely readable devices do not require access to individual apartments or units to be read.	metering and cost allocation for heating, cooling and domestic hot water; remote reading requirement; billing and consumption information for heating and cooling and domestic hot water; cost of access to metering and billing and consumption information for heating, cooling and domestic hot water; and the minimum requirements for billing and consumption information for heating, cooling and domestic hot water are intended to apply only to heating, cooling and domestic hot water supplied from a central source. Member States are free to decide whether walk-by or drive-by technologies are to be considered remotely readable or not. Remotely readable devices do not require access to individual apartments or units to be read.	

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Recital 77				
87	(77) Member States should take into account the fact that the successful implementation of new technologies for measuring energy consumption requires enhanced investment in education and skills for both users and energy suppliers.	(77) Member States should take into account the fact that the successful implementation of new technologies for measuring energy consumption requires enhanced investment in education and skills for both users and energy suppliers.	(77) Member States should take into account the fact that the successful implementation of new technologies for measuring energy consumption requires enhanced investment in education and skills for both users and energy suppliers.	
Recital 78				
88	(78) Billing information and annual statements are an important means by which customers are informed of their energy consumption. Data on consumption and costs can also convey other information that helps consumers to compare their current deal with other offers and to make use of complaint management and alternative dispute resolution mechanisms. However, considering that bill-related disputes are a common source of consumer complaints and a factor which contributes to persistently low levels of consumer satisfaction and	(78) Billing information and annual statements are an important means by which customers are informed of their energy consumption. Data on consumption and costs can also convey other information that helps consumers to compare their current deal with other offers and to make use of complaint management and alternative dispute resolution mechanisms. However, considering that bill-related disputes are a common source of consumer complaints and a factor which contributes to persistently low levels of consumer satisfaction and	(78) Billing information and annual statements are an important means by which customers are informed of their energy consumption. Data on consumption and costs can also convey other information that helps consumers to compare their current deal with other offers and to make use of complaint management and alternative dispute resolution mechanisms. However, considering that bill-related disputes are a common source of consumer complaints and a factor which contributes to persistently low levels of consumer satisfaction and	

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	engagement with their energy providers, it is necessary to make bills simpler, clearer and easier to understand, while ensuring that separate instruments, such as billing information, information tools and annual statements, provide all the necessary information to enable consumers to regulate their energy consumption, compare offers and switch suppliers.	engagement with their energy providers, it is necessary to make bills simpler, clearer and easier to understand, while ensuring that separate instruments, such as billing information, information tools and annual statements, provide all the necessary information to enable consumers to regulate their energy consumption, compare offers and switch suppliers.	engagement with their energy providers, it is necessary to make bills simpler, clearer and easier to understand, while ensuring that separate instruments, such as billing information, information tools and annual statements, provide all the necessary information to enable consumers to regulate their energy consumption, compare offers and switch suppliers.	
Recital 79				
89	(79) When designing energy efficiency improvement measures, Member States should take due account of the need to ensure the correct functioning of the internal market and the coherent implementation of the acquis, in accordance with the TFEU .	(79) When designing energy efficiency improvement measures, Member States should take due account of the need to ensure the correct functioning of the internal market and the coherent implementation of the acquis, in accordance with the TFEU .	(79) When designing energy efficiency improvement measures, Member States should take due account of the need to ensure the correct functioning of the internal market and the coherent implementation of the acquis, in accordance with the TFEU .	
Recital 80				
90	(80) High-efficiency cogeneration and efficient district heating and cooling have significant potential for saving primary energy, in the	(80) High-efficiency cogeneration and efficient district heating and cooling have significant potential for saving primary energy, in the	(80) High-efficiency cogeneration and efficient district heating and cooling have significant potential for saving primary energy, in the	

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	Union. Member States should carry out a comprehensive assessment of the potential for high-efficiency cogeneration and efficient district heating and cooling. Those assessments should be coherent with the integrated national energy and climate plans and long term renovation strategies. New electricity generation installations and existing installations which are substantially refurbished or whose permit or licence is updated should, subject to a cost-benefit analysis showing a cost-benefit surplus, be equipped with high-efficiency cogeneration units to recover waste heat stemming from the production of electricity. Similarly, other facilities with substantial annual average energy input should be equipped with technical solutions to deploy waste heat from the facility where the cost-benefit analysis shows a cost-benefit surplus. This waste heat could be transported where it is needed through district heating networks. The events that trigger a requirement for authorisation criteria to be applied will generally be events that also trigger	Union. Member States should carry out a comprehensive assessment of the potential for high-efficiency cogeneration and efficient– district heating and cooling. Those assessments should be ***based on a baseline scenario leading to a renewable energy-based national heating and cooling sector within a timeframe compatible with the achievement of the climate neutrality objective and be*** coherent with the integrated national energy and climate plans and long term renovation strategies. New electricity generation installations and existing installations which are substantially refurbished or whose permit or licence is updated should, subject to a cost-benefit analysis showing a cost-benefit surplus, be equipped with high-efficiency cogeneration units to recover waste heat stemming from the production of electricity. Similarly, other facilities with substantial annual average energy input should be equipped with technical solutions to deploy waste heat from the facility where the cost-benefit analysis shows a cost-benefit	Union. Member States should carry out a comprehensive assessment of the potential for high-efficiency cogeneration and efficient district heating and cooling. Those assessments should be coherent with the integrated national energy and climate plans and long term renovation strategies. New electricity generation installations and existing installations which are substantially refurbished or whose permit or licence is updated should, subject to a cost-benefit analysis showing a cost-benefit surplus, be equipped with high-efficiency cogeneration units to recover waste heat stemming from the production of electricity. Similarly, other facilities with substantial annual average energy input should be equipped with technical solutions to deploy waste heat from the facility where the cost-benefit analysis shows a cost-benefit surplus. This waste heat could be transported where it is needed through district heating networks. The events that trigger a requirement for authorisation criteria to be applied will generally be events that also trigger	

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	requirements for permits under Directive 2010/75/EU of the European Parliament and of the Council [1] and for authorisation under Directive (EU) 2019/944. _____ 1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (OJ L 334, 17.12.2010, p. 17).	surplus.– This waste heat could be transported where it is needed through district heating networks. The events that trigger a requirement for authorisation criteria to be applied will generally be events that also trigger requirements for permits under Directive 2010/75/EU of the European Parliament and of the Council [1] and for authorisation under Directive (EU) 2019/944. _____ 1. *[1]* Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (OJ L 334, 17.12.2010, p. 17).	requirements for permits under Directive 2010/75/EU of the European Parliament and of the Council [1] and for authorisation under Directive (EU) 2019/944. _____ 1. Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (OJ L 334, 17.12.2010, p. 17).	
Recital 80a				
90a		***(80a) When assessing the potential for efficient heating and cooling, Member States should take wider environmental, health and safety aspects into account. As heat pumps are an indispensable tool for realising energy efficiency in heating and cooling, any potential environmental impacts from refrigerants should be fully assessed and eliminated.***		

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Recital 81				
91	(81) It may be appropriate for electricity generation installations that are intended to make use of geological storage permitted under Directive 2009/31/EC of the European Parliament and of the Council[1], to be located in places where the recovery of waste heat through high-efficiency cogeneration or by supplying a district heating or cooling network is not cost-effective. Member States should therefore be able to exempt those installations from the obligation to carry out a cost-benefit analysis for providing the installation with equipment allowing the recovery of waste heat by means of a high-efficiency cogeneration unit. It should also be possible to exempt peak-load and back-up electricity generation installations which are planned to operate under 1500 operating hours per year as a rolling average over a period of five years from the requirement to also provide heat. _____	(81) It may be appropriate for electricity generation installations that are intended to make use of geological storage permitted under Directive 2009/31/EC of the European Parliament and of the Council[1], to be located in places where the recovery of waste heat through high-efficiency cogeneration or by supplying a district heating or cooling network is not cost-effective. Member States should therefore be able to exempt those installations from the obligation to carry out a cost-benefit analysis for providing the installation with equipment allowing the recovery of waste heat by means of a high-efficiency cogeneration unit. It should also be possible to exempt peak-load and back-up electricity generation installations which are planned to operate under 1500 operating hours per year as a rolling average over a period of five years from the requirement to also provide heat. _____	(81) It may be appropriate for electricity generation installations that are intended to make use of geological storage permitted under Directive 2009/31/EC of the European Parliament and of the Council[1], to be located in places where the recovery of waste heat through high-efficiency cogeneration or by supplying a district heating or cooling network is not cost-effective. Member States should therefore be able to exempt those installations from the obligation to carry out a cost-benefit analysis for providing the installation with equipment allowing the recovery of waste heat by means of a high-efficiency cogeneration unit. It should also be possible to exempt peak-load and back-up electricity generation installations which are planned to operate under 1500 operating hours per year as a rolling average over a period of five years from the requirement to also provide heat. _____	

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	1. Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide (OJ L 140, 5.6.2009, p. 114).	1. Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide (OJ L 140, 5.6.2009, p. 114).	1. Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide (OJ L 140, 5.6.2009, p. 114).	
Recital 82				
92	(82) It is appropriate for Member States to encourage the introduction of measures and procedures to promote cogeneration installations with a total rated thermal input of less than 5 MW in order to encourage distributed energy generation.	(82) It is appropriate for Member States to encourage the introduction of measures and procedures to promote cogeneration installations with a total rated thermal input of less than 5 MW in order to encourage distributed energy generation.	(82) It is appropriate for Member States to encourage the introduction of measures and procedures to promote cogeneration installations with a total rated thermal input of less than 5 MW in order to encourage distributed energy generation.	
Recital 83				
93	(83) To implement national comprehensive assessments, Member States should encourage the assessments of the potential for high-efficiency cogeneration and efficient district heating and cooling in regional and local level. Member States should take steps to promote and facilitate deployment of identified cost-efficient potential of the high-efficiency cogeneration and efficient district heating and cooling.	(83) To implement national comprehensive assessments, Member States should encourage the assessments of the potential for high-efficiency cogeneration, ***electricity generation from waste heat for self-consumption*** and efficient district heating and cooling in regional and local level. Member States should take steps to promote and facilitate deployment of identified cost-efficient potential of the high-efficiency cogeneration	(83) To implement national comprehensive assessments, Member States should encourage the assessments of the potential for high-efficiency cogeneration and efficient district heating and cooling in regional and local level. Member States should take steps to promote and facilitate deployment of identified cost-efficient potential of the high-efficiency cogeneration and efficient district heating and cooling.	

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		and efficient district heating and cooling.		
Recital 84				
94	(84) Requirements for efficient district heating and cooling should be consistent with long-term climate policy goals, the climate and environmental standards and priorities of the Union, and should comply with the principle of 'do no significant harm' within the meaning of Regulation (EU) 2020/85. All the district heating and cooling systems should aim for improved ability to interact with other parts of the energy system in order to optimise the use of energy and prevent energy waste by using the full potential of buildings to store heat or cold, including the excess heat from service facilities and nearby data centres. For that reason, efficient district heating and cooling system should ensure the increase of primary energy efficiency and a progressive integration of renewable energy and waste heat or cold. Therefore, this Directive introduces	(84) Requirements for efficient district heating and cooling should be consistent with long-term climate policy goals, the climate and environmental standards and priorities of the Union, and should comply with the principle of 'do no significant harm' within the meaning of Regulation (EU) 2020/85. All the district heating and cooling systems should aim for improved ability to interact with other parts of the energy system in order to optimise the use of energy and prevent energy waste by using the full potential of buildings to store heat or cold, including the excess heat from service facilities and nearby data centres. For that reason, efficient district heating and cooling system should ensure the increase of primary energy efficiency and a progressive integration of renewable energy and waste heat ***as defined in Directive (EU) 2018/2001 of the***	(84) Requirements for efficient district heating and cooling should be consistent with long-term climate policy goals, the climate and environmental standards and priorities of the Union, and should comply with the principle of 'do no significant harm' within the meaning of Regulation (EU) 2020/85. All the district heating and cooling systems should aim for improved ability to interact with other parts of the energy system in order to optimise the use of energy and prevent energy waste by using the full potential of buildings to store heat or cold, including the excess heat from service facilities and nearby data centres. For that reason, efficient district heating and cooling system should ensure the increase of primary energy efficiency and a progressive integration of renewable energy and waste heat or cold. Therefore, this Directive introduces	

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	progressively stricter requirements for heating and cooling supply which should be applicable during specific established time periods and should be permanently applicable from 1 January 2050 onwards.	***European Parliament and of the Council***[1] or cold. Therefore, this Directive introduces progressively stricter requirements for heating and cooling supply which should be applicable during specific established time periods and should be permanently applicable from 1 January 2050 onwards. 1. *[1] Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).*	progressively stricter requirements for heating and cooling supply which should be applicable during specific established time periods and should be permanently applicable from 1 January 2050 onwards.	
Recital 85				
95	(85) High-efficiency cogeneration has been defined by the energy savings obtained by combined production instead of separate production of heat and electricity. Requirements for high-efficiency cogeneration should be consistent with long-term climate policy goals. The definitions of cogeneration and high-efficiency cogeneration used in Union legislation should be without prejudice to the use of different	(85) High-efficiency cogeneration has been defined by the energy savings obtained by combined production instead of separate production of heat and electricity. Requirements for high-efficiency cogeneration should be consistent with long-term climate policy goals. The definitions of cogeneration and high-efficiency cogeneration used in Union legislation should be without prejudice to the use of different	(85) High-efficiency cogeneration has been defined by the energy savings obtained by combined production instead of separate production of heat and electricity. Requirements for high-efficiency cogeneration should be consistent with long-term climate policy goals. The definitions of cogeneration and high-efficiency cogeneration used in Union legislation should be without prejudice to the use of different	

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	definitions in national legislation for purposes other than those of the Union legislation in question. To maximise energy savings and avoid energy saving opportunities being missed, the greatest attention should be paid to the operating conditions of cogeneration units.	definitions in national legislation for purposes other than those of the Union legislation in question. To maximise energy savings and avoid energy saving opportunities being missed, the greatest attention should be paid to the operating conditions of cogeneration units.	definitions in national legislation for purposes other than those of the Union legislation in question. To maximise energy savings and avoid energy saving opportunities being missed, the greatest attention should be paid to the operating conditions of cogeneration units.	
Recital 86				
96	(86) To ensure transparency and allow the final customer to choose between electricity from cogeneration and electricity produced by other techniques, the origin of high-efficiency cogeneration should be guaranteed on the basis of harmonised efficiency reference values. Guarantee of origin schemes do not by themselves imply a right to benefit from national support mechanisms. It is important that all forms of electricity produced from high-efficiency cogeneration can be covered by guarantees of origin. Guarantees of origin should be distinguished from exchangeable certificates.	(86) To ensure transparency and allow the final customer to choose between electricity from cogeneration and electricity produced by other techniques, the origin of high-efficiency cogeneration should be guaranteed on the basis of harmonised efficiency reference values. Guarantee of origin schemes do not by themselves imply a right to benefit from national support mechanisms. It is important that all forms of electricity produced from high-efficiency cogeneration can be covered by guarantees of origin. Guarantees of origin should be distinguished from exchangeable certificates.	(86) To ensure transparency and allow the final customer to choose between electricity from cogeneration and electricity produced by other techniques, the origin of high-efficiency cogeneration should be guaranteed on the basis of harmonised efficiency reference values. Guarantee of origin schemes do not by themselves imply a right to benefit from national support mechanisms. It is important that all forms of electricity produced from high-efficiency cogeneration can be covered by guarantees of origin. Guarantees of origin should be distinguished from exchangeable certificates.	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Recital 87				
97	(87) The specific structure of the cogeneration and district heating and cooling sectors, which include many small and medium-sized producers, should be taken into account, especially when reviewing the administrative procedures for obtaining permission to construct cogeneration capacity or associated networks, in application of the 'Think Small First' principle.	(87) The specific structure of the cogeneration and district heating and cooling sectors, which include many small and medium-sized producers, should be taken into account, especially when reviewing the administrative procedures for obtaining permission to construct cogeneration capacity or associated networks, in application of the 'Think Small First' principle.	(87) The specific structure of the cogeneration and district heating and cooling sectors, which include many small and medium-sized producers, should be taken into account, especially when reviewing the administrative procedures for obtaining permission to construct cogeneration capacity or associated networks, in application of the 'Think Small First' principle.	
Recital 88				
98	(88) Most Union businesses are SMEs. They represent an enormous energy saving potential for the Union. To help them adopt energy efficiency measures, Member States should establish a favourable framework aimed at providing SMEs with technical assistance and targeted information.	(88) Most Union businesses are SMEs. They represent an enormous energy saving potential for the Union. To help them adopt energy efficiency measures, Member States should establish a favourable framework aimed at providing SMEs with technical assistance and targeted information.	(88) Most Union businesses are SMEs. They represent an enormous energy saving potential for the Union. To help them adopt energy efficiency measures, Member States should establish a favourable framework aimed at providing SMEs with technical assistance and targeted information.	
Recital 89				
99	(89) Member States should	(89) Member States should	(89) Member States should	

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	establish, on the basis of objective, transparent and non-discriminatory criteria, rules governing the bearing and sharing of costs of grid connections and grid reinforcements and for technical adaptations needed to integrate new producers of electricity produced from high-efficiency cogeneration, taking into account guidelines and codes developed in accordance with Regulation (EU) 2019/943 of the European Parliament and of the Council[1] and Regulation (EC) No 715/2009 of the European Parliament and of the Council[2]. Producers of electricity generated from high-efficiency cogeneration should be allowed to issue a call for tender for the connection work. Access to the grid system for electricity produced from high-efficiency cogeneration, especially for small scale and micro-cogeneration units, should be facilitated. In accordance with Article 99(2) of Directive (EU) 2019/944 and Article 3(2) of Directive 2009/73/EC, Member States may impose public service obligations, including in relation to energy efficiency, on undertakings	establish, on the basis of objective, transparent and non-discriminatory criteria, rules governing the bearing and sharing of costs of grid connections and grid reinforcements and for technical adaptations needed to integrate new producers of electricity produced from high-efficiency cogeneration, taking into account guidelines and codes developed in accordance with Regulation (EU) 2019/943 of the European Parliament and of the Council[1] and Regulation (EC) No 715/2009 of the European Parliament and of the Council[2]. Producers of electricity generated from high-efficiency cogeneration should be allowed to issue a call for tender for the connection work. Access to the grid system for electricity produced from high-efficiency cogeneration, especially for small scale and micro-cogeneration units, should be facilitated. In accordance with Article 99(2) of Directive (EU) 2019/944 and Article 3(2) of Directive 2009/73/EC, Member States may impose public service obligations, including in relation to energy efficiency, on undertakings	establish, on the basis of objective, transparent and non-discriminatory criteria, rules governing the bearing and sharing of costs of grid connections and grid reinforcements and for technical adaptations needed to integrate new producers of electricity produced from high-efficiency cogeneration, taking into account guidelines and codes developed in accordance with Regulation (EU) 2019/943 of the European Parliament and of the Council[1] and Regulation (EC) No 715/2009 of the European Parliament and of the Council[2]. Producers of electricity generated from high-efficiency cogeneration should be allowed to issue a call for tender for the connection work. Access to the grid system for electricity produced from high-efficiency cogeneration, especially for small scale and micro-cogeneration units, should be facilitated. In accordance with Article 99(2) of Directive (EU) 2019/944 and Article 3(2) of Directive 2009/73/EC, Member States may impose public service obligations, including in relation to energy efficiency, on undertakings	

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	operating in the electricity and gas sectors. _____ 1. Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54). 2. Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks (OJ L 211, 14.8.2009, p. 36).	operating in the electricity and gas sectors. _____ 1. Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54). 2. Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks (OJ L 211, 14.8.2009, p. 36).	operating in the electricity and gas sectors. _____ 1. Regulation (EU) 2019/943 of the European Parliament and of the Council of 5 June 2019 on the internal market for electricity (OJ L 158, 14.6.2019, p. 54). 2. Regulation (EC) No 715/2009 of the European Parliament and of the Council of 13 July 2009 on conditions for access to the natural gas transmission networks (OJ L 211, 14.8.2009, p. 36).	
Recital 90				
100	(90) It is necessary to set out provisions related to billing, single point of contact, out-of-court dispute settlement, energy poverty and basic contractual rights, with the aim of aligning them, where appropriate, with the relevant provisions regarding electricity pursuant to Directive (EU) 2019/944, in order to strengthen consumer protection and enable final customers to receive more frequent, clear and up-to-date information about their heating, cooling or domestic hot water consumption and to regulate their energy use.	(90) It is necessary to set out provisions related to billing, single point of contact, out-of-court dispute settlement, energy poverty and basic contractual rights, with the aim of aligning them, where appropriate, with the relevant provisions regarding electricity pursuant to Directive (EU) 2019/944, in order to strengthen consumer protection and enable final customers to ~~receive more frequent~~***have direct access to detailed***, clear and up-to-date information about their ***electricity,*** heating, cooling or domestic hot water consumption and to regulate their energy use ***making energy***	(90) It is necessary to set out provisions related to billing, single point of contact, out-of-court dispute settlement, energy poverty and basic contractual rights, with the aim of aligning them, where appropriate, with the relevant provisions regarding electricity pursuant to Directive (EU) 2019/944, in order to strengthen consumer protection and enable final customers to receive more frequent, clear and up-to-date information about their heating, cooling or domestic hot water consumption and to regulate their energy use.	

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		consumption fully transparent for consumers.		
Recital 90a				
100a			**(90a) This Directive strengthens the protection of consumers introducing basic contractual rights for district heating, cooling and domestic hot water, coherent with the level of rights, protection and empowerment that the Directive (EU) 2019/944 has introduced for final customers in the electricity sector. Plain and unambiguous information should be made available to consumers concerning their rights. Several factors impede consumers from accessing, understanding and acting upon the various sources of market information available to them. The introduction of basic contractual rights can help, among others, in the proper understanding of the baseline of the quality of services offered in the contract by the supplier, including the quality and**	

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			characteristics of the supplied energy. In addition, it can contribute in the minimisation of hidden or extra costs that could result from the introduction of either upgraded or new services after the signing of the contract and without the clear understanding and agreement by the customer. These services could concern the energy supplied, metering and billing services, purchase and installation or ancillary and maintenance services and costs related to the network, the metering devices, local heating or cooling equipment, etc. The requirements will contribute to the improvement of comparability of offers and ensure the same level of basic contractual rights for all European citizens regarding heating, cooling and domestic hot water, without restricting the national competences.	
Recital 91				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
101	(91) Greater consumer protection should be guaranteed by the availability of effective, independent out-of-court dispute settlement mechanisms for all consumers, such as an energy ombudsperson, a consumer body or a regulatory authority. Member States should, therefore, introduce speedy and effective complaint-handling procedures.	(91) Greater consumer protection should be guaranteed by the availability of effective, independent out-of-court dispute settlement mechanisms for all consumers, such as an energy ombudsperson, a consumer body or a regulatory authority. Member States should, therefore, introduce speedy and effective complaint-handling procedures.	(91) Greater consumer protection should be guaranteed by the availability of effective, independent out-of-court dispute settlement mechanisms for all consumers, such as an energy ombudsperson, a consumer body or a regulatory authority. Member States should, therefore, introduce speedy and effective complaint-handling procedures.	
Recital 92				
102	(92) The contribution of renewable energy communities, pursuant to Directive (EU) 2018/2001 of the European Parliament and of the Council[1], and citizen energy communities, according to Directive (EU) 2019/944 towards the objectives of the European Green Deal and the 2030 Climate Target Plan, should be recognised. Member States should, therefore, consider and promote the role of renewable energy communities and citizen energy communities. Those communities can help Member	(92) The contribution of renewable energy communities, pursuant to Directive (EU) 2018/2001 ~~*of the European Parliament and of the Council*~~[1], and citizen energy communities, according to Directive (EU) 2019/944 towards the objectives of the European Green Deal and the 2030 Climate Target Plan, should be recognised ***and actively supported***. Member States should, therefore, consider and promote the role of renewable energy communities and citizen energy communities. Those communities	(92) The contribution of renewable energy communities, pursuant to Directive (EU) 2018/2001 of the European Parliament and of the Council[1], and citizen energy communities, according to Directive (EU) 2019/944 towards the objectives of the European Green Deal and the 2030 Climate Target Plan, should be recognised. Member States should, therefore, consider and promote the role of renewable energy communities and citizen energy communities. Those communities can help Member	

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	States to achieve the objectives of this Directive by advancing energy efficiency at local or household level. They can empower and engage consumers and enable certain groups of household customers, including in rural and remote areas to participate in energy efficiency projects and interventions. Energy communities can help fighting energy poverty through facilitation of energy efficiency projects, reduced energy consumption and lower supply tariffs. _____ 1. Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).	can help Member States to ~~achieve the objectives of this Directive~~***implement the energy efficiency first principle at local level*** by advancing energy efficiency at local or household level***, as well as in public buildings in cooperation with local authorities***. They can empower and engage consumers and enable certain groups of household customers, including in rural***, remote areas and outermost regions,*** ~~and remote areas~~ to participate in energy efficiency projects and interventions***, often combining such actions with investment in renewable energy***. Energy communities ***also have a strong role to play in educating and increasing citizens' awareness of the measures that can undertake to achieve energy savings. If properly supported by Member States, energy communities*** can help fighting energy poverty through facilitation of energy efficiency projects, reduced energy consumption and lower supply tariffs. ***Member States should remove unnecessary hurdles to ensure it is attractive to***	States to achieve the objectives of this Directive by advancing energy efficiency at local or household level. They can empower and engage consumers and enable certain groups of household customers, including in rural and remote areas to participate in energy efficiency projects and interventions. Energy communities can help fighting energy poverty through facilitation of energy efficiency projects, reduced energy consumption and lower supply tariffs. _____ 1. Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).	

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		build energy communities. Public administrations at all levels should be duly trained in this area. ~~1. *Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).*~~		
Recital 92a				
102a		***(92a) Long-term behavioural changes in energy consumption can be achieved through the empowerment of citizens. Energy communities can help deliver long-term energy savings, particularly among households, and an increase in sustainable investments from citizens and small businesses. Member States should empower such actions by citizens through support for community energy projects and organisations.***		
Recital 93				
103	(93) The contribution of one-stop	(93) The contribution of one-stop	(93) The contribution of one-stop	

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	shops or similar structures as mechanisms that can enable multiple target groups, including citizens, SMEs and public authorities, to design and implement projects and measures related to the clean energy transition, should be recognised. That contribution can include the provision of technical, administrative and financial advice and assistance, facilitation of the necessary administrative procedures or of access to financial markets, or guidance with the national and European legal framework, including public procurement rules and criteria, and the EU Taxonomy.	shops or similar structures as mechanisms that can enable multiple target groups, including citizens, SMEs and public authorities, to design and implement projects and measures related to the clean energy transition, should be recognised. ***The contribution of one-stop-shops can be very important for the most vulnerable customers, including women in all their diversity and single parents, as they could provide an easier, reliable and accessible source of information about energy efficiency improvements.*** That contribution can include the provision of technical, administrative and financial advice and assistance, facilitation of the necessary administrative procedures or of access to financial markets, or guidance with the national and European legal framework, including public procurement rules and criteria, and the EU Taxonomy.	shops or similar structures as mechanisms that can enable multiple target groups, including citizens, SMEs and public authorities, to design and implement projects and measures related to the clean energy transition, should be recognised. That contribution can include the provision of technical, administrative and financial advice and assistance, facilitation of the necessary administrative procedures or of access to financial markets, or guidance with the national and European legal framework, including public procurement rules and criteria, and the EU Taxonomy.	
Recital 94				
104				

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	(94) The Commission should review the impact of its measures to support the development of platforms or fora, involving, inter alia, the European social dialogue bodies in fostering training programmes for energy efficiency, and shall bring forward further measures where appropriate. The Commission should also encourage European social partners in their discussions on energy efficiency, especially for vulnerable customers and final users, including those in energy poverty.	(94) The Commission should review the impact of its measures to support the development of platforms or fora, involving, inter alia, the European social dialogue bodies in fostering training programmes for energy efficiency, and shall bring forward further measures where appropriate. The Commission should also encourage European social partners in their discussions on energy efficiency, especially for vulnerable customers and final users, including those in energy poverty.	(94) The Commission should review the impact of its measures to support the development of platforms or fora, involving, inter alia, the European social dialogue bodies in fostering training programmes for energy efficiency, and shall bring forward further measures where appropriate. The Commission should also encourage European social partners in their discussions on energy efficiency, especially for vulnerable customers and final users, including those in energy poverty.	
Recital 95				
105	(95) A fair transition towards a climate-neutral Union by 2050 is central to the European Green Deal. The European Pillar of Social Rights, jointly proclaimed by the European Parliament, the Council and the Commission on 17 November 2017, includes energy among the essential services which everyone is entitled to access. Support for access to such services must be available for those in need[1].	(95) A fair transition towards a climate-neutral Union by 2050 is central to the European Green Deal. The European Pillar of Social Rights, jointly proclaimed by the European Parliament, the Council and the Commission on 17 November 2017, includes energy among the essential services which everyone is entitled to access. Support for access to such services must be available for those in need[1]***, particularly in a context of***	(95) A fair transition towards a climate-neutral Union by 2050 is central to the European Green Deal. The European Pillar of Social Rights, jointly proclaimed by the European Parliament, the Council and the Commission on 17 November 2017, includes energy among the essential services which everyone is entitled to access. Support for access to such services must be available for those in need[1].	

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	_____ 1. EPSR, Principle 20 “Access to essential services”: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en	***inflationary pressure and significant increases in energy prices***. _____ 1. ***[1]*** EPSR, Principle 20 "Access to essential services": https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en	_____ 1. EPSR, Principle 20 “Access to essential services”: https://ec.europa.eu/commission/priorities/deeper-and-fairer-economic-and-monetary-union/european-pillar-social-rights/european-pillar-social-rights-20-principles_en	
Recital 96				
106	(96) It is necessary to ensure that people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing are protected and, to this end, empowered to actively participate in the energy efficiency improvement interventions, measures and related consumer protection or information measures that Member States implement.	(96) It is necessary to ensure that people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing are protected and, to this end, empowered to actively participate in the energy efficiency improvement interventions, measures and related consumer protection or information measures that Member States implement. ***Targeted awareness raising campaigns should be developed to illustrate the benefits of energy efficiency as well to provide information on the financial support available.***	(96) It is necessary to ensure that people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing are protected and, to this end, empowered to actively participate in the energy efficiency improvement interventions, measures and related consumer protection or information measures that Member States implement.	

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Recital 97				
107	(97) Public funding available at national and Union level should be strategically invested into energy efficiency improvement measures, in particular for the benefit of vulnerable customers, people affected by energy poverty and those living in social housing. Member States should take advantage of any financial contribution they might receive from the Social Climate Fund[1], and of revenues from allowances from the EU Emissions Trading System. These revenues will support Member States in fulfilling their obligation to implement energy efficiency measures and policy measures under the energy savings obligation as a priority among vulnerable customers and people affected by energy poverty, which may include those living in rural and remote regions. 1. Proposal for a Regulation of the European Parliament and of the Council establishing a Social Climate Fund, COM 2021 568 final.	(97) Public funding available at national and Union level should be strategically invested into energy efficiency improvement measures, in particular for the benefit of vulnerable customers, people affected by energy poverty and those living in social housing. Member States should take advantage of any financial contribution they might receive from the Social Climate Fund[1], and of revenues from allowances from the EU Emissions Trading System. These revenues will support Member States in fulfilling their obligation to implement energy efficiency measures and policy measures under the energy savings obligation as a priority among vulnerable customers and people affected by energy poverty, which may include those living in rural and remote regions. 1. Proposal for a Regulation of the European Parliament and of the Council establishing a Social Climate Fund, COM 2021 568 final.	(97) Public funding available at national and Union level should be strategically invested into energy efficiency improvement measures, in particular for the benefit of vulnerable customers, people affected by energy poverty and those living in social housing. Member States should take advantage of any financial contribution they might receive from the Social Climate Fund[1], and of revenues from allowances from the EU Emissions Trading System. These revenues will support Member States in fulfilling their obligation to implement energy efficiency measures and policy measures under the energy savings obligation as a priority among vulnerable customers and people affected by energy poverty, which may include those living in rural and remote regions. 1. Proposal for a Regulation of the European Parliament and of the Council establishing a Social Climate Fund, COM 2021 568 final.	
Recital 98				

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108	(98) National funding schemes should be complemented by suitable schemes of better information, technical and administrative assistance, easier access to finance that will enable the best use of the available funds especially by people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.	(98) National funding schemes should be complemented by suitable schemes of better information, technical and administrative assistance, easier access to finance that will enable the best use of the available funds especially by people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.	(98) National funding schemes should be complemented by suitable schemes of better information, technical and administrative assistance, easier access to finance that will enable the best use of the available funds especially by people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.	
Recital 99				
109	(99) Member States should empower and protect all people equally, irrespective of their sex, gender, age, disability, race or ethnic origin, sexual orientation, religion or belief, and ensure that those most affected or put at greater risk of being affected by energy poverty, or most exposed to the adverse impacts of energy poverty, are adequately protected. In addition, Member States should ensure that energy efficiency measures do not exacerbate any existing inequalities, notably with respect to energy poverty.	(99) Member States should empower and protect all people equally, irrespective of their sex, gender, age, disability, race or ethnic origin, sexual orientation, religion or belief, and ensure that those most affected or put at greater risk of being affected by energy poverty, or most exposed to the adverse impacts of energy poverty, are adequately protected. In addition, Member States should ensure that energy efficiency measures do not exacerbate any existing inequalities, notably with respect to energy poverty.	(99) Member States should empower and protect all people equally, irrespective of their sex, gender, age, disability, race or ethnic origin, sexual orientation, religion or belief, and ensure that those most affected or put at greater risk of being affected by energy poverty, or most exposed to the adverse impacts of energy poverty, are adequately protected. In addition, Member States should ensure that energy efficiency measures do not exacerbate any existing inequalities, notably with respect to energy poverty.	

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Recital 99a				
109a			**(99a) Pursuant to Article 15(2) of 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/EC, all Member States have undertaken an assessment of the energy efficiency potentials of their gas and electricity infrastructure, and have identified concrete measures and investments for the introduction of cost-effective energy efficiency improvements in the network infrastructure, with a timetable for their introduction. The results of these actions represent a solid basis for the application of the energy efficiency first principle in their network planning, network development and investment decisions.**	
Recital 100				

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110	(100) Member States should ensure that national energy regulatory authorities take an integrated approach encompassing potential savings in the energy supply and the end-use sectors. Without prejudice to security of supply, market integration and anticipatory investments in offshore grids necessary for the deployment of offshore renewable energy, national energy regulatory authorities should ensure that the energy efficiency first principle is applied in the planning and decision making processes and that network tariffs and regulations incentivise improvements in energy efficiency. Member States should also ensure that transmission and distribution system operators consider the energy efficiency first principle. That would help transmission and distribution system operators to consider better energy efficiency solutions and incremental costs incurred for the procurement of demand side resources, as well as the environmental and socio-economic impacts of different	(100) Member States should ensure that national energy regulatory authorities take an integrated approach encompassing potential savings in the energy supply and the end-use sectors. Without prejudice to security of supply, market integration and anticipatory investments in offshore grids necessary for the deployment of offshore renewable energy, national energy regulatory authorities should ensure that the energy efficiency first principle is applied in the planning and decision making processes and that network tariffs and regulations incentivise improvements in energy efficiency. Member States should also ensure that transmission and distribution system operators consider the energy efficiency first principle. That would help transmission and distribution system operators to consider better energy efficiency solutions and incremental costs incurred for the procurement of demand side resources, as well as the environmental and socio-economic impacts of different	(100) Member States should ensure that national energy regulatory authorities take an integrated approach encompassing potential savings in the energy supply and the end-use sectors. Without prejudice to security of supply, market integration and anticipatory investments in offshore grids necessary for the deployment of offshore renewable energy, national energy regulatory authorities should ensure that the energy efficiency first principle is applied in the planning and decision making processes and that network tariffs and regulations incentivise improvements in energy efficiency. Member States should also ensure that transmission and distribution system operators consider the energy efficiency first principle. That would help transmission and distribution system operators to consider better energy efficiency solutions and incremental costs incurred for the procurement of demand side resources, as well as the environmental and socio-economic impacts of different	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	network investments and operation plans. Such an approach requires a shift from the narrow economic efficiency perspective to maximised social welfare. The energy efficiency first principle should in particular be applied in the context of scenario building for energy infrastructure expansion where demand side solutions could be considered as viable alternatives and need to be properly assessed, and it should become an intrinsic part of the assessment of network planning projects. Its application should be scrutinised by national regulatory authorities.	network investments and operation plans. Such an approach requires a shift from the narrow economic efficiency perspective to maximised social welfare. The energy efficiency first principle should in particular be applied in the context of scenario building for energy infrastructure expansion where demand side solutions could be considered as viable alternatives and need to be properly assessed, and it should become an intrinsic part of the assessment of network planning projects. Its application should be scrutinised by national regulatory authorities.	network investments and operation plans. Such an approach requires a shift from the narrow economic efficiency perspective to maximised social welfare. The energy efficiency first principle should in particular be applied in the context of scenario building for energy infrastructure expansion where demand side solutions could be considered as viable alternatives and need to be properly assessed, and it should become an intrinsic part of the assessment of network planning projects. Its application should be scrutinised by national regulatory authorities.	
Recital 101				
111	(101) A sufficient number of reliable professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should	(101) A sufficient number of reliable professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should	(101) A sufficient number of reliable professionals competent in the field of energy efficiency should be available to ensure the effective and timely implementation of this Directive, for instance as regards compliance with the requirements on energy audits and implementation of energy efficiency obligation schemes. Member States should	

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	therefore put in place certification and /or equivalent qualification and suitable training schemes for the providers of energy services, energy audits and other energy efficiency improvement measures in close cooperation with social partners, training providers and other relevant stakeholders. The schemes should be assessed every four years starting as of December 2024 and if needed be updated to ensure the necessary level of competences for energy services providers, energy auditors, energy managers and installers of building elements .	therefore put in place certification and /or equivalent qualification and suitable training schemes for the providers of energy services, energy audits and other energy efficiency improvement measures in close cooperation with social partners, training providers and other relevant stakeholders. The schemes should be assessed every four years starting as of December 2024 and if needed be updated to ensure the necessary level of competences for energy services providers, energy auditors, energy managers and installers of building elements .	therefore put in place certification and /or equivalent qualification and suitable training schemes for the providers of energy services, energy audits and other energy efficiency improvement measures in close cooperation with social partners, training providers and other relevant stakeholders. The schemes should be assessed every four years starting as of December 2024 and if needed be updated to ensure the necessary level of competences for energy services providers, energy auditors, energy managers and installers of building elements .	
Recital 102				
112	(102) It is necessary to continue developing the market for energy services to ensure the availability of both the demand for and the supply of energy services. Transparency, for example by means of lists of certified energy services providers and available model contracts, exchange of best practice and guidelines greatly contribute to the uptake of energy	(102) It is necessary to continue developing the market for energy services to ensure the availability of both the demand for and the supply of energy services. Transparency, for example by means of lists of certified energy services providers and available model contracts, exchange of best practice and guidelines greatly contribute to the uptake of energy	(102) It is necessary to continue developing the market for energy services to ensure the availability of both the demand for and the supply of energy services. Transparency, for example by means of lists of certified energy services providers and available model contracts, exchange of best practice and guidelines greatly contribute to the uptake of energy	

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	services and energy performance contracting and can also help stimulate demand and increase the trust in energy services providers . In an energy performance contract the beneficiary of the energy service avoids investment costs by using part of the financial value of energy savings to repay the investment fully or partially carried out by a third party. That can help attracting private capital which is key for increasing building renovation rates in the Union, bring expertise into the market and create innovative business models. Therefore, non-residential buildings with the useful floor area above 1000 m2 should be required to assess the feasibility of using energy performance contracting for renovation. That is a step ahead to increase the trust in energy services companies and pave the way for increasing such projects in the future.	services and energy performance contracting and can also help stimulate demand and increase the trust in energy services providers . In an energy performance contract the beneficiary of the energy service avoids investment costs by using part of the financial value of energy savings to repay the investment fully or partially carried out by a third party. That can help attracting private capital which is key for increasing building renovation rates in the Union, bring expertise into the market and create innovative business models. Therefore, non-residential buildings ***and public residential buildings*** with the useful floor area above ~~*1000 m2*~~***500 m2 and buildings for social purposes*** should be required to assess the feasibility of using energy performance contracting for renovation. That is a step ahead to increase the trust in energy services companies and pave the way for increasing such projects in the future.	services and energy performance contracting and can also help stimulate demand and increase the trust in energy services providers . In an energy performance contract the beneficiary of the energy service avoids investment costs by using part of the financial value of energy savings to repay the investment fully or partially carried out by a third party. That can help attracting private capital which is key for increasing building renovation rates in the Union, bring expertise into the market and create innovative business models. Therefore, non-residential buildings with the useful floor area above 1000 m2 should be required to assess the feasibility of using energy performance contracting for renovation. That is a step ahead to increase the trust in energy services companies and pave the way for increasing such projects in the future.	
Recital 103				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
113	(103) Given the ambitious renovation objectives over the next decade in the context of the Commission's Communication entitled Renovation Wave it is necessary to increase the role of independent market intermediaries including one stop shops or similar support mechanisms in order to stimulate market development on the demand and supply sides and to promote energy performance contracting for renovation of both private and public buildings. Local energy agencies could play a key role in this regard, and identify and support setting up potential facilitators or one-stop-shops.	(103) Given the ambitious renovation objectives over the next decade in the context of the Commission's Communication entitled Renovation Wave it is necessary to increase the role of independent market intermediaries including one stop shops or similar support mechanisms in order to stimulate market development on the demand and supply sides and to promote energy performance contracting for renovation of both private and public buildings. Local energy agencies could play a key role in this regard, and identify and support setting up potential facilitators or one-stop-shops. ***This Directive should help improve the availability of products, services and advice available on the Union and local markets, including by promoting the potential for women entrepreneurs to fill the gaps in the market and to provide for innovative ways to enhance energy efficiency.***	(103) Given the ambitious renovation objectives over the next decade in the context of the Commission's Communication entitled Renovation Wave it is necessary to increase the role of independent market intermediaries including one stop shops or similar support mechanisms in order to stimulate market development on the demand and supply sides and to promote energy performance contracting for renovation of both private and public buildings. Local energy agencies could play a key role in this regard, and identify and support setting up potential facilitators or one-stop-shops.	
Recital 104				
114				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	(104) Energy performance contracting still faces important barriers in several Member States due to remaining regulatory and non-regulatory barriers. It is therefore necessary to address the ambiguities of the national legislative frameworks, lack of expertise, especially as regards to tendering procedures, and competing loans and grants.	(104) Energy performance contracting still faces important barriers in several Member States due to remaining regulatory and non-regulatory barriers. It is therefore necessary to address the ambiguities of the national legislative frameworks, lack of expertise, especially as regards to tendering procedures, and competing loans and grants.	(104) Energy performance contracting still faces important barriers in several Member States due to remaining regulatory and non-regulatory barriers. It is therefore necessary to address the ambiguities of the national legislative frameworks, lack of expertise, especially as regards to tendering procedures, and competing loans and grants.	
Recital 105				
115	(105) Member States should continue supporting the public sector in the uptake of energy performance contracting by providing model contracts that take into account the available European or international standards, tendering guidelines and the Guide to the Statistical Treatment of Energy Performance Contracts[1] published in May 2018 by Eurostat and the European Investment Bank on the treatment of energy performance contracting in government accounts, which have provided opportunities for addressing remaining regulatory	(105) Member States should continue supporting the public sector in the uptake of energy performance contracting by providing model contracts that take into account the available European or international standards, tendering guidelines and the Guide to the Statistical Treatment of Energy Performance Contracts[1] published in May 2018 by Eurostat and the European Investment Bank on the treatment of energy performance contracting in government accounts, which have provided opportunities for addressing remaining regulatory	(105) Member States should continue supporting the public sector in the uptake of energy performance contracting by providing model contracts that take into account the available European or international standards, tendering guidelines and the Guide to the Statistical Treatment of Energy Performance Contracts[1] published in May 2018 by Eurostat and the European Investment Bank on the treatment of energy performance contracting in government accounts, which have provided opportunities for addressing remaining regulatory	

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	barriers to these contracts in Member States. _____ 1. https://ec.europa.eu/eurostat/documents/1015035/8885635/guide_to_statistical_treatment_of_epcs_en.p df/f74b474b-8778-41a9-9978-8f4fe8548ab1	barriers to these contracts in Member States. _____ 1. https://ec.europa.eu/eurostat/documents/1015035/8885635/guide_to_statistical_treatment_of_epcs_en.p df/f74b474b-8778-41a9-9978-8f4fe8548ab1	barriers to these contracts in Member States. _____ 1. https://ec.europa.eu/eurostat/documents/1015035/8885635/guide_to_statistical_treatment_of_epcs_en.p df/f74b474b-8778-41a9-9978-8f4fe8548ab1	
Recital 106				
116	(106) Member States have taken measures to identify and address the regulatory and non-regulatory barriers. However, there is a need to increase the effort to remove regulatory and non-regulatory barriers to the use of energy performance contracting and third-party financing arrangements which help achieving energy savings. These barriers include accounting rules and practices that prevent capital investments and annual financial savings resulting from energy efficiency improvement measures from being adequately reflected in the accounts for the whole life of the investment.	(106) Member States have taken measures to identify and address the regulatory and non-regulatory barriers. However, there is a need to increase the effort to remove regulatory and non-regulatory barriers to the use of energy performance contracting and third-party financing arrangements which help achieving energy savings. These barriers include accounting rules and practices that prevent capital investments and annual financial savings resulting from energy efficiency improvement measures from being adequately reflected in the accounts for the whole life of the investment.	(106) Member States have taken measures to identify and address the regulatory and non-regulatory barriers. However, there is a need to increase the effort to remove regulatory and non-regulatory barriers to the use of energy performance contracting and third-party financing arrangements which help achieving energy savings. These barriers include accounting rules and practices that prevent capital investments and annual financial savings resulting from energy efficiency improvement measures from being adequately reflected in the accounts for the whole life of the investment.	
Recital 107				

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117	(107) Member States used the 2014 and 2017 National Energy Efficiency Action Plans (NEEAPs) to report progress in removing regulatory and non-regulatory barriers to energy efficiency, as regards the split of incentives between the owners and tenants or among owners of a building or building units. However, Member States should continue working in that direction and tap the potential for energy efficiency in the context of the 2016 Eurostat statistics, represented by the fact that more than four out of ten Europeans live in flats and more than three out of ten Europeans are tenants.	(107) Member States used the 2014 and 2017 National Energy Efficiency Action Plans (NEEAPs) to report progress in removing regulatory and non-regulatory barriers to energy efficiency, as regards the split of incentives between the owners and tenants or among owners of a building or building units. However, Member States should continue working in that direction and tap the potential for energy efficiency in the context of the 2016 Eurostat statistics, represented by the fact that more than four out of ten Europeans live in flats and more than three out of ten Europeans are tenants.	(107) Member States used the 2014 and 2017 National Energy Efficiency Action Plans (NEEAPs) to report progress in removing regulatory and non-regulatory barriers to energy efficiency, as regards the split of incentives between the owners and tenants or among owners of a building or building units. However, Member States should continue working in that direction and tap the potential for energy efficiency in the context of the 2016 Eurostat statistics, represented by the fact that more than four out of ten Europeans live in flats and more than three out of ten Europeans are tenants.	
Recital 108				
118	(108) Member States and regions should be encouraged to make full use of the European funds available in the MFF and Next Generation EU including the Recovery and Resilience Facility, the Cohesion Policy Funds , the Rural Development Fund and the Just Transition Fund, as well as the	(108) Member States***, regional and local authorities*** ~~and regions~~ should be encouraged to make full use of the European funds available in the MFF and Next Generation EU including the Recovery and Resilience Facility, the Cohesion Policy~~-~~ Funds~~-~~, the Rural Development Fund and the	(108) Member States and regions should be encouraged to make full use of the European funds available in the MFF and Next Generation EU including the Recovery and Resilience Facility, the Cohesion Policy Funds , the Rural Development Fund and the Just Transition Fund, as well as the	

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	financial instruments and technical assistance available under InvestEU, to trigger private and public investments in energy efficiency improvement measures. Investment in energy efficiency has the potential to contribute to economic growth, employment, innovation and a reduction in energy poverty in households, and therefore makes a positive contribution to economic, social and territorial cohesion and green recovery . Potential areas for funding include energy efficiency measures in public buildings and housing, and providing new skills to promote employment in the energy efficiency sector. The Commission will ensure synergies between the different funding instruments, in particular the funds in the shared management and in the direct management (like the centrally-managed programmes: Horizon Europe or LIFE), as well as between grants, loans and technical assistance to maximise their leverage effect on private financing and their impact on the achievement of energy efficiency policy objectives.	Just Transition Fund, as well as the financial instruments and technical assistance available under InvestEU,– to trigger private and public– investments in energy efficiency improvement measures. Investment in energy efficiency has the potential to contribute to economic growth, employment, innovation and a reduction in energy poverty in households, and therefore makes a positive contribution to economic, social and territorial cohesion and green recovery-. Potential areas for funding include energy efficiency measures in public buildings and housing, and ~~providing new skills~~***the training, reskilling and upskilling of professionals, in particular in jobs related to building renovation,*** to promote employment in the energy efficiency sector. The Commission will ensure synergies between the different funding instruments, in particular the funds in the shared management and in the direct management (like the centrally-managed programmes: Horizon Europe or LIFE), as well as between grants, loans and technical	financial instruments and technical assistance available under InvestEU, to trigger private and public investments in energy efficiency improvement measures. Investment in energy efficiency has the potential to contribute to economic growth, employment, innovation and a reduction in energy poverty in households, and therefore makes a positive contribution to economic, social and territorial cohesion and green recovery . Potential areas for funding include energy efficiency measures in public buildings and housing, and providing new skills to promote employment in the energy efficiency sector. The Commission will ensure synergies between the different funding instruments, in particular the funds in the shared management and in the direct management (like the centrally-managed programmes: Horizon Europe or LIFE), as well as between grants, loans and technical assistance to maximise their leverage effect on private financing and their impact on the achievement of energy efficiency policy objectives.	

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		assistance to maximise their leverage effect on private financing and their impact on the achievement of energy efficiency policy objectives.		
Recital 109				
119	(109) Member States should encourage the use of financing facilities to further the objectives of this Directive. Such financing facilities could include financial contributions and fines from non-fulfilment of certain provisions of this Directive; resources allocated to energy efficiency under Article 10(3) of Directive 2003/87/EC of the European Parliament and of the Council[1]; resources allocated to energy efficiency in the European funds and programmes, and dedicated European financial instruments, such as the European Energy Efficiency Fund. _____ 1. Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275,	(109) Member States should encourage the use of financing facilities to further the objectives of this Directive. Such financing facilities could include financial contributions and fines from non-fulfilment of certain provisions of this Directive; resources allocated to energy efficiency under Article 10(3) of Directive 2003/87/EC of the European Parliament and of the Council[1]; resources allocated to energy efficiency in the European funds and programmes, and dedicated European financial instruments, such as the European Energy Efficiency Fund. ***Member States should work on building platforms that aim to aggregate small and medium-sized projects with a view to creating pools of projects suitable for financing purposes.***	(109) Member States should encourage the use of financing facilities to further the objectives of this Directive. Such financing facilities could include financial contributions and fines from non-fulfilment of certain provisions of this Directive; resources allocated to energy efficiency under Article 10(3) of Directive 2003/87/EC of the European Parliament and of the Council[1]; resources allocated to energy efficiency in the European funds and programmes, and dedicated European financial instruments, such as the European Energy Efficiency Fund. _____ 1. Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275,	

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	25.10.2003, p. 32).	_____ 1. [I] Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).	25.10.2003, p. 32).	
Recital 110				
120	(110) Financing facilities could be based, where applicable, on resources allocated to energy efficiency from Union project bonds; resources allocated to energy efficiency from the European Investment Bank and other European financial institutions, in particular the European Bank for Reconstruction and Development and the Council of Europe Development Bank; resources leveraged in financial institutions; national resources, including through the creation of regulatory and fiscal frameworks encouraging the implementation of energy efficiency initiatives and programmes; revenues from annual emission allocations under Decision No 406/2009/EC of the	(110) Financing facilities could be based, where applicable, on resources allocated to energy efficiency from Union project bonds; resources allocated to energy efficiency from the European Investment Bank and other European financial institutions, in particular the European Bank for Reconstruction and Development and the Council of Europe Development Bank; resources leveraged in financial institutions; national resources, including through the creation of regulatory and fiscal frameworks encouraging the implementation of energy efficiency initiatives and programmes; revenues from annual emission allocations under Decision No 406/2009/EC of the	(110) Financing facilities could be based, where applicable, on resources allocated to energy efficiency from Union project bonds; resources allocated to energy efficiency from the European Investment Bank and other European financial institutions, in particular the European Bank for Reconstruction and Development and the Council of Europe Development Bank; resources leveraged in financial institutions; national resources, including through the creation of regulatory and fiscal frameworks encouraging the implementation of energy efficiency initiatives and programmes; revenues from annual emission allocations under Decision No 406/2009/EC of the	

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	European Parliament and of the Council[1]. _____ 1. Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).	European Parliament and of the Council[1]. _____ 1. Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).	European Parliament and of the Council[1]. _____ 1. Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).	
Recital 111				
121	(111) The financing facilities could in particular use those contributions, resources and revenues to enable and encourage private capital investment, in particular drawing on institutional investors, while using criteria ensuring the achievement of both environmental and social objectives for the granting of funds; make use of innovative financing mechanisms (e.g. loan guarantees for private capital, loan guarantees to foster energy performance contracting, grants, subsidised loans and dedicated credit lines, third party financing systems) that reduce the risks of energy efficiency projects and	(111) The financing facilities could in particular use those contributions, resources and revenues to enable and encourage private capital investment, in particular drawing on institutional investors, while using criteria ensuring the achievement of both environmental and social objectives for the granting of funds; make use of innovative financing mechanisms (e.g. loan guarantees for private capital, loan guarantees to foster energy performance contracting, grants, subsidised loans and dedicated credit lines, third party financing systems) that reduce the risks of energy efficiency projects and	(111) The financing facilities could in particular use those contributions, resources and revenues to enable and encourage private capital investment, in particular drawing on institutional investors, while using criteria ensuring the achievement of both environmental and social objectives for the granting of funds; make use of innovative financing mechanisms (e.g. loan guarantees for private capital, loan guarantees to foster energy performance contracting, grants, subsidised loans and dedicated credit lines, third party financing systems) that reduce the risks of energy efficiency projects and	

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	allow for cost-effective renovations even among low and medium revenue households; be linked to programmes or agencies which will aggregate and assess the quality of energy saving projects, provide technical assistance, promote the energy services market and help to generate consumer demand for energy services.	allow for cost-effective renovations even among low and medium revenue households; be linked to programmes or agencies which will aggregate and assess the quality of energy saving projects, provide technical assistance, promote the energy services market and help to generate consumer demand for energy services.	allow for cost-effective renovations even among low and medium revenue households; be linked to programmes or agencies which will aggregate and assess the quality of energy saving projects, provide technical assistance, promote the energy services market and help to generate consumer demand for energy services.	
Recital 112				
122	(112) The financing facilities could also provide appropriate resources to support training and certification programmes which improve and accredit skills for energy efficiency; provide resources for research on and demonstration and acceleration of uptake of small-scale and micro-technologies to generate energy and the optimisation of the connections of those generators to the grid; be linked to programmes undertaking action to promote energy efficiency in all dwellings to prevent energy poverty and stimulate landlords letting dwellings to render their property	(112) The financing facilities could also provide appropriate resources to support training and certification programmes which improve and accredit skills for energy efficiency; provide resources for research on and demonstration and acceleration of uptake of small-scale and micro-technologies to generate energy and the optimisation of the connections of those generators to the grid; be linked to programmes undertaking action to promote energy efficiency in all dwellings to prevent energy poverty and stimulate landlords letting dwellings to render their property	(112) The financing facilities could also provide appropriate resources to support training and certification programmes which improve and accredit skills for energy efficiency; provide resources for research on and demonstration and acceleration of uptake of small-scale and micro-technologies to generate energy and the optimisation of the connections of those generators to the grid; be linked to programmes undertaking action to promote energy efficiency in all dwellings to prevent energy poverty and stimulate landlords letting dwellings to render their property	

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	as energy-efficient as possible; provide appropriate resources to support social dialogue and standard-setting aiming at improving energy efficiency and ensuring good working conditions and health and safety at work.	as energy-efficient as possible; provide appropriate resources to support social dialogue and standard-setting aiming at improving energy efficiency and ensuring good working conditions and health and safety at work.	as energy-efficient as possible; provide appropriate resources to support social dialogue and standard-setting aiming at improving energy efficiency and ensuring good working conditions and health and safety at work.	
Recital 113				
123	(113) Available Union funding programmes, financial instruments and innovative financing mechanisms should be used to give practical effect to the objective of improving the energy performance of public bodies' buildings. In that respect, Member States may use their revenues from annual emission allocations under Decision No 406/2009/EC in the development of such mechanisms on a voluntary basis and taking into account national budgetary rules.	(113) Available Union funding programmes, financial instruments and innovative financing mechanisms should be used to give practical effect to the objective of improving the energy performance of public bodies' buildings. In that respect, Member States may use their revenues from annual emission allocations under Decision No 406/2009/EC in the development of such mechanisms on a voluntary basis and taking into account national budgetary rules. ***The Commission and Member States should provide regional and local administrations with adequate information on such programmes. For example, the Covenant of Mayors initiative could be one of the tools for***	(113) Available Union funding programmes, financial instruments and innovative financing mechanisms should be used to give practical effect to the objective of improving the energy performance of public bodies' buildings. In that respect, Member States may use their revenues from annual emission allocations under Decision No 406/2009/EC in the development of such mechanisms on a voluntary basis and taking into account national budgetary rules.	

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		providing adequate information.		
Recital 114				
124	(114) In the implementation of the energy efficiency target, the Commission should monitor the impact of the relevant measures on Directive 2003/87/EC establishing the Union's emissions trading scheme (ETS) in order to maintain the incentives in the emissions trading system rewarding low carbon investments and preparing the ETS sectors for the innovations needed in the future. It will need to monitor the impact on those industry sectors which are exposed to a significant risk of carbon leakage as determined in Commission Decision 2014/746/EU[1], in order to ensure that this Directive promotes and does not impede the development of these sectors. _____ 1. Commission Decision 2014/746/EU of 27 October 2014 determining, pursuant to Directive 2003/87/EC of the European Parliament and of the Council, a list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon	(114) In the implementation of the energy efficiency target, the Commission should monitor the impact of the relevant measures on Directive 2003/87/EC establishing the Union's emissions trading scheme (ETS) in order to maintain the incentives in the emissions trading system rewarding low carbon investments and preparing the ETS sectors for the innovations needed in the future. It will need to monitor the impact on those industry sectors which are exposed to a significant risk of carbon leakage as determined in Commission Decision 2014/746/EU[1], in order to ensure that this Directive promotes and does not impede the development of these sectors. _____ 1. Commission Decision 2014/746/EU of 27 October 2014 determining, pursuant to Directive 2003/87/EC of the European Parliament and of the Council, a list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon	(114) In the implementation of the energy efficiency target, the Commission should monitor the impact of the relevant measures on Directive 2003/87/EC establishing the Union's emissions trading scheme (ETS) in order to maintain the incentives in the emissions trading system rewarding low carbon investments and preparing the ETS sectors for the innovations needed in the future. It will need to monitor the impact on those industry sectors which are exposed to a significant risk of carbon leakage as determined in Commission Decision 2014/746/EU[1], in order to ensure that this Directive promotes and does not impede the development of these sectors. _____ 1. Commission Decision 2014/746/EU of 27 October 2014 determining, pursuant to Directive 2003/87/EC of the European Parliament and of the Council, a list of sectors and subsectors which are deemed to be exposed to a significant risk of carbon	

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	leakage, for the period 2015 to 2019 (OJ L 308, 29.10.2014, p. 114).	leakage, for the period 2015 to 2019 (OJ L 308, 29.10.2014, p. 114).	leakage, for the period 2015 to 2019 (OJ L 308, 29.10.2014, p. 114).	
Recital 115				
125	(115) Member State measures should be supported by well-designed and effective Union financial instruments under the InvestEU programme , and by financing from the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD), which should support investments in energy efficiency at all stages of the energy chain and use a comprehensive cost-benefit analysis with a model of differentiated discount rates. Financial support should focus on cost-effective methods for increasing energy efficiency, which would lead to a reduction in energy consumption. The EIB and the EBRD should, together with national promotional banks, design, generate and finance programmes and projects tailored for the efficiency sector, including for energy-poor households.	(115) Member State measures should be supported by well-designed and effective Union financial instruments under the InvestEU programme , and by financing from the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD), which should support investments in energy efficiency at all stages of the energy chain and use a comprehensive cost-benefit analysis with a model of differentiated discount rates. Financial support should focus on cost-effective methods for increasing energy efficiency, which would lead to a reduction in energy consumption. The EIB and the EBRD should, together with national promotional banks, design, generate and finance programmes and projects tailored for the efficiency sector, including for energy-poor households.	(115) Member State measures should be supported by well-designed and effective Union financial instruments under the InvestEU programme , and by financing from the European Investment Bank (EIB) and the European Bank for Reconstruction and Development (EBRD), which should support investments in energy efficiency at all stages of the energy chain and use a comprehensive cost-benefit analysis with a model of differentiated discount rates. Financial support should focus on cost-effective methods for increasing energy efficiency, which would lead to a reduction in energy consumption. The EIB and the EBRD should, together with national promotional banks, design, generate and finance programmes and projects tailored for the efficiency sector, including for energy-poor households.	

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Recital 116				
126	(116) Cross–sectorial law provides a strong basis for consumer protection for a wide range of current energy services, and is likely to evolve. Nevertheless, certain basic contractual rights of customers should be clearly established. Plain and unambiguous information should be made available to consumers concerning their rights in relation to the energy sector.	(116) Cross–sectorial law provides a strong basis for consumer protection for a wide range of current energy services, and is likely to evolve. Nevertheless, certain basic contractual rights of customers should be clearly established. Plain and unambiguous information should be made available to consumers concerning their rights in relation to the energy sector.	(116) Cross–sectorial law provides a strong basis for consumer protection for a wide range of current energy services, and is likely to evolve. Nevertheless, certain basic contractual rights of customers should be clearly established. Plain and unambiguous information should be made available to consumers concerning their rights in relation to the energy sector.	
Recital 117				
127	(117) Greater consumer protection is guaranteed by the availability of effective, independent out-of-court dispute settlement mechanisms for all consumers, such as an energy ombudsman, a consumer body or a regulatory authority. Member States should therefore introduce speedy and effective complaint-handling procedures.	(117) Greater consumer protection is guaranteed by the availability of effective, independent out-of-court dispute settlement mechanisms for all consumers, such as an energy ombudsman, a consumer body or a regulatory authority. Member States should therefore introduce speedy and effective complaint-handling procedures.	(117) Greater consumer protection is guaranteed by the availability of effective, independent out-of-court dispute settlement mechanisms for all consumers, such as an energy ombudsman, a consumer body or a regulatory authority. Member States should therefore introduce speedy and effective complaint-handling procedures.	
Recital 118				
128				

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	(118) In order to be able to evaluate the effectiveness of this Directive, a requirement to conduct a general review of this Directive and to submit a report to the European Parliament and to the Council by 28 February 2027 should be laid down . That review should allow necessary alignments, also taking into account economic and innovation developments.	(118) In order to be able to evaluate the effectiveness of this Directive, a requirement to conduct a general review of this Directive and to submit a report to the European Parliament and to the Council by 28 February 2027 should be laid down . That review should allow necessary alignments, also taking into account economic and innovation developments.	(118) In order to be able to evaluate the effectiveness of this Directive, a requirement to conduct a general review of this Directive and to submit a report to the European Parliament and to the Council by 28 February 2027 should be laid down . That review should allow necessary alignments, also taking into account economic and innovation developments.	
Recital 119				
129	(119) Local and regional authorities should be given a leading role in the development and design, execution and assessment of the measures laid down in this Directive, so that they are able properly to address the specific features of their own climate, culture and society.	(119) Local and regional authorities should be given a leading role in the development and design, execution and assessment of the measures laid down in this Directive, so that they are able properly to address the specific features of their own climate, culture and society.	(119) Local and regional authorities should be given a leading role in the development and design, execution and assessment of the measures laid down in this Directive, so that they are able properly to address the specific features of their own climate, culture and society.	
Recital 119a				
129a		***(119a) In view of the specific characteristics of outermost regions, as recognised in Article 349 TFEU, in particular as***		

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		regards energy connection, production, supply and consumption, and the increased risk of energy poverty, particular attention should be paid to the outermost regions and their inhabitants when drawing up, implementing and evaluating the measures provided for in this Directive.		
Recital 120				
130	(120) Reflecting technological progress and the growing share of renewable energy sources in the electricity generation sector, the default coefficient for savings in kWh electricity should be reviewed in order to reflect changes in the primary energy factor (PEF) for electricity and other energy carriers . Calculations reflecting the energy mix of the PEF for electricity are based on annual average values. The 'physical energy content' accounting method is used for nuclear electricity and heat generation and the 'technical conversion efficiency' method is used for electricity and heat	(120) Reflecting technological progress and the growing share of renewable energy sources in the electricity generation sector, the default coefficient for savings in kWh electricity should be reviewed in order to reflect changes in the primary energy factor (PEF) for electricity and other energy carriers . Calculations reflecting the energy mix of the PEF for electricity are based on annual average values. The 'physical energy content' accounting method is used for nuclear electricity and heat generation and the 'technical conversion efficiency' method is used for electricity and heat	(120) Reflecting technological progress and the growing share of renewable energy sources in the electricity generation sector, the default coefficient for savings in kWh electricity should be reviewed in order to reflect changes in the primary energy factor (PEF) for electricity and other energy carriers . Calculations reflecting the energy mix of the PEF for electricity are based on annual average values. The 'physical energy content' accounting method is used for nuclear electricity and heat generation and the 'technical conversion efficiency' method is used for electricity and heat	

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	generation from fossil fuels and biomass. For non-combustible renewable energy, the method is the direct equivalent based on the 'total primary energy' approach. To calculate the primary energy share for electricity in cogeneration, the method set out in Annex II to this Directive is applied. An average rather than a marginal market position is used. Conversion efficiencies are assumed to be 100 % for non-combustible renewables, 10 % for geothermal power stations and 33 % for nuclear power stations. The calculation of total efficiency for cogeneration is based on the most recent data from Eurostat. As for system boundaries, the PEF is 1 for all energy sources. The PEF value refers to 2018 and is based on data interpolated from the most recent version of the PRIMES Reference Scenario for 2015 and 2020 and adjusted with Eurostat data until 2016. The analysis covers the Member States and Norway. The dataset for Norway is based on the ENTSO-E data.	generation from fossil fuels and biomass. For non-combustible renewable energy, the method is the direct equivalent based on the 'total primary energy' approach. To calculate the primary energy share for electricity in cogeneration, the method set out in Annex II to this Directive is applied. An average rather than a marginal market position is used. Conversion efficiencies are assumed to be 100 % for non-combustible renewables, 10 % for geothermal power stations and 33 % for nuclear power stations. The calculation of total efficiency for cogeneration is based on the most recent data from Eurostat. As for system boundaries, the PEF is 1 for all energy sources. The PEF value refers to 2018 and is based on data interpolated from the most recent version of the PRIMES Reference Scenario for 2015 and 2020 and adjusted with Eurostat data until 2016. The analysis covers the Member States and Norway. The dataset for Norway is based on the ENTSO-E data.	generation from fossil fuels and biomass. For non-combustible renewable energy, the method is the direct equivalent based on the 'total primary energy' approach. To calculate the primary energy share for electricity in cogeneration, the method set out in Annex II to this Directive is applied. An average rather than a marginal market position is used. Conversion efficiencies are assumed to be 100 % for non-combustible renewables, 10 % for geothermal power stations and 33 % for nuclear power stations. The calculation of total efficiency for cogeneration is based on the most recent data from Eurostat. As for system boundaries, the PEF is 1 for all energy sources. The PEF value refers to 2018 and is based on data interpolated from the most recent version of the PRIMES Reference Scenario for 2015 and 2020 and adjusted with Eurostat data until 2016. The analysis covers the Member States and Norway. The dataset for Norway is based on the ENTSO-E data.	
Recital 121				

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131	(121) Energy savings which result from the implementation of Union law should not be claimed unless they result from a measure that goes beyond the minimum required by the Union legal act in question, whether by setting more ambitious energy efficiency requirements at Member State level or by increasing the take-up of the measure. Buildings present a substantial potential for further increasing energy efficiency, and the renovation of buildings is an essential and long-term element with economies of scale in increasing energy savings. It is therefore necessary to clarify that it is possible to claim all energy savings stemming from measures promoting the renovation of existing buildings, provided that they exceed the savings that would have occurred in the absence of the policy measure and provided that the Member State demonstrates that the obligated, participating or entrusted party has in fact contributed to the achievement of the energy savings claimed.	(121) Energy savings which result from the implementation of Union law should not be claimed unless they result from a measure that goes beyond the minimum required by the Union legal act in question, whether by setting more ambitious energy efficiency requirements at Member State level or by increasing the take-up of the measure. Buildings present a substantial potential for further increasing energy efficiency, and the renovation of buildings is an essential and long-term element with economies of scale in increasing energy savings. It is therefore necessary to clarify that it is possible to claim all energy savings stemming from measures promoting the renovation of existing buildings, provided that they exceed the savings that would have occurred in the absence of the policy measure and provided that the Member State demonstrates that the obligated, participating or entrusted party has in fact contributed to the achievement of the energy savings claimed.	(121) Energy savings which result from the implementation of Union law should not be claimed unless they result from a measure that goes beyond the minimum required by the Union legal act in question, whether by setting more ambitious energy efficiency requirements at Member State level or by increasing the take-up of the measure. Buildings present a substantial potential for further increasing energy efficiency, and the renovation of buildings is an essential and long-term element with economies of scale in increasing energy savings. It is therefore necessary to clarify that it is possible to claim all energy savings stemming from measures promoting the renovation of existing buildings, provided that they exceed the savings that would have occurred in the absence of the policy measure and provided that the Member State demonstrates that the obligated, participating or entrusted party has in fact contributed to the achievement of the energy savings claimed.	

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Recital 122				
132	(122) In accordance with the Energy Union Strategy and the principles of better regulation, monitoring and verification rules for the implementation of energy efficiency obligation schemes and alternative policy measures, including the requirement to check a statistically representative sample of measures, should be given greater prominence. In this Directive, a statistically significant proportion and representative sample of the energy efficiency improvement measures should be understood to require the establishment of a subset of a statistical population of the energy-saving measures in question in such a way that it accurately reflects the entire population of all energy-saving measures, and thus allows for reasonably reliable conclusions regarding confidence in the totality of the measures.	(122) In accordance with the Energy Union Strategy and the principles of better regulation, monitoring and verification rules for the implementation of energy efficiency obligation schemes and alternative policy measures, including the requirement to check a statistically representative sample of measures, should be given greater prominence. In this Directive, a statistically significant proportion and representative sample of the energy efficiency improvement measures should be understood to require the establishment of a subset of a statistical population of the energy-saving measures in question in such a way that it accurately reflects the entire population of all energy-saving measures, and thus allows for reasonably reliable conclusions regarding confidence in the totality of the measures.	(122) In accordance with the Energy Union Strategy and the principles of better regulation, monitoring and verification rules for the implementation of energy efficiency obligation schemes and alternative policy measures, including the requirement to check a statistically representative sample of measures, should be given greater prominence. In this Directive, a statistically significant proportion and representative sample of the energy efficiency improvement measures should be understood to require the establishment of a subset of a statistical population of the energy-saving measures in question in such a way that it accurately reflects the entire population of all energy-saving measures, and thus allows for reasonably reliable conclusions regarding confidence in the totality of the measures.	
Recital 123				
133	(123) Energy generated on or in	(123) Energy generated on or in	(123) Energy generated on or in	

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	buildings from renewable energy technologies reduces the amount of energy supplied from fossil fuels. The reduction of energy consumption and the use of energy from renewable sources in the buildings sector are important measures to reduce the Union's energy dependence and greenhouse gas emissions, especially in view of ambitious climate and energy objectives set for 2030 as well as the global commitment made in the context of the Paris Agreement. For the purposes of their cumulative energy savings obligation Member States may take into account, energy savings from policy measures promoting renewable technologies to meet their energy savings requirements in accordance with the calculation methodology provided in this Directive . Energy savings from policy measures regarding the use of direct fossil fuel combustion should not be counted.	buildings from renewable energy technologies reduces the amount of energy supplied from fossil fuels. The reduction of energy consumption and the use of energy from renewable sources in the buildings sector are important measures to reduce the Union's energy dependence and greenhouse gas emissions, especially in view of ambitious climate and energy objectives set for 2030 as well as the global commitment made in the context of the Paris Agreement. For the purposes of their cumulative energy savings obligation Member States may take into account, energy savings from policy measures promoting renewable technologies to meet their energy savings requirements in accordance with the calculation methodology provided in this Directive . Energy savings from policy measures regarding the use of direct fossil fuel combustion should not be counted.	buildings from renewable energy technologies reduces the amount of energy supplied from fossil fuels. The reduction of energy consumption and the use of energy from renewable sources in the buildings sector are important measures to reduce the Union's energy dependence and greenhouse gas emissions, especially in view of ambitious climate and energy objectives set for 2030 as well as the global commitment made in the context of the Paris Agreement. For the purposes of their cumulative energy savings obligation Member States may take into account, energy savings from policy measures promoting renewable technologies to meet their energy savings requirements in accordance with the calculation methodology provided in this Directive . Energy savings from policy measures regarding the use of direct fossil fuel combustion should not be counted.	
Recital 124				
134	(124) Some of the changes	(124) Some of the changes	(124) Some of the changes	

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	introduced by this Directive might require a subsequent amendment to Regulation (EU) 2018/1999 in order to ensure coherence between the two legal acts. New provisions, mainly related to setting national contributions, gap filling mechanisms and reporting obligations, should be streamlined and transferred to that Regulation, once it is amended. Some provisions of Regulation (EU) 2018/1999 might also need to be reassessed in view of the changes proposed in this Directive. The additional reporting and monitoring requirements should not create any new parallel reporting systems but would be subject to the existing monitoring and reporting framework under Regulation (EU) 2018/1999.	introduced by this Directive might require a subsequent amendment to Regulation (EU) 2018/1999 in order to ensure coherence between the two legal acts. New provisions, mainly related to setting ***binding*** national contributions***, trajectories and milestones***, gap filling mechanisms and reporting obligations, should be streamlined and transferred to that Regulation, once it is amended. Some provisions of Regulation (EU) 2018/1999 might also need to be reassessed in view of the changes proposed in this Directive. The additional reporting and monitoring requirements should not create any new parallel reporting systems but would be subject to the existing monitoring and reporting framework under Regulation (EU) 2018/1999.	introduced by this Directive might require a subsequent amendment to Regulation (EU) 2018/1999 in order to ensure coherence between the two legal acts. New provisions, mainly related to setting national contributions, gap filling mechanisms and reporting obligations, should be streamlined and transferred to that Regulation, once it is amended. Some provisions of Regulation (EU) 2018/1999 might also need to be reassessed in view of the changes proposed in this Directive. The additional reporting and monitoring requirements should not create any new parallel reporting systems but would be subject to the existing monitoring and reporting framework under Regulation (EU) 2018/1999.	
Recital 125				
135	(125) To foster the practical implementation of this Directive at national, regional and local levels, the Commission should continue to support the exchange of	(125) To foster the practical implementation of this Directive at national, regional and local levels, the Commission should continue to support the exchange of	(125) To foster the practical implementation of this Directive at national, regional and local levels, the Commission should continue to support the exchange of	

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	experiences on practices, benchmarking, networking activities, as well as innovative practices by an online platform.	experiences on practices, benchmarking, networking activities, as well as innovative practices by an online platform.	experiences on practices, benchmarking, networking activities, as well as innovative practices by an online platform.	
Recital 126				
136	(126) Since the objectives of this Directive, namely to achieve the Union's energy efficiency target and to pave the way towards further energy efficiency improvements and towards climate neutrality, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	(126) Since the objectives of this Directive, namely to achieve the Union's energy efficiency target and to pave the way towards further energy efficiency improvements and towards climate neutrality, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	(126) Since the objectives of this Directive, namely to achieve the Union's energy efficiency target and to pave the way towards further energy efficiency improvements and towards climate neutrality, cannot be sufficiently achieved by the Member States but can rather, by reason of the scale and effects of the action, be better achieved at Union level, the Union may adopt measures, in accordance with the principle of subsidiarity as set out in Article 5 of the Treaty on European Union. In accordance with the principle of proportionality as set out in that Article, this Directive does not go beyond what is necessary in order to achieve those objectives.	
Recital 127				
137				

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	(127) In order to permit adaptation to technical progress and changes in the distribution of energy sources, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the review of the harmonised efficiency reference values laid down on the basis of this Directive and in respect of the values, calculation methods, default primary energy coefficient and requirements in the Annexes to this Directive.	(127) In order to permit adaptation to technical progress and changes in the distribution of energy sources, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the review of the harmonised efficiency reference values laid down on the basis of this Directive and in respect of the values, calculation methods, default primary energy coefficient and requirements in the Annexes to this Directive.	(127) In order to permit adaptation to technical progress and changes in the distribution of energy sources, the power to adopt acts in accordance with Article 290 TFEU should be delegated to the Commission in respect of the review of the harmonised efficiency reference values laid down on the basis of this Directive and in respect of the values, calculation methods, default primary energy coefficient and requirements in the Annexes to this Directive.	
Recital 128				
138	(128) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the	(128) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the	(128) It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement of 13 April 2016 on Better Law-Making[1]. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the	

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	Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. _____ 1. OJ L 123, 12.5.2016, p. 1.	Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. _____ 1. OJ L 123, 12.5.2016, p. 1.	Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts. _____ 1. OJ L 123, 12.5.2016, p. 1.	
Recital 129				
139	(129) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	(129) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	(129) In order to ensure uniform conditions for the implementation of this Directive, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council[1]. _____ 1. Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).	
Recital 130				

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140	(130) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directive. The obligation to transpose the provisions which are unchanged arises under that earlier Directive.	(130) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directive. The obligation to transpose the provisions which are unchanged arises under that earlier Directive.	(130) The obligation to transpose this Directive into national law should be confined to those provisions which represent a substantive amendment as compared to the earlier Directive. The obligation to transpose the provisions which are unchanged arises under that earlier Directive.	
Recital 131				
141	(131) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Annex XV, Part B ,	(131) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Annex XV, Part B ,	(131) This Directive should be without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Annex XV, Part B ,	
Formula				
142	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	HAVE ADOPTED THIS DIRECTIVE:	
CHAPTER I				
143	CHAPTER I	CHAPTER I	CHAPTER I	

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	SUBJECT MATTER, SCOPE, DEFINITIONS AND ENERGY EFFICIENCY TARGETS	SUBJECT MATTER, SCOPE, DEFINITIONS AND ENERGY EFFICIENCY TARGETS	SUBJECT MATTER, SCOPE, DEFINITIONS AND ENERGY EFFICIENCY TARGETS	
Article 1				
144	Article 1 Subject matter and scope	Article 1 Subject matter and scope	Article 1 Subject matter and scope	
Article 1(1), first subparagraph				
145	1. This Directive establishes a common framework of measures to promote energy efficiency within the Union in order to ensure that the Union's targets on energy efficiency is met and enables further energy efficiency improvements.	1. This Directive establishes a common framework of measures to promote energy efficiency within the Union in order to ensure that the ***binding*** Union's ~~*targets*~~***target*** on energy efficiency ~~*is*~~ ***is*** met and enables further energy efficiency improvements~~.~~***, contributing to the implementation of the Paris Agreement and to the Union's security of energy supply through reducing its dependence on energy imports, including fossil fuels, while transforming the Union's energy relations with third country partners towards achieving climate neutrality.***	1. This Directive establishes a common framework of measures to promote energy efficiency within the Union in order to ensure that the Union's targets on energy efficiency is met and enables further energy efficiency improvements.	
Article 1(1), second subparagraph				

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146	This Directive lays down rules designed to implement energy efficiency as a priority across all sectors, remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy. It also provides for the establishment of indicative national energy efficiency contributions for 2030.	This Directive lays down rules designed to implement energy efficiency as a priority across all sectors, remove barriers in the energy market and overcome market failures that impede efficiency in the supply, ***transmission, storage*** and use of energy. It also provides for the establishment of ~~*indicative*~~***binding*** national energy efficiency contributions for 2030.	This Directive lays down rules designed to implement energy efficiency as a priority across all sectors, remove barriers in the energy market and overcome market failures that impede efficiency in the supply and use of energy. It also provides for the establishment of indicative national energy efficiency contributions for 2030.	
Article 1(1), third subparagraph				
147	This Directive contributes to the implementation of the energy efficiency first principle, thus contributing to the Union as an inclusive, fair and prosperous society with a modern, resource-efficient and competitive economy .	This Directive contributes to the implementation of the energy efficiency first principle, thus contributing to the Union as an inclusive, fair and prosperous society with a modern, resource-efficient and competitive economy .	This Directive contributes to the implementation of the energy efficiency first principle, thus contributing to the Union as an inclusive, fair and prosperous society with a modern, resource-efficient and competitive economy .	
Article 1(2)				
148	2. The requirements laid down in this Directive are minimum requirements and shall not prevent	2. The requirements laid down in this Directive are minimum requirements and shall not prevent	2. The requirements laid down in this Directive are minimum requirements and shall not prevent	

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	any Member State from maintaining or introducing more stringent measures. Such measures shall be compatible with Union law. Where national legislation provides for more stringent measures, the Member State shall notify such legislation to the Commission.	any Member State from maintaining or introducing more stringent measures. Such measures shall be compatible with Union law. Where national legislation provides for more stringent measures, the Member State shall notify such legislation to the Commission.	any Member State from maintaining or introducing more stringent measures. Such measures shall be compatible with Union law. Where national legislation provides for more stringent measures, the Member State shall notify such legislation to the Commission.	
Article 2				
149	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	
Article 2, introductory part				
150	For the purposes of this Directive, the following definitions shall apply:	For the purposes of this Directive, the following definitions shall apply:	For the purposes of this Directive, the following definitions shall apply:	
Article 2, point (1)				
151	(1) ‘energy’ means all forms of energy products, combustible fuels, heat, renewable energy, electricity, or any other form of energy, as defined in Article 2(d) of Regulation (EC) No 1099/2008 of	(1) ‘energy’ means all forms of energy products, combustible fuels, heat, renewable energy, electricity, or any other form of energy, as defined in Article 2(d) of Regulation (EC) No 1099/2008 of	(1) ‘energy’ means all forms of energy products, combustible fuels, heat, renewable energy, electricity, or any other form of energy, as defined in Article 2(d) of Regulation (EC) No 1099/2008 of	

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	the European Parliament and of the Council[1]; _____ 1. Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1).	the European Parliament and of the Council[1]; _____ 1. Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1).	the European Parliament and of the Council[1]; _____ 1. Regulation (EC) No 1099/2008 of the European Parliament and of the Council of 22 October 2008 on energy statistics (OJ L 304, 14.11.2008, p. 1).	
Article 2, point (2)				
152	(2) 'energy efficiency first' means 'energy efficiency first' as defined in point (18) of Article 2 of Regulation (EU) 2018/1999.	(2) 'energy efficiency first' means 'energy efficiency first' as defined in point (18) of Article 2 of Regulation (EU) 2018/1999.	(2) 'energy efficiency first' means 'energy efficiency first' as defined in point (18) of Article 2 of Regulation (EU) 2018/1999.	
Article 2, point (3)				
153	(3) `energy system´ means a system primarily designed to supply energy-services to satisfy the demand of end-use sectors for energy in the forms of heat, fuels, and electricity.	(3) `energy system´ means a system primarily designed to supply energy-services to satisfy the demand of end-use sectors for energy in the forms of heat, fuels, and electricity.	(3) `energy system´ means a system primarily designed to supply energy-services to satisfy the demand of end-use sectors for energy in the forms of heat, fuels, and electricity.	
Article 2, point (3a)				
153a		***(3a) 'system efficiency' means the selection of energy-efficient solutions where they also enable a cost-effective decarbonisation***		

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		pathway, additional flexibility and the efficient use of resources;		
Article 2, point (4)				
154	(4) 'primary energy consumption' means gross available energy , excluding international maritime bunkers, final non-energy consumption and ambient heat ;	(4) 'primary energy consumption' means gross available energy-, excluding international maritime bunkers, final– non-energy consumption~~– *and ambient heat*~~ ***, ambient heat and geothermal energy used in heat pumps***;	(4) 'primary energy consumption' means gross available energy , excluding international maritime bunkers, final non-energy consumption and ambient ~~heat~~**energy** ;	
Article 2, point (5)				
155	(5) 'final energy consumption' means all energy supplied to industry, transport (including energy consumption in international aviation), households, public and private services, agriculture, forestry and fishing and other end-users (final consumers of energy) . It excludes energy consumption in international maritime bunkers, ambient heat and deliveries to the transformation sector, and the energy sector and losses due to transmission and distribution	(5) 'final energy consumption' means all energy supplied to industry, transport (including energy consumption in international aviation), households, public and private– services, agriculture, forestry and fishing and other end-users (final consumers of energy)-. It excludes energy consumption in international maritime bunkers, ambient heat and– ***geothermal energy used in heat pumps and*** deliveries to the transformation sector, and the energy- sector and	(5) 'final energy consumption' means all energy supplied to industry, transport (including energy consumption in international aviation), households, public and private services, agriculture, forestry and fishing and other end-users (final consumers of energy) . It excludes energy consumption in international maritime bunkers, ambient ~~heat~~**energy** and deliveries to the transformation sector, and the energy sector and losses due to transmission and distribution	

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	(definitions in Annex A of Regulation (EC) No 1099/2008 apply) ;	losses due to transmission and distribution (definitions in Annex A of Regulation (EC) No 1099/2008 apply)~~.~~;	(definitions in Annex A of Regulation (EC) No 1099/2008 apply) ;	
Article 2, point (5a)				
155a			**(5a) Ambient energy is the difference between the heat produced by heat pumps and the electricity they consume. It is understood that ambient energy can refer to both space heating and space cooling applications. Thus, ambient energy refers to energy extracted with heat pumps from the environment (ground, air or water) for space heating or cooling. Electricity used by heat pumps in cooling use, as well as electricity used by heat pumps in heating use, are included in electricity consumption for space heating and cooling.**	
Article 2, point (6)				
156	(6) 'energy efficiency' means the ratio of output of performance,	(6) 'energy efficiency' means the ratio of output of performance,	(6) 'energy efficiency' means the ratio of output of performance,	

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	service, goods or energy, to input of energy;	service, goods or energy, to input of energy;	service, goods or energy, to input of energy;	
Article 2, point (7)				
157	(7) 'energy savings' means an amount of saved energy determined by measuring and/or estimating consumption before and after implementation of an energy efficiency improvement measure, whilst ensuring normalisation for external conditions that affect energy consumption;	(7) 'energy savings' means an amount of saved energy determined by measuring and/or estimating consumption before and after implementation of an energy efficiency improvement measure, whilst ensuring normalisation for external conditions that affect energy consumption;	(7) 'energy savings' means an amount of saved energy determined by measuring and/or estimating consumption before and after implementation of an energy efficiency improvement measure, whilst ensuring normalisation for external conditions that affect energy consumption;	
Article 2, point (8)				
158	(8) 'energy efficiency improvement' means an increase in energy efficiency as a result of technological, behavioural and/or economic changes;	(8) 'energy efficiency improvement' means an increase in energy efficiency as a result of technological, behavioural and/or economic changes;	(8) 'energy efficiency improvement' means an increase in energy efficiency as a result of technological, behavioural and/or economic changes;	
Article 2, point (9)				
159	(9) 'energy service' means the physical benefit, utility or good derived from a combination of energy with energy-efficient	(9) 'energy service' means the physical benefit, utility or good derived from a combination of energy with energy-efficient	(9) 'energy service' means the physical benefit, utility or good derived from a combination of energy with energy-efficient	

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	technology or with action, which may include the operations, maintenance and control necessary to deliver the service, which is delivered on the basis of a contract and in normal circumstances has proven to result in verifiable and measurable or estimable energy efficiency improvement or primary energy savings;	technology or with action, which may include the operations, maintenance and control necessary to deliver the service, which is delivered on the basis of a contract and in normal circumstances has proven to result in verifiable and measurable or estimable energy efficiency improvement or primary energy savings;	technology or with action, which may include the operations, maintenance and control necessary to deliver the service, which is delivered on the basis of a contract and in normal circumstances has proven to result in verifiable and measurable or estimable energy efficiency improvement or primary energy savings;	
Article 2, point (10)				
160	(10) 'public bodies' means 'contracting authorities' as defined in Directive 2014/24/EU of the European Parliament and of the Council[1]; _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	(10) 'public bodies' means 'contracting authorities' as defined in Directive 2014/24/EU of the European Parliament and of the Council[1]; _____ 1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).	(10) 'public bodies' means**; national, regional or local** ~~'contracting~~ authorities~~' as defined in Directive 2014/24/EU of the European Parliament and of the Council[1];~~ **and entities directly financed and administered by these authorities but not having industrial or commercial character.** _____ ~~1. Directive 2014/24/EU of the European Parliament and of the Council of 26 February 2014 on public procurement and repealing Directive 2004/18/EC (OJ L 94, 28.3.2014, p. 65).~~	
Article 2, point (10a)				

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160a		***(10a) 'buildings for social purposes' means buildings solely occupied by bodies other than public bodies, which are publicly funded and which provide services of general interest, such as education, health, social services or social housing;***		
Article 2, point (11)				
161	(11) 'total useful floor area' means the floor area of a building or part of a building, where energy is used to condition the indoor climate;	(11) 'total useful floor area' means the floor area of a building or part of a building, where energy is used to condition the indoor climate;	(11) 'total useful floor area' means the floor area of a building or part of a building, where energy is used to condition the indoor climate;	
Article 2, point (12)				
162	(12) 'contracting authorities' means contracting authorities as defined in Article Articles 6(1), 2(1) and 3(1) of Directives 2014/23/EU, Directive 2014/24/EU and Directive 2014/25/EU respectively;	(12) 'contracting authorities' means contracting authorities as defined in Article Articles 6(1), 2(1) and 3(1) of Directives 2014/23/EU, Directive 2014/24/EU and Directive 2014/25/EU respectively;	(12) 'contracting authorities' means contracting authorities as defined in Article Articles 6(1), 2(1) and 3(1) of Directives 2014/23/EU, Directive 2014/24/EU and Directive 2014/25/EU respectively;	
Article 2, point (13)				
163				

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	(13) 'contracting entities' means contracting entities as defined in Directives 2014/23/EU and 2014/25/EU respectively;	(13) 'contracting entities' means contracting entities as defined in Directives 2014/23/EU and 2014/25/EU respectively;	(13) 'contracting entities' means contracting entities as defined in Directives 2014/23/EU and 2014/25/EU respectively;	
Article 2, point (14)				
164	(14) 'energy management system' means a set of interrelated or interacting elements of a plan which sets an energy efficiency objective and a strategy to achieve that objective, including monitoring of actual energy consumption, actions taken to increase energy efficiency and measurement of progress;	(14) 'energy management system' means a set of interrelated or interacting elements of a plan which sets an energy efficiency objective and a strategy to achieve that objective, including monitoring of actual energy consumption, actions taken to increase energy efficiency and measurement of progress;	(14) 'energy management system' means a set of interrelated or interacting elements of a plan which sets an energy efficiency objective and a strategy to achieve that objective, including monitoring of actual energy consumption, actions taken to increase energy efficiency and measurement of progress;	
Article 2, point (15)				
165	(15) 'European standard' means a standard adopted by the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation or the European Telecommunications Standards Institute and made available for public use;	(15) 'European standard' means a standard adopted by the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation or the European Telecommunications Standards Institute and made available for public use;	(15) 'European standard' means a standard adopted by the European Committee for Standardisation, the European Committee for Electrotechnical Standardisation or the European Telecommunications Standards Institute and made available for public use;	
Article 2, point (16)				

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166	(16) 'international standard' means a standard adopted by the International Standardisation Organisation and made available to the public;	(16) 'international standard' means a standard adopted by the International Standardisation Organisation and made available to the public;	(16) 'international standard' means a standard adopted by the International Standardisation Organisation and made available to the public;	
Article 2, point (17)				
167	(17) 'obligated party' means an energy distributor or retail energy sales company or transmission system operator that is bound by the national energy efficiency obligation schemes referred to in Article 9;	(17) 'obligated party' means an energy distributor or retail energy sales company or transmission system operator that is bound by the national energy efficiency obligation schemes referred to in Article 9;	(17) 'obligated party' means an energy distributor or retail energy sales company or transmission system operator that is bound by the national energy efficiency obligation schemes referred to in Article 9;	
Article 2, point (18)				
168	(18) 'entrusted party' means a legal entity with delegated power from a government or other public body to develop, manage or operate a financing scheme on behalf of the government or other public body;	(18) 'entrusted party' means a legal entity with delegated power from a government or other public body to develop, manage or operate a financing scheme on behalf of the government or other public body;	(18) 'entrusted party' means a legal entity with delegated power from a government or other public body to develop, manage or operate a financing scheme on behalf of the government or other public body;	
Article 2, point (19)				
169				

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	(19) 'participating party' means an enterprise or public body that has committed itself to reaching certain objectives under a voluntary agreement, or is covered by a national regulatory policy instrument;	(19) 'participating party' means an enterprise or public body that has committed itself to reaching certain objectives under a voluntary agreement, or is covered by a national regulatory policy instrument;	(19) 'participating party' means an enterprise or public body that has committed itself to reaching certain objectives under a voluntary agreement, or is covered by a national regulatory policy instrument;	
Article 2, point (20)				
170	(20) 'implementing public authority' means a body governed by public law which is responsible for the carrying out or monitoring of energy or carbon taxation, financial schemes and instruments, fiscal incentives, standards and norms, energy labelling schemes, training or education;	(20) 'implementing public authority' means a body governed by public law which is responsible for the carrying out or monitoring of energy or carbon taxation, financial schemes and instruments, fiscal incentives, standards and norms, energy labelling schemes, training or education;	(20) 'implementing public authority' means a body governed by public law which is responsible for the carrying out or monitoring of energy or carbon taxation, financial schemes and instruments, fiscal incentives, standards and norms, energy labelling schemes, training or education;	
Article 2, point (21)				
171	(21) 'policy measure' means a regulatory, financial, fiscal, voluntary or information provision instrument formally established and implemented in a Member State to create a supportive framework, requirement or incentive for market actors to	(21) 'policy measure' means a regulatory, financial, fiscal, voluntary or information provision instrument formally established and implemented in a Member State to create a supportive framework, requirement or incentive for market actors to	(21) 'policy measure' means a regulatory, financial, fiscal, voluntary or information provision instrument formally established and implemented in a Member State to create a supportive framework, requirement or incentive for market actors to	

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	provide and purchase energy services and to undertake other energy efficiency improvement measures;	provide and purchase energy services and to undertake other energy efficiency improvement measures;	provide and purchase energy services and to undertake other energy efficiency improvement measures;	
Article 2, point (22)				
172	(22) 'individual action' means an action that leads to verifiable, and measurable or estimable, energy efficiency improvements and is undertaken as a result of a policy measure;	(22) 'individual action' means an action that leads to verifiable, and measurable or estimable, energy efficiency improvements and is undertaken as a result of a policy measure;	(22) 'individual action' means an action that leads to verifiable, and measurable or estimable, energy efficiency improvements and is undertaken as a result of a policy measure;	
Article 2, point (23)				
173	(23) 'energy distributor' means a natural or legal person, including a distribution system operator, responsible for transporting energy with a view to its delivery to final customers or to distribution stations that sell energy to final customers;	(23) 'energy distributor' means a natural or legal person, including a distribution system operator, responsible for transporting energy with a view to its delivery to final customers or to distribution stations that sell energy to final customers;	(23) 'energy distributor' means a natural or legal person, including a distribution system operator, responsible for transporting energy with a view to its delivery to final customers or to distribution stations that sell energy to final customers;	
Article 2, point (24)				
174	(24) 'distribution system operator' means 'distribution system	(24) 'distribution system operator' means 'distribution system	(24) 'distribution system operator' means 'distribution system	

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	operator' as defined in Article 2(29) of Directive (EU) 2019/944 , as regards electricity, and Article 2(6) of Directive 2009/73/EC , as regards gas, respectively;	operator' as defined in Article 2(29) of Directive (EU) 2019/944 , as regards electricity, and Article 2(6) of Directive 2009/73/EC , as regards gas, respectively;	operator' as defined in Article 2(29) of Directive (EU) 2019/944 , as regards electricity, and Article 2(6) of Directive 2009/73/EC , as regards gas, respectively;	
Article 2, point (25)				
175	(25) 'retail energy sales company' means a natural or legal person who sells energy to final customers;	(25) 'retail energy sales company' means a natural or legal person who sells energy to final customers;	(25) 'retail energy sales company' means a natural or legal person who sells energy to final customers;	
Article 2, point (26)				
176	(26) 'final customer' means a natural or legal person who purchases energy for own end use;	(26) 'final customer' means a natural or legal person who purchases energy for own end use;	(26) 'final customer' means a natural or legal person who purchases energy for own end use;	
Article 2 point (27)				
177	(27) 'energy service provider' means a natural or legal person who delivers energy services or energy efficiency improvement measures in a final customer's facility or premises;	(27) 'energy service provider' means a natural or legal person who delivers energy services or energy efficiency improvement measures in a final customer's facility or premises;	(27) 'energy service provider' means a natural or legal person who delivers energy services or energy efficiency improvement measures in a final customer's facility or premises;	
Article 2, point (27a)				

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177a		***(27a) 'small or medium-sized enterprise' or 'SME' means an enterprise as defined in Article 2(1) of the Annex to the Commission Recommendation 2003/361/EC[1];*** _____ ***1. Commission Recommendation of 6 May 2003 concerning the definition of micro, small and medium-sized enterprises (OJ L 124, 20.5.2003, p. 36).***		
Article 2, point (27b)				
177b		***(27b) 'microenterprise' means an enterprise as defined in Article 2(3) of the Annex to Recommendation 2003/361/EC;***		
Article 2, point (28)				
178	(28) 'energy audit' means a systematic procedure with the purpose of obtaining adequate knowledge of the energy consumption profile of a building or group of buildings, an industrial or commercial operation or installation or a private or public service, identifying and quantifying	(28) 'energy audit' means a systematic procedure with the purpose of obtaining adequate knowledge of the energy consumption ***and management*** profile of a building or group of buildings, an industrial or commercial operation or installation or a private or public	(28) 'energy audit' means a systematic procedure with the purpose of obtaining adequate knowledge of the energy consumption profile of a building or group of buildings, an industrial or commercial operation or installation or a private or public service, identifying and quantifying	

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	opportunities for cost-effective energy savings, identifying the potential for cost-effective use or production of renewable energy and reporting the findings;	service, identifying and quantifying opportunities for cost-effective energy savings, identifying the potential for cost-effective use or production of renewable energy and reporting the findings;	opportunities for cost-effective energy savings, identifying the potential for cost-effective use or production of renewable energy and reporting the findings;	
Article 2, point (29)				
179	(29) 'energy performance contracting' means a contractual arrangement between the beneficiary and the provider of an energy efficiency improvement measure, verified and monitored during the whole term of the contract, where (work, supply or service) in that measure are paid for in relation to a contractually agreed level of energy efficiency improvement or other agreed energy performance criterion, such as financial savings;	(29) 'energy performance contracting' means a contractual arrangement between the beneficiary and the provider of an energy efficiency improvement measure, verified and monitored during the whole term of the contract, where (work, supply or service) in that measure are paid for in relation to a contractually agreed level of energy efficiency improvement or other agreed energy performance criterion, such as financial savings;	(29) 'energy performance contracting' means a contractual arrangement between the beneficiary and the provider of an energy efficiency improvement measure, verified and monitored during the whole term of the contract, where (work, supply or service) in that measure are paid for in relation to a contractually agreed level of energy efficiency improvement or other agreed energy performance criterion, such as financial savings;	
Article 2, point (30)				
180	(30) 'smart metering system' or 'intelligent metering system' means'smart metering system' as defined in Directive (EU)	(30) 'smart metering system' or 'intelligent metering system' means'smart metering system' as defined in Directive (EU)	(30) 'smart metering system' or 'intelligent metering system' means'smart metering system' as defined in Directive (EU)	

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	2019/944;	2019/944;	2019/944;	
Article 2, point (30a)				
180a		***(30a) 'recharging point' means a recharging point as defined in Article 2(41) of Directive ... [AFIR - 2021/0223(COD)];***		
Article 2, point (31)				
181	(31) 'transmission system operator' means 'transmission system operator' as defined in in Article 2(35) of Directive (EU) 2019/944 and Directive 2009/73/EC, for electricity and gas, respectively;	(31) 'transmission system operator' means 'transmission system operator' as defined in in Article 2(35) of Directive (EU) 2019/944 and Directive 2009/73/EC, for electricity and gas, respectively;	(31) 'transmission system operator' means 'transmission system operator' as defined in in Article 2(35) of Directive (EU) 2019/944 and Directive 2009/73/EC, for electricity and gas, respectively;	
Article 2, point (32)				
182	(32) 'cogeneration' means the simultaneous generation in one process of thermal energy and electrical or mechanical energy;	(32) 'cogeneration' means the simultaneous generation in one process of thermal energy and electrical or mechanical energy;	(32) 'cogeneration' means the simultaneous generation in one process of thermal energy and electrical or mechanical energy;	
Article 2, point (33)				
183				

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	(33) 'economically justifiable demand' means demand that does not exceed the needs for heating or cooling and which would otherwise be satisfied at market conditions by energy generation processes other than cogeneration;	(33) 'economically justifiable demand' means demand that does not exceed the needs for heating or cooling and which would otherwise be satisfied at market conditions by energy generation processes other than cogeneration;	(33) 'economically justifiable demand' means demand that does not exceed the needs for heating or cooling and which would otherwise be satisfied at market conditions by energy generation processes other than cogeneration;	
Article 2, point (34)				
184	(34) 'useful heat' means heat produced in a cogeneration process to satisfy economically justifiable demand for heating or cooling;	(34) 'useful heat' means heat produced in a cogeneration process to satisfy economically justifiable demand for heating or cooling;	(34) 'useful heat' means heat produced in a cogeneration process to satisfy economically justifiable demand for heating or cooling;	
Article 2, point (35)				
185	(35) 'electricity from cogeneration' means electricity generated in a process linked to the production of useful heat and calculated in accordance with the methodology laid down in Annex II;	(35) 'electricity from cogeneration' means electricity generated in a process linked to the production of useful heat and calculated in accordance with the methodology laid down in Annex II;	(35) 'electricity from cogeneration' means electricity generated in a process linked to the production of useful heat and calculated in accordance with the methodology laid down in Annex II;	
Article 2, point (36)				
186	(36) 'high-efficiency cogeneration' means cogeneration	(36) 'high-efficiency cogeneration' means cogeneration	(36) 'high-efficiency cogeneration' means cogeneration	

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	meeting the criteria laid down in Annex III;	meeting the criteria laid down in Annex III;	meeting the criteria laid down in Annex III;	
Article 2, point (37)				
187	(37) 'overall efficiency' means the annual sum of electricity and mechanical energy production and useful heat output divided by the fuel input used for heat produced in a cogeneration process and gross electricity and mechanical energy production;	(37) 'overall efficiency' means the annual sum of electricity and mechanical energy production and useful heat output divided by the fuel input used for heat produced in a cogeneration process and gross electricity and mechanical energy production;	(37) 'overall efficiency' means the annual sum of electricity and mechanical energy production and useful heat output divided by the fuel input used for heat produced in a cogeneration process and gross electricity and mechanical energy production;	
Article 2, point (38)				
188	(38) 'power-to-heat ratio' means the ratio of electricity from cogeneration to useful heat when operating in full cogeneration mode using operational data of the specific unit;	(38) 'power-to-heat ratio' means the ratio of electricity from cogeneration to useful heat when operating in full cogeneration mode using operational data of the specific unit;	(38) 'power-to-heat ratio' means the ratio of electricity from cogeneration to useful heat when operating in full cogeneration mode using operational data of the specific unit;	
Article 2, point (39)				
189	(39) 'cogeneration unit' means a unit that is able to operate in cogeneration mode;	(39) 'cogeneration unit' means a unit that is able to operate in cogeneration mode;	(39) 'cogeneration unit' means a unit that is able to operate in cogeneration mode;	

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Article 2, point (40)				
190	(40) 'small-scale cogeneration unit' means a cogeneration unit with installed capacity below 1 MW_e;	(40) 'small-scale cogeneration unit' means a cogeneration unit with installed capacity below 1 MW_e;	(40) 'small-scale cogeneration unit' means a cogeneration unit with installed capacity below 1 MW_e;	
Article 2, point (41)				
191	(41) 'micro-cogeneration unit' means a cogeneration unit with a maximum capacity below 50 kW_e;	(41) 'micro-cogeneration unit' means a cogeneration unit with a maximum capacity below 50 kW_e;	(41) 'micro-cogeneration unit' means a cogeneration unit with a maximum capacity below 50 kW_e;	
Article 2, point (42)				
192	(42) 'efficient district heating and cooling' means a district heating or cooling system meeting the criteria laid down in Article 24;	(42) 'efficient district heating and cooling' means a district heating or cooling system meeting the criteria laid down in Article 24;	(42) 'efficient district heating and cooling' means a district heating or cooling system meeting the criteria laid down in Article 24;	
Article 2, point (43)				
193	(43) 'efficient heating and cooling' means a heating and cooling option that, compared to a baseline scenario reflecting a business-as-usual situation, measurably reduces the input of primary energy needed to supply	(43) 'efficient heating and cooling' means a heating and cooling option that, compared to a baseline scenario reflecting a business-as-usual situation, measurably reduces the input of primary energy needed to supply	(43) 'efficient heating and cooling' means a heating and cooling option that, compared to a baseline scenario reflecting a business-as-usual situation, measurably reduces the input of primary energy needed to supply	

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	one unit of delivered energy within a relevant system boundary in a cost-effective way, as assessed in the cost-benefit analysis referred to in this Directive, taking into account the energy required for extraction, conversion, transport and distribution;	one unit of delivered energy within a relevant system boundary in a cost-effective way, as assessed in the cost-benefit analysis referred to in this Directive, taking into account the energy required for extraction, conversion, transport and distribution;	one unit of delivered energy within a relevant system boundary in a cost-effective way, as assessed in the cost-benefit analysis referred to in this Directive, taking into account the energy required for extraction, conversion, transport and distribution;	
Article 2 , point (44)				
194	(44) 'efficient individual heating and cooling' means an individual heating and cooling supply option that, compared to efficient district heating and cooling, measurably reduces the input of non-renewable primary energy needed to supply one unit of delivered energy within a relevant system boundary or requires the same input of non-renewable primary energy but at a lower cost, taking into account the energy required for extraction, conversion, transport and distribution;	(44) 'efficient individual heating and cooling' means an individual heating and cooling supply option that, compared to efficient district heating and cooling, measurably reduces the input of non-renewable primary energy needed to supply one unit of delivered energy within a relevant system boundary or requires the same input of non-renewable primary energy but at a lower cost, taking into account the energy required for extraction, conversion, transport and distribution;	(44) 'efficient individual heating and cooling' means an individual heating and cooling supply option that, compared to efficient district heating and cooling, measurably reduces the input of non-renewable primary energy needed to supply one unit of delivered energy within a relevant system boundary or requires the same input of non-renewable primary energy but at a lower cost, taking into account the energy required for extraction, conversion, transport and distribution;	
Article 2, point (45)				
195	(45) 'data centre' means a	(45) 'data centre' means a	(45) 'data centre' means a	

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	structure, or group of structures, with the purpose of centralized accommodation, interconnection and operation of information technology and network telecommunications equipment providing data storage, processing and transport services together with all the facilities and infrastructures for power distribution and environmental control and the necessary levels of resilience and security required to provide the desired service availability;	structure, or group of structures~~,~~ ~~*with the purpose of centralized accommodation, interconnection and operation of information technology and network telecommunications*~~ ***used to house, connect and operate computer system/servers and associated*** equipment ~~*providing*~~***for*** data storage, processing ~~*and transport services together with all the facilities and infrastructures for power*~~***and/or*** distribution***, as well as related activities as defined in Commission Regulation (EU) 2022/132[1];*** ~~*and environmental control and the necessary levels of resilience and security required to provide the desired service availability;*~~ ***1. Commission Regulation (EU) 2022/132 of 28 January 2022 amending Regulation (EC) No 1099/2008 of the European Parliament and of the Council on energy statistics, as regards the implementation of updates for the annual, monthly and short-term monthly energy statistics (OJ L 20, 31.1.2022, p. 208).***	structure, or group of structures~~,~~ ~~with the purpose of centralized accommodation, interconnection and operation of information technology and network telecommunications~~ **used to house, connect and operate computer systems/servers and associated** equipment ~~providing~~**for** data storage, processing ~~and transport services together with all the facilities and infrastructures for power~~**and/or** distribution**, as well as related activities[1]** ~~and environmental control and the necessary levels of resilience and security required to provide the desired service availability~~; **1. https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32022R0132**	
Article 2, point (46)				
196	(46) ‘substantial refurbishment’	(46) ‘substantial refurbishment’	(46) ‘substantial refurbishment’	

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	means a refurbishment whose cost exceeds 50 % of the investment cost for a new comparable unit;	means a refurbishment whose cost exceeds 50 % of the investment cost for a new comparable unit;	means a refurbishment whose cost exceeds 50 % of the investment cost for a new comparable unit;	
Article 2, point (47)				
197	(47) 'aggregator' has the meaning attributed to 'independent aggregator' as defined by Article 2(19) of Directive (EU) 2019/944 ;.	(47) 'aggregator' has the meaning attributed to 'independent aggregator' as defined by Article 2(19) of Directive (EU) 2019/944 ;.	(47) ' **independent** aggregator' ~~has the meaning attributed to~~**means** 'independent aggregator' as defined by Article 2(19) of Directive (EU) 2019/944~~-;.~~	
Article 2, point (48)				
198	(48) 'energy poverty' means a household's lack of access to essential energy services that underpin a decent standard of living and health, including adequate warmth, cooling, lighting, and energy to power appliances, in the relevant national context, existing social policy and other relevant policies;	(48) 'energy poverty' means a household's ***inability, linked to non-affordability, to meet its basic energy supply needs and a*** lack of access to essential energy services ~~*that underpin*~~***to guarantee basic levels of comfort and health,*** a decent standard of living and health, including adequate ~~*warmth*~~***heating, hot water***, cooling, lighting, and energy to power appliances, in the relevant national context, existing social policy and other relevant policies***, caused by one or a combination of the following factors: insufficient***	(48) 'energy poverty' means a household's lack of access to essential energy services that underpin a decent standard of living and health, including adequate warmth, cooling, lighting, and energy to power appliances, in the relevant national context, existing social policy and other relevant policies;	

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		disposable income, high energy expenditures and poor energy efficiency of homes;		
Article 2, point (49)				
199	(49) ´final user´ means natural or legal person purchasing heating, cooling or domestic hot water for their own end-use, or natural or legal person occupying an individual building or a unit in a multi-apartment or multi-purpose building supplied with heating, cooling or domestic hot water from a central source who has no direct or individual contract with the energy supplier;	(49) ´final user´ means natural or legal person purchasing heating, cooling or domestic hot water for their own end-use, or natural or legal person occupying an individual building or a unit in a multi-apartment or multi-purpose building supplied with heating, cooling or domestic hot water from a central source who has no direct or individual contract with the energy supplier;	(49) ´final user´ means natural or legal person purchasing heating, cooling or domestic hot water for their own end-use, or natural or legal person occupying an individual building or a unit in a multi-apartment or multi-purpose building supplied with heating, cooling or domestic hot water from a central source who has no direct or individual contract with the energy supplier;	
Article 2, point (50)				
200	(50) 'split incentives' means the lack of fair and reasonable distribution of financial obligations and rewards related to energy efficiency investments among the actors concerned, for example the owners and tenants or the different owners of building units, or owners and tenants or different owners of	(50) 'split incentives' means the lack of fair and reasonable distribution of financial obligations and rewards related to energy efficiency investments among the actors concerned, for example the owners and tenants or the different owners of building units, or owners and tenants or different owners of	(50) 'split incentives' means the lack of fair and reasonable distribution of financial obligations and rewards related to energy efficiency investments among the actors concerned, for example the owners and tenants or the different owners of building units, or owners and tenants or different owners of	

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	multi-apartment or multi-purpose buildings.	multi-apartment or multi-purpose buildings.	multi-apartment or multi-purpose buildings.	
Article 2, point (50a)				
200a		***(50a) 'engagement strategy' means a strategy that sets objectives, develops techniques and establishes the process by which to involve all relevant stakeholders at national and local level, including civil society representatives such as consumer organisations,in the policy-making process, with the goal of increasing awareness, obtaining feedback on such policies and improving their public acceptance;***		
Article 2, point (50b)				
200b		***(50b) 'one-stop shop' means a single point for provision of advice, guidance and information.***		
Article 3				
201	Article 3	Article 3	Article 3	

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	Energy efficiency first principle	Energy efficiency first principle	Energy efficiency first principle	
Article 3(1), introductory part				
202	1. In conformity with the energy efficiency first principle, Member States shall ensure that energy efficiency solutions are taken into account in the planning, policy and major investment decisions related to the following sectors:	1. In conformity with the energy efficiency first principle, Member States shall ensure that energy efficiency solutions***, including demand-side resources and system flexibilities, are assessed*** ~~are taken into account~~ in the ***design and*** planning~~,~~ ***of*** policy ~~and~~***decisions as well as*** major investment decisions related to the following sectors:	1. In conformity with the energy efficiency first principle, Member States shall ensure that energy efficiency solutions are taken into account in the planning, policy and major investment decisions**, that is to say large-scale investments with a value of more than 150 euro million each or 250 euro million for transport infrastructure projects,** related to the following sectors:	
Article 3(1), point (a)				
203	(a) energy systems, and	(a) energy systems, and	(a) energy systems, and	
Article 3(1), point (b)				
204	(b) non-energy sectors, where those sectors have an impact on energy consumption and energy efficiency.	(b) non-energy sectors, where those sectors have an impact on energy consumption and energy efficiency***, including buildings, transport, water, information and***	(b) non-energy sectors, where those sectors have an impact on energy consumption and energy efficiency.	

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		communications technology (ICT), agriculture and financial sectors.		
Article 3(1a)				
204a			**When implementing this paragraph, Member States may take into account the Commission Recommendation on the energy efficiency first principle[1].** _____ **1. Commission Recommendation of 28.9.2021 on Energy Efficiency First: from principles to practice. Guidelines and examples for its implementation in decision-making in the energy sector and beyond (C(2021) 7014 final).**	
Article 3(2)				
205	2. Member States shall ensure that the application of the energy efficiency first principle is verified by the relevant entities where policy, planning and investment decisions are subject to approval and monitoring requirements.	2. Member States shall ensure that the application of the energy efficiency first principle***, including, where appropriate, sector integration and cross-sectoral impacts,*** is verified by the relevant entities where policy, planning and investment decisions are subject to approval and	2. Member States shall ~~ensure that~~**asses** the application of the energy efficiency first principle ~~is verified by the relevant entities~~ **every two years,** where policy, planning and **major** investment decisions are subject to approval and monitoring requirements~~.~~	

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		monitoring requirements.		
Article 3(2a)				
205a		***2a. In applying this Article, Member States shall take into account the Commission Recommendation (EU) 2021/1749[1].*** _____ ***1. Commission Recommendation (EU) 2021/1749 of 28 September 2021 on Energy Efficiency First: from principles to practice — Guidelines and examples for its implementation in decision-making in the energy sector and beyond.***		
Article 3(3), introductory part				
206	3. In applying the energy efficiency first principle, Member States shall:	3. In applying the energy efficiency first principle, Member States shall:	3. In applying the energy efficiency first principle, Member States shall:	
Article 3(3), point (a)				
207	(a) promote and, where cost-benefit assessments are required, ensure the application of cost-benefit methodologies that allow proper assessment of wider	(a) ~~promote and, where cost-benefit assessments are required, ensure the application of~~***develop, apply and make publicly available a*** cost-benefit ~~methodologies that~~	(a) promote and, where cost-benefit assessments are required, ensure the application of cost-benefit methodologies that allow proper assessment of wider	

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	benefits of energy efficiency solutions from the societal perspective;	~~allow~~***methodology that allows the*** proper assessment of ***the*** wider benefits of energy efficiency solutions ***taking into account the entire life cycle and foreseeable developments, system and cost efficiency, security of supply and quantification*** from the societal***, health, economic and climate neutrality*** perspective;	benefits of energy efficiency solutions from the societal perspective;	
Article 3(3), point (aa)				
207a		***(aa) ensure that the application of the energy efficiency first principle will have a positive impact on addressing energy poverty;***		
Article 3(3), point (b)				
208	(b) identify an entity responsible for monitoring the application of the energy efficiency first principle and the impacts of planning, policy and investment decisions on energy consumption and energy efficiency;	(b) identify an entity responsible for monitoring the application of the energy efficiency first principle and the impacts of ***regulatory frameworks, including financial regulations,*** planning, policy and investment decisions on energy consumption and energy efficiency ***and energy systems***;	(b) identify ~~an~~**the** entity **or entities** responsible for monitoring the application of the energy efficiency first principle and the impacts of planning, policy and **major** investment decisions on energy consumption and energy efficiency;	

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Article 3(3), point (ba)				
208a		***(ba) secure that the investments made are environmentally sustainable at all stages of the energy value chain and apply circularity principles in transition to climate neutrality;***		
Article 3(3), point (c), introductory part				
209	(c) report to the Commission, as part of the integrated national energy and climate progress reports in accordance with Article 17 of Regulation (EU) 2018/1999 on how the principle was taken into account in the national and regional planning, policy and major investment decisions related to the national and regional energy systems.	(c) report to the Commission, as part of the integrated national energy and climate progress reports in accordance with Article 17 of Regulation (EU) 2018/1999 on how the ***energy efficiency first*** principle was taken into account in the national***, regional and local*** ~~and regional~~ planning, policy and major investment decisions related to the national and regional energy systems~~.~~ ***and to non-energy sectors, where those sectors have an impact on energy consumption and energy efficiency, including, but not limited to, the following:***	(c) report to the Commission, as part of the integrated national energy and climate progress reports in accordance with Article 17 of Regulation (EU) 2018/1999 on how the principle was taken into account in the national and regional planning, policy and major investment decisions related to the national and regional energy systems.	
Article 3(3), point (c)(i)				

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209a		***(i) an assessment of the systematic application and benefits of the energy efficiency first principle in energy systems, in particular in relation to energy consumption;***		
Article 3(3), point (c)(Ii)				
209b		***(ii) a list of actions taken to remove any unnecessary regulatory or non-regulatory barriers to the implementation of the energy efficiency first principle and of demand-side solutions, including through the identification of national legislation and measures that are contrary to the energy efficiency first principle;***		
Article 3(3a)				
209c		***3a By ... [6 months after the date of entry in force of this Directive], the Commission shall adopt a delegated act supplementing this Directive by establishing a common general framework***		

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		including supervision, the monitoring and reporting procedure that Member States may use to design the cost-benefit methodologies referred to in paragraph 3, point (a), in order to ensure comparability while leaving the possibility for Member States to adapt to national and local circumstances.		
Article 4				
210	Article 4 Energy efficiency targets	Article 4 Energy efficiency targets	Article 4 Energy efficiency targets	
Article 4(1)				
211	1. Member States shall collectively ensure a reduction of energy consumption of at least 9 % in 2030 compared to the projections of the 2020 Reference Scenario so that the Union's final energy consumption amounts to no more than 787 Mtoe and the Union's primary energy consumption amounts to no more than 1023 Mtoe in 2030.[1] _____	1. Member States shall collectively ensure a reduction of energy consumption of at least ~~9~~***40*** % in 2030 ***in final energy consumption and 42,5 % in primary energy consumption*** compared to the projections of the ~~2020~~***2007*** Reference Scenario so that the Union's final energy consumption amounts to no more than ~~787~~***740*** Mtoe and the Union's primary energy consumption	1. Member States shall collectively ensure a reduction of energy consumption of at least 9 % in 2030 compared to the projections of the 2020 Reference Scenario so that the Union's final energy consumption amounts to no more than 787 Mtoe**. Member States shall make efforts to collectively contribute to the indicative** ~~and the~~ Union's primary energy	

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	1. The Union's energy efficiency target was initially set and calculated using the 2007 Reference Scenario projections for 2030 as a baseline. The change in the Eurostat energy balance calculation methodology and improvements in subsequent modelling projections call for a change of the baseline. Thus, using the same approach to define the target, that is to say comparing it to the future baseline projections, the ambition of the Union's 2030 energy efficiency target is set compared to the 2020 Reference Scenario projections for 2030 reflecting national contributions from the NECPs. With that updated baseline, the Union will need to further increase its energy efficiency ambition by at least 9 % in 2030 compared to the level of efforts under the 2020 Reference Scenario. The new way of expressing the level of ambition for the Union's targets does not affect the actual level of efforts needed.	amounts to no more than ~~1023~~***960*** Mtoe in 2030.[1] _____ 1. ***[1]*** The Union's energy efficiency target was initially set and calculated using the 2007 Reference Scenario projections for 2030 as a baseline. The change in the Eurostat energy balance calculation methodology and improvements in subsequent modelling projections call for a change of the baseline. Thus, using the same approach to define the target, that is to say comparing it to the future baseline projections, the ambition of the Union's 2030 energy efficiency target is set compared to the 2020 Reference Scenario projections for 2030 reflecting national contributions from the NECPs. With that updated baseline, the Union will need to further increase its energy efficiency ambition by at least 9 % in 2030 compared to the level of efforts under the 2020 Reference Scenario. The new way of expressing the level of ambition for the Union's targets does not affect the actual level of efforts needed.	consumption ~~amounts~~**targets amounting** to no more than 1023 Mtoe in 2030.[1] _____ 1. The Union's energy efficiency target was initially set and calculated using the 2007 Reference Scenario projections for 2030 as a baseline. The change in the Eurostat energy balance calculation methodology and improvements in subsequent modelling projections call for a change of the baseline. Thus, using the same approach to define the target, that is to say comparing it to the future baseline projections, the ambition of the Union's 2030 energy efficiency target is set compared to the 2020 Reference Scenario projections for 2030 reflecting national contributions from the NECPs. With that updated baseline, the Union will need to further increase its energy efficiency ambition by at least 9 % in 2030 compared to the level of efforts under the 2020 Reference Scenario. The new way of expressing the level of ambition for the Union's targets does not affect the actual level of efforts needed.	
Article 4(2), first subparagraph				
212	2. Each Member State shall set national energy efficiency contributions for final and primary energy consumption to meet, collectively, the binding Union	2. Each Member State shall set ***binding*** national energy efficiency contributions for final and primary energy consumption to meet, collectively, the binding	2. Each Member State shall set **an indicative** national energy efficiency ~~contributions for~~**contribution based on** final ~~and primary~~ energy consumption to	

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	target set in paragraph 1 . Member States shall notify those contributions together with an indicative trajectory for those contributions to the Commission as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure set out in Article 3 and Articles 7 to 12 of Regulation (EU) 2018/1999 . When doing so, Member States shall use the formula defined in Annex I of this Directive and explain how, and on the basis of which data, the contributions have been calculated.	Union target set in paragraph 1-. Member States shall notify those contributions together with ~~*an indicative trajectory*~~***a trajectory with two reference points (milestones) in 2025 and 2027*** for those contributions~~–~~***,*** to the Commission as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure set out in Article 3 and Articles 7 to 12 of Regulation (EU) 2018/1999~~*. When doing so*~~***. When setting their binding national contributions***~~,–~~ Member States shall ~~*use*~~***apply*** the formula defined in Annex I of this Directive and explain how, and on the basis of which data, the contributions have been calculated.	meet, collectively, the binding Union **'s final energy consumption** target set in paragraph ~~1~~ **1and shall take efforts to contribute collectively to the indicative Union primary energy consumption target set in paragraph 1**. Member States shall notify those contributions together with an indicative trajectory for those contributions~~–~~ to the Commission as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure set out in Article 3 and Articles 7 to 12 of Regulation (EU) 2018/1999-. When doing so, Member States~~–~~ shall ~~use the formula defined in Annex I of this Directive~~**also express their contributions in terms of an absolute level of primary energy consumption in 2030. When setting its indicative national energy efficiency contribution, Member States shall take into account the requirements set out**	

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			in paragraph 3 and explain how, and on the basis of which data, the contributions have– been calculated. **For this purpose, they may use the formula defined in Annex I.**	
Article 4(2), second subparagraph				
213	Member States shall also provide the shares of energy consumption of energy end-use sectors, as defined in Regulation (EC) No 1099/2008 on energy statistics, including industry, residential, services and transport, in their national energy efficiency contributions. Projections for energy consumption in information and communications technology (ICT) shall also be indicated.	Member States shall also provide the shares of energy consumption of energy end-use sectors, as defined in Regulation (EC) No 1099/2008 on energy statistics, including industry, residential, services and transport, in their national energy efficiency contributions. Projections for energy consumption in ~~*information and communications technology (ICT)*~~***ICT*** shall also be indicated.	Member States shall also provide the shares of energy consumption of energy end-use sectors, as defined in Regulation (EC) No 1099/2008 on energy statistics, including industry, residential, services and transport, in their national energy efficiency contributions. Projections for energy consumption in information and communications technology (ICT) shall also be indicated.	
Article 4(2), third subparagraph , introductory part				
214	In setting those contributions , Member States shall take into account:	In setting those contributions , Member States shall take into account:	**3.** In setting those contributions-, Member States shall take into account: In the Commission proposal it was not separated, to constitute Article 4.(3) - as	

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			a new paragraph (and not as a subparagraph). To be corrected - with implication on numbering of a couple of next cells.	
Article 4(2), third subparagraph , point (a)				
215	(a) that the Union's 2030 energy consumption has to be no more than 787 Mtoe of final energy or no more than 1023 Mtoe of primary energy consumption;	(a) that the Union's 2030 energy consumption has to be no more than ~~787~~***740*** Mtoe of final energy or no more than ~~1023~~ ***960*** Mtoe of primary energy consumption ;	(a) that the Union's 2030– energy consumption has to be no more than 787 Mtoe of final energy ~~or~~**and should be** no more than 1023— Mtoe of primary energy consumption;	
Article 4(2), third subparagraph , point (b)				
216	(b) the measures provided for in this Directive;	(b) the measures provided for in this Directive;	(b) the measures provided for in this Directive;	
Article 4(2), third subparagraph , point (c)				
217	(c) other measures to promote energy efficiency within Member States and at Union level;	(c) other measures to promote energy efficiency within Member States and at Union level;	(c) other measures to promote energy efficiency within Member States and at Union level;	
Article 4(2), third subparagraph , point (d), introductory part				
218	(d) any relevant factors affecting	(d) ~~any~~***the following*** relevant	(d) any relevant factors affecting	

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	efficiency efforts, such as:	factors affecting efficiency efforts~~, such as~~ ***included in the formula established in Annex I***:	efficiency efforts~~, such as~~:	
Article 4(2), third subparagraph , point (d)(i)				
219	(i) the collective level of ambition necessary to reach climate objectives;	(i) the collective level of ambition necessary to reach climate objectives;	(i) the collective level of ambition necessary to reach climate objectives;	
Article 4(2), third subparagraph, point (d)(ii)				
220	(ii) the equitable distribution of efforts across the Union;	(ii) the equitable distribution of efforts across the Union;	(ii) the equitable distribution of efforts across the Union;	
Article 4(2), third subparagraph , point (d)(iii)				
221	(iii) the energy intensity of the economy;	(iii) the energy intensity of the economy;	(iii) the energy intensity of the economy;	
)Article 4(2), third subparagraph , point (d)(iv)				
222	(iv) the remaining cost-effective energy-saving potential;	(iv) the remaining cost-effective energy-saving potential;	(iv) the remaining cost-effective energy-saving potential;	
Article 4(2), third subparagraph , point (e), introductory part				
223				

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	(e) other national circumstances affecting energy consumption, in particular:	(e) other national ~~circumstances~~***factors*** affecting energy consumption, in particular:	(e) other national circumstances affecting energy consumption, in particular:	
Article 4(2), third subparagraph , point (e)(i)				
224	(i) GDP evolution and forecast;	(i) GDP evolution and forecast;	(i) GDP **and demographic** evolution and forecast;	
Article 4(2), third subparagraph , point (e)(ii)				
225	(ii) changes of energy imports and export , developments in energy mix and deployment of new sustainable fuels ;	(ii) changes of energy imports and export , developments in energy mix and deployment of new sustainable fuels ;	(ii) changes of energy imports and export , developments in energy mix and deployment of new sustainable fuels ;	
Article 4(2), third subparagraph , point (e)(iii)				
226	(iii) development of all sources of renewable energies, nuclear energy, carbon capture and storage;	(iii) development of all sources of renewable energies, nuclear energy, carbon capture and storage;	(iii) development of all sources of renewable energies, nuclear energy, carbon capture and storage;	
Article 4(2), third subparagraph , point (e)(iv)				
227	(iv) decarbonisation of energy intensive industries.	(iv) decarbonisation of energy intensive industries.	(iv) decarbonisation of energy intensive industries.	
Article 4(2), third subparagraph , point (e)(iva))				

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227a		*(iv a) the level of ambition in the national decarbonisation/climate neutrality plans.*		
Article 4(2), third subparagraph , point (e)(iva)				
227b			**(v) economic energy savings potential;**	
Article 4(2), fourth subparagraph				
227c		*Where Member States take into account the national factors referred to in point (e) of the third subparagraph, this shall not lead to a failure to achieve the Union's energy efficiency target. The Commission shall assess whether the collective contribution of Member States is sufficient to achieve the Union's energy efficiency target and assess if the contributions are in line with achieving the milestones. Where it concludes that it is not sufficient, it shall, within two months of the Member States' notification of their national energy efficiency*		

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		contributions, propose to each Member State a corrected national energy efficiency contribution ensuring that the collective contribution of Member States reaches the Union's energy efficiency target. When applying that mechanism, the Commission shall ensure that there is no difference in the primary and final energy consumption between the sum of the Member States' national contributions and the Union's energy efficiency target.		
Article 4(2), third subparagraph , point (e)(ivb)				
227d			**(vi) current climate conditions and climate change forecast.**	
Article 4(3), first subparagraph, introductory part -a				
227e			**4. When applying the requirements set out in paragraph 3, Member States shall ensure that their contribution be within a 2,5 percentage point margin of what it would have been if resulted**	

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			from the formula defined in Annex I.	
Article 4(3), first subparagraph -b				
227f			**5. The Commission shall assess that the collective contribution of Member States is at least equal to the binding Union 's target for final energy consumption set in paragraph 1. Where the Commission concludes that it is insufficient, within two months after notification by Member States, the Commission shall address to each Member State with a national contribution below what it would have been using the formula in Annex I, a corrected indicative national energy efficiency contribution for final energy consumption based on:** **(a) the remaining collective reduction of final energy consumption needed to achieve the binding Union target set in paragraph 1;** **(b) the relative GHG intensity per GDP unit in 2019**	

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			among those Member States concerned by the address of the Commission; **(c) the GDP of those Member States in 2019.** **Those Member States shall update within six months their notification as set out in paragraph 2, with their new indicative national energy efficiency contributions for final energy consumption together with an update of their indicative trajectory for those contributions and, where applicable, their additionnal measures.** **When a Member State has notified an indicative national contribution for final energy consumption equal or above what it would have been using the formula in Annex I, the Commission shall not revise this aforementionned contribution.** **When applying the mechanism**	

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			set out in this paragraph, the Commission shall ensure that there is no difference left between the sum of the national contributions of all Member States and the binding Union target set in paragraph 1.	
Article 4(3), first subparagraph , introductory part				
228	3. Where the Commission concludes, on the basis of its assessment pursuant to Article 29(1) and (3) of Regulation (EU) 2018/1999, that insufficient progress has been made towards meeting the energy efficiency contributions, Member States that are above their indicative trajectories referred to in paragraph 2 of this Article shall ensure that additional measures are implemented within one year following the date of reception of the Commission's assessment in order to ensure getting back on track to reach their energy efficiency contributions. Those additional measures shall include, but shall not be limited to, the	3. ~~*Where*~~ The Commission ~~*concludes*~~***shall***, on the basis of its assessment pursuant to Article 29(1) and (3) of Regulation (EU) 2018/1999, ***assess the progress of Member States towards the achievement of their binding national contributions and milestones referred to in paragraph 2 of this Article. Where the Commission concludes, on the basis of its assessment,*** that insufficient progress has been made towards meeting the energy efficiency contributions, Member States that are above their ~~*indicative trajectories*~~***trajectories and milestones*** referred to in paragraph 2 of this Article shall ensure that additional measures are	~~**3**~~**6**. Where the Commission concludes, on the basis of its assessment pursuant to Article 29(1) and (3) of Regulation (EU) 2018/1999, that insufficient progress has been made towards meeting the energy efficiency contributions, Member States that are above their indicative trajectories **for final energy consumption** referred to in paragraph 2 of this Article shall ensure that additional measures are implemented within one year following the date of reception of the Commission's assessment in order to ensure getting back on track to reach their energy efficiency contributions. Those additional measures shall include,	

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	following measures:	implemented within one year following the date of reception of the Commission's assessment in order to ensure getting back on track to reach their energy efficiency contributions. Those additional measures shall include, but shall not be limited to, the following measures:	but shall not be limited to~~,~~ **at least one of** the following measures:	
Article 4(3), first subparagraph , point (a)				
229	a. national measures delivering additional energy savings, including stronger project development assistance for the implementation of energy efficiency investment measures;	a. national measures delivering additional energy savings, including stronger project development assistance for the implementation of energy efficiency investment measures;	a. national measures delivering additional energy savings, including stronger project development assistance for the implementation of energy efficiency investment measures;	
Article 4(3), first subparagraph , point (b)				
230	b. increasing the energy savings obligation set out in Article 8;	b. increasing the energy savings obligation set out in Article 8;	b. increasing the energy savings obligation set out in Article 8;	
Article 4(3), first subparagraph , point (c)				
231	c. adjusting the obligation for public sector;	c. adjusting the obligation for public sector;	c. adjusting the obligation for public sector;	

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Article 4(3), first subparagraph , point (d)				
232	d. making a voluntary financial contribution to the National Energy Efficiency Fund referred to in Article 28 or another financing instrument dedicated to energy efficiency, where the annual financial contributions shall be equal to the investments required to reach the indicative trajectory.	d. making a voluntary financial contribution to the National Energy Efficiency Fund referred to in Article 28 or another financing instrument dedicated to energy efficiency, where the annual financial contributions shall be equal to the investments required to reach the ~~*indicative*~~ trajectory.	d. making a voluntary financial contribution to the National Energy Efficiency Fund referred to in Article 28 or another financing instrument dedicated to energy efficiency, where the annual financial contributions shall be equal to the investments required to reach the indicative trajectory.	
Article 4(3), second subparagraph				
233	Where a Member State is above its indicative trajectory referred to in paragraph 2 of this Article, it shall include in its integrated national energy and climate progress report pursuant to Article 17 of Regulation (EU) 2018/1999, an explanation of how it will cover the gap to ensure reaching its national energy efficiency contributions.	Where a Member State is above its ~~*indicative*~~ trajectory referred to in paragraph 2 of this Article, it shall include in its integrated national energy and climate progress report pursuant to Article 17 of Regulation (EU) 2018/1999, an explanation of ~~*how*~~***the measures*** it will ***take to*** cover the gap to ensure reaching its national energy efficiency contributions ***and the amount of energy savings each measure is expected to deliver***.	Where a Member State is above its indicative trajectory **for final energy consumption** referred to in paragraph 2 of this Article, it shall include in its integrated national energy and climate progress report pursuant to Article 17 of Regulation (EU) 2018/1999, an explanation of how it will cover the gap to ensure reaching its national energy efficiency contributions.	
Article 4(3), third subparagraph				
234				

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	The Commission shall assess whether the national measures referred to in this paragraph are sufficient to achieve the Union's energy efficiency targets. Where national measures are deemed to be insufficient, the Commission shall, as appropriate, propose measures and exercise its power at Union level in order to ensure, in particular, the achievement of the Union's 2030 targets for energy efficiency.	The Commission shall assess whether the national measures referred to in this paragraph are sufficient to achieve the Union's energy efficiency targets. Where national measures are deemed to be insufficient, the Commission shall, as appropriate, propose measures and exercise its power at Union level in order to ensure, in particular, the achievement of the Union's 2030 targets for energy efficiency.	The Commission shall assess whether the national measures referred to in this paragraph are sufficient to achieve the Union's energy efficiency targets. Where national measures are deemed to be insufficient, the Commission shall, as appropriate, propose measures and exercise its power at Union level in order to ensure, in particular, the achievement of the Union's 2030 targets for energy efficiency.	
Article 4(4)				
235	4. The Commission shall assess by 31 December 2026 any methodological changes in the data reported pursuant to Regulation (EC) No 1099/2008 on energy statistics, in the methodology for calculating energy balance and in energy models for European energy use and, if necessary, propose technical calculation adjustments to the Union's 2030 targets with a view to maintaining the level of ambition set out in paragraph 1 of this Article.	4. The Commission shall assess by 31 December 2026 any methodological changes in the data reported pursuant to Regulation (EC) No 1099/2008 on energy statistics, in the methodology for calculating energy balance and in energy models for European energy use and, if necessary, propose technical calculation adjustments to the Union's 2030 targets with a view to maintaining the level of ambition set out in paragraph 1 of this Article.	**47**. The Commission shall assess by 31 December 2026 any methodological changes in the data reported pursuant to Regulation (EC) No 1099/2008 on energy statistics, in the methodology for calculating energy balance and in energy models for European energy use and, if necessary, propose technical calculation adjustments to the Union's 2030 targets with a view to maintaining the level of ambition set out in paragraph 1 of this Article.	

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CHAPTER II				
236	CHAPTER II EXEMPLARY ROLE OF PUBLIC SECTOR	CHAPTER II EXEMPLARY ROLE OF PUBLIC SECTOR	CHAPTER II EXEMPLARY ROLE OF PUBLIC SECTOR	
Article 5				
237	Article 5 Public sector leading on energy efficiency	Article 5 Public sector leading on energy efficiency	Article 5 Public sector leading on energy efficiency	
Article 5(1), first subparagraph				
238	1. Member States shall ensure that the total final energy consumption of all public bodies combined is reduced by at least 1,7% each year, when compared to the year X-2 (with X as the year when this Directive enters into force).	1. Member States shall ensure that the total final energy consumption of all public bodies combined is reduced by at least ~~1,7%~~***2 %*** each year, when compared to the year X-2 (with X as the year when this Directive enters into force).	1.**a.** Member States shall ensure that the total final energy consumption of all public bodies combined is reduced by at least 1,7% each year **or alternatively by at least [1.9%] each year if excluding public transport or armed forces**, when compared to the year X-2 (with X as the year when this ~~Directive enters into force~~**Article shall be transposed**). **To fulfil this obligation, Member States shall establish a baseline, which includes the final**	

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			energy consumption of all public bodies for year X-2.	
Article 5(1), first subparagraph a				
238a			**1.b. In a transitional period of four years after the transposition date of this article, the target set out in paragraph 1.a will be indicative. During the transitional period, Member States may use estimated consumption data, and four years after the transposition date of this Article Member States shall adjust the baseline and align the estimated final energy consumption of all public bodies to the actual final energy consumption of all public bodies.**	
Article 5(1), first subparagraph b				
238b			**1.c. The obligation provided in paragraph 1a and the requirements provided in paragraphs 1.a and 1.b shall not include, until 31 December 2026,**	

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			the energy consumption of public bodies in local administrative units [to be defined in Article 2 with reference to ESTAT] serving less than 50.000 inhabitants and, until 31 December 2029, the energy consumption of public bodies in local administrative units [to be defined in Article 2 with reference to ESTAT] serving less than 5.000 inhabitants.	
Article 5(1), second subparagraph				
239	Member States may take into account climatic variations within the Member State when calculating their public bodies' final energy consumption.	Member States may take into account climatic variations within the Member State when calculating their public bodies' final energy consumption.	**1.d.** Member States may take into account climatic variations within the Member State when calculating their public bodies' final energy consumption.	
Article 5(2)				
240	2. Member States shall include, in their national energy and climate plans and updates thereof pursuant to Regulation (EU) 2018/1999, a list of public bodies which shall	2. Member States shall include, in their national energy and climate plans and updates thereof pursuant to Regulation (EU) 2018/1999, ~~a~~***the*** list of ***all*** public bodies which	2. Member States shall include, in their national energy and climate plans and updates thereof pursuant to Regulation (EU) 2018/1999, ~~a list of public bodies which shall~~	

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	contribute to the fulfilment of the obligation set out in paragraph 1 of this Article, the amount of energy consumption reduction to be achieved by each of them and the measures they plan to achieve it. As part of their integrated national energy and climate reports pursuant to Article 17 of Regulation (EU) 2018/1999, Member States shall report to the Commission the final energy consumption reduction achieved annually.	shall contribute to the fulfilment of the obligation set out in paragraph 1 of this Article, the amount of energy consumption reduction ***and energy savings*** to be achieved by each of them and the measures they plan to achieve it. As part of their integrated national energy and climate reports pursuant to Article 17 of Regulation (EU) 2018/1999, Member States shall report to the Commission the final energy consumption reduction achieved annually~~.~~	~~contribute to the fulfilment of the obligation set out in paragraph 1 of this Article~~, the amount of energy consumption reduction to be achieved by ~~each of them~~ **public bodies per sector** and the measures they plan to achieve it. As part of their integrated national energy and climate reports pursuant to Article 17 of Regulation (EU) 2018/1999, Member States shall report to the Commission the final energy consumption reduction achieved annually.	
Article 5(3)				
241	3. Member States shall ensure that regional and local authorities, establish specific energy efficiency measures in their decarbonisation plans after consulting stakeholders and the public, including the particular groups at risk of energy poverty or more susceptible to its effects, such as women, persons with disabilities, older persons, children, and persons with a minority racial or ethnic background.	3. Member States shall ensure that regional and local authorities, establish specific energy efficiency measures in their decarbonisation plans after consulting ***relevant*** stakeholders***, their energy agencies, where relevant,*** and the public, including the particular groups at risk of energy poverty or more susceptible to its effects~~, *such as women, persons with disabilities, older persons, children, and*~~ ***on the basis of their***	3. Member States shall ensure that regional and local authorities, establish specific energy efficiency measures in their **long-term planning tools, such as** decarbonisation **or sustainable energy** plans after consulting stakeholders and the public, including ~~the~~**in** particular **vulnerable** groups at risk of energy poverty or more susceptible to its effects~~, such as women, persons with disabilities, older~~	

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		income, gender, demographics, health condition or membership of a minority group, such as persons with a minority racial or ethnic background. ***Member States shall also ensure that, when designing and implementing energy efficiency measures, regional and local authorities avoid negative direct or indirect impacts of the energy efficiency measures on energy poor, low-income households or vulnerable groups.***	~~persons, children, and persons with a minority racial or ethnic background~~ .	
Article 5(4)				
242	4. Member States shall support public bodies in the uptake of energy efficiency improvement measures, including at regional and local levels, by providing guidelines, promoting competence building and training opportunities and encouraging cooperation amongst public bodies.	4. Member States shall ***provide financial and technical*** support ***to*** public bodies in the uptake of energy efficiency improvement measures ***and encourage them to take into account the wider benefits beyond energy savings, such as the quality of the indoor air and environment as well as an improvement of people's quality of life and the comfort of renovated public buildings, in particular schools, day care centres, nursing homes, sheltered housing, hospitals, and social housing***,	4. Member States shall support public bodies in the uptake of energy efficiency improvement measures, including at regional and local levels, by providing guidelines, promoting competence building and training opportunities and encouraging cooperation amongst public bodies.	

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		including at regional and local levels~~, by providing~~***. Member States shall provide*** guidelines, ~~promoting~~***promote*** competence building and training opportunities***, including on energy refurbishment by using Energy Performance Contracts and public private partnerships and encourage*** ~~and encouraging~~ cooperation amongst public bodies. ***Members States shall support public bodies to address the lack of human resources, which are needed at all stages of the green transition, including craftspeople as well as high-skilled green technology experts, applied scientists and innovators.***		
Article 5(5)				
243	5. Member States shall encourage public bodies to consider life cycle carbon emissions of their public bodies' investment and policy activities.	5. Member States shall encourage public bodies to consider life cycle carbon emissions ***as well as economic, social and energy security benefits*** of their public bodies' investment and policy activities ***and shall provide specific guidance in that regard***.	5. Member States shall encourage public bodies to consider life cycle carbon emissions of their public bodies' investment and policy activities.	

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Article 5a				
243a		***5a. Member States shall encourage public bodies to take adequate measures to address the heating dimension of buildings owned or occupied by public bodies, in particular via the replacement of old and inefficient heaters and phase out of fossil fuels.***		
Article 5b				
243b		***5b. Member States shall promote the use of public transport and other less polluting and more energy efficient means of mobility, such as rail, cycling, walking or shared mobility, by renewing and decarbonising fleets, encouraging a modal shift and including those modes in urban mobility planning.***		
Article 6				
244	Article 6 Exemplary role of public bodies' buildings	Article 6 Exemplary role of public bodies' buildings	Article 6 Exemplary role of public bodies' buildings	

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Article 6(1), first subparagraph , introductory part				
245	1. Without prejudice to Article 7 of Directive 2010/31/EU of the European Parliament and of the Council[1], each Member State shall ensure that, at least 3 % of the total floor area of heated and/or cooled buildings owned by public bodies is renovated each year to at least be transformed into nearly zero-energy buildings in accordance with Article 9 of Directive 2010/31/EU. _____ 1. Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).	1. Without prejudice to Article 7 of Directive 2010/31/EU ~~of the European Parliament and of the Council[1]~~, each Member State shall ensure that~~,~~ at least~~–~~ 3 % of the total floor area of heated and/or cooled buildings owned by public bodies~~–~~ ***of the following categories and of buildings for social purposes*** is renovated each year to at least be transformed into nearly zero-energy buildings~~–~~ ***or zero-emission buildings*** in accordance with Article 9~~–~~ of Directive 2010/31/EU~~.~~ ***with due consideration of cost-effectiveness and technical feasibility:*** _____ ~~1. Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).~~	1. Without prejudice to Article 7 of Directive 2010/31/EU of the European Parliament and of the Council[1], each Member State shall ensure that, at least 3 % of the total floor area of heated and/or cooled buildings owned by public bodies is renovated each year to at least be transformed into nearly zero-energy buildings in accordance with Article 9 of Directive 2010/31/EU. _____ 1. Directive 2010/31/EU of the European Parliament and of the Council of 19 May 2010 on the energy performance of buildings (OJ L 153, 18.6.2010, p. 13).	
Article 6(1), first subparagraph , point (a)				
245a		***(a) buildings owned by public bodies;***		
Article 6(1), first subparagraph a				

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245b			**1bis Member States may exclude social housing from the obligation under paragraph 1. When a Member State decides to do so, it shall communicate to the Commission in its Building renovation plan in accordance with Art.3 of the recast EPBD other energy efficiency policies and measures targeted at improving the minimum energy performance standards of social housing.**	
Article 6(1), first subparagraph, point(b)				
245c		***(b) buildings newly occupied by public bodies, from ... [the date of entry into force of this Directive];***		
Article 6(1), first subparagraph , point (c)				
245d		***(c) buildings occupied by public bodies when reaching a trigger point (renewal of rental, sale, change of use, significant repair or maintenance work).***		
Article 6(1), second subparagraph				

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245e		***Member States may exempt social housing from the obligation to renovate referred to in the first subparagraph where such renovations would not be cost neutral or would lead to rent increases for people living in social housing that cannot be limited to the equivalent of the economic savings on the energy bill in any way.***		
Article 6(1), third subparagraph				
246	Where public bodies occupy a building that they do not own, they shall exercise their contractual rights to the extent possible and encourage the building owner to renovate the building to a nearly zero-energy building in accordance with Article 9 of Directive 2010/31/EU. When concluding a new contract for occupying a building they do not own, public bodies shall aim for that building to fall into the top two energy efficiency classes on the energy performance certificate.	Where public bodies occupy a building that they do not own, they shall exercise their contractual rights to the extent possible and encourage the building owner to renovate the building to a nearly zero-energy building in accordance with Article 9 of Directive 2010/31/EU ***or implement an energy management system or energy performance contract to maintain and improve the energy performance over time***. When concluding a new contract for occupying a building they do not own, public bodies shall ~~*aim for*~~	Where public bodies occupy a building that they do not own, they shall ~~exercise their contractual rights to the extent possible and encourage the building~~ **negotiate with the** owner ~~to renovate the building to a nearly zero-energy building in accordance with Article 9 of Directive 2010/31/EU. When concluding a new contract for occupying a building they do not own, public bodies shall~~**and** aim for that building to ~~fall into the top two energy efficiency classes on the energy performance certificate~~**be a nearly zero-energy**	

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		~~that building to fall~~***ensure that the building falls*** into the top two energy efficiency classes on the energy performance certificate ***or establish contractual clauses that commit the building owner to renovate the building to a nearly zero-energy building before it is occupied by the public body***.	**building**.	
Article 6(1), fourth subparagraph				
247	The rate of at least 3% shall be calculated on the total floor area of buildings having a total useful floor area over 250 m^2 owned by public bodies of the Member State concerned and which , on 1 January 2024, are not nearly zero-energy buildings .	The rate of at least 3%~~–~~ shall be calculated on the total floor area of buildings having~~–~~ a total useful floor area over 250 m^2 owned by public bodies~~ of the Member State concerned and~~ ***and of buildings for social purposes*** which~~-~~, on 1 January 2024, are not nearly zero-energy buildings~~-~~.	The rate of at least 3% shall be calculated on the total floor area of buildings having a total useful floor area over 250 m^2 owned by public bodies of the Member State concerned and which , on 1 January 2024, are not nearly zero-energy buildings .	
Article 6 (1), fifth subparagraph				
247a		***Member States may lay down requirements to ensure that, where technically and economically feasible, buildings owned or occupied by public bodies as referred to in the first***		

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		and third subparagraphs of this paragraph and buildings for social purposes over 250 m² are equipped with building automation and control systems or other solutions to actively manage energy flows, in accordance with Article 14(4) of Directive 2010/31/EU.		
Article 6(1a)				
247b			**2. Member States may decide not to renovate up to the level provided in paragraph 1:** **(a) buildings owned by public bodies officially protected as part of a designated environment, or because of their special architectural or historic merit, in so far as compliance with certain minimum energy performance requirements would unacceptably alter their character or appearance;** **(b) buildings owned by the armed forces or government and serving national defence purposes, apart from single living quarters or office buildings for the armed forces and other**	

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			staff employed by national defence authorities; **(c) buildings used as places of worship and for religious activities.** **For any building not included in points (a) to (c), Member States may decide not to renovate it up to the level provided in paragraph 1 if they assess by their own that it is not technically, economically or functionally feasible for this building to be transformed into a near zero energy building. When doing so, Member States can not count the renovation of this building towards the fulfilment of the requirement set out in paragraph 1.**	
Article 6(1), sixth subparagraph				
247c		***Where technically feasible and cost-effective, Member States shall make their best efforts to install a number of recharging points in buildings owned or occupied by public bodies exceeding the minimum requirements provided***		

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		for in Article [12] of Directive ... [recast EPBD - 2021/0426 (COD)].		
Article 6(1b)				
247d			**3. If a Member State renovates more than 3 % of the total floor area of buildings owned by public bodies in a given year, it may count the excess towards the annual renovation rate of any of the three following years**	
Article 6(1a), introductory part				
247e		*1a. By way of derogation from paragraph 1, Member States may apply less stringent requirements establishing different energy efficiency requirements for the following categories of buildings:*		
Article 6(1a) point (a)				
247f		*(a) buildings officially protected as part of a designated environment, or because of their special architectural or historical*		

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		merit, in so far as compliance with certain minimum energy performance requirements would alter their character or appearance unacceptably;		
Article 6(1a) point (b)				
247g		***(b) buildings owned by the armed forces or central government and serving national defence purposes, apart from single living quarters or office buildings for the armed forces and other staff employed by national defence authorities***		
Article 6(1a) point (c)				
247h		***(c) buildings used as places of worship and for religious activities.***		
Article 6(1b)				
247i		***1b. In order to front load energy savings and to provide an incentive for early action, a Member State that renovates more than 3 % of the total floor area of***		

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		its buildings in accordance with paragraph 1 in any year until 31 December 2026 may count the surplus towards the annual renovation rate of any of the following three years. A Member State that renovates more than 3 % of the total floor area of its buildings from 1 January 2027 may count the surplus towards the annual renovation rate of the following two years.		
Article 6(2)				
248	2. In exceptional cases, Member States may count towards the annual renovation rate of buildings new buildings owned as replacements for specific public bodies' buildings demolished in any of the two previous years. Such exceptions shall only apply where they would be more cost effective and sustainable in terms of the energy and lifecycle CO_2 emissions achieved compared to the renovations of such buildings. The general criteria, methodologies and procedures to identify such exceptional cases shall be clearly	2. In exceptional cases, Member States may count towards the annual renovation rate of buildings new buildings owned as replacements for specific public bodies' buildings demolished in any of the two previous years. Such exceptions shall only apply where they would be more cost effective and sustainable in terms of the energy and lifecycle CO_2 emissions achieved compared to the renovations of such buildings. The general criteria, methodologies and procedures to identify such exceptional cases shall be clearly	~~2~~**4**. ~~In exceptional cases,~~ Member States may count towards the annual renovation rate of buildings new buildings owned as replacements for specific public bodies'– buildings demolished in any of the two previous years. ~~Such exceptions~~**This** shall only apply where they would be more cost effective and sustainable in terms of the energy and lifecycle CO_2 emissions achieved compared to the renovations of such buildings. The general criteria, methodologies and procedures to identify such exceptional cases	

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	set out and published by each Member State.	set out and published by each Member State.	shall be clearly set out and published by each Member State.	
Article 6(3), first subparagraph				
249	3. For the purposes of this Article , Member States shall make publicly available an inventory of heated and/or cooled public bodies' buildings with a total useful floor area of more than 250 m^2. This inventory shall be updated at least once a year. The inventory shall contain at least the following data:	3. For the purposes of this Article~~-~~, Member States shall make publicly available an inventory of heated and/or cooled ***buildings that are owned or occupied by*** public bodies~~'–~~ ***as referred to in the first and third subparagraphs of paragraph 1 and*** buildings ***for social purposes*** with a total useful floor area of more than~~–~~ 250 m^2. This inventory shall be ***set up by 30 June 2024, and shall be*** updated at least once a year.~~ The inventory shall contain at least the following data:~~ ***It shall be collated in a user-friendly database and linked to the building stock overview done in the framework of the national long-term renovation strategies in accordance with Article 2a of Directive 2010/31/EU and the databases set up pursuant to Article [19] of that Directive [recast EPBD - 2021/0426 (COD)].***	~~3~~**5**. For the purposes of this Article , Member States shall make publicly available an inventory of heated and/or cooled **buildings owned or occupied by** public bodies'~~ buildings~~ with a total useful floor area of more than– 250 m^2. This inventory shall be updated at least ~~once a year~~**every two years** .– The inventory shall contain at least– the following data:	

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Article 6(3), second subparagraph				
249a		***Where such inventories already exist at local or regional levels, each Member State shall take appropriate measures to facilitate the data collection and processing activities related to its inventory. The inventory shall also enable private actors including ESCOs to take part in renovation solutions. Data about building stock characteristics, building shell performance, technical buildings systems, buildings renovation and energy performance may be aggregated by the EU Building Stock Observatory to ensure a better understanding of the energy performance of the building sector through comparable data.***		
Article 6(3) third subparagraph , introductory part				
249b		***The inventory shall contain at least the following data:***		
Article 6(3), subparagraph 3, point (a)				

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250	(a) the floor area in m^2;	(a) the floor area in m^2;	(a) the floor area in m^2;	
Article 6(3) third subparagraph , point(ab)				
250a		***(ab) the annual energy consumption of heat, cooling, electricity and hot water when those data are available;***		
Article 6(3), third subparagraph, point (b)				
251	(b) the energy performance certificate of each building issued in accordance with Article 12 of Directive 2010/31/EU .	(b) the energy performance certificate~~–~~ of each building issued in accordance with Article ~~12~~***16*** of Directive ~~2010/31/EU .~~***... [recast EPBD - 2021/0426 (COD)] or, where no energy performance certificate of the building exists, information about the buildings heat source, the energy intensity of the building given in kWh/(m²*y), ventilation and cooling installations and other technical installations shall be provided;***	(b) the energy performance certificate of each building issued in accordance with Article 12 of Directive 2010/31/EU .	
Article 6(3), third subparagraph, point (ba)				
251a				

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		(ba) the measured energy savings resulting from the renovation of buildings owned or occupied by public bodies and of buildings for social purposes and other energy efficiency actions on those buildings;		
Article 6(3), first subparagraph, point (ba)				
251b			**6. Member States may opt for an alternative approach to paragraphs 1 to 4 of this Article that shall achieve every year an amount of energy savings in public bodies' buildings that is at least equivalent to that required in paragraph 1.** **When implementing the alternative approach, Member States shall ensure that each year a renovation passport in accordance with [Article 10][1] of Directive 2010/31/EU is introduced for buildings representing at least 3% of the total floor area of heated and/or cooled buildings owned by public bodies. For these buildings, the renovation to nearly zero-energy**	

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			building shall be achievedat the latest by 2040. **For the purpose of the alternative approach, Member States may estimate the energy savings that paragraph 1 to 4 would generate by using appropriate standard values for the energy consumption of reference public bodies' buildings before and after renovation to be transformed into near zero energy buildings in accordance with [Article 9][3] of Directive 2010/31/EU.** **Member States opting for the alternative approach shall notify to the Commission, by 31 December 2023, their projected energy savings to achieve the equivalent of energy savings in the buildings covered by paragraph 1 by 2030.** _____ **1. Article number to be updated at the end of the EPBD adoption process.** **3. Article number to be updated at the end of the EPBD adoption process.**	
Article 6(3), third subparagraph , point (bb)				

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251c		***(bb) the age, usage type, typology and location (urban or rural) of the buildings.***		
Article 6(3), fourth subparagraph				
251d		***In addition to the data referred to in the third subparagraph, Member States shall make their best efforts to include qualitative aspects to their inventories. In particular, they may annex to their inventories a description of the measures related to their engagement strategies in order to ensure the owners and occupiers of the buildings adapt their behaviour to energy savings and to nearly zero-energy buildings' operational requirements. Such annexes shall be made available in the form of, or be added to pre-existing, resource centres managed by local authorities, which shall be accessible to stakeholders, including policymakers, private social landlords and tenant associations, and managers of private offices.***		

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Article 7				
252	Article 7 Public procurement	Article 7 Public procurement	Article 7 Public procurement	
Article 7(1), subparagraph 1				
253	1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex V to this Directive	1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services, buildings and works with high energy-efficiency performance, ***duly taking into account the efficient management of financial resources,*** in accordance with the requirements referred to in Annex ~~I~~***IV*** to this Directive.	1. Member States shall ensure that contracting authorities and contracting entities, when concluding public contracts and concessions with a value equal to or greater than the thresholds laid down in Article 8 of Directive 2014/23/EU, Article 4 of Directive 2014/24/EU and Article 15 of Directive 2014/25/EU, purchase only products, services buildings and works with high energy-efficiency performance in accordance with the requirements referred to in Annex V to this Directive**, unless it is not technically feasible.**	
Article 7(1), second subparagraph				
254	Member States shall also ensure that in concluding the public	Member States shall also ensure that in concluding the public	Member States shall also ensure that in concluding the public	

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	contracts and concessions with a value equal to or greater than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.	contracts and concessions with a value equal to or greater than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.	contracts and concessions with a value equal to or greater than the thresholds referred to in the first subparagraph, contracting authorities and contracting entities, apply the energy efficiency first principle referred to in Article 3 of this Directive, including for those public contracts and concessions for which no specific requirements are provided in Annex IV.	
Article 7(2)				
255	2. The obligation referred to in paragraph 1 shall apply to the contracts of the armed forces only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces. The obligation shall not apply to contracts for the supply of military equipment as defined by Directive 2009/81/EC of the European Parliament and of the Council[1]. _____ 1. Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by	2. The obligation referred to in paragraph 1 shall apply to the contracts of the armed forces only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces. The obligation shall not apply to contracts for the supply of military equipment as defined by Directive 2009/81/EC of the European Parliament and of the Council[1]. _____ 1. Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by	2. **The obligation referred to in paragraph 1 shall not apply if it undermines public security or impedes the response to public health emergencies.** The obligation referred to in paragraph 1 shall apply to the contracts of the armed forces only to the extent that its application does not cause any conflict with the nature and primary aim of the activities of the armed forces. The obligation shall not apply to contracts for the supply of military equipment as defined by Directive 2009/81/EC of the European Parliament and of the Council[1].	

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	contracting authorities or entities in the fields of defence and security (OJ L 216, 20.8.2009, p. 7).	contracting authorities or entities in the fields of defence and security (OJ L 216, 20.8.2009, p. 7).	_____ 1. Directive 2009/81/EC of the European Parliament and of the Council of 13 July 2009 on the coordination of procedures for the award of certain works contracts, supply contracts and service contracts by contracting authorities or entities in the fields of defence and security (OJ L 216, 20.8.2009, p. 7).	
Article 7(3)				
256	3. Notwithstanding paragraph 4 of Article 26 of this Directive, Member States shall ensure that contracting authorities and contracting entities assess the feasibility of concluding long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content	3. Notwithstanding paragraph 4 of Article 26 of this Directive, Member States shall ensure that contracting authorities and contracting entities assess the feasibility of concluding long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content	3. Notwithstanding paragraph 4 of Article ~~26~~**27** of this Directive, Member States shall ~~ensure~~**encourage** that contracting authorities and contracting entities**,** assess the feasibility– of concluding long-term energy performance contracts that provide long-term energy savings when procuring service contracts with significant energy content-**.**	
Article 7(4)				
257	4. Without prejudice to paragraph 1, when purchasing a product package fully covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the	4. Without prejudice to paragraph 1, when purchasing a product package fully covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the	4. Without prejudice to paragraph 1, when purchasing a product package fully covered by a delegated act adopted under Regulation (EU) 2017/1369 of the European Parliament and of the	

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	Council[1], Member States may require that the aggregate energy efficiency take priority over the energy efficiency of individual products within that package, by purchasing the product package that complies with the criterion of belonging to the highest energy efficiency class. _____ 1. Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).	Council[1], Member States may require that the aggregate energy efficiency take priority over the energy efficiency of individual products within that package, by purchasing the product package that complies with the criterion of belonging to the highest ***available*** energy efficiency class. _____ 1. Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).	Council[1], Member States may require that the aggregate energy efficiency take priority over the energy efficiency of individual products within that package, by purchasing the product package that complies with the criterion of belonging to the highest energy efficiency class. _____ 1. Regulation (EU) 2017/1369 of the European Parliament and of the Council of 4 July 2017 setting a framework for energy labelling and repealing Directive 2010/30/EU (OJ L 198, 28.7.2017, p. 1).	
Article 7(5), first subparagraph				
258	5. Member States may require that contracting authorities and contracting entities take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution objectives. Where appropriate, and in accordance with the requirements laid down in Annex IV, Member States shall require contracting authorities and	5. Member States ~~may~~***shall*** require that contracting authorities and contracting entities take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices***, in particular for the transport sector,*** with a view to achieving the Union's decarbonisation and zero pollution objectives. Where appropriate, and in accordance with the requirements laid down in Annex	5. Member States may require that contracting authorities and contracting entities**, when concluding contracts as referred to in paragraph 1,** -take into account, where appropriate, wider sustainability, social, environmental and circular economy aspects in procurement practices with a view to achieving the Union's decarbonisation and zero pollution objectives. Where appropriate, and in accordance with the requirements laid down in	

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	contracting entities to take into account Union green public procurement criteria.	IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria.	Annex IV, Member States shall require contracting authorities and contracting entities to take into account Union green public procurement criteria **or available equivalent national criteria**.	
Article 7(5), second subparagraph				
259	To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1. Contracting authorities may decide to require that tenderers disclose information on the life cycle global warming potential of a new building and may make that information publically available for the contracts, in particular for new buildings having a floor area larger than 2000 square meters.	To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1. Contracting authorities ~~may decide to~~***shall*** require that tenderers disclose information on the life cycle global warming potential of a new building and ~~may~~***a building to be renovated, including the use of low carbon materials and the circularity of the materials used, and shall*** make that information publically available for the contracts, in particular for new buildings having a floor area larger than 2000 square meters.	To ensure transparency in the application of energy efficiency requirements in the procurement process, Member States shall make publicly available information on the energy efficiency impact of contracts with a value equal to or greater than the thresholds referred to in paragraph 1**, by publishing this information in the respective notices on Tenders Electronic Daily (TED), in accordance with Directives 2014/24/EU, 2014/25/EU, 2014/23/EU and implementing Regulation (EU) 2019/1780**. Contracting authorities may decide to require that tenderers disclose information on the life cycle global warming potential of a new building and may make that information publically available for	

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			the contracts, in particular for new buildings having a floor area larger than 2000 square meters.	
Article 7(50, third subparagraph				
260	Member States shall support contracting authorities and contracting entities in the uptake of energy efficiency requirements, including at regional and local level, by providing clear rules and guidelines including methodologies on the assessment of lifecycle costs and environment impacts and costs, setting up competence support centres, encouraging cooperation amongst contracting authorities including across borders and using aggregated procurement and digital procurement where possible.	Member States shall support contracting authorities and contracting entities in the uptake of energy efficiency requirements, including at regional and local level, by providing clear rules and guidelines including methodologies on the assessment of lifecycle costs and environment impacts and costs, setting up competence support centres, encouraging cooperation amongst contracting authorities including across borders and using aggregated procurement and digital procurement where possible.	Member States shall support contracting authorities and contracting entities in the uptake of energy efficiency requirements, including at regional and local level, by providing clear rules and guidelines including methodologies on the assessment of lifecycle costs and environment impacts and costs, setting up competence support centres, encouraging cooperation amongst contracting authorities including across borders and using aggregated procurement and digital procurement where possible.	
Article 7(5a)				
260a		***5a Where appropriate, the Commission may provide further guidance and tools to national authorities and procurement officials in the application of***		

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		energy efficiency requirements in the procurement process. Such support may strengthen existing supporting fora (e.g. concerted action) for Member States and assist them in taking the green public procurement criteria into account.		
Article 7(6)				
261	6. Member States shall establish legal and regulatory provisions, and administrative practices, regarding public purchasing and annual budgeting and accounting, necessary to ensure that individual contracting authorities are not deterred from making investments in improving energy efficiency and from using energy performance contracting and third-party financing mechanisms on a long-term contractual basis.	6. Member States shall establish legal and regulatory provisions, and administrative practices, regarding public purchasing and annual budgeting and accounting, necessary to ensure that individual contracting authorities are not deterred from making investments in improving energy efficiency and from using energy performance contracting and third-party financing mechanisms on a long-term contractual basis.	6. Member States shall establish legal and regulatory provisions, and administrative practices, regarding public purchasing and annual budgeting and accounting, necessary to ensure that individual contracting authorities are not deterred from making investments in improving energy efficiency and from using energy performance contracting and third-party financing mechanisms on a long-term contractual basis.	
Article 7(7), first subparagraph				
262	7. Member States shall remove any regulatory or non-regulatory barriers to energy efficiency, in	7. Member States shall remove any regulatory or non-regulatory barriers to energy efficiency, in	7. Member States shall remove any regulatory or non-regulatory barriers to energy efficiency, in	

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	particular as regards legal and regulatory provisions, and administrative practices, regarding public purchasing and annual budgeting and accounting, with a view to ensuring that individual public bodies are not deterred from making investments in improving energy efficiency and from using energy performance contracting and third-party financing mechanisms on a long-term contractual basis.	particular as regards legal and regulatory provisions, and administrative practices, regarding public purchasing and annual budgeting and accounting, with a view to ensuring that individual public bodies are not deterred from making investments in improving energy efficiency and from using energy performance contracting and third-party financing mechanisms on a long-term contractual basis.	particular as regards legal and regulatory provisions, and administrative practices, regarding public purchasing and annual budgeting and accounting, with a view to ensuring that individual public bodies are not deterred from making investments in improving energy efficiency and from using energy performance contracting and third-party financing mechanisms on a long-term contractual basis.	
Article 7(7), second subparagraph				
263	Member States shall report to the Commission on the measures taken to address the barriers to uptake of energy efficiency improvements as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999.	Member States shall report to the Commission on the measures taken to address the barriers to uptake of energy efficiency improvements as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999.	Member States shall report to the Commission on the measures taken to address the barriers to uptake of energy efficiency improvements as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999.	
CHAPTER III				
264	CHAPTER III EFFICIENCY IN ENERGY USE	CHAPTER III EFFICIENCY IN ENERGY USE	CHAPTER III EFFICIENCY IN ENERGY USE	

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Article 8				
265	Article 8 Energy savings obligation	Article 8 Energy savings obligation	Article 8 Energy savings obligation	
Article 8(-1)				
265a		***-1 With a view to ensuring a stable and predictable contribution towards achieving the Union's energy and climate targets for 2030 and the climate neutrality objective for 2050, Member States shall achieve cumulative end-use energy savings in the obligation periods. The first obligation period, which is referred to in paragraph 1, point (a), was from 2014 to 2020. The second obligation period, which is referred to in paragraph 1, points (b) and (c), shall run from 2021 to 2030.***		
Article 8(1), first subparagraph , introductory part				
266	1. Member States shall achieve cumulative end-use energy savings at least equivalent to:	1. Member States shall achieve cumulative end-use energy savings at least equivalent to:	1. Member States shall achieve cumulative end-use energy savings at least equivalent to:	

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Article 8(1), first subparagraph , point (a)				
267	(a) new savings each year from 1 January 2014 to 31 December 2020 of 1,5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2013. Sales of energy, by volume, used in transport may be excluded, in whole or in part, from that calculation;	(a) new savings each year from 1 January 2014 to 31 December 2020 of 1,5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2013. Sales of energy, by volume, used in transport may be excluded, in whole or in part, from that calculation;	(a) new savings each year from 1 January 2014 to 31 December 2020 of 1,5 % of annual energy sales to final customers by volume, averaged over the most recent three-year period prior to 1 January 2013. Sales of energy, by volume, used in transport may be excluded, in whole or in part, from that calculation;	
Article 8(1), first subparagraph , point (b)				
268	(b) new savings each year from 1 January 2021 to 31 December 2023 of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;	(b) new savings each year from 1 January 2021 to 31 December 2023 of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;	(b) new savings each year from 1 January 2021 to 31 December ~~2023 of 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;~~**2030 of:**	

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			Text moved below, new structure: 8.1.b)i) (with 2023 changed to 2030)	
Article 8(1), first subparagraph , point (ba)				
268a			**(b) i) 0,8 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019. By way of derogation from that requirement, Cyprus and Malta shall achieve new savings each year from 1 January 2021 to 31 December 2023 equivalent to 0,24 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;**	
Article 8(1), first subparagraph , point (bb)				
268b			**(b) ii) 1,1 % of annual final energy consumption from 1 January 2024 to 31 December 2025, averaged over the most recent three-year period prior to 1 January 2019.**	
Article 8(1), first subparagraph , point (bc)				

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268c			**(b)iii) 1,3 % of annual final energy consumption from 1 January 2026 to 31 December 2027, averaged over the most recent three-year period prior to 1 January 2019.**	
Article 8(1), first subparagraph , point (bd)				
268d			**(b) iv) 1,5 % of annual final energy consumption from 1 January 2028 to 31 December 2030, averaged over the most recent three-year period prior to 1 January 2019.**	
Article 8(1), first subparagraph , point (c)				
269	(c) new savings each year from 1 January 2024 to 31 December 2030 of 1,5 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.	(c) new savings each year from 1 January 2024 to 31 December 2030 of ~~1,5~~2 % of annual final energy consumption, averaged over the three-year period prior to 1 January 2020.	*deleted*	
Article 8(1), first subparagraph , point (ca)				
269a			**(c) By way of derogation from**	

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			the requirements set out in point (b) (ii – iv) of the first subparagraph, Cyprus and Malta shall achieve new savings each year from 1 January 2024 to 31 December 2030 equivalent to 0,45 % of annual final energy consumption, averaged over the most recent three-year period prior to 1 January 2019.	
Article 8(1), second subparagraph				
270	Member States shall decide how to phase the calculated quantity of new savings over each period referred to in points (a), (b) and (c) of the first subparagraph, provided that the required total cumulative end-use energy savings have been achieved by the end of each obligation period.	Member States shall decide how to phase the calculated quantity of new savings over each period referred to in points (a), (b) and (c) of the first subparagraph, provided that the required total cumulative end-use energy savings have been achieved by the end of each obligation period.	Member States shall decide how to phase the calculated quantity of new savings over each period referred to in points (a)~~, (b) and (c)~~ **and (b)** of the first subparagraph, provided that the required total cumulative end-use energy savings have been achieved by the end of each obligation period.	
Article 8(1), third subparagraph				
271	Member States shall continue to achieve new annual savings in accordance with the savings rate provided in point (c) of the first subparagraph for ten-year periods	Member States shall continue to achieve new annual savings in accordance with the savings rate provided in point (c) of the first subparagraph for ten-year periods	Member States shall continue to achieve new annual savings in accordance with the savings rate provided in point ~~(c)~~**(b) (ii)** of the first subparagraph for ten-year	

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	after 2030.	after 2030.	periods after 2030~~.~~	
Article 8(2)				
272	2. Member States shall achieve the amount of energy savings required under paragraph 1 of this Article either by establishing an energy efficiency obligation scheme referred to in Article 9 or by adopting alternative policy measures referred to in Article 10. Member States may combine an energy efficiency obligation scheme with alternative policy measures. Member States shall ensure that energy savings resulting from policy measures referred to in Articles 9 and 10 and Article 28(11) are calculated in accordance with Annex V.	2. Member States shall achieve the amount of energy savings required under paragraph 1 of this Article either by establishing an energy efficiency obligation scheme referred to in Article 9 or by adopting alternative policy measures referred to in Article 10. Member States may combine an energy efficiency obligation scheme with alternative policy measures. Member States shall ensure that energy savings resulting from policy measures referred to in Articles 9 and 10 and Article 28(11) are calculated in accordance with Annex V.	2. Member States shall achieve the amount of energy savings required under paragraph 1 of this Article either by establishing an energy efficiency obligation scheme referred to in Article 9 or by adopting alternative policy measures referred to in Article 10. Member States may combine an energy efficiency obligation scheme with alternative policy measures. Member States shall ensure that energy savings resulting from policy measures referred to in Articles 9 and 10 and Article 28(11) are calculated in accordance with Annex V.	
Article 8(3), first subparagraph				
273	3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy	3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy	3. Member States shall implement energy efficiency obligation schemes, alternative policy measures, or a combination of both, or programmes or measures financed under an Energy	

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	Efficiency National Fund, as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.	Efficiency National Fund, as a priority among people affected by energy poverty, ***low-income households,*** vulnerable customers and, where applicable, people living in social housing. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.	Efficiency National Fund, as a priority among**, but not limited to,** people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing**, or financially weak households**. Member States shall ensure that policy measures implemented pursuant to this Article have no adverse effect on those persons. Where applicable, Member States shall make the best possible use of funding, including public funding, funding facilities established at Union level, and revenues from allowances pursuant to Article 22(3)(b) with the aim of removing adverse effects and ensuring a just and inclusive energy transition.	
Article 8(3), second subparagraph				
274	In designing such policy measures, Member States shall consider and promote the role of renewable energy communities and citizen energy communities in the contribution to the implementation towards these policy measures.	In ~~*designing such policy measures*~~***order to achieve the amount of energy savings required under paragraph 1***, Member States shall consider and promote the role of renewable energy communities and citizen energy communities in the	**Without prejudice to Directive (EU) 2019/944 on common rules for the internal market for electricity and Regulation (EU) 2019/943 on the internal market for electricity** in designing such policy measures, Member States shall consider and promote the role	

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		contribution to the implementation towards these policy measures.	of renewable energy communities and citizen energy communities in the contribution to the implementation towards these policy measures.	
Article 8(3), third subparagraph, introductory part				
275	Member States shall achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social	Member States shall ***establish and*** achieve a ***minimum*** share of the required amount of cumulative end-use energy savings among people affected by energy poverty***, low-income households,*** vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. ***Member States shall, in their assessment of the share of energy poverty in their National Energy and Climate Plans, consider the indicators referred to in points (a) to (bb) of this subparagraph.*** If a Member State had not notified the share of households in energy	Member States shall achieve a share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social housing. This share shall at least equal the proportion of households in energy poverty as assessed in their National Energy and Climate Plan established in accordance with Article 3(3)(d) of the Governance Regulation 2018/1999. If a Member State had not notified the share of households in energy poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty vulnerable customers and, where applicable, people living in social	

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	housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:	poverty as assessed in their National Energy and Climate Plan, the share of the required amount of cumulative end-use energy savings among people affected by energy poverty***, low-income households,*** vulnerable customers and, where applicable, people living in social housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:	housing, shall at least equal the arithmetic average share of the following indicators for the year 2019 or, if not available for 2019, for the linear extrapolation of their values for the last three years that are available:	
Article 8(3), third subparagraph, point (a)				
276	a) Inability to keep home adequately warm (Eurostat, SILC [ilc_mdes01]);	a) Inability to keep home adequately warm (Eurostat, SILC [ilc_mdes01]);	a) Inability to keep home adequately warm (Eurostat, SILC [ilc_mdes01]);	
Article 8(3), third subparagraph, point (b)				
277	b) Arrears on utility bills (Eurostat, SILC, [ilc_mdes07]); and	b) Arrears on utility bills (Eurostat, SILC, [ilc_mdes07]); and	b) Arrears on utility bills (Eurostat, SILC, [ilc_mdes07]); and	
Article 8(3), third subparagraph, point (ba)				

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277a		***(ba) total population living in a dwelling with a leaking roof, damp walls, floors or foundation, or rot in window frames or floor (Eurostat, SILC [ilc_mdho01]);***		
Article 8(3), third subparagraph, point (bb)				
277b		***(bb) at-risk-of-poverty rate (Eurostat, SILC and ECHP surveys [ilc_li02]) (cutoff point: 60 % of median equivalised income after social transfers.***		
Article 8(3), third subparagraph, point (c)				
278	c) Structure of consumption expenditure by income quintile and COICOP consumption purpose (Eurostat, HBS, [hbs_str_t223], data for [CP045] Electricity, gas and other fuels).	*deleted*	*c)* Structure of consumption expenditure by income quintile and COICOP consumption purpose (Eurostat, HBS, [hbs_str_t223], data for [CP045] Electricity, gas and other fuels).	
Article 8(4)				
279	4. Member States shall include information about the indicators applied, the arithmetic average	4. Member States shall include information about the indicators applied, the arithmetic average	4. Member States shall include information about the indicators applied, the arithmetic average	

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	share and the outcome of policy measures established in accordance with paragraph 3 of this Article in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999, and respective progress reports in accordance with Article 17 of that Regulation.	share and the outcome of policy measures established in accordance with paragraph 3 of this Article in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999, and respective progress reports in accordance with Article 17 of that Regulation.	share and the outcome of policy measures established in accordance with paragraph 3 of this Article in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999, and respective progress reports in accordance with Article 17 of that Regulation.	
Article 8(5)				
280	5. Member States may count energy savings that stem from policy measures, whether introduced by 31 December 2020 or after that date, provided that those measures result in new individual actions that are carried out after 31 December 2020. Energy savings achieved in any obligation period shall not count towards the amount of required energy savings for the previous obligation periods set out in paragraph 1.	5. Member States may count energy savings that stem from policy measures, whether introduced by 31 December 2020 or after that date, provided that those measures result in new individual actions that are carried out after 31 December 2020. Energy savings achieved in any obligation period shall not count towards the amount of required energy savings for the previous obligation periods set out in paragraph 1.	5. Member States may count energy savings that stem from policy measures, whether introduced by 31 December 2020 or after that date, provided that those measures result in new individual actions that are carried out after 31 December 2020. Energy savings achieved in any obligation period shall not count towards the amount of required energy savings for the previous obligation periods set out in paragraph 1.	

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Article 8(6), introductory part				
281	6. Provided that Member States achieve at least their cumulative end-use energy savings obligation referred to in point (b) of the first subparagraph of paragraph 1, they may calculate the required amount of energy savings referred to in point (b) of the first subparagraph of paragraph 1 by one or more of the following means:	6. Provided that Member States achieve at least their cumulative end-use energy savings obligation referred to in point (b) of the first subparagraph of paragraph 1, they may calculate the required amount of energy savings referred to in point (b) of the first subparagraph of paragraph 1 by one or more of the following means:	6. **.** Provided that Member States achieve at least their cumulative end-use energy savings obligation referred to in point (b) **(i)** of the first subparagraph of paragraph 1, they may calculate the required amount of energy savings referred to in point (b) **(i)** of the first subparagraph of paragraph 1– by one or more of the following means:	
Article 8(6), point (a)				
282	(a) applying an annual savings rate on energy sales to final customers or on final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;	(a) applying an annual savings rate on energy sales to final customers or on final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;	(a) applying an annual savings rate on energy sales to final customers or on final energy consumption, averaged over the most recent three-year period prior to 1 January 2019;	
Article 8(6), point (b)				
283	(b) excluding, in whole or in part, energy used in transport from the calculation baseline;	(b) excluding, in whole or in part, energy used in transport from the calculation baseline;	(b) excluding, in whole or in part, energy used in transport from the calculation baseline;	

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Article 8(6), point (c)				
284	(c) making use of any of the options set out in paragraph 84.	(c) making use of any of the options set out in paragraph 84.	(c) making use of any of the options set out in paragraph 84.	
Article 8(7), introductory part				
285	7. Where Member States make use of any of the possibilities provided for in paragraph 6 regarding the required energy savings referred to in point (b) of the first subparagraph of paragraph 1 , they shall establish:	7. Where Member States make use of any of the possibilities provided for in paragraph 6 regarding the required energy savings referred to in point (b) of the first subparagraph of paragraph 1 , they shall establish:	7. Where Member States make use of any– of the possibilities provided for in paragraph 6 regarding the required energy savings referred to in point (b) **(i)** of the first subparagraph of paragraph 1-, they shall establish:	
Article 8(7), point (a)				
286	(a) their own annual savings rate that will be applied in the calculation of their cumulative end-use energy savings, which shall ensure that the final amount of their net energy savings is no lower than those required under point (b) of the first subparagraph of paragraph 1;	(a) their own annual savings rate that will be applied in the calculation of their cumulative end-use energy savings, which shall ensure that the final amount of their net energy savings is no lower than those required under point (b) of the first subparagraph of paragraph 1;	(a) their own annual savings rate that will be applied in the calculation of their cumulative end-use energy savings, which shall ensure that the final amount of their net energy savings is no lower than those required under point (b) **(i)** of the first subparagraph of paragraph 1;	
Article 8(7), point (b)				

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287	(b) their own calculation baseline, which may exclude, in whole or in part, energy used in transport.	(b) their own calculation baseline, which may exclude, in whole or in part, energy used in transport.	(b) their own calculation baseline, which may exclude, in whole or in part, energy used in transport.	
Article 8(8), introductory part				
288	8. Subject to paragraph 9, each Member State may:	8. Subject to paragraph 9, each Member State may:	8. Subject to paragraph 9, each Member State may:	
Article 8(8), point (a)				
289	(a) carry out the calculation required under point (a) of the first subparagraph of paragraph 1 using values of 1 % in 2014 and 2015; 1,25 % in 2016 and 2017; and 1,5 % in 2018, 2019 and 2020;	(a) carry out the calculation required under point (a) of the first subparagraph of paragraph 1 using values of 1 % in 2014 and 2015; 1,25 % in 2016 and 2017; and 1,5 % in 2018, 2019 and 2020;	(a) carry out the calculation required under point (a) of the first subparagraph of paragraph 1 using values of 1 % in 2014 and 2015; 1,25 % in 2016 and 2017; and 1,5 % in 2018, 2019 and 2020;	
Article 8(8), point (b)				
290	(b) exclude from the calculation all or part of the sales of energy used, by volume, with respect to the obligation period referred to in point (a) of the first subparagraph of paragraph 1, or final energy consumed, with respect to the obligation period referred to in	(b) exclude from the calculation all or part of the sales of energy used, by volume, with respect to the obligation period referred to in point (a) of the first subparagraph of paragraph 1, or final energy consumed, with respect to the obligation period referred to in	(b) exclude from the calculation all or part of the sales of energy used, by volume, with respect to the obligation period referred to in point (a) of the first subparagraph of paragraph 1, or final energy consumed, with respect to the obligation period referred to in	

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	point (b) of that subparagraph, by industrial activities listed in Annex I to Directive 2003/87/EC;	point (b) of that subparagraph, by industrial activities listed in Annex I to Directive 2003/87/EC;	point (b) of that subparagraph, by industrial activities listed in Annex I to Directive 2003/87/EC;	
Article 8(8), point (c)				
291	(c) count towards the amount of required energy savings in point (a) and (b) of the first subparagraph of paragraph 1 , energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;	(c) count towards the amount of required energy savings in point (a) and (b) of the first subparagraph of paragraph 1 , energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;	(c) count towards the amount of required energy savings in point (a) and (b) of the first subparagraph of paragraph 1 , energy savings achieved in the energy transformation, distribution and transmission sectors, including efficient district heating and cooling infrastructure, as a result of implementing the requirements set out in in Article 23(4), point (a) of Article 24(4), and Article 25(1), (5) to (9) and (11). Member States shall inform the Commission about their intended policy measures under this point for the period from 1 January 2021 to 31 December 2030 as part of their integrated national energy and climate plans. The impact of those measures shall be calculated in accordance with Annex V and included in those plans;	
Article 8(8), point (d)				

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292	(d) count towards the amount of required energy savings, energy savings resulting from individual actions newly implemented since 31 December 2008 that continue to have an impact in 2020 with respect to the obligation period referred to in point (a) of the first subparagraph of paragraph 1 and beyond 2020 with respect to the period referred to in point (b) of the first subparagraph of paragraph 1, and which can be measured and verified;	(d) count towards the amount of required energy savings, energy savings resulting from individual actions newly implemented since 31 December 2008 that continue to have an impact in 2020 with respect to the obligation period referred to in point (a) of the first subparagraph of paragraph 1 and beyond 2020 with respect to the period referred to in point (b) of the first subparagraph of paragraph 1, and which can be measured and verified;	(d) count towards the amount of required energy savings, energy savings resulting from individual actions newly implemented since 31 December 2008 that continue to have an impact in 2020 with respect to the obligation period referred to in point (a) of the first subparagraph of paragraph 1 and beyond 2020 with respect to the period referred to in point (b) of the first subparagraph of paragraph 1, and which can be measured and verified;	
Article 8(8), point (e)				
293	(e) count towards the amount of required energy savings, energy savings that stem from policy measures, provided that it can be demonstrated that those measures result in individual actions carried out from 1 January 2018 to 31 December 2020 which deliver savings after 31 December 2020;	(e) count towards the amount of required energy savings, energy savings that stem from policy measures, provided that it can be demonstrated that those measures result in individual actions carried out from 1 January 2018 to 31 December 2020 which deliver savings after 31 December 2020;	(e) count towards the amount of required energy savings, energy savings that stem from policy measures, provided that it can be demonstrated that those measures result in individual actions carried out from 1 January 2018 to 31 December 2020 which deliver savings after 31 December 2020;	
Article 8(8), point (f)				
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	(f) exclude from the calculation of the amount of required energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1 , 30 % of the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies;	(f) exclude from the calculation of the amount of required energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1 , 30 % of the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies;	(f) exclude from the calculation of the amount of required energy savings pursuant to point (a) and (b) **(i)** of the first subparagraph of paragraph 1-, 30 % of the verifiable amount of energy generated on or in buildings for own use as a result of policy measures promoting new installation of renewable energy technologies;	
Article 8(8), point (g)				
295	(g) count towards the amount of required energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1 , energy savings that exceed the energy savings required for the obligation period from 1 January 2014 to 31 December 2020, provided that those savings result from individual actions carried out under policy measures referred to in Articles 9 and 10, notified by Member States in their National Energy Efficiency Action Plans and reported in their progress reports in accordance with Article 24.	(g) count towards the amount of required energy savings pursuant to point (a) and (b) of the first subparagraph of paragraph 1 , energy savings that exceed the energy savings required for the obligation period from 1 January 2014 to 31 December 2020, provided that those savings result from individual actions carried out under policy measures referred to in Articles 9 and 10, notified by Member States in their National Energy Efficiency Action Plans and reported in their progress reports in accordance with Article 24.	(g) count towards the amount of required energy savings pursuant to point (a) and (b) **(i)** of the first subparagraph of paragraph 1 , energy savings that exceed the energy savings required for the obligation period from 1 January 2014 to 31 December 2020, provided that those savings result from individual actions carried out under policy measures referred to in Articles 9 and 10, notified by Member States in their National Energy Efficiency Action Plans and reported in their progress reports in accordance with Article 24.	

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Article 8(9), first subparagraph, introductory part				
296	9. Member States shall apply and calculate the effect of the options chosen under paragraph 8 for the period referred to in points (a) and (b) of the first subparagraph of paragraph 1 separately:	9. Member States shall apply and calculate the effect of the options chosen under paragraph 8 for the period referred to in points (a) and (b) of the first subparagraph of paragraph 1 separately:	9. Member States shall apply and calculate the effect of the options chosen under paragraph 8 for the period referred to in points (a) and (b) **(i)** of the first subparagraph of paragraph 1 separately:	
Article 8(9), first subparagraph, point (a)				
297	(a) for the calculation of the amount of energy savings required for the obligation period referred to in point (a) of the first subparagraph of paragraph 1, Member States may make use of points (a) to (d) of paragraph 8. All the options chosen under paragraph 8 taken together shall amount to no more than 25 % of the amount of energy savings referred to in point (a) of the first subparagraph of paragraph 1;	(a) for the calculation of the amount of energy savings required for the obligation period referred to in point (a) of the first subparagraph of paragraph 1, Member States may make use of points (a) to (d) of paragraph 8. All the options chosen under paragraph 8 taken together shall amount to no more than 25 % of the amount of energy savings referred to in point (a) of the first subparagraph of paragraph 1;	(a) for the calculation of the amount of energy savings required for the obligation period referred to in point (a) of the first subparagraph of paragraph 1, Member States may make use of points (a) to (d) of paragraph 8. All the options chosen under paragraph 8 taken together shall amount to no more than 25 % of the amount of energy savings referred to in point (a) of the first subparagraph of paragraph 1;	
Article 8(9), first subparagraph, point (b)				
298	(b) for the calculation of the amount of energy savings required for the obligation period referred to	(b) for the calculation of the amount of energy savings required for the obligation period referred to	(b) for the calculation of the amount of energy savings required for the obligation period referred to	

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	in point (b) the first subparagraph of paragraph 1, Member States may make use of points (b) to (g) of paragraph 8, provided individual actions referred to in point (d) of paragraph 8 continue to have a verifiable and measurable impact after 31 December 2020. All the options chosen under paragraph 8 taken together shall not lead to a reduction of more than 35 % of the amount of energy savings calculated in accordance with paragraphs 6 and 7.	in point (b) the first subparagraph of paragraph 1, Member States may make use of points (b) to (g) of paragraph 8, provided individual actions referred to in point (d) of paragraph 8 continue to have a verifiable and measurable impact after 31 December 2020. All the options chosen under paragraph 8 taken together shall not lead to a reduction of more than 35 % of the amount of energy savings calculated in accordance with paragraphs 6 and 7.	in point (b) **(i)** the first subparagraph of paragraph 1, Member States may make use of points (b) to (g) of paragraph 8, provided individual actions referred to in point (d) of paragraph 8 continue to have a verifiable and measurable impact after 31 December 2020. All the options chosen under paragraph 8 taken together shall not lead to a reduction of more than 35 % of the amount of energy savings calculated in accordance with paragraphs 6 and 7.	
Article 8(9), second subparagraph				
299	Regardless of whether Member States exclude, in whole or in part, energy used in transport from their calculation baseline or make use of any of the options listed in paragraph 8, they shall ensure that the calculated net amount of new savings to be achieved in final energy consumption during the obligation period referred to in point (b) of the first subparagraph of paragraph 1 from 1 January 2021 to 31 December 2023 is not	Regardless of whether Member States exclude, in whole or in part, energy used in transport from their calculation baseline or make use of any of the options listed in paragraph 8, they shall ensure that the calculated net amount of new savings to be achieved in final energy consumption during the obligation period referred to in point (b) of the first subparagraph of paragraph 1 from 1 January 2021 to 31 December 2023 is not	Regardless of whether Member States exclude, in whole or in part, energy used in transport from their calculation baseline or make use of any of the options listed in paragraph 8, they shall ensure that the calculated net amount of new savings to be achieved in final energy consumption during the obligation period referred to in point (b) **(i)** of the first subparagraph of paragraph 1– from 1 January 2021 to 31 December	

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	lower than the amount resulting from applying the annual savings rate referred to in point (b) of the first subparagraph of paragraph 1.	lower than the amount resulting from applying the annual savings rate referred to in point (b) of the first subparagraph of paragraph 1.	2023– is not lower than the amount resulting from applying the annual savings rate referred to in point (b) of the first subparagraph of paragraph 1.	
Article 8(10)				
300	10. Member States shall describe in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999 and in accordance with Annex III to Regulation (EU) 2018/1999, and respective progress reports the calculation of the amount of energy savings to be achieved over the period from 1 January 2021 to 31 December 2030 and shall, if relevant, explain how the annual savings rate and the calculation baseline were established, and how and to what extent the options referred to in paragraph 8 of this Article were applied.	10. Member States shall describe in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999 and in accordance with Annex III to Regulation (EU) 2018/1999, and respective progress reports the calculation of the amount of energy savings to be achieved over the period from 1 January 2021 to 31 December 2030 and shall, if relevant, explain how the annual savings rate and the calculation baseline were established, and how and to what extent the options referred to in paragraph 8 of this Article were applied.	10. Member States shall describe in the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, in their subsequent integrated national energy and climate plans pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999 and in accordance with Annex III to Regulation (EU) 2018/1999, and respective progress reports the calculation of the amount of energy savings to be achieved over the period from 1 January 2021 to 31 December 2030 and shall, if relevant, explain how the annual savings rate and the calculation baseline were established, and how and to what extent the options referred to in paragraph 8 of this Article were applied.	

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Article 8(11)				
301	11. Member States shall notify the Commission with the amount of the required energy savings referred to in point (c) of the first subparagraph of paragraph 1 and paragraph 3 of this Article, a description of the policy measures to be implemented to achieve the required total amount of the cumulative end-use energy savings and their calculation methodologies pursuant to Annex V of this Directive, as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999. Member States shall use the reporting template provided to the Member States by the Commission.	11. Member States shall notify the Commission with the amount of the required energy savings referred to in point (c) of the first subparagraph of paragraph 1 and paragraph 3 of this Article, a description of the policy measures to be implemented to achieve the required total amount of the cumulative end-use energy savings and their calculation methodologies pursuant to Annex V of this Directive, as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999. Member States shall use the reporting template provided to the Member States by the Commission.	11. Member States shall notify the Commission with the amount of the required energy savings referred to in point ~~(c)~~**(b)** of the first subparagraph of paragraph 1 and paragraph 3 of this Article, a description of the policy measures to be implemented to achieve the required total amount of the cumulative end-use energy savings and their calculation methodologies pursuant to Annex V of this Directive, as part of the updates of their integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999, and as part of their integrated national energy and climate plans as referred to in, and in accordance with, the procedure pursuant to Articles 3 and 7 to 12 of Regulation (EU) 2018/1999. Member States shall use the reporting template provided to the Member States by the Commission.	
Article 8(12)				

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302	12. Where on the basis of the assessment of the integrated national energy and climate progress reports pursuant to Article 29 of Regulation (EU) 2018/1999, or of the draft or final update of the latest notified integrated national energy and climate plan pursuant to Article 14 of Regulation (EU) 2018/1999, or the assessment of the subsequent draft and final integrated national energy and climate plans pursuant to Article 3 and 7 to 12 of Regulation (EU) 2018/1999, the Commission concludes that policy measures do not ensure the achievement of the required amount of cumulative end-use energy savings by the end of the obligation period, the Commission may issue recommendations in accordance with Article 34 of Regulation (EU) 2018/1999 to the Member States whose policy measures it deems insufficient to ensure the fulfilment of their energy savings obligations.	12. Where on the basis of the assessment of the integrated national energy and climate progress reports pursuant to Article 29 of Regulation (EU) 2018/1999, or of the draft or final update of the latest notified integrated national energy and climate plan pursuant to Article 14 of Regulation (EU) 2018/1999, or the assessment of the subsequent draft and final integrated national energy and climate plans pursuant to Article 3 and 7 to 12 of Regulation (EU) 2018/1999, the Commission concludes that policy measures do not ensure the achievement of the required amount of cumulative end-use energy savings by the end of the obligation period, the Commission may issue recommendations in accordance with Article 34 of Regulation (EU) 2018/1999 to the Member States whose policy measures it deems insufficient to ensure the fulfilment of their energy savings obligations.	12. Where on the basis of the assessment of the integrated national energy and climate progress reports pursuant to Article 29 of Regulation (EU) 2018/1999, or of the draft or final update of the latest notified integrated national energy and climate plan pursuant to Article 14 of Regulation (EU) 2018/1999, or the assessment of the subsequent draft and final integrated national energy and climate plans pursuant to Article 3 and 7 to 12 of Regulation (EU) 2018/1999, the Commission concludes that policy measures do not ensure the achievement of the required amount of cumulative end-use energy savings by the end of the obligation period, the Commission may issue recommendations in accordance with Article 34 of Regulation (EU) 2018/1999 to the Member States whose policy measures it deems insufficient to ensure the fulfilment of their energy savings obligations.	
Article 8(13)				
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	13. Where a Member State has not achieved the required cumulative end-use energy savings by the end of each obligation period set out in paragraph 1 of this Article, it shall achieve the outstanding energy savings in addition to the cumulative end-use energy savings required by the end of the following obligation period.	13. Where a Member State has not achieved the required cumulative end-use energy savings by the end of each obligation period set out in paragraph 1 of this Article, it shall achieve the outstanding energy savings in addition to the cumulative end-use energy savings required by the end of the following obligation period.	13. Where a Member State has not achieved the required cumulative end-use energy savings by the end of each obligation period set out in paragraph 1 of this Article, it shall achieve the outstanding energy savings in addition to the cumulative end-use energy savings required by the end of the following obligation period. **Alternatively,** **where a Member State has achieved cumulative end-use energy savings above the required level by the end of each obligation period set out in paragraph 1 of this Article, it shall be entitled to carry the eligible amount of no more than 10% of such surplus into the following obligation period without having the target commitment being increased.**	
Article 8(14), introductory part				
304	14. As part of their updates of national energy and climate plans and respective progress reports, and their subsequent integrated	14. As part of their updates of national energy and climate plans and respective progress reports, and their subsequent integrated	14. As part of their updates of national energy and climate plans and respective progress reports, and their subsequent integrated	

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	national energy and climate plans and notified pursuant to Regulation (EU) 2018/1999 Member States shall demonstrate including, where appropriate, evidence and calculations:	national energy and climate plans and notified pursuant to Regulation (EU) 2018/1999 Member States shall demonstrate including, where appropriate, evidence and calculations:	national energy and climate plans and notified pursuant to Regulation (EU) 2018/1999 Member States shall demonstrate including, where appropriate, evidence and calculations:	
Article 8(14), point (a)				
305	(a) that where there is an overlap in the impact of policy measures or individual actions, there is no double counting of energy savings;	(a) that where there is an overlap in the impact of policy measures or individual actions, there is no double counting of energy savings;	(a) that where there is an overlap in the impact of policy measures or individual actions, there is no double counting of energy savings;	
Article 8(14), point (b)				
306	(b) how energy savings achieved pursuant to points (b) and (c) of the first subparagraph of paragraph 1 contribute to the achievement of their national contribution pursuant to Article 4;	(b) how energy savings achieved pursuant to points (b) and (c) of the first subparagraph of paragraph 1 contribute to the achievement of their national contribution pursuant to Article 4;	(b) how energy savings achieved pursuant to points (b) and (c) of the first subparagraph of paragraph 1 contribute to the achievement of their national contribution pursuant to Article 4;	
Article 8(14), point (c)				
307	(c) that policy measures are established for fulfilling their energy savings obligation, designed in compliance with the	(c) that policy measures are established for fulfilling their energy savings obligation, designed in compliance with the	(c) that policy measures are established for fulfilling their energy savings obligation, designed in compliance with the	

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	requirements of this Article and that those policy measures are eligible and appropriate to ensure the achievement of the required amount of cumulative end-use energy savings by the end of each obligation period.	requirements of this Article and that those policy measures are eligible and appropriate to ensure the achievement of the required amount of cumulative end-use energy savings by the end of each obligation period.	requirements of this Article and that those policy measures are eligible and appropriate to ensure the achievement of the required amount of cumulative end-use energy savings by the end of each obligation period.	
Article 9				
308	Article 9 Energy efficiency obligation schemes	Article 9 Energy efficiency obligation schemes	Article 9 Energy efficiency obligation schemes	
Article 9(1), first subparagraph				
309	1. Where Member States decide to fulfil their obligations to achieve the amount of savings required under Article 8(1) by way of an energy efficiency obligation scheme, they shall ensure that obligated parties as referred to in paragraph 2 of this Article operating in each Member State's territory achieve, without prejudice to Article 8(8) and (9), their cumulative end-use energy savings requirement as set out in Article 8(1).	1. Where Member States decide to fulfil their obligations to achieve the amount of savings required under Article 8(1) by way of an energy efficiency obligation scheme, they shall ensure that obligated parties as referred to in paragraph 2 of this Article operating in each Member State's territory achieve, without prejudice to Article 8(8) and (9), their cumulative end-use energy savings requirement as set out in Article 8(1).	1. Where Member States decide to fulfil their obligations to achieve the amount of savings required under Article 8(1) by way of an energy efficiency obligation scheme, they shall ensure that obligated parties as referred to in paragraph 2 of this Article operating in each Member State's territory achieve, without prejudice to Article 8(8) and (9), their cumulative end-use energy savings requirement as set out in Article 8(1).	

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Article 9(1), first subparagraph a				
309a			**Where Member States decide to fulfil their obligations to achieve the amount of savings required under Article 8(1) by way of an energy efficiency obligation scheme, Member States may also appoint an implementing public authority to administer the scheme.**	
Article 9(1), second subparagraph				
310	Where applicable, Member States may decide that obligated parties fulfil those savings, in whole or in part, as a contribution to the Energy Efficiency National Fund in accordance with Article 28(11).	Where applicable, Member States may decide that obligated parties fulfil those savings, in whole or in part, as a contribution to the Energy Efficiency National Fund in accordance with Article 28(11).	Where applicable, Member States may decide that obligated parties fulfil those savings, in whole or in part, as a contribution to the Energy Efficiency National Fund in accordance with Article 28(11).	
Article 9(2)				
311	2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission system operators, energy distributors,	2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission system operators,– ***distribution system***	2. Member States shall designate, on the basis of objective and non-discriminatory criteria, obligated parties among transmission system operators, energy distributors,	

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	retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.	***operators,*** energy distributors, retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.	retail energy sales companies and transport fuel distributors or transport fuel retailers operating in their territory. The amount of energy savings needed to fulfil the obligation shall be achieved by the obligated parties among final customers, designated by the Member State, independently of the calculation made pursuant to Article 8(1) or, if Member States so decide, through certified savings stemming from other parties as described in point (a) of paragraph 10 of this Article.	
Article 9(3)				
312	3. Where retail energy sales companies are designated as obligated parties under paragraph 2, Member States shall ensure that, in fulfilling their obligation, retail energy sales companies do not create any barriers that impede consumers from switching from one supplier to another.	3. Where retail energy sales companies are designated as obligated parties under paragraph 2, Member States shall ensure that, in fulfilling their obligation, retail energy sales companies do not create any barriers that impede consumers from switching from one supplier to another.	3. Where retail energy sales companies are designated as obligated parties under paragraph 2, Member States shall ensure that, in fulfilling their obligation, retail energy sales companies do not create any barriers that impede consumers from switching from one supplier to another.	
Article 9(4)				

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313	4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.	4. Member States ~~*may require*~~***shall encourage*** obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and ***low-income households and***, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and ~~*micro-SMEs*~~***microenterprises***.	4. Member States may require obligated parties to achieve a share of their energy savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. Member States may also require obligated parties to achieve energy cost reduction targets**, provided they result in end use energy savings and are calculated in accordance with Annex V,** -and to achieve energy savings by promoting energy efficiency improvement measures, including financial support measures mitigating carbon price effects on SMEs and micro-SMEs.	
Article 9(5)				
314	5. Member States may require obligated parties to work with local authorities or municipalities to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes identifying	5. Member States ~~*may*~~***shall*** require obligated parties to work with ***regional and*** local authorities or municipalities***, and engage with social services and civil society organisations in order to set up an engagement platform dedicated to energy poverty alleviation,*** to promote energy efficiency	5. Member States may require obligated parties to work with local authorities or municipalities **and social services** to promote energy efficiency improvement measures among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing. This includes	

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	and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.	improvement measures among people affected by energy poverty, vulnerable customers ***and low-income households*** and, where applicable, people living in social housing. This includes identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits.	identifying and addressing the specific needs of particular groups at risk of energy poverty or more susceptible to its effects. To protect people affected by energy poverty vulnerable customers and, where applicable, people living in social housing, Member States shall encourage obligated parties to carry out actions such as renovation of buildings, including social housing, replacement of appliances, financial support and incentives for energy efficiency improvement measures in conformity with national financing and support schemes, or energy audits. **Member States shall ensure the eligibility of measures for individual units located in multi-apartment buildings.**	
Article 9(6)				
315	6. Member States shall require obligated parties to report on an annual basis on the energy savings achieved by the obligated parties	6. Member States shall require obligated parties to report on an annual basis on the energy savings achieved by the obligated parties	6. **Those** Member States**, which have required to obligated parties to achieve a share of their energy**	

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	from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.	from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.	**savings obligation among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing,** shall require obligated parties to report on an annual basis on the energy savings achieved by the obligated parties from actions promoted among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing, and shall require aggregated statistical information on their final customers (identifying changes in energy savings to previously submitted information) and regarding technical and financial support provided.	
Article 9(7)				
316	7. Member States shall express the amount of energy savings required of each obligated party in terms of either final or primary energy consumption. The method chosen to express the amount of energy savings required shall also be used to calculate the savings claimed by obligated parties. When converting	7. Member States shall express the amount of energy savings required of each obligated party in terms of either final or primary energy consumption. The method chosen to express the amount of energy savings required shall also be used to calculate the savings claimed by obligated parties. When converting	7. Member States shall express the amount of energy savings required of each obligated party in terms of either final or primary energy consumption. The method chosen to express the amount of energy savings required shall also be used to calculate the savings claimed by obligated parties. When converting	

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	the amount of energy savings, the net calorific values set out in Annex VI of Commission Implementing Regulation (EU) 2018/2066[1] and the primary energy factor pursuant to Article 29 shall apply unless the use of other conversion factors can be justified . _____ 1. Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.	the amount of energy savings, the net calorific values set out in Annex VI of Commission Implementing Regulation (EU) 2018/2066[1] and the primary energy factor pursuant to Article 29 shall apply unless the use of other conversion factors can be justified . _____ 1. Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.	the amount of energy savings, the net calorific values set out in Annex VI of Commission Implementing Regulation (EU) 2018/2066[1] and the primary energy factor pursuant to Article 29 shall apply unless the use of other conversion factors can be justified . _____ 1. Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.	
Article 9(8)				
317	8. Member States shall establish measurement, control and verification systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the obligated parties. The measurement, control and verification shall be carried out independently of the obligated parties. Where an entity is an	8. Member States shall establish measurement, control and verification systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the obligated parties. The measurement, control and verification shall be carried out independently of the obligated parties. [Where an entity is an	8. Member States shall establish measurement, control and verification systems for carrying out documented verification on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the obligated parties. The measurement, control and verification shall be carried out independently of the obligated parties. Where an entity is an	

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	obligated party under a national energy efficiency obligation scheme under Article 9 and under the EU Emissions Trading System to buildings and road transport [COM(2021) 551 final, 2021/0211 (COD)[1]], the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according to Article 1(21) of COM(2021) 551 final, 2021/0211 (COD)] shall be taken into account in the calculation and reporting of energy savings of the entity´s energy saving measures. _____ 1. Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757, (Text with EEA relevance){SEC(2021) 551 final} - {SWD(2021) 557 final} - {SWD(2021) 601 final} -{SWD(2021) 602 final.	obligated party under a national energy efficiency obligation scheme under Article 9 and under the EU Emissions Trading System to buildings and road transport [COM(2021) 551 final, 2021/0211 (COD)[1]], the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according to Article 1(21) of COM(2021) 551 final, 2021/0211 (COD)] shall be taken into account in the calculation and reporting of energy savings of the entity's energy saving measures.~~.~~ *]* _____ 1. Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757, (Text with EEA relevance){SEC(2021) 551 final} - {SWD(2021) 557 final} - {SWD(2021) 601 final} -{SWD(2021) 602 final.	obligated party under a national energy efficiency obligation scheme under Article 9 and under the EU Emissions Trading System to buildings and road transport [COM(2021) 551 final, 2021/0211 (COD)[1]], the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according to Article 1(21) of COM(2021) 551 final, 2021/0211 (COD)] shall be taken into account in the calculation and reporting of energy savings of the entity´s energy saving measures. _____ 1. Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and Regulation (EU) 2015/757, (Text with EEA relevance){SEC(2021) 551 final} - {SWD(2021) 557 final} - {SWD(2021) 601 final} -{SWD(2021) 602 final.	
Article 9(9)				
318				

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	9. Member States shall inform the Commission, as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999, on the measurement, control and verification systems put in place, including but not limited to methods used, issues identified and how they were addressed.	9. Member States shall inform the Commission, as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999, on the measurement, control and verification systems put in place, including but not limited to methods used, issues identified and how they were addressed.	9. Member States shall inform the Commission, as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999, on the measurement, control and verification systems put in place, including but not limited to methods used, issues identified and how they were addressed.	
Article 9(10), first subparagraph, introductory part				
319	10. Within the energy efficiency obligation scheme, Member States may authorise obligated parties to carry out the following:	10. Within the energy efficiency obligation scheme, Member States may authorise obligated parties to carry out the following:	10. Within the energy efficiency obligation scheme, Member States may authorise obligated parties to carry out the following:	
Article 9(10), first subparagraph, point (a)				
320	(a) to count towards their obligation certified energy savings achieved by energy service providers or other third parties, including when obligated parties promote measures through other State-approved bodies or through public authorities that may involve formal partnerships and may be in	(a) to count towards their obligation certified energy savings achieved by energy service providers or other third parties, including when obligated parties promote measures through other State-approved bodies or through public authorities that may involve formal partnerships and may be in	(a) to count towards their obligation certified energy savings achieved by energy service providers or other third parties, including when obligated parties promote measures through other State-approved bodies or through public authorities that may involve formal partnerships and may be in	

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	combination with other sources of finance. Where Member States so permit, they shall ensure that the certification of energy savings follows an approval process that is put in place in the Member States, that is clear, transparent, and open to all market participants, and that aims to minimise the costs of certification;	combination with other sources of finance. Where Member States so permit, they shall ensure that the certification of energy savings follows an approval process that is put in place in the Member States, that is clear, transparent, and open to all market participants, and that aims to minimise the costs of certification;	combination with other sources of finance. Where Member States so permit, they shall ensure that the certification of energy savings follows an approval process that is put in place in the Member States, that is clear, transparent, and open to all market participants, and that aims to minimise the costs of certification;	
Article 9(10), first subparagraph, point (b)				
321	(b) to count savings obtained in a given year as if they had instead been obtained in any of the four previous or three following years as long as this is not beyond the end of the obligation periods set out in Article 8(1).	(b) to count savings obtained in a given year as if they had instead been obtained in any of the four previous or three following years as long as this is not beyond the end of the obligation periods set out in Article 8(1).	(b) to count savings obtained in a given year as if they had instead been obtained in any of the four previous or three following years as long as this is not beyond the end of the obligation periods set out in Article 8(1).	
Article 9(10), second subparagraph				
322	Member States shall assess and, if appropriate, take measures to minimise the impact of the direct and indirect costs of energy efficiency obligation schemes on the competitiveness of energy-intensive industries exposed to	Member States shall assess and, if appropriate, take measures to minimise the impact of the direct and indirect costs of energy efficiency obligation schemes on the competitiveness of energy-intensive industries exposed to	Member States shall assess and, if appropriate, take measures to minimise the impact of the direct and indirect costs of energy efficiency obligation schemes on the competitiveness of energy-intensive industries exposed to	

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	international competition.	international competition.	international competition.	
Article 9(11)				
323	11. Member States shall, on an annual basis, publish the energy savings achieved by each obligated party, or each sub-category of obligated party, and in total under the scheme.	11. Member States shall, on an annual basis, publish the energy savings achieved by each obligated party, or each sub-category of obligated party, and in total under the scheme.	11. Member States shall, on an annual basis, publish the energy savings achieved by each obligated party, or each sub-category of obligated party, and in total under the scheme.	
Article 10				
324	Article 10 Alternative policy measures	Article 10 Alternative policy measures	Article 10 Alternative policy measures	
Article 10(1)				
325	1. Where Member States decide to fulfil their obligations to achieve the savings required under Article 8(1) by way of alternative policy measures, they shall ensure, without prejudice to Article 8(8) and (9), that the energy savings required under Article 8(1) are achieved among final customers.	1. Where Member States decide to fulfil their obligations to achieve the savings required under Article 8(1) by way of alternative policy measures, they shall ensure, without prejudice to Article 8(8) and (9), that the energy savings required under Article 8(1) are achieved among final customers.	1. Where Member States decide to fulfil their obligations to achieve the savings required under Article 8(1) by way of alternative policy measures, they shall ensure, without prejudice to Article 8(8) and (9), that the energy savings required under Article 8(1) are achieved among final customers.	
Article 10(2)				

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326	2. For all measures other than those relating to taxation, Member States shall put in place measurement, control and verification systems under which documented verification is carried out on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the participating or entrusted parties. The measurement, control and verification shall be carried out independently of the participating or entrusted parties.	2. For all measures other than those relating to taxation, Member States shall put in place measurement, control and verification systems under which documented verification is carried out on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the participating or entrusted parties. The measurement, control and verification shall be carried out independently of the participating or entrusted parties.	2. For all measures other than those relating to taxation, Member States shall put in place measurement, control and verification systems under which documented verification is carried out on at least a statistically significant proportion and representative sample of the energy efficiency improvement measures put in place by the participating or entrusted parties. The measurement, control and verification shall be carried out independently of the participating or entrusted parties.	
Article 10(3)				
327	3. Member States shall inform the Commission, as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999, on the measurement, control and verification systems put in place, including but not limited to methods used, issues identified and how they were addressed.	3. Member States shall inform the Commission, as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999, on the measurement, control and verification systems put in place, including but not limited to methods used, issues identified and how they were addressed.	3. Member States shall inform the Commission, as part of the integrated national energy and climate progress reports pursuant to Article 17 of Regulation (EU) 2018/1999, on the measurement, control and verification systems put in place, including but not limited to methods used, issues identified and how they were addressed.	

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Article 10(4)				
328	4. When reporting a taxation measure, Member States shall demonstrate how the effectiveness of the price signal, such as tax rate and visibility over time, has been ensured in the design of the taxation measure. Where there is a decrease in the tax rate, Member States shall justify how the taxation measures still result in new energy savings.	4. When reporting a taxation measure, ***including parafiscal charges or levies,*** Member States shall demonstrate ***that they were designed with the purpose to generate energy savings and*** how the effectiveness of the price signal, such as tax rate and visibility over time, has been ensured in the design of the taxation measure. Where there is a decrease in the tax rate, Member States shall justify how the taxation measures still result in new energy savings.	4. When reporting a taxation measure, Member States shall demonstrate how the effectiveness of the price signal, such as tax rate and visibility over time, has been ensured in the design of the taxation measure. Where there is a decrease in the tax rate, Member States shall justify how the taxation measures still result in new energy savings.	
Article 11				
329	Article 11 Energy management systems and energy audits	Article 11 Energy management systems and energy audits	Article 11 Energy management systems and energy audits	
Article 11(1) first subparagraph introductory part				
330	1. Member States shall ensure that enterprises with an average annual	1. Member States shall ensure that enterprises ~~*with an average annual*~~	1. Member States shall ensure that enterprises with an average annual	

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	consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.	~~consumption higher than 100TJ of~~***implement an energy management system, where their average annual*** energy ***consumption*** over the previous three years~~ and~~***,*** taking all energy carriers together, ~~implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards~~ ***is:***	consumption higher than 100TJ of energy over the previous three years and taking all energy carriers together, implement an energy management system. The energy management system shall be certified by an independent body according to the relevant European or International Standards.	
Article 11(1) first subparagraph point (a)				
330a		***(a) higher than 10 TJ, from 1 January 2024;***		
Article 11(1) first subparagraph point (b)				
330b		***(b) higher than 70 TJ, from 1 January 2027.***		
Article 11(1) second subparagraph				
330c		***The energy management system shall be certified by an independent body according to the***		

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		relevant European or international standards.		
Article 11(2), first subparagraph introductory part				
331	2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.	2. Member States shall ensure that enterprises ~~*with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together*~~ that do not implement an energy management system are subject to an energy audit~~*. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation.*~~***, where their average annual*** energy ~~*audits shall be carried out at least every four*~~***consumption over the previous three*** years~~*from the date of the previous energy audit.*~~ ***, taking all energy carriers together, is:***	2. Member States shall ensure that enterprises with an average annual consumption higher than 10TJ of energy over the previous three years and taking all energy carriers together that do not implement an energy management system are subject to an energy audit. Energy audits shall be carried out in an independent and cost-effective manner by qualified or accredited experts in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.	
Article 11(2), first subparagraph point (a)				

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331a		***(a) higher than 10 TJ, from 1 January 2024;***		
Article 11(2), first subparagraph point (b)				
331b		***(b) higher than 6 TJ, from 1 January 2027.***		
Article 11(2), second subparagraph				
331c		***Energy audits shall be carried out according to the relevant European or international standards in an independent and cost-effective manner by qualified or accredited sector specific experts or accredited independent bodies in accordance with requirements provided in Article 26 or implemented and supervised by independent authorities under national legislation. Energy audits shall be carried out at least every four years from the date of the previous energy audit.***		
Article 11(2), third subparagraph				
332				

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	The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, where applicable.	The results of the energy audits including the recommendations from these audits shall ***result in concrete and feasible implementation plans indicating the cost and payback period for each recommended energy efficiency action and shall*** be transmitted to the management of the enterprise. Member States shall ensure that the ***implementation of the recommendations is mandatory, with the exception of those where the payback period is longer than three years. Member States shall ensure that the*** results and the implemented recommendations are published in the enterprise's annual report, ~~*where applicable*~~***and made public available, except information subject to national laws protecting trade and business secrets and confidentiality***.	The results of the energy audits including the recommendations from these audits shall be transmitted to the management of the enterprise. Member States shall ensure that the results and the implemented recommendations are published in the enterprise's annual report, ~~where applicable~~**except information subject to national laws protecting trade and business secrets and confidentiality**.	
Article 11(2a), introductory part				
332a		***2a. Member States may encourage all eligible companies to provide the following information in their annual***		

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		report:		
Article 11(2), second subparagraph a				
332b			**For the purposes of paragraphs 1 and 2, Member States shall require that if an enterprise has an annual consumption of more than 100 TJ and 10 TJ respectively any given year, this information be made available to the national authorities in charge of the implementation of this article. For this purpose, Member States can promote the use of a new or existing platform to facilitate the collection of the required data at national level.**	
Article 11(2a), point (a)				
332c		***(a) information on the yearly energy consumption in kWh;***		
Article 11(2a), point (b)				
332d		***(b) information on the yearly volume of water consumed in cubic metres;***		

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Article 11(2a), point (c)				
332e		***(c) comparisons of the yearly energy and water consumption with previous years of the same facility.***		
Article 11(3), first subparagraph, introductory part				
333	3. Member States shall promote the availability to all final customers of high quality energy audits which are cost-effective and:	3. Member States shall promote the availability to all final customers of high quality energy audits which are cost-effective and:	3. Member States shall promote the availability to all final customers of high quality energy audits which are cost-effective and:	
Article 11(3), first subparagraph, point (a)				
334	(a) carried out in an independent manner by qualified and/or accredited experts according to qualification criteria; or	(a) carried out in an independent manner by qualified and/or accredited experts according to qualification criteria; or	(a) carried out in an independent manner by qualified and/or accredited experts according to qualification criteria; or	
Article 11(3), first subparagraph, point (b)				
335	(b) implemented and supervised by independent authorities under national legislation.	(b) implemented and supervised by independent authorities under national legislation.	(b) implemented and supervised by independent authorities under national legislation.	

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Article 11(3), second subparagraph				
336	The energy audits referred to in the first subparagraph may be carried out by in-house experts or energy auditors provided that the Member State concerned has put in place a scheme to assure and check their quality, including, if appropriate, an annual random selection of at least a statistically significant percentage of all the energy audits they carry out.	The energy audits referred to in the first subparagraph may be carried out by in-house experts or energy auditors provided that the Member State concerned has put in place ***safeguards to ensure their ability to carry out audits in an independent manner as well as*** a scheme to assure and check their quality, including, if appropriate, an annual random selection of at least a statistically significant percentage of all the energy audits they carry out.	The energy audits referred to in the first subparagraph may be carried out by in-house experts or energy auditors provided that the Member State concerned has put in place a scheme to assure and check their quality, including, if appropriate, an annual random selection of at least a statistically significant percentage of all the energy audits they carry out.	
Article 11(3), third subparagraph				
337	For the purpose of guaranteeing the high quality of the energy audits and energy management systems, Member States shall establish transparent and non-discriminatory minimum criteria for energy audits based on Annex VI. Member States shall ensure that quality checks are carried out to ensure the validity and accuracy of energy audits.	For the purpose of guaranteeing the high quality of the energy audits and energy management systems, Member States shall establish transparent and non-discriminatory minimum criteria for energy audits based on Annex VI ***and specified in European and international standards***. Member States shall ensure that quality checks are carried out to ensure the validity and accuracy of energy audits.	For the purpose of guaranteeing the high quality of the energy audits and energy management systems, Member States shall establish transparent and non-discriminatory minimum criteria for energy audits based on Annex VI. Member States shall **designate a competent authority or body to** ensure that ~~quality checks are carried out to ensure the validity and accuracy of energy audits~~**the timelines for**	

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			conducting energy audits as specified in paragraph 2 are respected and the minimum criteria set out in Annex VI are correctly applied.	
Article 11(3), fourth subparagraph				
338	Energy audits shall not include clauses preventing the findings of the audit from being transferred to any qualified/accredited energy service provider, on condition that the customer does not object.	Energy audits shall not include clauses preventing the findings of the audit from being transferred to any qualified/accredited energy service provider, on condition that the customer does not object.	Energy audits shall not include clauses preventing the findings of the audit from being transferred to any qualified/accredited energy service provider, on condition that the customer does not object.	
Article 11(4), first subparagraph				
339	4. Member States shall develop programmes to encourage SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.	4. Member States shall develop programmes ~~to encourage~~***with the aim of encouraging and providing technical support to*** SMEs that are not subject to paragraph 1 or 2~~.~~ to undergo energy audits and the subsequent implementation of the recommendations from these audits~~.~~ ***complying with the minimum criteria set out in Annex VI.***	4. Member States shall develop programmes to encourage SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.	
Article 11(4), second subparagraph				

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340	On the basis of transparent and non-discriminatory criteria and without prejudice to Union State aid law, Member States may set up support schemes for SMEs, including if they have concluded voluntary agreements, to cover costs of an energy audit and of the implementation of highly cost-effective recommendations from the energy audits, if the proposed measures are implemented.	On the basis of transparent and non-discriminatory criteria and without prejudice to Union State aid law, Member States ~~may~~***shall*** set up ***mechanisms such as energy audit centres for SMEs and microenterprises, where these are not in competition with private auditors, to provide subsidised energy audits, as well as other*** support schemes for SMEs, including if they have concluded voluntary agreements, to cover costs of an energy audit and of the implementation of highly cost-effective recommendations from the energy audits, if the proposed measures are implemented.	On the basis of transparent and non-discriminatory criteria and without prejudice to Union State aid law, Member States may set up support schemes for SMEs, including if they have concluded voluntary agreements, to cover costs of an energy audit and of the implementation of highly cost-effective recommendations from the energy audits, if the proposed measures are implemented.	
Article 11(4), third subparagraph				
340a		***Member States shall support and provide incentives for the implementation of the recommendations by means of technical and financial support, which shall not be accounted under the maximum amount of de minimis aid to enterprises, easier access to finance, with a special***		

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		attention to SMEs and those companies that implement recommendations with the highest decarbonisation impact in terms of energy efficiency.		
Article 11(4), fourth subparagraph				
341	Member States shall bring to the attention of SMEs, including through their respective representative intermediary organisations, concrete examples of how energy management systems could help their businesses. The Commission shall assist Member States by supporting the exchange of best practices in this domain.	Member States shall bring to the attention of SMEs, including through their respective representative intermediary organisations, concrete examples of how energy management systems could help their businesses. The Commission shall assist Member States by supporting the exchange of best practices in this domain.	Member States shall bring to the attention of SMEs, including through their respective representative intermediary organisations, concrete examples of how energy management systems could help their businesses. The Commission shall assist Member States by supporting the exchange of best practices in this domain.	
Article 11(4a), introductory part				
341a		***4a. For the purpose of paragraph 4, Member States shall ensure that the programmes include:***		
Article 11(4a), point (a)				
341b		***(a) integration of energy***		

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		management systems involving the management of the enterprise, including financial incentives with the commitment of the enterprise to uptake the energy efficiency measures identified;		
Article 11(4a), point (b)				
341c		***(b) support to SMEs in quantifying the multiple benefits of energy efficiency measures within their operations;***		
Article 11(4a), point (c)				
341d		***(c) development of company-specific energy efficiency roadmaps developed in an interactive process, with a prioritisation of goals, measures, financial and technological options;***		
Article 11(4a), point (d)				
341e		***(d) development of energy transition networks of SMEs, facilitated by independent***		

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		facilitators;		
Article 11(4a), point (e)				
341f		***(e) support mechanisms for such networks for the deployment of energy audits or energy management systems.***		
Article 11(5)				
342	5. Member States shall develop programmes to encourage non-SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.	5. Member States shall develop programmes to encourage non-SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits ***complying with the minimum criteria set out in Annex VI***.	5. Member States shall develop programmes to encourage non-SMEs that are not subject to paragraph 1 or 2 to undergo energy audits and the subsequent implementation of the recommendations from these audits.	
Article 11(6), first subparagraph				
343	6. Energy audits shall be considered as fulfilling the requirements of paragraph 2 when they are carried out in an independent manner, on the basis of minimum criteria based on	6. Energy audits shall be considered as fulfilling the requirements of paragraph 2 when they are carried out in an independent manner, on the basis of minimum criteria based on	6. Energy audits shall be considered as fulfilling the requirements of paragraph 2 when they are carried out in an independent manner, on the basis of minimum criteria based on	

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	Annex VI, and implemented under voluntary agreements concluded between organisations of stakeholders and an appointed body and supervised by the Member State concerned, or other bodies to which the competent authorities have delegated the responsibility concerned, or by the Commission.	Annex VI, and implemented under voluntary agreements concluded between organisations of stakeholders and an appointed body and supervised by the Member State concerned, or other bodies to which the competent authorities have delegated the responsibility concerned, or by the Commission.	Annex VI, and implemented under voluntary agreements concluded between organisations of stakeholders and an appointed body and supervised by the Member State concerned, or other bodies to which the competent authorities have delegated the responsibility concerned, or by the Commission.	
Article 11(6), second subparagraph				
344	Access of market participants offering energy services shall be based on transparent and non-discriminatory criteria.	Access of market participants offering energy services shall be based on transparent and non-discriminatory criteria.	Access of market participants offering energy services shall be based on transparent and non-discriminatory criteria.	
Article 11(7)				
345	7. Enterprises that implement an energy performance contract shall be exempted from the requirements of paragraphs 1 and 2 provided that the energy performance contract complies with the requirements set out in Annex XIV.	7. Enterprises that implement an energy performance contract shall be ~~*exempted from*~~***considered to fulfil*** the requirements of paragraphs 1 and 2 provided that the energy performance contract ***covers the necessary elements of the energy management system and*** complies with the requirements set out in Annex	7. Enterprises that implement an energy performance contract shall be exempted from the requirements of paragraphs 1 and 2 provided that the energy performance contract **covers the necessary elements of the energy management system and that the contract** complies with the requirements set out in Annex XIV.	

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		XIV.		
Article 11(8)				
346	8. Enterprises that implement an environmental management system - certified by an independent body according to the relevant European or iInternational standards - shall be exempted from the requirements of paragraphs 1 and 2 , provided that the environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.	8. Enterprises that implement an environmental management system - certified by an independent body according to the relevant European or ~~*iInternational*~~***international*** standards - shall be ~~*exempted from*~~***considered to fulfil*** the requirements of paragraphs 1 and 2 , provided that the environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.	8. Enterprises that implement an environmental management system - certified by an independent body according to the relevant European or iInternational standards - shall be exempted from the requirements of paragraphs 1 and 2 , provided that the environmental management system concerned includes an energy audit on the basis of the minimum criteria based on Annex VI.	
Article 11(9), first subparagraph				
347	9. Energy audits may stand alone or be part of a broader environmental audit. Member States may require that an assessment of the technical and economic feasibility of connection to an existing or planned district heating or cooling network shall be part of the energy audit.	9. Energy audits may stand alone or be part of a broader environmental audit. Member States may require that an assessment of the technical and economic feasibility of connection to an existing or planned district heating or cooling network shall be part of the energy audit.	9. Energy audits may stand alone or be part of a broader environmental audit. Member States may require that an assessment of the technical and economic feasibility of connection to an existing or planned district heating or cooling network shall be part of the energy audit.	

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Article 11(9), second subparagraph				
348	Without prejudice to Union State aid law, Member States may implement incentive and support schemes for the implementation of recommendations from energy audits and similar measures.	Without prejudice to Union State aid law, Member States may implement incentive and support schemes for the implementation of recommendations from energy audits and similar measures.	Without prejudice to Union State aid law, Member States may implement incentive and support schemes for the implementation of recommendations from energy audits and similar measures.	
Article 11(9a)				
348a		***9a. Member States shall promote the implementation of energy management systems and energy audits within the public administration at national, regional and local level.***		
Article 11(9a)				
348b			**Article 11a Data Centres**	
Article 11(10)				
349	10. Without prejudice to paragraphs 1 to 9, Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre	*deleted*	~~10.~~**Art 11a** ~~Without prejudice to paragraphs 1 to 9,~~**1.** Member States shall require, by 15 March 2024 and every year thereafter, owners and operators of every data centre	

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	in their territory with a significant energy consumption to make publicly available the information set out in Annex VI (`Minimum requirements for monitoring and publishing the energy performance of data centres´), which Member States shall subsequently report to the Commission.		in their territory with a significant energy consumption to make publicly available the information set out in Annex VI ~~('Minimum requirements for monitoring and publishing the energy performance of data centres')~~, which Member States shall subsequently report to the Commission.[1] _____ **1. [1] The Commission is currently working on the concept of significant energy consumption for data centers. The outcome of this work may be part of the legislative text or a delegated act at a later stage.** New structure: to be separated and added as new Article 11a: "Article 11a Data Centres"	
Article 11(10), amending provision, numbered paragraph (1)				
349a			" **Art.11a 2. Data centers used or providing their services exclusively with final purposes for defence, civil security and protection of population shall not be covered by the provisions of paragraph 1**	

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Article 11(10), amending provision, numbered paragraph (2)				
349b			**Art.11a 3. By 30 June 2024, the Commission shall establish an EU database on data centres that includes information communicated by Member States in compliance with paragraph 1. The EU database shall be publicly available.** "	
Article 11a				
349c		***Article 11a*** ***Data centres***		
Article 11a(1)				
349d		***1. By 15 March 2024 and annually thereafter, Member States shall require owners and operators of every data centre in their territory with an installed IT power demand of at least 100 kW, in particular in the ICT sector, to make the information set out in Annex VIa publicly available on the basis of a harmonised format.***		

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Article 11a(2)				
349e		***2. Member States shall submit the information that they have collated pursuant to paragraph 1 to the Commission without delay. The information shall be made public through a database established and operated by the Commission.***		
Article 11a(3)				
349f		***3. The Commission shall adopt guidelines on monitoring and publishing the energy performance of data centres in accordance with Annex VIa. Those guidelines shall contain harmonised definitions for each item of information as well as a uniform measurement methodology, reporting guidelines and a harmonised template for the transfer of the information to allow for consistent reporting across all Member States.***		
Article 11a(4)				
349g				

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		4. Member States shall encourage owners and operators of every data centre in their territory with an installed IT power demand equal to or greater than 1 MW to take into account the best practices referred to in the most recent version of the European Code of Conduct on Data Centre Energy Efficiency, or in CEN-CENELEC document CLC TR50600-99-1 "Data centre facilities and infrastructures - Part 99-1: Recommended practices for energy management", until the entry into force of the delegated act adopted pursuant to Article 31(3) of this Directive.		
Article 11a(5)				
349h		***5. By 15 March 2025, the Commission shall assess the available data on the energy efficiency of data centres submitted to it by the Member States pursuant to paragraph 2 and shall submit a report to the European Parliament and the Council. The report shall be***		

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		accompanied, if appropriate, by a proposal on further measures to improve energy efficiency, including on establishing minimum performance standards and an assessment on the feasibility of transition towards net-zero emission centres, in close consultation with the relevant stakeholders. Such a proposal may establish a timeframe within which existing data centres are to be required to meet minimum performance standards.		
Article 12				
350	Article 12 Metering for natural gas	Article 12 Metering for natural gas	Article 12 Metering for natural gas	
Article 12(1), first subparagraph				
351	1. Member States shall ensure that, in so far as it is technically possible, financially reasonable, and proportionate to the potential energy savings, for natural gas final customers are provided with competitively priced individual meters that accurately reflect the	1. Member States shall ensure that, in so far as it is technically possible, financially reasonable, and proportionate to the potential energy savings, for natural gas final customers are provided with competitively priced individual meters that accurately reflect the	1. Member States shall ensure that, in so far as it is technically possible, financially reasonable, and proportionate to the potential energy savings, for natural gas final customers are provided with competitively priced individual meters that accurately reflect the	

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	final customer's actual energy consumption and that provide information on actual time of use.	final customer's actual energy consumption and that provide information on actual time of use.	final customer's actual energy consumption and that provide information on actual time of use.	
Article 12(1), second subparagraph, introductory part				
352	Such a competitively priced individual meter shall always be provided when:	Such a competitively priced individual meter shall always be provided when:	Such a competitively priced individual meter shall always be provided when:	
Article 12(1), second subparagraph, point (a)				
353	(a) an existing meter is replaced, unless this is technically impossible or not cost-effective in relation to the estimated potential savings in the long term;	(a) an existing meter is replaced, unless this is technically impossible or not cost-effective in relation to the estimated potential savings in the long term;	(a) an existing meter is replaced, unless this is technically impossible or not cost-effective in relation to the estimated potential savings in the long term;	
Article 12(1), second subparagraph, point (b)				
354	(b) a new connection is made in a new building or a building undergoes major renovations, as set out in Directive 2010/31/EU.	(b) a new connection is made in a new building or a building undergoes major renovations, as set out in Directive 2010/31/EU.	(b) a new connection is made in a new building or a building undergoes major renovations, as set out in Directive 2010/31/EU.	
Article 12(2), introductory part				
355	2. Where, and to the extent that,	2. Where, and to the extent that,	2. Where, and to the extent that,	

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	Member States implement intelligent metering systems and roll out smart meters for natural gas in accordance with Directive 2009/73/EC:	Member States implement intelligent metering systems and roll out smart meters for natural gas in accordance with Directive 2009/73/EC:	Member States implement intelligent metering systems and roll out smart meters for natural gas in accordance with Directive 2009/73/EC:	
Article 12(2), point (a)				
356	(a) they shall ensure that the metering systems provide to final customers information on actual time of use and that the objectives of energy efficiency and benefits for final customers are fully taken into account when establishing the minimum functionalities of the meters and the obligations imposed on market participants;	(a) they shall ensure that the metering systems provide to final customers information on actual time of use and that the objectives of energy efficiency and benefits for final customers are fully taken into account when establishing the minimum functionalities of the meters and the obligations imposed on market participants;	(a) they shall ensure that the metering systems provide to final customers information on actual time of use and that the objectives of energy efficiency and benefits for final customers are fully taken into account when establishing the minimum functionalities of the meters and the obligations imposed on market participants;	
Article 12(2), point (b)				
357	(b) they shall ensure the security of the smart meters and data communication, and the privacy of final customers, in compliance with relevant Union data protection and privacy legislation;	(b) they shall ensure the security of the smart meters and data communication, and the privacy of final customers, in compliance with relevant Union data protection and privacy legislation;	(b) they shall ensure the security of the smart meters and data communication, and the privacy of final customers, in compliance with relevant Union data protection and privacy legislation;	
Article 12(2), point (c)				

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358	(c) they shall require that appropriate advice and information be given to customers at the time of installation of smart meters, in particular about their full potential with regard to meter reading management and the monitoring of energy consumption.	(c) they shall require that appropriate advice and information be given to customers at the time of installation of smart meters, in particular about their full potential with regard to meter reading management and the monitoring of energy consumption.	(c) they shall require that appropriate advice and information be given to customers at the time of installation of smart meters, in particular about their full potential with regard to meter reading management and the monitoring of energy consumption.	
Article 13				
359	Article 13 Metering for heating, cooling and domestic hot water	Article 13 Metering for heating, cooling and domestic hot water	Article 13 Metering for heating, cooling and domestic hot water	
Article 13(1)				
360	1. Member States shall ensure that, for district heating, district cooling and domestic hot water, final customers are provided with competitively priced meters that accurately reflect their actual energy consumption.	1. Member States shall ensure that, for district heating, district cooling and domestic hot water, final customers are provided with competitively priced meters that accurately reflect their actual energy consumption.	1. Member States shall ensure that, for district heating, district cooling and domestic hot water, final customers are provided with competitively priced meters that accurately reflect their actual energy consumption.	
Article 13(2)				
361	2. Where heating, cooling or	2. Where heating, cooling or	2. Where heating, cooling or	

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	domestic hot water is supplied to a building from a central source that services multiple buildings or from a district heating or district cooling system, a meter shall be installed at the heat exchanger or point of delivery.	domestic hot water is supplied to a building from a central source that services multiple buildings or from a district heating or district cooling system, a meter shall be installed at the heat exchanger or point of delivery.	domestic hot water is supplied to a building from a central source that services multiple buildings or from a district heating or district cooling system, a meter shall be installed at the heat exchanger or point of delivery.	
Article 14				
362	Article 14 Sub-metering and cost allocation for heating, cooling and domestic hot water	Article 14 Sub-metering and cost allocation for heating, cooling and domestic hot water	Article 14 Sub-metering and cost allocation for heating, cooling and domestic hot water	
Article 14(1), first subparagraph				
363	1. In multi-apartment and multi-purpose buildings with a central heating or central cooling source or supplied from a district heating or district cooling system, individual meters shall be installed to measure the consumption of heating, cooling or domestic hot water for each building unit, where technically feasible and cost effective in terms of being proportionate in relation to the potential energy savings.	1. In multi-apartment and multi-purpose buildings with a central heating or central cooling source or supplied from a district heating or district cooling system, individual meters shall be installed to measure the consumption of heating, cooling or domestic hot water for each building unit, where technically feasible and cost effective in terms of being proportionate in relation to the potential energy savings.	1. In multi-apartment and multi-purpose buildings with a central heating or central cooling source or supplied from a district heating or district cooling system, individual meters shall be installed to measure the consumption of heating, cooling or domestic hot water for each building unit, where technically feasible and cost effective in terms of being proportionate in relation to the potential energy savings.	

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Article 14(1), second subparagraph				
364	Where the use of individual meters is not technically feasible or where it is not cost-efficient to measure heat consumption in each building unit, individual heat cost allocators shall be used to measure heat consumption at each radiator unless it is shown by the Member State in question that the installation of such heat cost allocators would not be cost-efficient. In those cases, alternative cost-efficient methods of heat consumption measurement may be considered. The general criteria, methodologies and/or procedures to determine technical non-feasibility and non-cost effectiveness shall be clearly set out and published by each Member State.	Where the use of individual meters is not technically feasible or where it is not cost-efficient to measure heat consumption in each building unit, individual heat cost allocators shall be used to measure heat consumption at each radiator unless it is shown by the Member State in question that the installation of such heat cost allocators would not be cost-efficient. In those cases, alternative cost-efficient methods of heat consumption measurement may be considered. The general criteria, methodologies and/or procedures to determine technical non-feasibility and non-cost effectiveness shall be clearly set out and published by each Member State.	Where the use of individual meters is not technically feasible or where it is not cost-efficient to measure heat consumption in each building unit, individual heat cost allocators shall be used to measure heat consumption at each radiator unless it is shown by the Member State in question that the installation of such heat cost allocators would not be cost-efficient. In those cases, alternative cost-efficient methods of heat consumption measurement may be considered. The general criteria, methodologies and/or procedures to determine technical non-feasibility and non-cost effectiveness shall be clearly set out and published by each Member State.	
Article 14(2)				
365	2. In new multi-apartment buildings and in residential parts of new multi-purpose buildings that	2. In new multi-apartment buildings and in residential parts of new multi-purpose buildings that	2. In new multi-apartment buildings and in residential parts of new multi-purpose buildings that	

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	are equipped with a central heating source for domestic hot water or are supplied from district heating systems, individual meters shall, notwithstanding the first subparagraph of paragraph 1, be provided for domestic hot water.	are equipped with a central heating source for domestic hot water or are supplied from district heating systems, individual meters shall, notwithstanding the first subparagraph of paragraph 1, be provided for domestic hot water.	are equipped with a central heating source for domestic hot water or are supplied from district heating systems, individual meters shall, notwithstanding the first subparagraph of paragraph 1, be provided for domestic hot water.	
Article 14(3), introductory part				
366	3. Where multi-apartment or multi-purpose buildings are supplied from district heating or district cooling, or where own common heating or cooling systems for such buildings are prevalent, Member States shall ensure they have in place transparent, publicly available national rules on the allocation of the cost of heating, cooling and domestic hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption. Where appropriate, such rules shall include guidelines on the manner in which to allocate cost for energy that is used as follows:	3. Where multi-apartment or multi-purpose buildings are supplied from district heating or district cooling, or where own common heating or cooling systems for such buildings are prevalent, Member States shall ensure they have in place transparent, publicly available national rules on the allocation of the cost of heating, cooling and domestic hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption. Where appropriate, such rules shall include guidelines on the manner in which to allocate cost for energy that is used as follows:	3. Where multi-apartment or multi-purpose buildings are supplied from district heating or district cooling, or where own common heating or cooling systems for such buildings are prevalent, Member States shall ensure they have in place transparent, publicly available national rules on the allocation of the cost of heating, cooling and domestic hot water consumption in such buildings to ensure transparency and accuracy of accounting for individual consumption. Where appropriate, such rules shall include guidelines on the manner in which to allocate cost for energy that is used as follows:	

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Article 14(3), point (a)				
367	(a) domestic hot water;	(a) domestic hot water;	(a) domestic hot water;	
Article 14(3), point (b)				
368	(b) heat radiated from the building installation and for the purpose of heating the common areas, where staircases and corridors are equipped with radiators;	(b) heat radiated from the building installation and for the purpose of heating the common areas, where staircases and corridors are equipped with radiators;	(b) heat radiated from the building installation and for the purpose of heating the common areas, where staircases and corridors are equipped with radiators;	
Article 14(3), point (c)				
369	(c) for the purpose of heating or cooling apartments.	(c) for the purpose of heating or cooling apartments.	(c) for the purpose of heating or cooling apartments.	
Article 15				
370	Article 15 Remote reading requirement	Article 15 Remote reading requirement	Article 15 Remote reading requirement	
Article 15(1)				
371	1. For the purposes of Articles 13 and 14, newly installed meters and heat cost allocators shall be remotely readable devices. The	1. For the purposes of Articles 13 and 14, newly installed meters and heat cost allocators shall be remotely readable devices. The	1. For the purposes of Articles 13 and 14, newly installed meters and heat cost allocators shall be remotely readable devices. The	

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	conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.	conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.	conditions of technical feasibility and cost effectiveness set out in Article 14(1) shall apply.	
Article 15(2)				
372	2. Meters and heat cost allocators which are not remotely readable but which have already been installed shall be rendered remotely readable or replaced with remotely readable devices by 1 January 2027, save where the Member State in question shows that this is not cost-efficient.	2. Meters and heat cost allocators which are not remotely readable but which have already been installed shall be rendered remotely readable or replaced with remotely readable devices by 1 January 2027, save where the Member State in question shows that this is not cost-efficient.	2. Meters and heat cost allocators which are not remotely readable but which have already been installed shall be rendered remotely readable or replaced with remotely readable devices by 1 January 2027, save where the Member State in question shows that this is not cost-efficient.	
Article 16				
373	Article 16 Billing information for natural gas	Article 16 Billing information for natural gas	Article 16 Billing information for natural gas	
Article 16(1), first subparagraph				
374	1. Where final customers do not have smart meters as referred to in Directive 2009/73/EC, Member States shall ensure, that billing information for natural gas is reliable, accurate and based on	1. Where final customers do not have smart meters as referred to in Directive 2009/73/EC, Member States shall ensure, that billing information for natural gas is reliable, accurate and based on	1. Where final customers do not have smart meters as referred to in Directive 2009/73/EC, Member States shall ensure, that billing information for natural gas is reliable, accurate and based on	

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	actual consumption, in accordance with point 1.1 of Annex VII, where that is technically possible and economically justified.	actual consumption, in accordance with point 1.1 of Annex VII, where that is technically possible and economically justified.	actual consumption, in accordance with point 1.1 of Annex VII, where that is technically possible and economically justified.	
Article 16(1), second subparagraph				
375	This obligation may be fulfilled by a system of regular self-reading by the final customers whereby they communicate readings from their meter to the energy supplier. Only when the final customer has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.	This obligation may be fulfilled by a system of regular self-reading by the final customers whereby they communicate readings from their meter to the energy supplier. Only when the final customer has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.	This obligation may be fulfilled by a system of regular self-reading by the final customers whereby they communicate readings from their meter to the energy supplier. Only when the final customer has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.	
Article 16(2), first subparagraph				
376	2. Meters installed in accordance with Directive 2009/73/EC shall enable the provision of accurate billing information based on actual consumption. Member States shall ensure that final customers have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks.	2. Meters installed in accordance with Directive 2009/73/EC shall enable the provision of accurate billing information based on actual consumption. Member States shall ensure that final customers have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks.	2. Meters installed in accordance with Directive 2009/73/EC shall enable the provision of accurate billing information based on actual consumption. Member States shall ensure that final customers have the possibility of easy access to complementary information on historical consumption allowing detailed self-checks.	

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Article 16(2), second subparagraph, introductory part				
377	Complementary information on historical consumption shall include:	Complementary information on historical consumption shall include:	Complementary information on historical consumption shall include:	
Article 16(2), second subparagraph, point (a)				
378	(a) cumulative data for at least the three previous years or the period since the start of the supply contract if this is shorter. The data shall correspond to the intervals for which frequent billing information has been produced;	(a) cumulative data for at least the three previous years or the period since the start of the supply contract if this is shorter. The data shall correspond to the intervals for which frequent billing information has been produced;	(a) cumulative data for at least the three previous years or the period since the start of the supply contract if this is shorter. The data shall correspond to the intervals for which frequent billing information has been produced;	
Article 16(2), second subparagraph, point (b)				
379	(b) detailed data according to the time of use for any day, week, month and year. These data shall be made available to the final customer via the internet or the meter interface for the period of at least the previous 24 months or the period since the start of the supply contract if this is shorter.	(b) detailed data according to the time of use for any day, week, month and year. These data shall be made available to the final customer via the internet or the meter interface for the period of at least the previous 24 months or the period since the start of the supply contract if this is shorter.	(b) detailed data according to the time of use for any day, week, month and year. These data shall be made available to the final customer via the internet or the meter interface for the period of at least the previous 24 months or the period since the start of the supply contract if this is shorter.	

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Article 16(3), introductory part				
380	3. Independently of whether smart meters have been installed or not, Member States:	3. Independently of whether smart meters have been installed or not, Member States:	3. Independently of whether smart meters have been installed or not, Member States:	
Article 16(3), point (a)				
381	(a) shall require that, to the extent that information on the energy billing and historical consumption of final customers is available, it be made available, at the request of the final customer, to an energy service provider designated by the final customer;	(a) shall require that, to the extent that information on the energy billing and historical consumption of final customers is available, it be made available, at the request of the final customer, to an energy service provider designated by the final customer;	(a) shall require that, to the extent that information on the energy billing and historical consumption of final customers is available, it be made available, at the request of the final customer, to an energy service provider designated by the final customer;	
Article 16(3), point (b)				
382	(b) shall ensure that final customers are offered the option of electronic billing information and bills and that they receive, on request, a clear and understandable explanation of how their bill was derived, especially where bills are not based on actual consumption;	(b) shall ensure that final customers are offered the option of electronic billing information and bills and that they receive, on request, a clear and understandable explanation of how their bill was derived, especially where bills are not based on actual consumption;	(b) shall ensure that final customers are offered the option of electronic billing information and bills and that they receive, on request, a clear and understandable explanation of how their bill was derived, especially where bills are not based on actual consumption;	
Article 16(3), point (c)				

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383	(c) shall ensure that appropriate information is made available with the bill to provide final customers with a comprehensive account of current energy costs, in accordance with Annex VII;	(c) shall ensure that appropriate information is made available with the bill to provide final customers with a comprehensive account of current energy costs, in accordance with Annex VII;	(c) shall ensure that appropriate information is made available with the bill to provide final customers with a comprehensive account of current energy costs, in accordance with Annex VII;	
Article 16(3), point (d)				
384	(d) may lay down that, at the request of the final customer, the information contained in these bills shall not be considered to constitute a request for payment. In such cases, Member States shall ensure that suppliers of energy sources offer flexible arrangements for actual payments;	(d) may lay down that, at the request of the final customer, the information contained in these bills shall not be considered to constitute a request for payment. In such cases, Member States shall ensure that suppliers of energy sources offer flexible arrangements for actual payments;	(d) may lay down that, at the request of the final customer, the information contained in these bills shall not be considered to constitute a request for payment. In such cases, Member States shall ensure that suppliers of energy sources offer flexible arrangements for actual payments;	
Article 16(3), point (e)				
385	(e) shall require that information and estimates for energy costs are provided to consumers on demand in a timely manner and in an easily understandable format enabling consumers to compare deals on a like-for-like basis.	(e) shall require that information and estimates for energy costs are provided to consumers on demand in a timely manner and in an easily understandable format enabling consumers to compare deals on a like-for-like basis.	(e) shall require that information and estimates for energy costs are provided to consumers on demand in a timely manner and in an easily understandable format enabling consumers to compare deals on a like-for-like basis.	

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Article 17				
386	Article 17 Billing and consumption information for heating, cooling and domestic hot water	Article 17 Billing and consumption information for heating, cooling and domestic hot water	Article 17 Billing and consumption information for heating, cooling and domestic hot water	
Article 17(1), first subparagraph				
387	1. Where meters or heat cost allocators are installed, Member States shall ensure that billing and consumption information is reliable, accurate and based on actual consumption or heat cost allocator readings, in accordance with points 1 and 2 of Annex VIII for all final users.	1. Where meters or heat cost allocators are installed, Member States shall ensure that billing and consumption information is reliable, accurate and based on actual consumption or heat cost allocator readings, in accordance with points 1 and 2 of Annex VIII for all final users.	1. Where meters or heat cost allocators are installed, Member States shall ensure that billing and consumption information is reliable, accurate and based on actual consumption or heat cost allocator readings, in accordance with points 1 and 2 of Annex VIII for all final users.	
Article 17(1), second subparagraph				
388	This obligation may, where a Member State so provides, save in the case of sub-metered consumption based on heat cost allocators under Article 14, be fulfilled by a system of regular self-reading by the final customer or final user whereby they communicate readings from their	This obligation may, where a Member State so provides, save in the case of sub-metered consumption based on heat cost allocators under Article 14, be fulfilled by a system of regular self-reading by the final customer or final user whereby they communicate readings from their	This obligation may, where a Member State so provides, save in the case of sub-metered consumption based on heat cost allocators under Article 14, be fulfilled by a system of regular self-reading by the final customer or final user whereby they communicate readings from their	

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	meter. Only where the final customer or final user has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.	meter. Only where the final customer or final user has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.	meter. Only where the final customer or final user has not provided a meter reading for a given billing interval shall billing be based on estimated consumption or a flat rate.	
Article 17(2), first subparagraph, introductory part				
389	2. Member States shall:	2. Member States shall:	2. Member States shall:	
Article 17(2), first subparagraph, point (a)				
390	(a) require that, if information on the energy billing and historical consumption or heat cost allocator readings of final users is available, it be made available upon request by the final user, to an energy service provider designated by the final user;	(a) require that, if information on the energy billing and historical consumption or heat cost allocator readings of final users is available, it be made available upon request by the final user, to an energy service provider designated by the final user;	(a) require that, if information on the energy billing and historical consumption or heat cost allocator readings of final users is available, it be made available upon request by the final user, to an energy service provider designated by the final user;	
Article 17(2), first subparagraph, point (b)				
391	(b) ensure that final customers are offered the option of electronic billing information and bills;	(b) ensure that final customers are offered the option of electronic billing information and bills;	(b) ensure that final customers are offered the option of electronic billing information and bills;	
Article 17(2), first subparagraph, point (c)				

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392	(c) ensure that clear and comprehensible information is provided with the bill to all final users in accordance with point 3 of Annex VIII;	(c) ensure that clear and comprehensible information is provided with the bill to all final users in accordance with point 3 of Annex VIII;	(c) ensure that clear and comprehensible information is provided with the bill to all final users in accordance with point 3 of Annex VIII;	
Article 17(2), first subparagraph, point (d)				
393	(d) promote cybersecurity and ensure the privacy and data protection of final users in accordance with applicable Union law.	(d) promote cybersecurity and ensure the privacy and data protection of final users in accordance with applicable Union law.	(d) promote cybersecurity and ensure the privacy and data protection of final users in accordance with applicable Union law.	
Article 17(2), second subparagraph				
394	Member States may provide that, at the request of the final customer, the provision of billing information shall not be considered to constitute a request for payment. In such cases, Member States shall ensure that flexible arrangements for actual payment are offered.	Member States may provide that, at the request of the final customer, the provision of billing information shall not be considered to constitute a request for payment. In such cases, Member States shall ensure that flexible arrangements for actual payment are offered.	Member States may provide that, at the request of the final customer, the provision of billing information shall not be considered to constitute a request for payment. In such cases, Member States shall ensure that flexible arrangements for actual payment are offered.	
Article 17(3)				
395	3. Member States shall decide who	3. Member States shall decide who	3. Member States shall decide who	

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	is to be responsible for providing the information referred to in paragraphs 1 and 2 to final users without a direct or individual contract with an energy supplier.	is to be responsible for providing the information referred to in paragraphs 1 and 2 to final users without a direct or individual contract with an energy supplier.	is to be responsible for providing the information referred to in paragraphs 1 and 2 to final users without a direct or individual contract with an energy supplier.	
Article 18				
396	Article 18 Cost of access to metering and billing information for natural gas	Article 18 Cost of access to metering and billing information for natural gas	Article 18 Cost of access to metering and billing information for natural gas	
Article 18				
397	Member States shall ensure that final customers receive all their bills and billing information for energy consumption free of charge and that final customers have access to their consumption data in an appropriate way and free of charge.	Member States shall ensure that final customers receive all their bills and billing information for energy consumption free of charge and that final customers have access to their consumption data in an appropriate way and free of charge.	Member States shall ensure that final customers receive all their bills and billing information for energy consumption free of charge and that final customers have access to their consumption data in an appropriate way and free of charge.	
Article 19				
398	Article 19 Cost of access to metering and billing and consumption information for heating, cooling	Article 19 Cost of access to metering and billing and consumption information for heating, cooling	Article 19 Cost of access to metering and billing and consumption information for heating, cooling	

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	and domestic hot water	and domestic hot water	and domestic hot water	
Article 19(1)				
399	1. Member States shall ensure that final users receive all their bills and billing information for energy consumption free of charge and that final users have access to their consumption data in an appropriate way and free of charge.	1. Member States shall ensure that final users receive all their bills and billing information for energy consumption free of charge and that final users have access to their consumption data in an appropriate way and free of charge.	1. Member States shall ensure that final users receive all their bills and billing information for energy consumption free of charge and that final users have access to their consumption data in an appropriate way and free of charge.	
Article 19(2)				
400	2. Notwithstanding paragraph 1 of this Article, the distribution of costs of billing information for the individual consumption of heating, cooling and domestic hot water in multi-apartment and multi-purpose buildings pursuant to Article 14 shall be carried out on a non-profit basis. Costs resulting from the assignment of that task to a third party, such as a service provider or the local energy supplier, covering the measuring, allocation and accounting for actual individual consumption in such buildings, may be passed onto the final users	2. Notwithstanding paragraph 1 of this Article, the distribution of costs of billing information for the individual consumption of heating, cooling and domestic hot water in multi-apartment and multi-purpose buildings pursuant to Article 14 shall be carried out on a non-profit basis. Costs resulting from the assignment of that task to a third party, such as a service provider or the local energy supplier, covering the measuring, allocation and accounting for actual individual consumption in such buildings, may be passed onto the final users	2. Notwithstanding paragraph 1 of this Article, the distribution of costs of billing information for the individual consumption of heating, cooling and domestic hot water in multi-apartment and multi-purpose buildings pursuant to Article 14 shall be carried out on a non-profit basis. Costs resulting from the assignment of that task to a third party, such as a service provider or the local energy supplier, covering the measuring, allocation and accounting for actual individual consumption in such buildings, may be passed onto the final users	

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	to the extent that such costs are reasonable.	to the extent that such costs are reasonable.	to the extent that such costs are reasonable.	
Article 19(3)				
401	3. In order to ensure reasonable costs for sub-metering services as referred to in paragraph 2, Member States may stimulate competition in that service sector by taking appropriate measures, such as recommending or otherwise promoting the use of tendering and/or the use of interoperable devices and systems facilitating switching between service providers.	3. In order to ensure reasonable costs for sub-metering services as referred to in paragraph 2, Member States may stimulate competition in that service sector by taking appropriate measures, such as recommending or otherwise promoting the use of tendering and/or the use of interoperable devices and systems facilitating switching between service providers.	3. In order to ensure reasonable costs for sub-metering services as referred to in paragraph 2, Member States may stimulate competition in that service sector by taking appropriate measures, such as recommending or otherwise promoting the use of tendering and/or the use of interoperable devices and systems facilitating switching between service providers.	
CHAPTER IV				
402	CHAPTER IV CONSUMER INFORMATION AND EMPOWERMENT	CHAPTER IV CONSUMER INFORMATION AND EMPOWERMENT	CHAPTER IV CONSUMER INFORMATION AND EMPOWERMENT	
Article 20				
403	Article 20 Basic contractual rights for heating, cooling and domestic hot	Article 20 Basic contractual rights for heating, cooling and domestic hot	Article 20 Basic contractual rights for heating, cooling and domestic hot	

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	water	water	water	
Article 20(1)				
404	1. Without prejudice to Union rules on consumer protection, in particular Directive 2011/83/EU of the European Parliament and of the Council[1] and Council Directive 93/13/EEC[2], Member States shall ensure that final customers and, where explicitly referred to, final users are granted the rights provided for in paragraphs 2 to 8 of this Article. _____ 1. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64). 2. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).	1. Without prejudice to Union rules on consumer protection, in particular Directive 2011/83/EU of the European Parliament and of the Council[1] and Council Directive 93/13/EEC[2], Member States shall ensure that final customers and, where explicitly referred to, final users are granted the rights provided for in paragraphs 2 to 8 of this Article. _____ 1. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64). 2. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).	1. Without prejudice to Union rules on consumer protection, in particular Directive 2011/83/EU of the European Parliament and of the Council[1] and Council Directive 93/13/EEC[2], Member States shall ensure that final customers and, where explicitly referred to, final users are granted the rights provided for in paragraphs 2 to 8 of this Article. _____ 1. Directive 2011/83/EU of the European Parliament and of the Council of 25 October 2011 on consumer rights, amending Council Directive 93/13/EEC and Directive 1999/44/EC of the European Parliament and of the Council and repealing Council Directive 85/577/EEC and Directive 97/7/EC of the European Parliament and of the Council (OJ L 304, 22.11.2011, p. 64). 2. Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts (OJ L 95, 21.4.1993, p. 29).	
Article 20(2), first subparagraph, introductory part				
405	2. Final customers shall have the	2. Final customers shall have the	2. Final customers shall have the	

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	right to a contract with their supplier that specifies:	right to a contract with their supplier that specifies:	right to a contract with their supplier that specifies:	
Article 20(2), first subparagraph, point (a)				
406	(a) the identity and address of the supplier;		(a) the identity ~~and~~**,** address **and contact details** of the supplier;	
Article 20(2), first subparagraph, point (b)				
407	(b) the services provided and the service quality levels offered;	(b) the services provided and the service quality levels offered;	(b) the services provided and the **minimum** service quality levels ~~offered~~**included**;	
Article 20(2), first subparagraph, point (c)				
408	(c) the types of maintenance service offered;	(c) the types of maintenance service offered;	(c) the types of maintenance service ~~offered~~**included in the contract without additional charges**;	
Article 20(2), first subparagraph, point (d)				
409	(d) the means by which up-to-date information on all applicable tariffs, maintenance charges and bundled products or services may be obtained;	(d) the means by which up-to-date information on all applicable tariffs, maintenance charges and bundled products or services may be obtained;	(d) the means by which up-to-date information on all applicable tariffs, maintenance charges and bundled products or services may be obtained;	

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Article 20(2), first subparagraph, point (e)				
410	(e) the duration of the contract, the conditions for renewal and termination of the contract and services, including products or services that are bundled with those services, and whether terminating the contract without charge is permitted;	(e) the duration of the contract, the conditions for renewal and termination of the contract and services, including products or services that are bundled with those services, and whether terminating the contract without charge is permitted;	(e) the duration of the contract, the conditions for renewal and termination of the contract and services, including products or services that are bundled with those services, and whether terminating the contract without charge is permitted;	
Article 20(2), first subparagraph, point (f)				
411	(f) any compensation and the refund arrangements which apply if contracted service quality levels are not met, including inaccurate or delayed billing;	(f) any compensation and the refund arrangements which apply if contracted service quality levels are not met, including inaccurate or delayed billing;	(f) any compensation and the refund arrangements which apply if contracted service quality levels are not met, including inaccurate or delayed billing;	
Article 20(2), first subparagraph, point (g)				
412	(g) the method of initiating an out-of-court dispute settlement procedure in accordance with Article 21;	(g) the method of initiating an out-of-court dispute settlement procedure in accordance with Article 21;	(g) the method of initiating an out-of-court dispute settlement procedure in accordance with Article 21;	
Article 20(2), first subparagraph, point (h)				

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413	(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site.	(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site ***and includes the contact details or link to the web site of the single point of contact referred to in Article 21***.	(h) information relating to consumer rights, including information on complaint handling and all of the information referred to in this paragraph, which is clearly communicated on the bill or the undertaking's web site~~.~~**;**	
Article 20(2), first subparagraph, point (ha)				
413a			**(i) the contact details enabling the customer to identify relevant one-stop-shops referred to in point (i) of the thiurd subparagraph of Article 21(2).**	
Article 20(2), second subparagraph				
414	Conditions shall be fair and known in advance. In any case, this information shall be provided prior to the conclusion or confirmation of the contract. Where contracts are concluded through intermediaries, the information relating to the	Conditions shall be fair and known in advance. In any case, this information shall be provided prior to the conclusion or confirmation of the contract. Where contracts are concluded through intermediaries, the information relating to the	Conditions shall be fair and known in advance. In any case, this information shall be provided prior to the conclusion or confirmation of the contract. Where contracts are concluded through intermediaries, the information relating to the	

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	matters set out in this paragraph shall also be provided prior to the conclusion of the contract.	matters set out in this paragraph shall also be provided prior to the conclusion of the contract.	matters set out in this paragraph shall also be provided prior to the conclusion of the contract.	
Article 20(2), third subparagraph				
415	Final customers and final users shall be provided with a summary of the key contractual conditions in a comprehensible manner and in concise and simple language.	Final customers and final users shall be provided with a summary of the key contractual conditions in a comprehensible manner and in concise and simple language.	Final customers and final users shall be provided with a summary of the key contractual conditions**, including prices and tariffs,** in a comprehensible manner and in concise and simple language.	
Article 20(2a)				
415a		***2a. Suppliers shall provide final customers and final users with a copy of the contract, transparent information on applicable prices and tariffs and on standard terms and conditions in respect of access to and use of heating, cooling and domestic hot water services.***		
Article 20(3)				
416	3. Final customers shall be given adequate notice of any intention to modify contractual conditions.	3. Final customers shall be given adequate notice of any intention to modify contractual conditions.	3. Final customers shall be given adequate notice of any intention to modify contractual conditions **and**	

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	Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect.	Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect. ***Final customers shall be informed of their right to terminate a contract if they do not accept the new contractual conditions or adjustments in the price notified to them by the supplier in accordance to the contract. Final customers shall inform final users of the intended contractual changes without delay.***	**the possibility to terminate their contract if they do not accept the new conditions**. Suppliers shall notify their final customers, in a transparent and comprehensible manner, directly of any adjustment in the supply price and of the reasons and preconditions for the adjustment and its scope, at an appropriate time no later than two weeks, or no later than one month in the case of household customers, before the adjustment comes into effect. **The termination of contract shall not result in extra cost to the final customer.**	
Article 20(4)				
417	4. Suppliers shall offer final customers a wide choice of payment methods. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment	4. Suppliers shall offer final customers a wide choice of payment methods. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment	4. Suppliers shall offer final customers a wide choice of payment methods. Such payment methods shall not unduly discriminate between customers. Any difference in charges related to payment methods or prepayment	

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	systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council[1]. _____ 1. Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.	systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council[1]. _____ 1. Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.	systems shall be objective, non-discriminatory and proportionate and shall not exceed the direct costs borne by the payee for the use of a specific payment method or a prepayment system, in line with Article 62 of Directive (EU) 2015/2366 of the European Parliament and of the Council[1]. _____ 1. Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC, OJ L 337, 23.12.2015, p. 35–127.	
Article 20(5)				
418	5. Pursuant to paragraph 6, household customers who have access to prepayment systems shall not be placed at a disadvantage by the prepayment systems.	5. Pursuant to paragraph 6, household customers who have access to prepayment systems shall not be placed at a disadvantage by the prepayment systems.	5. Pursuant to paragraph 6, household customers who have access to prepayment systems shall not be placed at a disadvantage by the prepayment systems.	
Article 20(6)				
419	6. Suppliers shall offer final customers and final users fair and	6. Suppliers shall offer final customers and, ***where applicable,***	6. Suppliers shall offer final customers and final users fair and	

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	transparent general terms and conditions, which shall be provided in plain and unambiguous language and shall not include non-contractual barriers to the exercise of customers' rights, such as excessive contractual documentation. Final users shall be provided access to these general terms and conditions upon request. Final customers and final users shall be protected against unfair or misleading selling methods. Final customers with disabilities shall be provided all relevant information on their contract with their supplier in accessible formats.	final users fair and transparent general terms and conditions, which shall be provided in plain and unambiguous language and shall not include non-contractual barriers to the exercise of customers' rights, such as excessive contractual documentation. Final users shall be provided access to these general terms and conditions upon request. Final customers and final users shall be protected against unfair or misleading selling methods. Final customers with disabilities shall be provided all relevant information on their contract with their supplier in accessible formats.	transparent general terms and conditions, which shall be provided in plain and unambiguous language and shall not include non-contractual barriers to the exercise of customers' rights, such as excessive contractual documentation. Final users shall be provided access to these general terms and conditions upon request. Final customers and final users shall be protected against unfair or misleading selling methods. Final customers with disabilities shall be provided all relevant information on their contract with their supplier in accessible formats.	
Article 20(7)				
420	7. Final customers and final users shall have the right to a good standard of service and complaint handling by their suppliers. Suppliers shall handle complaints in a simple, fair and prompt manner.	7. Final customers and final users shall have the right to a good standard of service and complaint handling by their suppliers. Suppliers shall handle complaints in a simple, fair and prompt manner.	7. Final customers and final users shall have the right to a good standard of service and complaint handling by their suppliers. Suppliers shall handle complaints in a simple, fair and prompt manner.	
Article 20(7a)				

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420a		***7a. Competent authorities responsible for the enforcement of the consumer protection measures laid down in this Directive shall be independent from market interests and shall be able to take administrative decisions.***		
Article 20(7a)				
420b			**7a. In case of planned disconnection, suppliers shall provide the customers concerned with adequate information on alternative measures sufficiently in advance and at no extra cost. Such alternative measures may refer to sources of support to avoid disconnection, prepayment systems, energy audits, energy consultancy services, alternative payment plans, debt management advice or disconnection moratoria.**	
Article 21				
421	Article 21	Article 21	Article 21	

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	Information and awareness raising	Information and awareness raising	Information and awareness raising	
Article 21(1)				
422	1. Member States shall ensure that information on available energy efficiency improvement measures, individual actions and financial and legal frameworks is transparent and widely disseminated to all relevant market actors, such as final customers, final users,, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.	1. Member States***, in cooperation with regional and local authorities,*** shall ensure that information on available energy efficiency improvement measures, individual actions and financial and legal frameworks is transparent***, accessible*** and widely disseminated to all relevant market actors, such as final customers, final users~~,~~, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.	1. Member States shall ensure that information on available energy efficiency improvement measures, individual actions and financial and legal frameworks is transparent and widely disseminated to all relevant market actors, such as final customers, final users,, consumer organisations, civil society representatives, renewable energy communities, citizen energy communities, local and regional authorities, energy agencies, social service providers, builders, architects, engineers, environmental and energy auditors, and installers of building elements as defined in by Article 2(9) of Directive 2010/31/EU.	
Article 21(2), first subparagraph				
423	2. Member States shall take appropriate measures to promote	2. Member States shall take appropriate measures to promote	2. Member States shall take appropriate measures to promote	

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	and facilitate an efficient use of energy by final customers and final users . These measures shall be part of a national strategy such as the integrated national energy and climate plan in accordance with Regulation (EU) 2018/1999, or the long term renovation strategy as defined in Directive 2010/31/EU .	and facilitate an efficient use of energy by final customers and final users. These measures shall be part of a national strategy such as the integrated national energy and climate plan in accordance with Regulation (EU) 2018/1999, or the long term renovation strategy as defined in Directive ~~2010/31/EU~~ ***[recast EPBD - 2021/0426 (COD)]***.	and facilitate an efficient use of energy by final customers and final users . These measures shall be part of a national strategy such as the integrated national energy and climate plan in accordance with Regulation (EU) 2018/1999, or the long term renovation strategy as defined in Directive 2010/31/EU .	
Article 21(2), second subparagraph, introductory part				
424	For the purposes of this Article, these measures shall include a range of instruments and policies to promote behavioural change such as :	For the purposes of this Article, these measures shall include a range of instruments and policies to promote behavioural change such as :	For the purposes of this Article, these measures shall include a range of instruments and policies to promote behavioural change such as :	
Article 21(2), second subparagraph , point(i)				
425	(i) fiscal incentives;	(i) fiscal incentives;	(i) fiscal incentives;	
Article 21(2), second subparagraph, point(ii)				
426	(ii) access to finance, vouchers, grants or subsidies;	(ii) access to finance, vouchers, grants or subsidies;	(ii) access to finance, vouchers, grants or subsidies;	

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Article 21(2), second subparagraph, point(ii)(a)				
426a		***(ii a) the availability of publicly-supported energy audits and tailored-made advisory services and support for household consumers, in particular vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing;***		
Article 21(2), second subparagraph, point(ii)(b)				
426b		***(ii b) tailored-made advisory services for SMEs and microenterprises;***		
Article 21(2), second subparagraph, point(iii)				
427	(iii) information provision in accessible form to people with disabilities ;	(iii) information provision in accessible form to people with disabilities ;	(iii) information provision in accessible form to people with disabilities ;	
Article 21(2), second subparagraph, point(iv)				
428	(iv) exemplary projects;	(iv) exemplary projects;	(iv) exemplary projects;	
Article 21(2), second subparagraph, point(v)				

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429	(v) workplace activities;	(v) workplace activities;	(v) workplace activities;	
Article 21(2), second subparagraph, point(vi)				
430	(vi) training activities;	(vi) training activities;	(vi) training activities;	
Article 21(2), second subparagraph, point(vii)				
431	(vii) digital tools.	(vii) digital tools.	(vii) digital tools.	
Article 21(2), second subparagraph(vii)(a)				
431a		***(vii a)*** ***engagement strategies.***		
Article 21(2), third subparagraph, introductory part				
432	For the purposes of this article, these measures shall also include but not be limited to the following ways and means to engage market actors such as those referred in paragraph 1 :	For the purposes of this article, these measures shall also include but not be limited to the following ways and means to engage market actors such as those referred in paragraph 1 :	For the purposes of this article, these measures shall ~~also~~ include ~~but not be limited to the following ways and means to engage~~**the creation of a supportive framework for** market actors such as those referred in paragraph 1**, in particular for the**~~-~~:	
Article 21(2), third subparagraph, point(i)				

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433	(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including energy renovations of buildings and the take-up of renewable energy for buildings to final customers and final users, especially household and small non-household ones.	(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including ***onsite energy checks for households,*** energy renovations of buildings***, information on the replacement of old and inefficient heating systems with modern and more efficient appliances*** and the take-up of renewable energy ***and energy storage*** for buildings to final customers and final users, especially household and small non-household ones~~.~~***, including SMEs and microenterprises;***	(i) creation of one-stop shops or similar mechanisms for the provision of technical, administrative and financial advice and assistance on energy efficiency, including energy renovations of buildings and the take-up of renewable energy for buildings to final customers and final users, especially household and small non-household ones.	
Article 21(2), third subparagraph, point(i)(a)				
433a		***(i a) cooperation with private actors that provide services such as energy audits, financing solutions and execution of energy renovations and promotion of such services;***		
Article 21(2), third subparagraph, point (ii)				

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434	(ii) communication of:	(ii) communication of:	(ii) communication of:	
Article 21(2), third subparagraph(ii), point(ii)				
435	cost-effective and easy-to-achieve changes in energy use;	cost-effective and easy-to-achieve changes in energy use;	cost-effective and easy-to-achieve changes in energy use;	
Article 21(2), third subparagraph, point (iii)				
436	(iii) dissemination of information on energy efficiency measures and financing instruments ;	(iii) dissemination of information on energy efficiency measures and financing instruments ;	(iii) dissemination of information on energy efficiency measures and financing instruments ;	
Article 21(2), third subparagraph, point (iv)				
437	(iv) provision of single points of contact, to provide final customers and final users with all necessary information concerning their rights, the applicable law and dispute settlement mechanisms available to them in the event of a dispute. Such single points of contact may be part of general consumer information points.	(iv) provision of single points of contact, to provide final customers and final users with all necessary information concerning their rights, the applicable law and dispute settlement mechanisms available to them in the event of a dispute. Such single points of contact may be part of general consumer information points.	(iv) provision of single points of contact, to provide final customers and final users with all necessary information concerning their rights, the applicable law and dispute settlement mechanisms available to them in the event of a dispute. Such single points of contact may be part of general consumer information points.	
Article 21(2a) first subparagraph, introductory part				

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437a		***2a. For the purpose of this Article, Member States shall engage with relevant authorities and private stakeholders for the purpose of developing dedicated local, regional or national one-stop shops for energy efficiency. Those one-stop shops shall be cross-sectoral and interdisciplinary and lead to locally developed projects by:***		
Article 21(2a) first subparagraph ,point (a)				
437b		***(a) advising and providing streamlined information on technical and financial possibilities and solutions to households, SMEs, microenterprises, public bodies;***		
Article 21(2a), first subparagraph, point (b)				
437c		***(b) connecting potential projects with market players, in particular smaller-scale projects;***		
Article 21(2a), first subparagraph, point (c)				

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437d		*(c) advising on energy consumption behaviour with the aim of actively engaging the consumers;*		
Article 21(2a), first subparagraph, point (d)				
437e		*(d) providing information on training programmes and education to ensure more energy efficiency professionals and to re-skill and up-skill professionals in order to meet the market needs;*		
Article 21(2a), first subparagraph, point (e)				
437f		*(e) collecting and submitting typology aggregated data from energy efficiency projects facilitated by the one-stop-shops to the Commission, which shall be published by the Commission in a report every second year in order to share experiences and enhance cross-border cooperation between Member States in order to promote best practice examples from different building, housing and enterprise typologies;*		

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Article 21(2a), point (f)				
437g		***(f) providing holistic support to all households, with a special attention to households in energy poverty and worst performing buildings, as well as to accredited companies and installers providing retrofit services, adapted to different housing typologies and geographical scope, and providing support covering the different stages of the retrofit project in particular to facilitate the implementation of Minimum Energy Performance Standards provided for in Article 9 of Directive ... [recast EPBD - 2021/0426 (COD)];***		
Article 21(2a), first subparagraph, point (g)				
437h		***(g) developing services for energy poor, vulnerable consumers and low-income households.***		
Article 21(2a), second subparagraph				
437i				

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		Member States shall work together with local and regional authorities to encourage cooperation among public bodies, energy agencies and community-led initiatives and to promote, develop and upscale one-stop shops through an integrated process. The Commission shall provide Member States with guidelines to develop those one-stop shops with the aim of creating a harmonised approach throughout the Union.		
Article 21(3)				
438	3. Member States shall establish appropriate conditions for market actors to provide adequate and targeted information and advice to final consumers , including vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing on energy efficiency.	3. Member States shall establish appropriate conditions for market ~~actors~~ ***actors*** to provide adequate and targeted information and advice to final consumers , including vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing~~–~~ on energy efficiency***, SMEs and microenterprises***.	3. Member States shall establish appropriate conditions for market actors to provide adequate and targeted information and advice to final consumers , including vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing on energy efficiency.	
Article 21(4), first subparagraph				

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439	4. Member States shall ensure that final customers, final users, vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, have access to simple, fair, transparent, independent, effective and efficient out-of-court mechanisms for the settlement of disputes concerning rights and obligations established under this Directive, through an independent mechanism such as an energy ombudsperson or a consumer body, or through a regulatory authority. Where the final customer is a consumer as defined in Article 4(1)(a) of Directive 2013/11/EU of the European Parliament and of the Council[1], such out-of-court dispute settlement mechanisms shall comply with the requirements set out therein. _____ 1. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63).	4. Member States shall ensure that final customers, final users, vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, have access to simple, fair, transparent, independent, effective and efficient out-of-court mechanisms for the settlement of disputes concerning rights and obligations established under this Directive, through an independent mechanism such as an energy ombudsperson or a consumer body, or through a regulatory authority. Where the final customer is a consumer as defined in Article 4(1)(a) of Directive 2013/11/EU of the European Parliament and of the Council[1], such out-of-court dispute settlement mechanisms shall comply with the requirements set out therein. _____ 1. Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63).	4. Member States shall ensure that final customers, final users, vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, have access to simple, fair, transparent, independent, effective and efficient out-of-court mechanisms for the settlement of disputes concerning rights and obligations established under this Directive, through an independent mechanism such as an energy ombudsperson or a consumer body, or through a regulatory authority. Where the final customer is a consumer as defined in Article 4(1)(a) of Directive 2013/11/EU of the European Parliament and of the Council[1], such out-of-court dispute settlement mechanisms shall comply with the requirements set out therein. **Out of court dispute settlement mechanisms already existing in Member States may be used for this purpose, provided they are equally effective.** _____ 1. Directive 2013/11/EU of the European	

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			Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR) (OJ L 165, 18.6.2013, p. 63).	
Article 21(4), second subparagraph				
440	Where necessary, Member States shall ensure that alternative dispute resolution entities cooperate to provide simple, fair, transparent, independent, effective and efficient out-of-court dispute settlement mechanisms for any dispute that arises from products or services that are tied to, or bundled with, any product or service falling under the scope of this Directive.	Where necessary, Member States shall ensure that alternative dispute resolution entities cooperate to provide simple, fair, transparent, independent, effective and efficient out-of-court dispute settlement mechanisms for any dispute that arises from products or services that are tied to, or bundled with, any product or service falling under the scope of this Directive.	Where necessary, Member States shall ensure that alternative dispute resolution entities cooperate to provide simple, fair, transparent, independent, effective and efficient out-of-court dispute settlement mechanisms for any dispute that arises from products or services that are tied to, or bundled with, any product or service falling under the scope of this Directive.	
Article 21(4), third subparagraph				
441	The participation of undertakings in out-of-court dispute settlement mechanisms for household customers shall be mandatory unless the Member State demonstrates to the Commission that other mechanisms are equally effective.	The participation of undertakings in out-of-court dispute settlement mechanisms for household customers shall be mandatory unless the Member State demonstrates to the Commission that other mechanisms are equally effective.	The participation of undertakings in out-of-court dispute settlement mechanisms for household customers shall be mandatory unless the Member State demonstrates to the Commission that other mechanisms are equally effective.	

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Article 21(5), first subparagraph				
442	5. Without prejudice to the basic principles of their property and tenancy law, Member States shall take necessary measures to remove regulatory and non-regulatory barriers to energy efficiency, as regards the split of incentives between the owners and tenants or among owners of a building or building unit , with a view to ensuring that these parties are not deterred from making efficiency-improving investments that they would otherwise have made by the fact that they will not individually obtain the full benefits or by the absence of rules for dividing the costs and benefits between them;	5. Without prejudice to the basic principles of their property and tenancy law, Member States shall take necessary measures to remove regulatory and non-regulatory barriers to energy efficiency, as regards the split of incentives between the owners and tenants or among owners of a building or building unit , with a view to ensuring that these parties are not deterred from making efficiency-improving investments that they would otherwise have made by the fact that they will not individually obtain the full benefits or by the absence of rules for dividing the costs and benefits between them;	5. Without prejudice to the basic principles of their property and tenancy law, Member States shall take necessary measures to remove regulatory and non-regulatory barriers to energy efficiency, as regards the split of incentives between the owners and tenants or among owners of a building or building unit , with a view to ensuring that these parties are not deterred from making efficiency-improving investments that they would otherwise have made by the fact that they will not individually obtain the full benefits or by the absence of rules for dividing the costs and benefits between them;	
Article 21(5), second subparagraph				
443	Measures to remove such barriers may include providing incentives, repealing or amending legal or regulatory provisions, or adopting guidelines and interpretative	Measures to remove such– barriers may include providing incentives, ***including on financing and the possibility to turn to third-party financing solutions,*** repealing or	Measures to remove such– barriers may include providing incentives, repealing or amending legal or regulatory provisions, or adopting guidelines and interpretative	

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	communications, or simplifying administrative procedures, including national rules and measures regulating decision-making processes in multi-owner properties . The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1 .	amending legal or regulatory provisions, or adopting guidelines and interpretative communications, or simplifying administrative procedures , including national rules and measures regulating decision-making processes in multi-owner properties . The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1-.	communications, or simplifying administrative procedures, including national rules and measures regulating decision-making processes in multi-owner properties**, and the possibility to turn to third-party financing solutions**-. The measures may be combined with the provision of education, training and specific information and technical assistance on energy efficiency to market actors such as those referred in paragraph 1 .	
Article 21(5), third subparagraph				
444	Member States shall take appropriate measures to support a multilateral dialogue with the participation of relevant public and social partners such as owners and tenants organisations, consumer organisations, renewable energy communities, citizen energy communities local and regional authorities, relevant public authorities and agencies and the aim to set out proposals on jointly accepted measures, incentives and guidelines pertinent to the split of	Member States shall take appropriate measures to support a multilateral dialogue with the participation of relevant ***local and regional authorities,*** public and social partners such as owners and tenants organisations, consumer organisations***, energy distributors or retail energy sales companies, ESCOs***, renewable energy communities, citizen energy communities local and regional authorities, relevant public authorities and agencies and the	Member States shall take appropriate measures to support a multilateral dialogue with the participation of relevant public and social partners such as owners and tenants organisations, consumer organisations, renewable energy communities, citizen energy communities local and regional authorities, relevant public authorities and agencies and the aim to set out proposals on jointly accepted measures, incentives and guidelines pertinent to the split of	

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	incentives between the owners and tenants or among owners of a building or building unit.	aim to set out proposals on jointly accepted measures, incentives and guidelines pertinent to the split of incentives between the owners and tenants or among owners of a building or building unit.	incentives between the owners and tenants or among owners of a building or building unit.	
Article 21(5), fourth subparagraph				
445	Each Member State shall report such barriers and the measures taken in its long-term renovation strategy pursuant to Article 2a of Directive 2010/31/EU and Regulation (EU) 2018/1999.	Each Member State shall report such barriers and the measures taken in its long-term renovation strategy pursuant to Article 2a of Directive 2010/31/EU and Regulation (EU) 2018/1999.	Each Member State shall report such barriers and the measures taken in its long-term renovation strategy pursuant to Article 2a of Directive 2010/31/EU and Regulation (EU) 2018/1999.	
Article 21(6)				
446	6. The Commission shall encourage the exchange and wide dissemination of information on good energy efficiency practices and methodologies to mitigate the split of incentives in Member States.	6. The Commission shall encourage the exchange and wide dissemination of information on good energy efficiency practices and methodologies ***and provide technical assistance*** to mitigate the split of incentives in Member States.	6. The Commission shall encourage the exchange and wide dissemination of information on good energy efficiency practices and methodologies to mitigate the split of incentives in Member States.	
Article 21a				
446a				

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		Article 21a ***Partnerships for energy efficiency***		
Article 21a(1)				
446b		***1. By ... [12 months after the date of entry into force of this Directive], the Commission shall establish European sector-specific energy efficiency partnerships by bringing together key stakeholders, including the social partners, in sectors such as ICT, transport, financial and building sectors, in an inclusive and representative manner. The Commission shall appoint a chair for each European sector-specific energy efficiency partnership.***		
Article 21a(2)				
446c		***2. The partnerships referred to in paragraph 1 shall facilitate climate dialogues and encourage sectors to draw up energy efficiency roadmaps in order to map available measures and technological options to achieve energy efficiency savings, prepare***		

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		for renewable energy and decarbonise the sectors. Such roadmaps shall make a valuable contribution in assisting sectors in planning the necessary investments needed to reach the objectives of this Directive and of Regulation (EU) 2021/1119 as well as facilitate cross-border cooperation between actors to strengthen the internal market of the Union.		
Article 22				
447	Article 22 Empowering and protecting vulnerable customers and alleviating energy poverty	Article 22 Empowering and protecting vulnerable customers and alleviating energy poverty	Article 22 Empowering and protecting vulnerable customers and alleviating energy poverty	
Article 22(1) , first subparagraph				
448	1. Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.	1. Member States shall ***develop a robust long-term strategy and*** take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and ***low-income households and***, where applicable, people living in social housing.	1. **Without prejudice to their national economic and social policies,** Member States shall take appropriate measures to empower and protect people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing.	

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Article 22(2),second subparagraph				
449	In defining the concept of vulnerable customers pursuant to Articles 28(1) and 29 of Directive (EU) 2019/944 and Article 3(3) of Directive 2009/73/EC, Member States shall take into account final users.	In defining the concept of vulnerable customers pursuant to Articles 28(1) and 29 of Directive (EU) 2019/944 and Article 3(3) of Directive 2009/73/EC, Member States shall take into account final users.	In defining the concept of vulnerable customers pursuant to Articles 28(1) and 29 of Directive (EU) 2019/944 and Article 3(3) of Directive 2009/73/EC, Member States shall take into account final users.	
Article 22(2)				
450	2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing to alleviate energy poverty.	2. Member States shall implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers***, low-income households*** and, where applicable, people living in social housing to alleviate energy poverty. ***Member States shall introduce proper monitoring and evaluation instruments to ensure that people affected by energy poverty are supported by energy efficiency improvement***	2. Member States ~~shall~~**may** implement energy efficiency improvement measures and related consumer protection or information measures, in particular those set out in Article 21 and Article 8(3), as a priority among people affected by energy poverty, vulnerable customers and, where applicable, people living in social housing to alleviate energy poverty.	

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		measures.		
Article 22(3), introductory part				
451	3. To support vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, Member States shall:	3. To support vulnerable customers, people affected by energy poverty***, low-income households,*** and, where applicable, people living in social housing, Member States shall:	3. To support vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, Member States ~~shall~~**may**:	
Article 22(3|), point a				
452	a) implement energy efficiency improvement measures to mitigate distributional effects from other policies and measures, such as taxation measures implemented according to Article 10 of this Directive, or the application of emission trading in the buildings and transport sector according to the ETS Directive [COM(2021) 551 final, 2021/0211 (COD)];	a) implement energy efficiency improvement measures to mitigate distributional effects from other policies and measures, such as taxation measures implemented according to Article 10 of this Directive, or the application of emission trading in the buildings and transport sector according to the ETS Directive [COM(2021) 551 final, 2021/0211 (COD)];	a) implement energy efficiency improvement measures to mitigate distributional effects from other policies and measures, such as taxation measures implemented according to Article 10 of this Directive, or the application of emission trading in the buildings and transport sector according to the ETS Directive [COM(2021) 551 final, 2021/0211 (COD)];	
Article 22(3), point (aa)				
452a		***(aa) ensure that measures to promote or facilitate energy***		

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		efficiency, in particular those concerning buildings and mobility, do not lead to a disproportionate increase in the cost of these services or to greater social exclusion;		
Article 22(3), point (b)				
453	b) make the best possible use of public funding available at national and Union level, including, where applicable, the financial contribution Member State received from the Social Climate Fund pursuant to [Article 9 and Article 14 of the Social Climate Fund Regulation, COM 2021 568 final], and revenues from allowance auctions from emission trading pursuant to the EU ETS [COM(2021) 551 final, 2021/0211 (COD)], for investments into energy efficiency improvement measures as priority actions;	b) make the best possible use of public funding available at national and Union level, including, where applicable, the financial contribution Member State received from the Social Climate Fund pursuant to [Article 9 and Article 14 of the Social Climate Fund Regulation, COM 2021 568 final], and revenues from allowance auctions from emission trading pursuant to the EU ETS [COM(2021) 551 final, 2021/0211 (COD)], for investments into energy efficiency improvement measures as priority actions;	b) make the best possible use of public funding available at national and Union level, including, where applicable, the financial contribution Member State received from the Social Climate Fund pursuant to [Article 9 and Article 14 of the Social Climate Fund Regulation, COM 2021 568 final], and revenues from allowance auctions from emission trading pursuant to the EU ETS [COM(2021) 551 final, 2021/0211 (COD)], for investments into energy efficiency improvement measures as priority actions;	
Article 22(3), point(c)				
454	c) where applicable, carry out early, forward-looking investments	c) where applicable, carry out early, forward-looking investments	c) where applicable, carry out early, forward-looking investments	

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	into energy efficiency improvement measures before distributional impacts from other policies and measures show effect;	into energy efficiency improvement measures ***such as the retrofitting of heating, cooling and ventilation systems,*** before distributional impacts from other policies and measures show effect;	into energy efficiency improvement measures before distributional impacts from other policies and measures show effect;	
Article 22(3), point (d)				
455	d) foster technical assistance and the roll-out of enabling funding and financial tools, such as on-bill schemes, local loan-loss reserve, guarantee funds, funds targeting deep renovations and renovations with minimum energy gains;	d) foster technical assistance ***that facilitates the exchange of best practices on reforms of the regulatory frameworks like property and rental laws in relation to energy efficiency measures*** and the roll-out of enabling funding and financial tools, such as on-bill schemes, local loan-loss reserve, guarantee funds, funds targeting deep renovations and renovations with minimum energy gains;	d) foster technical assistance and the roll-out of enabling funding and financial tools, such as on-bill schemes, local loan-loss reserve, guarantee funds, funds targeting deep renovations and renovations with minimum energy gains;	
Article 22(3), point(e)				
456	e) foster technical assistance for social actors to promote vulnerable customer´s active engagement in the energy market, and positive changes in their energy	e) foster technical assistance for social actors to promote vulnerable customer´s active engagement in the energy market, and positive changes in their energy	e) foster technical assistance for social actors to promote vulnerable customer´s active engagement in the energy market, and positive changes in their energy	

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	consumption behaviour;	consumption behaviour;	consumption behaviour;	
Article 22(3), point (f)				
457	f) ensure access to finance, grants or subsidies bound to minimum energy gains.	f) ensure access to finance, grants or subsidies bound to minimum energy gains ***and facilitate access to affordable bank loans or dedicated credit lines***.	f) ensure access to finance, grants or subsidies bound to minimum energy gains.	
Article 22(3a)				
457a		***3a. Member States shall take appropriate measures to protect people affected by energy poverty, low-income households, vulnerable customers and, where applicable, people living in social housing against unfair price setting and price increases in the supply of heating, cooling and domestic hot water.***		
Article 22(4), first subparagraph				
458	4. Member States shall establish a network of experts from various sectors such as health sector, building sector and social sectors	4. Member States shall establish a network of experts from various sectors such as health sector, ***energy sector,*** building sector**,**	4. Member States shall establish ~~a~~**or entrust an existing** network of experts from various sectors such as health sector, building sector	

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	to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.	***heating and cooling sector*** and social sectors***, including local and regional energy agencies where applicable,*** to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures alleviating energy poverty, measures to generate robust long term solutions to mitigate energy poverty and to develop appropriate technical assistance and financial tools. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of people in all their diversity.	and social sectors to develop strategies to support local and national decision makers in implementing energy efficiency improvement measures ~~alleviating energy poverty, measures to generate robust long term solutions to mitigate~~**and technical assistance and financial tools aimed at alleviating** energy poverty~~ and to develop appropriate technical assistance and financial tools~~. Member States shall strive to ensure a network of experts' composition that ensures gender balance and reflects the perspectives of ~~people in all their diversity~~**all** .	
Article 22(4), second subparagraph, introductory part				
459	Member States may entrust the same network of experts:	~~*Member States may entrust*~~ The same network of experts ***shall support Member States***:	Member States may entrust the same network of experts **to offer advice on**:	
Article 22(4), second subparagraph, point (a)				
460	a) to establish national definitions, indicators and criteria of energy poverty, energy poor and concepts	a) to establish national definitions, indicators and criteria of energy poverty, energy poor and concepts	a) ~~to establish~~ national definitions, indicators and criteria of energy poverty, energy poor and concepts	

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	of vulnerable customers, including final users;	of vulnerable customers, including final users;	of vulnerable customers, including final users;	
Article 22(4), second subparagraph, point(b)				
461	b) to develop or improve relevant indicators and data sets, pertinent to the issue of energy poverty, that should be used and reported upon;	b) to develop or improve relevant indicators and data sets, pertinent to the issue of energy poverty, that should be used and reported upon;	b) ~~to develop or improve~~**the development or improvement of** relevant indicators and data sets, pertinent to the issue of energy poverty, that should be used and reported upon;	
Article 22(4), second subparagraph, point(c)				
462	c) to set up methods and measures to ensure affordability, the promotion of housing cost neutrality, or ways to ensure that public funding invested in energy efficiency improvement measures benefit both, owners and tenants, of buildings and building units, in particular regarding vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing;	c) to set up methods and measures to ensure affordability, the promotion of housing cost neutrality, or ways to ensure that public funding invested in energy efficiency improvement measures benefit both, owners and tenants, of buildings and building units, in particular regarding vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing;	c) ~~to set up~~ methods and measures to ensure affordability **of living costs**, the promotion of housing cost neutrality, or ways to ensure that public funding invested in energy efficiency improvement measures benefit both, owners and tenants, of buildings and building units, in particular regarding vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing;	
Article 22(4), second subparagraph, point(d)				

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463	d) to assess, and where applicable, propose measures to prevent or remedy situations in which particular groups are more affected or more at risk of being affected by energy poverty or more susceptible to the adverse impacts of energy poverty, such as women, persons with disabilities, older persons, children, and persons with a minority racial or ethnic background.	d) to assess, and where applicable, propose measures to prevent or remedy situations in which particular groups are more affected or more at risk of being affected by energy poverty or more susceptible to the adverse impacts of energy poverty, such as women, persons with disabilities, older persons, children, and persons with a minority racial or ethnic background.	d) ~~to assess, and where applicable, propose~~ measures to prevent or remedy situations in which particular groups are more affected or more at risk of being affected by energy poverty or more susceptible to the adverse impacts of energy poverty~~, such as women, persons with disabilities, older persons, children, and persons with a minority racial or ethnic background~~ .	
CHAPTER V				
464	CHAPTER V EFFICIENCY IN ENERGY SUPPLY	CHAPTER V EFFICIENCY IN ENERGY SUPPLY	CHAPTER V EFFICIENCY IN ENERGY SUPPLY	
Article 23				
465	Article 23 Heating and cooling assessment and planning	Article 23 Heating and cooling assessment and planning	Article 23 Heating and cooling assessment and planning	
Article 23(1)				
466	1. As part of its integrated national	1. As part of its integrated national	1. As part of ~~its~~**the** integrated	

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	energy and climate plan, its subsequent integrated national energy and climate plan and respective progress reports notified in accordance with Regulation (EU) 2018/1999, each Member State shall notify to the Commission a comprehensive heating and cooling assessment. That comprehensive assessment shall contain the information set out in Annex IX and shall be accompanied with the assessment carried out pursuant to Article 15(7) of Directive (EU) 2018/2001.	energy and climate plan, its subsequent integrated national energy and climate plan and respective progress reports notified in accordance with Regulation (EU) 2018/1999, each Member State shall notify to the Commission a comprehensive heating and cooling assessment***, including the mapping of areas identified for new heating and cooling networks***. That comprehensive assessment shall contain the information set out in Annex IX and shall be accompanied with the assessment carried out pursuant to Article 15(7) of Directive (EU) 2018/2001.	national energy and climate ~~plan, its subsequent integrated national energy and climate plan and respective progress reports notified~~**plans and their updates (as from June 2024),** in accordance with Regulation (EU) 2018/1999, each Member State shall notify to the Commission a comprehensive heating and cooling assessment. That comprehensive assessment shall contain the information set out in Annex IX and shall be accompanied with the assessment carried out pursuant to Article 15(7) of Directive (EU) 2018/2001.	
Article 23(2)				
467	2. Member States shall ensure that the public is given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.	2. Member States shall ensure that ~~*the*~~***all relevant parties, including*** public ~~*is*~~***and private stakeholders, are*** given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.	2. Member States shall ensure that **stakeholders, affected by the comprehensive assessment, are**~~the public is~~ given the opportunity to participate in the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures**, subject to national laws protecting trade and business**	

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			secrets and confidentiality..	
Article 23(3), first subparagraph				
468	3. For the purpose of the assessment referred to in paragraph 1, Member States shall carry out a cost-benefit analysis covering their territory and based on climate conditions, economic feasibility and technical suitability. The cost-benefit analysis shall be capable of facilitating the identification of the most resource- and cost-efficient solutions to meeting heating and cooling needs. That cost-benefit analysis may be part of an environmental assessment under Directive 2001/42/EC of the European Parliament and of the Council[1]. _____ 1. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).	3. For the purpose of the assessment referred to in paragraph 1, Member States shall carry out a cost-benefit analysis covering their territory and based on climate conditions, economic feasibility and technical suitability. The cost-benefit analysis shall be capable of facilitating the identification of the most resource- and cost-efficient solutions to meeting heating and cooling needs***, taking into account overall system efficiency, power system adequacy and resiliency, and the energy efficiency first principle***. That cost-benefit analysis may be part of an environmental assessment under Directive 2001/42/EC of the European Parliament and of the Council[1]. _____ 1. ***[1]*** Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).	3. For the purpose of the assessment referred to in paragraph 1, Member States shall carry out a cost-benefit analysis covering their territory and based on climate conditions, economic feasibility and technical suitability. The cost-benefit analysis shall be capable of facilitating the identification of the most resource- and cost-efficient solutions to meeting heating and cooling needs. That cost-benefit analysis may be part of an environmental assessment under Directive 2001/42/EC of the European Parliament and of the Council[1]. _____ 1. Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ L 197, 21.7.2001, p. 30).	

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Article 23(3), second subparagraph				
469	Member States shall designate the competent authorities responsible for carrying out the cost-benefit analyses, provide the detailed methodologies and assumptions in accordance with Annex X and establish and make public the procedures for the economic analysis.	Member States shall designate the competent authorities responsible for carrying out the cost-benefit analyses, provide the detailed methodologies and assumptions in accordance with Annex X and establish and make public the procedures for the economic analysis.	Member States shall designate the competent authorities responsible for carrying out the cost-benefit analyses, provide the detailed methodologies and assumptions in accordance with Annex X and establish and make public the procedures for the economic analysis.	
Article 23(4), first subparagraph				
470	4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and	4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling ***and/or power generation from waste heat for self-consumption*** whose benefits exceed the costs, Member States***, or the local and regional authorities responsible,*** shall take adequate measures for efficient district heating and cooling infrastructure to be developed	4. Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 identify a potential for the application of high-efficiency cogeneration and/or efficient district heating and cooling whose benefits exceed the costs, Member States shall take adequate measures for efficient district heating and cooling infrastructure to be developed and/or to accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and	

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	renewable energy sources in accordance with paragraph 1 and Article 24(4) and (6).	and/or to ***encourage the development of installations for the conversion of waste excess heat to power for self-consumption and/or to*** accommodate the development of high-efficiency cogeneration and the use of heating and cooling from waste heat and renewable energy sources in accordance with paragraph 1**,** and Article 24(4) and (6).	renewable energy sources in accordance with paragraph 1 and Article 24(4) and (6).	
Article 23(4), second subparagraph				
471	Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 do not identify a potential whose benefits exceed the costs, including the administrative costs of carrying out the cost-benefit analysis referred to in Article 24(4), the Member State concerned may exempt installations from the requirements laid down in that paragraph.	Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 do not identify a potential whose benefits exceed the costs, including the administrative costs of carrying out the cost-benefit analysis referred to in Article 24(4), the Member State ***together with the local and regional authorities*** concerned may exempt installations from the requirements laid down in that paragraph.	Where the assessment referred to in paragraph 1 and the analysis referred to in paragraph 3 do not identify a potential whose benefits exceed the costs, including the administrative costs of carrying out the cost-benefit analysis referred to in Article 24(4), the Member State concerned may exempt installations from the requirements laid down in that paragraph.	
Article 23(5) first subparapgraph				

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472	5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 is realised. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.	5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 is realised. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.	5. Member States shall adopt policies and measures which ensure that the potential identified in the comprehensive assessments carried out pursuant to paragraph 1 is realised. These policies and measures shall include at least the elements set out in Annex IX. Each Member State shall notify those policies and measures as part of the update of its integrated national energy and climate plans, its subsequent integrated national energy and climate plan, and respective progress reports notified in accordance with Regulation (EU) 2018/1999.	
Article 23(5), second subparagraph				
472a		***When preparing its policies and measures, Member States shall collect information on cogeneration plants and units in existing district heating and cooling networks and carry out an assessment of the potential for energy savings. That information shall contain at least the data on system efficiency, system losses,***		

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		connection density, network losses and temperature spread, primary energy and final energy consumption, emission factors and upstream chains of the energy sources. That data shall be published and Member States shall make that data publicly available.		
Article 23(6), first subparagraph, introductory part				
473	6. Member States shall encourage regional and local authorities to prepare local heating and cooling plans at least in municipalities having a total population higher than 50.000. Those plans should at least:	6. Member States shall ~~encourage~~***ensure that*** regional and local authorities to prepare local heating and cooling plans at least in municipalities having a total population ~~higher than 50.000~~***of at least 35 .000 and encourage municipalities with a lower population to prepare such plans***. Those plans ~~should at least~~***shall***:	6. Member States shall encourage regional and local authorities to prepare local heating and cooling plans at least in municipalities **or communities** having a total population higher than 50.000. Those plans should at least:	
Article 23(6), first subparagraph, point (a)				
474	(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping	(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping	(a) be based on the information and data provided in the comprehensive assessments carried out pursuant to paragraph 1 and provide an estimate and mapping	

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	of the potential for increasing energy efficiency, including via waste heat recovery, and renewable energy in heating and cooling in that particular area;	of the potential for increasing energy efficiency, including via ***low-temperature district heating readiness, high efficiency cogeneration,*** waste heat recovery, and renewable energy in heating and cooling in that particular area; ***in addition, an analysis of the heating and cooling appliances in local building stocks shall be conducted that takes into account the area-specific potentials for energy efficiency measures and that develops renovation roadmap templates for similar building types with the aim of a rapid, cost-efficient and mutually coordinated transformation of buildings and supply infrastructure;***	of the potential for increasing energy efficiency, including via **district heating and cooling,** waste heat recovery, and renewable energy in heating and cooling in that particular area;	
Article 23(6), first subparagraph, point (a)(a)				
474a		***(aa) be fully compliant with the energy efficiency first principle;***		
Article 23(6), first subparagraph, point (b)				
475	(b) include a strategy for the use of the identified potential pursuant to paragraph 6(a);	(b) include a strategy for the use of the identified potential pursuant to paragraph 6(a);	(b) include a strategy for the use of the identified potential pursuant to paragraph 6(a);	

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Article 23(6), first subparagraph, point (c)				
476	(c) be prepared with the involvement of all relevant regional or local stakeholders and ensure participation of general public;	(c) be prepared with the involvement of all relevant regional or local stakeholders and ensure participation of general public***, including operators of local energy infrastructure at an early stage***;	(c) be prepared with the involvement of all relevant regional or local stakeholders and ensure participation of general public;	
Article 23(6), first subparagraph, point (c)(a)				
476a		***(ca) take into account the existing energy infrastructure for gas, heat and electricity;***		
Article 23(6), first subparagraph, point (d)				
477	(d) consider the common needs of local communities and multiple local or regional administrative units or regions;	(d) consider the common needs of local communities and multiple local or regional administrative units or regions;	(d) consider the common needs of local communities and multiple local or regional administrative units or regions;	
Article 23(6), first subparagraph, point (d)(a)				
477a		***(da) assess the role of energy communities and other consumer-***		

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		led initiatives that can actively contribute to the implementation of local heating and cooling projects;		
Article 23(6), first subparagraph, point (d)(b)				
477b		***(db) include a strategy to prioritise people affected by energy poverty, low-income households, vulnerable consumers and, where applicable, people living in social housing as referred to in Article 22, including market analysis to identify and understand the needs of target groups and propose tailored programmes;***		
Article 23(6), first subparagraph, point (d)(c)				
477c		***(dc) assess how to finance the implementation of policies and measures identified and provide for financial mechanisms allowing consumers to shift to renewable heating and cooling;***		
Article 23(6), first subparagraph, point (d)(d)				

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477d		***(dd) consider energy affordability, security of supply, power system adequacy and resiliency;***		
Article 23(6), first subparagraph, point (e)				
478	(e) include the monitoring of the progress of implementation of policies and measures identified.	(e) include ***a trajectory to achieve the goals of the plans in line with climate neutrality and*** the monitoring of the progress of implementation of policies and measures identified~~.~~***;***	(e) include the monitoring of the progress of implementation of policies and measures identified.	
Article 23(6), first subparagraph, point (e)(a)				
478a		***(ea) develop a strategy to plan the replacement of old and inefficient heating and cooling appliances in public bodies with highly efficient alternatives with the aim of phasing out fossil fuels;***		
Article 23(6), first subparagraph, point (e)(b)				
478b		***(eb) assess potential synergies with the plans of neighbouring regional or local authorities to***		

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		encourage joint investments and cost efficiency.		
Article 23(6), second subparagraph				
479	Member States shall ensure that the public is given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.	Member States shall ensure that ~~the~~***all relevant parties, including*** public ~~is~~***and relevant private stakeholders, are*** given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.	Member States shall ensure that the ~~public is~~**relevant stakeholds, affected by the planning are** given the opportunity to participate the preparation of heating and cooling plans, the comprehensive assessment and the policies and measures.	
Article 23(6), third subparagraph				
480	For this purpose, Member States shall develop recommendations supporting the regional and local authorities to implement policies and measures in energy efficient and renewable energy based heating and cooling at regional and local level utilising the potential identified. Member States shall support regional and local authorities to the utmost extent possible by any means including financial support and technical	For this purpose, Member States shall develop recommendations supporting the regional and local authorities to implement policies and measures in energy efficient and renewable energy based heating and cooling at regional and local level utilising the potential identified. Member States shall support regional and local authorities to the utmost extent possible by any means including financial support and technical	For this purpose, Member States shall develop recommendations supporting the regional and local authorities to implement policies and measures in energy efficient and renewable energy based heating and cooling at regional and local level utilising the potential identified. Member States shall **provide** support **to** regional and local authorities ~~to the utmost extent possible by any means including~~**, which may include**	

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	support schemes.	support schemes. ***Member States shall ensure that heating and cooling plans are aligned with other local climate, energy and environment planning requirements, in order to avoid administrative burden for local and regional authorities and encourage the effective implementation of the plans.***	financial support and technical support schemes.	
Article 23(6a)				
480a		***6a. Local heating and cooling plans may be carried out jointly by a group of several neighbouring local authorities provided that the geographical and administrative context as well as the heating and cooling infrastructure is appropriate.***		
Article 23(6b)				
480b		***6b. Implementation of local heating and cooling plans shall be verified and assessed by a competent authority. Where implementation is deemed to be insufficient, based on the***		

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		trajectory and the monitoring pursuant to paragraph 6, point (e), the competent authority shall propose measures to close the implementation gap.		
Article 24				
481	Article 24 Heating and cooling supply	Article 24 Heating and cooling supply	Article 24 Heating and cooling supply	
Article 24(1), introductory part				
482	1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:	1. In order to increase primary energy efficiency and the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:	1. In order to ~~increase~~**ensure more efficient consumption of** primary energy ~~efficiency~~ and **to increase** the share of renewable energy in heating and cooling supply, an efficient district heating and cooling system is a system which meets the following criteria:	
Article 24(1), point (a)				
483	a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a	a. until 31 December ~~2025~~***2027***, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a	a. until 31 December 2025, a system using at least 50% renewable energy, 50% waste heat, 75% cogenerated heat or 50% of a	

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	combination of such energy and heat;	combination of such energy and heat ***going into the network***;	combination of such energy and heat;	
Article 24(1), point (b)				
484	b. from 1 January 2026, a system using at least 50% renewable energy, 50% waste heat, 80% of high-efficiency cogenerated heat or at least a combination of such thermal energy going into the network where the share of renewable energy is at least 5% and the total share of renewable energy, waste heat or high-efficiency cogenerated heat is at least 50%;	b. from 1 January ~~2026~~***2028***, a system using at least 50% renewable energy, 50% waste heat, 80% of high-efficiency cogenerated heat or at least a combination of such thermal energy going into the network where the share of renewable energy is at least 5% and the total share of renewable energy, waste heat or high-efficiency cogenerated heat is at least 50%;	b. from 1 January 2026, a system using at least 50% renewable energy, 50% waste heat, **50% renewable energy and waste heat,** 80% of high-efficiency cogenerated heat or at least a combination of such thermal energy going into the network where the share of renewable energy is at least 5% and the total share of renewable energy, waste heat or high-efficiency cogenerated heat is at least 50%;	
Article 24(1), point (c)				
485	c. from 1 January 2035, a system using at least 50% renewable energy and waste heat, where the share of renewable energy is at least 20%;	c. from 1 January 2035, a system using at least 50% renewable energy and waste heat, where the share of renewable energy is at least 20%;	c. from 1 January 2035, a system using at least 50% renewable energy**, 50% waste heat, 50% renewable energy** and waste heat **or a system**, where the **total** share of renewable energy**, waste heat or high-efficiency cogenerated heat** is at least ~~20%~~**80% and while the total share of renewable**	

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			energy **and waste heat is at least 35%**;	
Article 24(1), point (d)				
486	d. from 1 January 2045, a system using at least 75 % renewable energy and waste heat, where the share of renewable energy is at least 40%;	d. from 1 January 2045, a system using at least 75 % renewable energy and waste heat, where the share of renewable energy is at least 40%;	d. from 1 January 2045, a system using at least 75 % renewable energy **, 75% waste heat or 75% renewable energy** and waste heat, ~~where the share of~~**and using at least 95%** renewable energy**, waste heat and high-efficiency cogenerated heat**~~is at least 40%~~;	
Article 24(1), point (e)				
487	e. from 1 January 2050, a system using only renewable energy and waste heat, where the share of renewable energy is at least 60%.	e. from 1 January 2050, a system using only renewable energy and waste heat, where the share of renewable energy is at least 60%.	e. from 1 January 2050, a system using only renewable energy**, only** ~~and~~ waste heat~~, where the share~~ **or only a combination** of renewable energy ~~is at least 60%~~**and waste heat** .	
Article 24(1), point (f)				
487a		***f. in line with the energy efficiency first principle, where the share of waste heat exceeds the criteria in points (c), (d) and***		

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		(e), and where the waste heat would otherwise be lost, waste heat may replace any of the other energy sources;		
Article 24(1), point (g)				
487b		*g. an assessment has been made of the maximum needed temperatures in distribution grid.*		
Article 24(1a)				
487c			**2. Member States may also choose, as an alternative to the criteria set out in points (a) to (e) of the paragraph 1 of this article, a sustainability performance criteria based on the amount of greenhouse gas emissions from the district heating and cooling system per unit of heat or cold delivered to the customers, taking into consideration measures implemented to fulfil the obligation pursuant to [Article 24(4) Renewable Energy Directive COM(2021) 557 final[1]]. When choosing**	

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			this criteria, an efficient district heating and cooling system is a system which has have the following maximum amount of greenhouse gas emissions per unit of heat or cold delivered to the customers: **a. until 31 December 2025 : 200 grams/kWh;** **b. from 1 January 2026 : 150 grams/kWh;** **c. from 1 January 2035: 100 grams/kWh;** **d. from 1 January 2045 : 50 grams/kWh;** **e. from 1 January 2050 : 0 grams/kWh.** **1. Proposal for a Directive of the European Parliament and of the amending Directive (EU) 2018/2001 of the European Parliament and of the Council, Regulation (EU) 2018/1999 of the European Parliament and of the Council and Directive 98/70/EC of the European Parliament and of the Council as regards the promotion of energy from renewable sources, and repealing Council Directive (EU) 2015/652.**	
Article 24(1b)				
487d				

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			Member states may choose to apply the aforementioned criteria of greenhouse gas emissions per unit of heat or cold for any given period referred to points (a) to (e) of this paragraph. When doing so, they shall notify the Commission of their choice at least within three months after this directive enters into force for the period referred to point (a) and at least six months before the beginning of the periods referred to points (b) to (e)the given period. This notification shall include the measures implemented to fulfil the obligation pursuant to [Article 24 (4) Renewable Energy Directive COM (2021) 557 final] [1] if they have not been notified before in the latest update of their NECP. _____ **1. Proposal for a Directive of the European Parliament and of the Council amending Directive (EU) 2018/2001 of the European Parliament and of the Council, Regulation (EU) 2018/1999 of the European Parliament and of the Council and Directive 98/70/EC of the European Parliament and of the Council as regards the promotion of energy from**	

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			renewable sources, and repealing Council Directive (EU) 2015/652.	
Article 24(2)				
488	2. Member States shall ensure that where a district heating and cooling system is built or substantially refurbished it meets the criteria set out in paragraph 1 applicable at such time when it starts or continues its operation after the refurbishment. In addition, Member States shall ensure that when a district heating and cooling system is built or substantially refurbished, there is no increase in the use of fossil fuels other than natural gas in existing heat sources compared to the annual consumption averaged over the previous three calendar years of full operation before refurbishment, and that any new heat sources in that system do not use fossil fuels other than natural gas.	2. Member States shall ensure that where a district heating and cooling system is built or substantially refurbished it meets the criteria set out in paragraph 1 applicable at such time when it starts or continues its operation after the refurbishment. In addition, Member States shall ensure that when a district heating and cooling system is built or substantially refurbished, there is no increase in the use of fossil fuels other than natural gas in existing heat sources compared to the annual consumption averaged over the previous three calendar years of full operation before refurbishment, and that any new heat sources in that system do not use fossil fuels ~~other than natural gas~~***. Member States shall also ensure that the geographic routing of existing district heating and cooling systems are mapped and published***.	~~2~~**3**. Member States shall ensure that where a district heating and cooling system is built or **its supply units are** substantially refurbished**, they meet**~~ it meets~~ the criteria set out in paragraph 1 applicable at ~~such~~**the** time when it starts or continues its operation after the refurbishment. In addition, Member States shall ensure that when a district heating and cooling system is built or **its supply units are** substantially refurbished, there is no increase in the use of fossil fuels other than natural gas in existing heat sources compared to the annual consumption averaged over the previous three calendar years of full operation before refurbishment, and that any new heat sources in that system do not use fossil fuels other than natural gas.	

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Article 24(3)				
489	3. Member States shall ensure that as from 1 January 2025, and every five years thereafter, operators of all existing district heating and cooling systems with a total energy output exceeding 5 MW and which do not meet the criteria set out in paragraph 1(b) to (e), prepare a plan to increase primary energy efficiency and renewable energy. The plan shall include measures to meet the criteria set out in paragraph 1(b) to (e) and shall be approved by the competent authority.	3. Member States shall ensure that as from 1 January 2025, and every five years thereafter, operators of all existing district heating and cooling systems with a total energy output exceeding 5 MW and which do not meet the criteria set out in paragraph 1(b) to (e), prepare a plan to increase primary energy efficiency and renewable energy ***and to reduce distribution losses***. The plan shall include measures to meet the criteria set out in paragraph 1(b) to (e) and shall be approved by the competent authority.	~~3~~**4**. Member States shall ensure that as from 1 January 2025, and every five years thereafter, operators of all existing district heating and cooling systems with a total ~~energy~~**heat and cold** output exceeding 5 MW and which do not meet the criteria set out in paragraph 1(b) to (e), prepare a plan to ~~increase~~**enusre more efficient consumptt**ion **of** primary energy ~~efficiency~~ and **to increase the share of** renewable energy **in heating and cooling supply**. The plan shall include measures to meet the criteria set out in paragraph 1(b) to (e) and shall be approved by the competent authority.	
Article 24(3a)				
489a		***3a. Member States shall ensure that a data centre with a total rated energy input exceeding 100 kW utilises the waste heat or other waste heat recovery applications unless it can show that it is not technically or economically feasible in accordance to the***		

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		assessment referred to in paragraph 4.		
Article 24(4), first subparagraph, introductory part				
490	4. In order to assess the economic feasibility of increasing energy efficiency of heat and cooling supply, Member States shall ensure that an installation level cost-benefit analysis in accordance with Annex X is carried out where the following installations are newly planned or substantially refurbished :	4. In order to assess the economic feasibility of increasing energy efficiency of heat and cooling supply, Member States shall ensure that~~-~~ an installation level cost-benefit analysis in accordance with Annex X is carried out~~-~~ where the following installations are newly planned or substantially refurbished ~~:~~ ***and their material costs have not yet been incurred:***	**45**. In order to assess the economic feasibility of increasing energy efficiency of heat and cooling supply, Member States shall ensure that an installation level cost-benefit analysis in accordance with Annex X is carried out where the following installations are newly planned or substantially refurbished :	
Article 24(4), first subparagraph, point (a)				
491	(a) a thermal electricity generation installation with an average annual total energy input exceeding 5 MW, in order to assess the cost and benefits of providing for the operation of the installation as a high-efficiency cogeneration installation;	(a) a thermal electricity generation installation with an average annual total energy input exceeding 5 MW, in order to assess the cost and benefits of providing for the operation of the installation as a high-efficiency cogeneration installation;	(a) a thermal electricity generation installation with an average annual total energy input exceeding ~~5~~ **10** MW, in order to assess the cost and benefits of providing for the operation of the installation as a high-efficiency cogeneration installation;	
Article 24(4), first subparagraph, point (b)				

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492	(b) an industrial installation with an average annual total energy input exceeding 5 MW in order to assess utilisation of the waste heat on-site and off-site;	(b) an industrial installation with an average annual total energy input exceeding 5 MW in order to assess utilisation of the waste heat on-site and off-site;	(b) an industrial installation with an average annual total energy input exceeding ~~5~~**10** MW in order to assess utilisation of the waste heat on-site and off-site;	
Article 24(4), first subparagraph, point (c)				
493	(c) service facility with an annual average total energy input exceeding 5 MW, such as wastewater treatment facilities and LNG facilities in order to assess utilisation of waste heat on-site and off-site;	(c) service facility with an annual average total energy input exceeding 5 MW, such as wastewater treatment facilities and LNG facilities in order to assess utilisation of waste heat on-site and off-site;	(c) service facility with an annual average total energy input exceeding ~~5~~**10** MW, such as wastewater treatment facilities and LNG facilities in order to assess utilisation of waste heat on-site and off-site;	
Article 24(4), first subparagraph, point (d)				
494	(d) a data centre with a total rated energy input exceeding 1 MW level, to assess the cost and benefits of utilising the waste heat to satisfy economically justified demand, and of the connection of that installation to a district heating network or an efficient/RES-based district cooling system. The analysis shall consider cooling system solutions that allow	(d) a data centre with a total rated energy input exceeding ~~*1 MW*~~***100 kW*** level, to assess the ~~*cost and benefits*~~***technical feasibility, cost-efficiency and impact on energy efficiency and local heat demand, including seasonal variation,*** of utilising the waste heat to satisfy economically justified demand, and of the connection of that installation to a district heating	(d) a data centre with a total rated energy input exceeding 1 MW level, to assess the cost and benefits of utilising the waste heat to satisfy economically justified demand, and of the connection of that installation to a district heating network or an efficient/RES-based district cooling system. The analysis shall consider cooling system solutions that allow	

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	removing or capturing the waste heat at useful temperature level with minimal ancillary energy inputs.	network or an efficient/RES-based district cooling system ***or other waste heat recovery applications***. The analysis shall consider cooling system solutions that allow removing or capturing the waste heat at useful temperature level with minimal ancillary energy inputs.	removing or capturing the waste heat at useful temperature level with minimal ancillary energy inputs.	
Article 24(4), second subparagraph				
495	For the purposes of assessing on-site waste heat for the purpose of points (b) to (d), energy audits in line with Annex VI may be carried out instead of the cost benefit analysis set out in this paragraph.	***Member States shall ensure that regulatory barriers for the utilisation of waste heat are removed and sufficient support for the uptake of waste heat is provided where the installations referred to in points (a) to (d) are newly planned or refurbished.*** For the purposes of assessing on-site waste heat for the purpose of points (b) to (d), energy audits in line with Annex VI may be carried out instead of the cost benefit analysis set out in this paragraph.	For the purposes of assessing on-site waste heat for the purpose of points (b) to (d), energy audits in line with Annex VI may be carried out instead of the cost benefit analysis set out in this paragraph.	
Article 24(4), third subparagraph				
496	The fitting of equipment to capture	The fitting of equipment to capture	The fitting of equipment to capture	

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	carbon dioxide produced by a combustion installation with a view to its being geologically stored as provided for in Directive 2009/31/EC shall not be considered as refurbishment for the purpose of points (b) and (c) of this paragraph.	carbon dioxide produced by a combustion installation with a view to its being geologically stored as provided for in Directive 2009/31/EC shall not be considered as refurbishment for the purpose of points (b) and (c) of this paragraph.	carbon dioxide produced by a combustion installation with a view to its being geologically stored as provided for in Directive 2009/31/EC shall not be considered as refurbishment for the purpose of points (b) and (c) of this paragraph.	
Article 24(4), fourth subparagraph				
497	Member States shall require the cost-benefit analysis to be carried out in cooperation with the companies responsible for the operation of the facility .	Member States shall require the cost-benefit analysis to be carried out in cooperation with the companies responsible for the operation of the facility .	Member States shall require the cost-benefit analysis to be carried out in cooperation with the companies responsible for the operation of the facility .	
Article 24(5), first subparagraph, introductory part				
498	5. Member States may exempt from paragraph 4:	5. Member States may exempt from paragraph 4:	~~5~~**6**. Member States may exempt from paragraph ~~4~~**5**:	
Article 24(5), first subparagraph, point (a)				
499	(a) those peak load and back-up electricity generating installations which are planned to operate under 1500 operating hours per year as a rolling average over a period of	(a) those peak load and back-up electricity generating installations which are planned to operate under 1500 operating hours per year as a rolling average over a period of	(a) those peak load and back-up electricity generating installations which are planned to operate under 1500 operating hours per year as a rolling average over a period of	

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	five years, based on a verification procedure established by the Member States ensuring that this exemption criterion is met;	five years, based on a verification procedure established by the Member States ensuring that this exemption criterion is met;	five years, based on a verification procedure established by the Member States ensuring that this exemption criterion is met;	
Article 24(5), first subparagraph, point (b)				
500	(b) installations that need to be located close to a geological storage site approved under Directive 2009/31/EC;.	(b) installations that need to be located close to a geological storage site approved under Directive 2009/31/EC;.	(b) installations that need to be located close to a geological storage site approved under Directive 2009/31/EC;.	
Article 24(5), first subparagraph, point (c)				
501	(c) data centres whose waste heat is or will be used in a district heating network or directly for space heating, domestic hot water preparation or other uses in the building or group of buildings where it is located.	(c) data centres whose waste heat is or will be used in a district heating network or directly for space heating, domestic hot water preparation or other uses in the building or group of buildings where it is located ***or other uses in a relevant zone around the data centres***.	(c) data centres whose waste heat is or will be used in a district heating network or directly for space heating, domestic hot water preparation or other uses in the building or group of buildings where it is located.	
Article 24(5), second subparagraph				
502	Member States may also lay down thresholds, expressed in terms of the amount of available useful	Member States may also lay down thresholds, expressed in terms of the amount of available useful	Member States may also lay down thresholds, expressed in terms of the amount of available useful	

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	waste heat, the demand for heat or the distances between industrial installations and district heating networks, for exempting individual installations from the provisions of points (c) and (d) of paragraph 4.	waste heat, the demand for heat or the distances between industrial installations and district heating networks, for exempting individual installations from the provisions of points (c) and (d) of paragraph 4.	waste heat, the demand for heat or the distances between industrial installations and district heating networks, for exempting individual installations from the provisions of points (c) and (d) of paragraph ~~4~~**5**.	
Article 24(5), third subparagraph				
503	Member States shall notify exemptions adopted under this paragraph to the Commission.	Member States shall notify exemptions adopted under this paragraph to the Commission.	Member States shall notify exemptions adopted under this paragraph to the Commission.	
Article 24(6), introductory part				
504	6. Member States shall adopt authorisation criteria as referred to in Article 8 of Directive (EU) 2019/944, or equivalent permit criteria, to:	6. Member States shall adopt authorisation criteria as referred to in Article 8 of Directive (EU) 2019/944, or equivalent permit criteria, to:	~~6~~**7**. Member States shall adopt authorisation criteria as referred to in Article 8 of Directive (EU) 2019/944, or equivalent permit criteria, to:	
Article 24(6), point (a)				
505	(a) take into account the outcome of the comprehensive assessment referred to in Article 23(1);	(a) take into account the outcome of the comprehensive assessment referred to in Article 23(1);	(a) take into account the outcome of the comprehensive assessment referred to in Article 23(1);	
Article 24(6), point (b)				

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506	(b) ensure that the requirements of paragraph 4 are fulfilled;	(b) ensure that the requirements of paragraph 4 are fulfilled;	(b) ensure that the requirements of paragraph 4 are fulfilled;	
Article 24(6), point (c)				
507	(c) take into account the outcome of cost-benefit analysis referred to in paragraph 4.	(c) take into account the outcome of cost-benefit analysis referred to in paragraph 4.	(c) take into account the outcome of cost-benefit analysis referred to in paragraph 4**5**.	
Article 24(7)				
508	7. Member States may exempt individual installations from being required, by the authorisation and permit criteria referred to in paragraph 6, to implement options whose benefits exceed their costs, if there are imperative reasons of law, ownership or finance for doing so . In these cases the Member State concerned shall submit a reasoned notification of its decision to the Commission within three months of the date of taking it. The Commission may issue an opinion on the notification within three months of its receipt.	7. Member States may exempt individual installations from being required, by the authorisation and permit criteria referred to in paragraph 6, to implement options whose benefits exceed their costs, if there are imperative reasons of law, ownership or finance for doing so . In these cases the Member State concerned shall submit a reasoned notification of its decision to the Commission within three months of the date of taking it. The Commission may issue an opinion on the notification within three months of its receipt.	~~7~~**8**. Member States may exempt individual installations from being required, by the authorisation and permit criteria referred to in paragraph ~~6~~**7**, to implement options whose benefits exceed their costs, if there are imperative reasons of law, ownership or finance for doing so~~.~~. In these cases the Member State concerned shall submit a reasoned notification of its decision to the Commission within three months of the date of taking it. The Commission may issue an opinion on the notification within three months of its receipt.	
Article 24(8)				

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509	8. Paragraphs 4, 5, 6 and 7 of this Article shall apply to installations covered by Directive 2010/75/EU without prejudice to the requirements of that Directive.	8. Paragraphs 4, 5, 6 and 7 of this Article shall apply to installations covered by Directive 2010/75/EU without prejudice to the requirements of that Directive.	~~8~~**9**. Paragraphs ~~4,~~ 5, 6**, 7 and 8** ~~and 7~~ of this Article shall apply to installations covered by Directive 2010/75/EU without prejudice to the requirements of that Directive.	
Article 24(9)				
510	9. Member States shall collect information on cost-benefit analyses carried out in accordance with paragraph 4 points (a), (b), (c) and (d) of this Article. That information should contain at least the data on available heat supply amounts and heat parameters, number of planned operating hours annually and geographical location of the sites. That data shall be published with the due respect of its potential sensitivity.	9. Member States shall collect information on cost-benefit analyses carried out in accordance with paragraph 4 points (a), (b), (c) and (d) of this Article. That information should contain at least the data on available heat supply amounts and heat parameters, number of planned operating hours annually and geographical location of the sites. That data shall be published with the due respect of its potential sensitivity.	~~9~~**10**. Member States shall collect information on cost-benefit analyses carried out in accordance with paragraph ~~4~~**5** points (a), (b), (c) and (d) of this Article. That information should contain at least the data on available heat supply amounts and heat parameters, number of planned operating hours annually and geographical location of the sites. That data shall be published with the due respect of its potential sensitivity.	
Article 24(10), first subparagraph				
511	10. On the basis of the harmonised efficiency reference values referred to in point (f) of Annex III, Member States shall ensure that the origin of electricity produced from	10. On the basis of the harmonised efficiency reference values referred to in point (f) of Annex III, Member States shall ensure that the origin of electricity produced from	~~10~~**11**. On the basis of the harmonised efficiency reference values referred to in point (f) of Annex III, Member States shall ensure that the origin of electricity	

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	high-efficiency cogeneration can be guaranteed according to objective, transparent and non-discriminatory criteria laid down by each Member State. They shall ensure that this guarantee of origin complies with the requirements and contains at least the information specified in Annex XI. Member States shall mutually recognise their guarantees of origin, exclusively as proof of the information referred to in this paragraph. Any refusal to recognise a guarantee of origin as such proof, in particular for reasons relating to the prevention of fraud, must be based on objective, transparent and non-discriminatory criteria. Member States shall notify the Commission of such refusal and its justification. In the event of refusal to recognise a guarantee of origin, the Commission may adopt a decision to compel the refusing party to recognise it, in particular with regard to objective, transparent and non-discriminatory criteria on which such recognition is based.	high-efficiency cogeneration can be guaranteed according to objective, transparent and non-discriminatory criteria laid down by each Member State. They shall ensure that this guarantee of origin complies with the requirements and contains at least the information specified in Annex XI. Member States shall mutually recognise their guarantees of origin, exclusively as proof of the information referred to in this paragraph. Any refusal to recognise a guarantee of origin as such proof, in particular for reasons relating to the prevention of fraud, must be based on objective, transparent and non-discriminatory criteria. Member States shall notify the Commission of such refusal and its justification. In the event of refusal to recognise a guarantee of origin, the Commission may adopt a decision to compel the refusing party to recognise it, in particular with regard to objective, transparent and non-discriminatory criteria on which such recognition is based.	produced from high-efficiency cogeneration can be guaranteed according to objective, transparent and non-discriminatory criteria laid down by each Member State. They shall ensure that this guarantee of origin complies with the requirements and contains at least the information specified in Annex XI. Member States shall mutually recognise their guarantees of origin, exclusively as proof of the information referred to in this paragraph. Any refusal to recognise a guarantee of origin as such proof, in particular for reasons relating to the prevention of fraud, must be based on objective, transparent and non-discriminatory criteria. Member States shall notify the Commission of such refusal and its justification. In the event of refusal to recognise a guarantee of origin, the Commission may adopt a decision to compel the refusing party to recognise it, in particular with regard to objective, transparent and non-discriminatory criteria on which such recognition is based.	
Article 24(10), second subparagraph				

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512	The Commission shall be empowered to review, by means of delegated acts in accordance with Article 31 of this Directive, the harmonised efficiency reference values laid down in Commission Delegated Regulation (EU) 2015/2402[1]. _____ 1. Commission Delegated Regulation (EU) 2015/2402 of 12 October 2015 reviewing harmonised efficiency reference values for separate production of electricity and heat in application of Directive 2012/27/EU of the European Parliament and of the Council and repealing Commission Implementing Decision 2011/877/EU (OJ L 333, 19.12.2015, p. 54).	The Commission shall be empowered to review, by means of delegated acts in accordance with Article 31 of this Directive, the harmonised efficiency reference values laid down in Commission Delegated Regulation (EU) 2015/2402[1]. _____ 1. Commission Delegated Regulation (EU) 2015/2402 of 12 October 2015 reviewing harmonised efficiency reference values for separate production of electricity and heat in application of Directive 2012/27/EU of the European Parliament and of the Council and repealing Commission Implementing Decision 2011/877/EU (OJ L 333, 19.12.2015, p. 54).	The Commission shall be empowered to review, by means of delegated acts in accordance with Article 31 of this Directive, the harmonised efficiency reference values laid down in Commission Delegated Regulation (EU) 2015/2402[1]. _____ 1. Commission Delegated Regulation (EU) 2015/2402 of 12 October 2015 reviewing harmonised efficiency reference values for separate production of electricity and heat in application of Directive 2012/27/EU of the European Parliament and of the Council and repealing Commission Implementing Decision 2011/877/EU (OJ L 333, 19.12.2015, p. 54).	
Article 24(11)				
513	11. Member States shall ensure that any available support for cogeneration is subject to the electricity produced originating from high-efficiency cogeneration and the waste heat being effectively used to achieve primary energy savings. Public support to cogeneration and district heating generation and networks shall be subject to State aid rules, where	11. Member States shall ensure that any available support for cogeneration is subject to the electricity produced originating from high-efficiency cogeneration and the waste heat being effectively used to achieve primary energy savings. Public support to cogeneration and district heating generation and networks shall be subject to State aid rules, where	~~11~~**12**. Member States shall ensure that any available support for cogeneration is subject to the electricity produced originating from high-efficiency cogeneration and the waste heat being effectively used to achieve primary energy savings. Public support to cogeneration and district heating generation and networks shall be subject to State aid rules, where	

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	applicable.	applicable.	applicable.	
Article 25				
514	Article 25 Energy transformation, transmission and distribution	Article 25 Energy transformation, transmission and distribution	Article 25 Energy transformation, transmission and distribution	
Article 25(1)				
515	1. National energy regulatory authorities shall apply the energy efficiency first principle in accordance with Article 3 of this Directive in carrying out the regulatory tasks specified in Directives (EU) 2019/944 and 2009/73/EC regarding their decisions on the operation of the gas and electricity infrastructure , including their decisions on network tariffs	1. National energy regulatory authorities shall apply the– energy efficiency first principle in accordance with Article 3 of this Directive– in carrying out the regulatory tasks specified in Directives (EU) 2019/944 and 2009/73/EC regarding their decisions on the operation of the gas and electricity infrastructure-, including their decisions on network tariffs***, without prejudice to the principles of non-discrimination and cost-effectiveness. In addition to the energy efficiency first principle, national energy regulatory authorities shall take into account cost efficiency, system efficiency and security of supply and adapt a***	1. National energy regulatory authorities shall apply the– energy efficiency first principle in accordance with Article 3 of this Directive– in carrying out the regulatory tasks specified in Directives (EU) 2019/944 and 2009/73/EC regarding their decisions on the operation of the gas and electricity infrastructure-, including their decisions on network tariffs**, as set out in Article 18 of Regulation (EU) 2019/943 and in Article 13 of Regulation (EU) 715/2009 of the European Parliament and of the Council. When doing so, national energy regulatory authorities may take into account security of supply and market**	

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		lifecycle approach safeguarding the Union's climate targets and sustainability.	**integration.**	
Article 25(2)				
516	2. Member States shall ensure that gas and electricity transmission and distribution system operators apply the energy efficiency first principle in accordance with Article 3 of this Directive in their network planning, network development and investment decisions. While taking security of supply and market integration into account, Member States shall ensure that transmission system operators and distribution system operators do not invest in stranded assets to contribute to climate change mitigation. National regulatory authorities shall provide methodologies and guidance on how to assess alternatives in the cost-benefit analysis, taking into account wider benefits, and verify the implementation of the energy efficiency first principle by the transmission system operators or distribution system operators when	2. Member States shall ensure that gas and electricity transmission and distribution system operators apply the energy efficiency first principle in accordance with Article 3 of this Directive ***and in accordance with the Union's climate and sustainability targets*** in their network planning, network development and investment decisions. ***Demand-side flexibility shall be a central part of the assessment of network planning and operation.*** While taking security of supply and market integration into account, Member States shall ensure that transmission system operators and distribution system operators ~~do not~~ invest in ~~stranded~~***future-proof*** assets to contribute to climate change mitigation. National regulatory authorities ~~shall~~***may*** provide methodologies and guidance on how to assess	2. Member States shall ensure that gas and electricity transmission and distribution system operators apply the energy efficiency first principle in accordance with Article 3 of this Directive in their network planning, network development and **major** investment decisions. **National regulatory authorities or other designated national authorties shall verify that methodologies used by** ~~While taking security of supply and market integration into account, Member States shall ensure that~~ transmission system operators and distribution ~~system~~**systems** operators ~~do not invest in stranded assets to contribute to climate change mitigation. National regulatory authorities shall provide methodologies and guidance on how to assess alternatives in the cost-benefit analysis, taking into account wider benefits, and~~**assess**	

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	approving, verifying or monitoring the projects submitted by the transmission system operators or distribution system operators.	alternatives in the cost-benefit analysis ***in close cooperation with the transmission system operators and distribution system operators, which can share key technical expertise***, taking into account wider benefits, and verify the implementation of the energy efficiency first principle by the transmission system operators or distribution system operators when approving, verifying or monitoring the projects submitted by the transmission system operators or distribution system operators.	**alternatives in the cost-benefit analysis and take into account the wider benefits of energy efficiency solutions. National regulatory authorities and other designated authorities shall also** verify the implementation of the energy efficiency first principle by the transmission system operators or distribution system operators when approving, verifying or monitoring ~~the~~**their** projects ~~submitted by the transmission system operators or distribution system operators~~**and network development plans pursuant to Article 32(3) and 51 of Directive 2019/944 and Article 22 of Directive 2009/73/EC** .	
Article 25(3)				
517	3. Member States shall ensure that transmission and distribution system operators map network losses and take cost-effective measures to reduce network losses. Transmission and distribution system operators shall report those measures and expected energy savings through the reduction of	3. Member States shall ensure that transmission and distribution system operators ~~*map network losses and take cost-effective measures to reduce*~~***monitor and quantify the overall volume of*** network losses~~*. Transmission and distribution system operators shall report those measures and*~~	3. [1]Member States shall ensure that transmission and distribution system operators map network losses and take cost-effective measures to ~~reduce network losses~~**optimise networks, where it is technically and financially feasible**. Transmission and distribution system operators	

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	network losses to the national energy regulatory authority. National energy regulatory authorities shall limit the possibility for transmission and distribution system operators to recover avoidable network losses from tariffs paid by consumers. Member States shall ensure that transmission and distribution system operators assess energy efficiency improvement measures with regard to their existing gas or electricity transmission or distribution systems and improve energy efficiency in infrastructure design and operation. Member States shall encourage transmission and distribution system operators to develop innovative solutions to improve the energy efficiency of existing systems through incentive based regulations.	~~*expected energy savings through the reduction of network losses to the national energy regulatory authority. National energy regulatory authorities shall limit the possibility for*~~ ***relating to the network they operate and take cost-effective measures to increase network efficiency and address infrastructure developments needs and the losses resulting from increased electrification at both demand and production side.*** Transmission and distribution system operators ~~*to recover avoidable network losses from tariffs paid by consumers*~~***shall report those measures to the national energy regulatory authority***. Member States shall ensure that transmission and distribution ~~*system*~~***network*** operators assess energy efficiency improvement measures with regard to their existing gas or electricity transmission or distribution systems and improve energy efficiency in infrastructure design and operation***, especially in terms of smart grid deployment***. Member States shall encourage transmission and distribution system operators	shall report those measures and expected energy savings through the reduction of network losses to the national energy regulatory authority. National energy regulatory authorities shall ~~limit the possibility for~~ **provide for incentives to** transmission and distribution system operators to ~~recover avoidable network losses from tariffs paid by consumers~~**optimise networks where it is technically and financially feasible** . Member States shall ensure that transmission and distribution system operators assess energy efficiency improvement measures with regard to their existing gas or electricity transmission or distribution systems and improve energy efficiency in infrastructure design and operation. Member States shall encourage transmission and distribution system operators to develop innovative solutions to improve the energy efficiency of existing systems through incentive based regulations **in compliance with the tariff principles set out in Article 18 of Regulation (EU) 2019/943 and Article 13 of**	

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		to develop innovative solutions to improve the ***efficiency and sustainability, including*** energy efficiency**,** of existing ***and future*** systems through incentive based regulations.	**Regulation (EU) 715/2009**. _____ **1. Pursuant to Article 15(2) of 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/EC, all Member States have undertaken an assessment of the energy efficiency potentials of their gas and electricity infrastructure, and have identified concrete measures and investments for the introduction of cost-effective energy efficiency improvements in the network infrastructure, with a timetable for their introduction. The results of these actions represent a solid basis for the application of the energy efficiency first principle in their network planning, network development and investment decisions.**	
Article 25(4)				
518	4. National energy regulatory authorities shall include a specific section on the progress achieved in energy efficiency improvements regarding the operation of the gas and electricity infrastructure in the annual report drawn up pursuant to Article 59(1)(i) of Directive (EU) 2019/944 and pursuant to Article 41 of Directive (EU) 2009/73/EC.	4. National energy regulatory authorities shall include a specific section on the progress achieved in energy efficiency improvements regarding the operation of the gas and electricity infrastructure in the annual report drawn up pursuant to Article 59(1)(i) of Directive (EU) 2019/944 and pursuant to Article 41 of Directive (EU) 2009/73/EC.	4. National energy regulatory authorities shall include a specific section on the progress achieved in energy efficiency improvements regarding the operation of the gas and electricity infrastructure in the annual report drawn up pursuant to Article 59(1)(i) of Directive (EU) 2019/944 and pursuant to Article 41 of Directive (EU) 2009/73/EC.	

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	In these reports, national energy regulatory authorities shall provide an assessment of network losses in the operation of the gas and electricity infrastructure, the measures carried out by transmission and distribution system operators, and, where applicable, provide recommendations for energy efficiency improvements.	In these reports, national energy regulatory authorities shall provide an assessment of ~~network losses~~***the overall efficiency*** in the operation of the gas and electricity infrastructure, the measures carried out by transmission and distribution system operators, and, where applicable, provide recommendations for energy efficiency improvements***, including cost-efficient alternatives that reduce peak loads and overall electricity use***.	In these reports, national energy regulatory authorities shall provide an assessment of network losses in the operation of the gas and electricity infrastructure, the measures carried out by transmission and distribution system operators, and, where applicable, provide recommendations for energy efficiency improvements.	
Article 25(5)				
519	5. For electricity, Member States shall ensure that network regulation and network tariffs fulfil the criteria in Annex XII, taking into account guidelines and codes developed pursuant to Regulation (EU) 2019/943.	5. For electricity, Member States shall ensure that network regulation and network tariffs fulfil the criteria in Annex XII, taking into account guidelines and codes developed pursuant to Regulation (EU) 2019/943.	5. For electricity, Member States shall ensure that network regulation and network tariffs fulfil the criteria in Annex XII, taking into account guidelines and codes developed pursuant to Regulation (EU) 2019/943 **and the obligation set out in Article 59(7)(a) of Directive 2019/944/EC to allow that necessary investments in the networks are carried out in a manner ensuring the viability of the networks.** .	

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Article 25(6)				
520	6. Member States may permit components of schemes and tariff structures with a social aim for net-bound energy transmission and distribution, provided that any disruptive effects on the transmission and distribution system are kept to the minimum necessary and are not disproportionate to the social aim.	6. Member States may permit components of schemes and tariff structures with a social aim for net-bound energy transmission and distribution, provided that any disruptive effects on the transmission and distribution system are kept to the minimum necessary and are not disproportionate to the social aim.	6. Member States may permit components of schemes and tariff structures with a social aim for net-bound energy transmission and distribution, provided that any disruptive effects on the transmission and distribution system are kept to the minimum necessary and are not disproportionate to the social aim.	
Article 25(7)				
521	7. National regulatory authorities shall ensure the removal of those incentives in transmission and distribution tariffs that are detrimental to the energy efficiency) of the generation, transmission, distribution and supply of electricity and gas .	7. National regulatory authorities shall ensure the removal of those incentives in transmission and distribution tariffs that are detrimental to the energy efficiency~~)~~ ***and demand response*** of the generation, transmission, distribution and supply of electricity and gas. ***Member States shall ensure efficiency in infrastructure design and the operation of the existing infrastructure and, within the framework of Directive (EU)***	7. National regulatory authorities shall ensure the removal of those incentives in transmission and distribution tariffs that are detrimental to the energy efficiency) of the generation, transmission, distribution and supply of electricity and gas .	

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		2019/944, that tariffs allow suppliers to improve consumer participation in system efficiency.		
Article 25(8)				
522	8. Transmission system operators and distribution system operators shall comply with the requirements set out in Annex XII.	8. Transmission system operators and distribution system operators shall comply with the requirements set out in Annex XII.	8. Transmission system operators and distribution system operators shall comply with the requirements set out in Annex XII.	
Article 25(9)				
523	9. Where appropriate, national regulatory authorities may require transmission system operators and distribution system operators to encourage high-efficiency cogeneration to be sited close to areas of heat demand by reducing the connection and use-of-system charges.	9. Where appropriate, national regulatory authorities may require transmission system operators and distribution system operators to encourage high-efficiency cogeneration to be sited close to areas of heat demand by reducing the connection and use-of-system charges.	9. Where appropriate, national regulatory authorities may require transmission system operators and distribution system operators to encourage high-efficiency cogeneration to be sited close to areas of heat demand by reducing the connection and use-of-system charges.	
Article 25(10)				
524	10. Member States may allow producers of electricity from high-efficiency cogeneration wishing to be connected to the grid to issue a	10. Member States may allow producers of electricity from high-efficiency cogeneration wishing to be connected to the grid to issue a	10. Member States may allow producers of electricity from high-efficiency cogeneration wishing to be connected to the grid to issue a	

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	call for tender for the connection work.	call for tender for the connection work.	call for tender for the connection work.	
Article 25(11)				
525	11. When reporting under Directive 2010/75/EU, and without prejudice to Article 9(2) of that Directive, Member States shall consider including information on energy efficiency levels of installations undertaking the combustion of fuels with total rated thermal input of 50 MW or more in the light of the relevant best available techniques developed in accordance with Directive 2010/75/EU.	11. When reporting under Directive 2010/75/EU, and without prejudice to Article 9(2) of that Directive, Member States shall consider including information on energy efficiency levels of installations undertaking the combustion of fuels with total rated thermal input of 50 MW or more in the light of the relevant best available techniques developed in accordance with Directive 2010/75/EU.	11. When reporting under Directive 2010/75/EU, and without prejudice to Article 9(2) of that Directive, Member States shall consider including information on energy efficiency levels of installations undertaking the combustion of fuels with total rated thermal input of 50 MW or more in the light of the relevant best available techniques developed in accordance with Directive 2010/75/EU.	
CHAPTER VI				
526	CHAPTER VI HORIZONTAL PROVISIONS	CHAPTER VI HORIZONTAL PROVISIONS	CHAPTER VI HORIZONTAL PROVISIONS	
Article 26				
527	Article 26 Availability of qualification, accreditation and certification	Article 26 Availability of qualification, accreditation and certification	Article 26 Availability of qualification, accreditation and certification	

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	schemes	schemes	schemes	
Article 26(1), first subparagraph				
528	1. Member States shall ensure the appropriate level of competences for energy efficiency professions that corresponds to the market needs. Member States in close cooperation with the social partners shall ensure that certification and/or equivalent qualification schemes, including, where necessary, suitable training programmes, are available for energy efficiency professions including providers of energy services, providers of energy audits, energy managers, independent experts and installers of building elements pursuant to Directive 2010/31/EU, and are reliable and contribute to national energy efficiency objectives and the overall EU decarbonisation objectives.	1. Member States shall ensure the appropriate level of competences for energy efficiency professions that corresponds to the market needs. Member States in close cooperation with the social partners shall ensure that certification and/or equivalent qualification schemes, including, where necessary, suitable training programmes, are available for energy efficiency professions including providers of energy services, providers of energy audits, energy managers, independent experts and installers of building elements pursuant to Directive 2010/31/EU, and are reliable and contribute to national energy efficiency objectives and the overall EU decarbonisation objectives.	1. Member States shall ~~ensure~~**set up the network ensuring** the appropriate level of competences for energy efficiency **-related** professions that corresponds to the market needs. Member States in close cooperation with the social partners shall ensure that certification and/or equivalent qualification schemes, including, where necessary, suitable training programmes, are available for energy efficiency **-related** professions including providers of energy services, providers of energy audits, energy managers, independent experts and installers of building elements **and providers of integrated renovation works** pursuant to Directive 2010/31/EU, and are reliable and contribute to national energy efficiency objectives and the overall EU decarbonisation objectives.	
Article 26(1), second subparagraph				

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529	Providers of certification, and/or equivalent qualification schemes, including, where necessary, suitable training programmes shall be accredited according to Regulation (EC) No 765/2008[1]. _____ 1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 , (OJ L 218, 13.8.2008, p. 30–47).	Providers of certification, and/or equivalent qualification schemes, including, where necessary, suitable training programmes shall be accredited according to Regulation (EC) No 765/2008[1]. _____ 1. Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 , (OJ L 218, 13.8.2008, p. 30–47).	**Member States shall insure that** providers of certification, and/or equivalent qualification schemes, including, where necessary, suitable training programmes ~~shall be~~**are** accredited according to Regulation (EC) No 765/2008[1]**, where applicable**. _____ 1. **[1]** Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 , (OJ L 218, 13.8.2008, p. 30–47).	
Article 26(1a)				
529a		***1a. Member States shall promote certification, training and education programmes to ensure the appropriate level of competences for energy efficiency professions that correspond to market needs. Member States shall put in place measures to promote participation in such programmes, in particular by SMEs and self-employed persons. By ... [12 months after the date of***		

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		entry into force of this Directive], the Commission shall set up a Union-wide campaign to attract more people to energy efficiency professions and ensure equal access for women.		
Article 26(1b)				
529b		***1b. By ... [12 months after the date of entry into force of this Directive], the Commission shall set up a single point of access platform providing support and sharing of knowledge to ensure the appropriate level of qualified professionals to reach the Union's climate and energy targets. The platform shall gather Member States, social partners, education institutions, academia and other relevant stakeholders to foster and promote best practices to ensure more energy efficiency professionals and re-skill or up-skill existing professionals in order to meet market needs.***		
Article 26(2)				
530				

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	2. Member States shall ensure that national certification, or equivalent qualification schemes, including, where necessary, training programmes, take into account existing European or international standards.	2. Member States shall ensure that national certification, or equivalent qualification schemes, including, where necessary, training programmes, ~~take into account~~***are based on*** existing European or international standards.	2. Member States shall ensure that national certification, or equivalent qualification schemes, including, where necessary, training programmes, take into account existing European or international standards.	
Article 26(3), first subparagraph				
531	3. Member States shall make publicly available the certification, or equivalent qualification schemes, or suitable training programmes referred to in paragraph 1 and shall cooperate among themselves and with the Commission on comparisons between, and recognition of, the schemes.	3. Member States shall make publicly available the certification, or equivalent qualification schemes, or suitable training programmes referred to in paragraph 1 and shall cooperate among themselves and with the Commission on comparisons between, and recognition of, the schemes.	3. Member States shall make publicly available the certification, or equivalent qualification schemes, or suitable training programmes referred to in paragraph 1 and shall cooperate among themselves and with the Commission on comparisons between, and recognition of, the schemes.	
Article 26(3), second subparagraph				
532	Member States shall take appropriate measures to make consumers aware of the availability of the schemes in accordance with Article 27(1).	Member States shall take appropriate measures to make consumers aware of the availability of the schemes in accordance with Article 27(1).	Member States shall take appropriate measures to make consumers aware of the availability of the schemes in accordance with Article 27(1).	
Article 26(4)				

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533	4. Member States shall assess by 31 December 2024 and every four years thereafter whether the schemes ensure the necessary level of competences for energy services providers, energy auditors, energy managers, independent experts and installers of building elements pursuant to Directive 2010/31/EU, and shall make the assessment and recommendations thereof publically available.	4. Member States shall assess by 31 December 2024 and every ~~four~~***two*** years thereafter whether the schemes ensure the necessary level of competences ***and gender balance*** for energy services providers, energy auditors, energy managers, independent experts and installers of building elements pursuant to Directive 2010/31/EU~~,~~ ~~and~~ ***. They shall also assess the gap between available and needed professionals. They*** shall make the assessment and recommendations thereof publically available~~.~~	4. Member States shall assess by 31 December 2024 and every ~~four~~**five** years thereafter whether the schemes ensure the necessary level of competences for energy services providers, energy auditors, energy managers, independent experts and installers of building elements **and providers of integrated renovation works** pursuant to Directive 2010/31/EU, and shall make the assessment and recommendations thereof publically available. **Member States may include these assessments in their integrated national energy and climate plans.**	
Article 27				
534	Article 27 Energy services	Article 27 Energy services	Article 27 Energy services	
Article 27(1) introductory part				
535	1. Member States shall promote the energy services market and access to it for SMEs by:	1. Member States shall promote the energy services market and access to it for SMEs by:	1. Member States shall promote the energy services market and access to it for SMEs by:	

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Article 27(1),introductory part				
536	disseminating clear and easily accessible information on:	disseminating clear and easily accessible information on:	disseminating clear and easily accessible information on:	
Article 27(1), point (a)				
537	(a) available energy service contracts and clauses that should be included in such contracts to guarantee energy savings and final customers' rights;	(a) available energy service contracts and clauses that should be included in such contracts to guarantee energy savings and final customers' rights;	(a) available energy service contracts and clauses that should be included in such contracts to guarantee energy savings and final customers' rights;	
Article 27(1), point (b)				
538	(b) financial instruments, incentives, grants , revolving funds, guarantees, insurance schemes, and loans to support energy efficiency service projects;	(b) financial instruments, incentives, grants , revolving funds, guarantees, insurance schemes, and loans to support energy efficiency service projects;	(b) financial instruments, incentives, grants , revolving funds, guarantees, insurance schemes, and loans to support energy efficiency service projects;	
Article 27(1) , point (c)				
539	(c) available energy services providers that are qualified and/or certified and their qualifications and/or certifications in accordance	(c) available energy services providers that are qualified and/or certified and their qualifications and/or certifications in accordance	(c) available energy services providers that are qualified and/or certified and their qualifications and/or certifications in accordance	

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	with Article 26.	with Article 26.	with Article 26.	
Article 27(1), point (d)				
540	(d) available monitoring and verification methodologies and quality control schemes.	(d) available monitoring and verification methodologies and quality control schemes.	(d) available monitoring and verification methodologies and quality control schemes.	
Article 27(2)				
541	2. Member States shall encourage the development of quality labels, inter alia, by trade associations, based on European or international standards where relevant ;	2. Member States shall encourage the development of quality labels, inter alia, by trade associations, based on European or international standards where relevant ;	2. Member States shall encourage the development of quality labels, inter alia, by trade associations, based on European or international standards where relevant ;	
Article 27(3)				
542	3. Member States shall make publicly available and regularly update a list of available energy service providers who are qualified and/or certified and their qualifications and/or certifications in accordance with Article 26, or provide an interface where energy service providers can provide information.	3. Member States shall make publicly available and regularly update a list of available energy service providers who are qualified and/or certified and their qualifications and/or certifications in accordance with Article 26, or provide an interface where energy service providers can provide information.	3. Member States shall make publicly available and regularly update a list of available energy service providers who are qualified and/or certified and their qualifications and/or certifications in accordance with Article 26, or provide an interface where energy service providers can provide information.	

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Article 27(4), first subparagraph				
543	4. Member States shall encourage public bodies to use energy performance contracting for renovations of large buildings. For renovations of large non-residential buildings with a useful floor area above 1000 m^2, Member States shall ensure that public bodies assess the feasibility of using energy performance contracting.	4. Member States shall ~~encourage~~***ensure that*** public bodies ~~to~~ use energy performance contracting for renovations of large buildings. For renovations of large non-residential ***and public residential*** buildings with a useful floor area above ~~1000~~***500*** m^2, ***and of buildings for social purposes,*** Member States shall ensure that public bodies assess the feasibility of using energy performance contracting~~.~~ ***and other performance-based energy services.***	4. Member States shall encourage public bodies to use energy performance contracting for renovations of large buildings. For renovations of large non-residential buildings with a useful floor area above 1000 m^2, Member States shall ensure that public bodies assess the feasibility of using energy performance contracting.	
Article 27(4), second subparagraph				
544	Member States may encourage public bodies to combine energy performance contracting with expanded energy services including demand response and storage.	Member States may encourage public bodies to combine energy performance contracting with expanded energy services including demand response and storage***, in order to ensure energy savings and maintain the obtained results over time through continuous monitoring, effective operation and maintenance***.	Member States may encourage public bodies to combine energy performance contracting with expanded energy services including demand response and storage.	

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Article 27(5), introductory part				
545	5. Member States shall support the public sector in taking up energy service offers, in particular for building refurbishment, by:	5. Member States shall support the public sector in taking up energy service offers, in particular for building refurbishment, by:	5. Member States shall support the public sector in taking up energy service offers, in particular for building refurbishment, by:	
Article 27(5), point (a)				
546	(a) providing model contracts for energy performance contracting which include at least the items listed in Annex XIII and take into account the existing European or international standards, available tendering guidelines and Eurostat guide to the statistical treatment of energy performance contracts in government accounts ;	(a) providing model contracts for energy performance contracting which include at least the items listed in Annex XIII and take into account the existing European or international standards, available tendering guidelines and Eurostat guide to the statistical treatment of energy performance contracts in government accounts ;	(a) providing model contracts for energy performance contracting which include at least the items listed in Annex XIII and take into account the existing European or international standards, available tendering guidelines and Eurostat guide to the statistical treatment of energy performance contracts in government accounts ;	
Article 27(5), point (b)				
547	(b) providing information on best practices for energy performance contracting, including, if available, cost-benefit analysis using a life-cycle approach;	(b) providing information on best practices for energy performance contracting, including, if available, cost-benefit analysis using a life-cycle approach;	(b) providing information on best practices for energy performance contracting, including, if available, cost-benefit analysis using a life-cycle approach;	
Article 27(5), point (c)				

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548	(c) making publicly available a database of implemented and ongoing energy performance contracting projects that includes the projected and achieved energy savings.	(c) ***promoting and*** making publicly available a database of implemented and ongoing energy performance contracting projects that includes the projected and achieved energy savings.	(c) making publicly available a database of implemented and ongoing energy performance contracting projects that includes the projected and achieved energy savings.	
Article 27(6), introductory part				
549	6. Member States shall support the proper functioning of the energy services market, by taking the following measures :	6. Member States shall support the proper functioning of the energy services market, by taking the following measures :	6. Member States shall support the proper functioning of the energy services market, by taking the following measures :	
Article 27(6), point (a)				
550	(a) identifying and publicising point(s) of contact where final customers can obtain the information referred to in paragraph 1;	(a) identifying and publicising point(s) of contact where final customers can obtain the information referred to in paragraph 1;	(a) identifying and publicising point(s) of contact where final customers can obtain the information referred to in paragraph 1;	
Article 27(6), point (b)				
551	(b) removing the regulatory and non-regulatory barriers that impede the uptake of energy performance contracting and other energy	(b) removing the regulatory and non-regulatory barriers that impede the uptake of energy performance contracting and other energy	(b) removing the regulatory and non-regulatory barriers that impede the uptake of energy performance contracting and other energy	

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	efficiency service models for the identification and/or implementation of energy saving measures;	efficiency service models for the identification and/or implementation of energy saving measures;	efficiency service models for the identification and/or implementation of energy saving measures;	
Article 27(6), point (c)				
552	(c) setting up and promoting the role of advisory bodies and independent market intermediaries including one stop shops or similar support mechanisms to stimulate market development on the demand and supply sides, and making information about those support mechanisms publically available and accessible to market actors.	(c) setting up and promoting the role of advisory bodies, ***ESCOs*** and independent market intermediaries including one stop shops or similar support mechanisms to stimulate market development on the demand and supply sides, and making information about those support mechanisms publically available and accessible to market actors.	(c) setting up and promoting the role of advisory bodies and independent market intermediaries including one stop shops or similar support mechanisms to stimulate market development on the demand and supply sides, and making information about those support mechanisms publically available and accessible to market actors.	
Article 27(7)				
553	7. For the purpose of supporting the proper functioning of the energy services market, Member States may establish an individual mechanism or designate an ombudsperson to ensure the efficient handling of complaints and out-of-court settlement of disputes arising from energy	7. For the purpose of supporting the proper functioning of the energy services market, Member States may establish an individual mechanism or designate an ombudsperson to ensure the efficient handling of complaints and out-of-court settlement of disputes arising from energy	7. For the purpose of supporting the proper functioning of the energy services market, Member States may establish an individual mechanism or designate an ombudsperson to ensure the efficient handling of complaints and out-of-court settlement of disputes arising from energy	

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	service and energy performance contracts.	service and energy performance contracts.	service and energy performance contracts.	
Article 27(8)				
554	8. Member States shall ensure that energy distributors, distribution system operators and retail energy sales companies refrain from any activities that may impede the demand for and delivery of energy services or energy efficiency improvement measures, or hinder the development of markets for such services or measures, including foreclosing the market for competitors or abusing dominant positions.	8. Member States shall ensure that energy distributors, distribution system operators and retail energy sales companies refrain from any activities that may impede the demand for and delivery of energy services or energy efficiency improvement measures, or hinder the development of markets for such services or measures, including foreclosing the market for competitors or abusing dominant positions.	8. Member States shall ensure that energy distributors, distribution system operators and retail energy sales companies refrain from any activities that may impede the demand for and delivery of energy services or energy efficiency improvement measures, or hinder the development of markets for such services or measures, including foreclosing the market for competitors or abusing dominant positions.	
Article 28				
555	Article 28 Energy Efficiency National Fund, Financing and Technical Support	Article 28 Energy Efficiency National Fund, Financing and Technical Support	Article 28 Energy Efficiency National Fund, Financing and Technical Support	
Article 28(1)				
556	1. Without prejudice to Articles 107 and 108 TFEU , Member	1. Without prejudice to Articles 107 and 108 TFEU , Member	1. Without prejudice to Articles 107 and 108 TFEU , Member	

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	States shall facilitate the establishment of financing facilities, or use of existing ones, for energy efficiency improvement measures to maximise the benefits of multiple streams of financing and the combination of grants, financial instruments and technical assistance .	States shall facilitate the establishment of financing facilities, or use of existing ones, for energy efficiency improvement measures to maximise the benefits of multiple streams of financing and the combination of grants, financial instruments and technical assistance .	States shall facilitate the establishment of financing facilities, or use of existing ones, for energy efficiency improvement measures to maximise the benefits of multiple streams of financing and the combination of grants, financial instruments and technical assistance .	
Article 28(2)				
557	2. The Commission shall, where appropriate, directly or via the European financial institutions, assist Member States in setting up financing facilities and project development assistance facilities at national, regional or local level with the aim of increasing investments in energy efficiency in different sectors , and protecting and empowering vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing including by integrating an equality perspective so that no one is left behind .	2. The Commission shall, where appropriate, directly or via the European financial institutions, assist Member States in setting up financing facilities and project development assistance facilities at national, regional or local level with the aim of increasing investments in energy efficiency in different sectors , and protecting and empowering vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing including by integrating an equality perspective so that no one is left behind .	2. The Commission shall, where appropriate, directly or via the European financial institutions, assist Member States in setting up financing facilities and project development assistance facilities at national, regional or local level with the aim of increasing investments in– energy efficiency in different sectors-, and protecting and empowering vulnerable customers **pursuant to Article 22(1)**, people affected by energy poverty and, where applicable, people living in social housing including by integrating an equality perspective so that no one is left behind-.	

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Article 28(3)				
558	3. Member States shall adopt measures that ensure that energy efficiency lending products, such as green mortgages and green loans, secured and unsecured, are offered widely and in a non-discriminatory manner by financial institutions and, are visible and accessible to consumers. Member States shall adopt measures to facilitate the implementation of on-bill and on-tax financing schemes. Member States shall ensure that banks and other financial institutions receive information on opportunities to participate in the financing of energy efficiency improvement measures , including through the creation of public/private partnerships.	3. Member States shall adopt measures that ensure that energy efficiency lending products, such as green mortgages and green loans, secured and unsecured, are offered widely and in a non-discriminatory manner by financial institutions and, are visible and accessible to consumers. Member States shall adopt measures to facilitate the implementation of on-bill and on-tax financing schemes. Member States shall ensure that banks and other financial institutions receive information on opportunities to participate in the financing of energy efficiency improvement measures , including through the creation of public/private partnerships.	3. Member States shall adopt measures that ~~ensure~~**promote and encourage** that energy efficiency lending products, such as green mortgages and green loans, secured and unsecured, are offered widely and in a non-discriminatory manner by financial institutions and, are visible and accessible to consumers. Member States shall adopt measures to facilitate the implementation of on-bill and on-tax financing schemes**, taking into account the Commission guidance adopted in accordance with paragraph 8**.– Member States shall ensure that– **t** banks and other financial institutions receive information on opportunities to participate in the financing of energy efficiency improvement measures , including through the creation of public/private partnerships. **Member States shall encourage the setting up of loan guarantee facilities for energy efficiency investment.**	
Article 28(3a), first subparapgraph				

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558a		***3a. Without prejudice to Articles 107 and 108 TFEU, Member States shall adopt financial support schemes to increase the uptake of energy efficiency improvement measures for newly built, or the substantial refurbishment of, individual and district heating and cooling systems and the replacement of old and inefficient heating and cooling appliances with highly efficient alternatives.***		
Article 28(3a), second subparagraph				
558b		***Member States shall facilitate the establishment of local expertise and technical assistance to advise on best practices with regard to achieving the decarbonisation of local district heating and cooling, such as access to locally available projects and dedicated financial support.***		
Article 28(4)				
559	4. The Commission shall facilitate	4. The Commission shall facilitate	4. The Commission shall facilitate	

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	the exchange of best practice between the competent national or regional authorities or bodies, e.g. through annual meetings of the regulatory bodies, public databases with information on the implementation of measures by Member States, and country comparison.	the exchange of best practice between the competent national or regional authorities or bodies, e.g. through annual meetings of the regulatory bodies, public databases with information on the implementation of measures by Member States, and country comparison.	the exchange of best practice between the competent national or regional authorities or bodies, e.g. through annual meetings of the regulatory bodies, public databases with information on the implementation of measures by Member States, and country comparison.	
Article 28(5)				
560	5. In order to mobilise private financing for energy efficiency measures and energy renovation, in accordance with Directive 2010/31/EU, the Commission shall conduct a dialogue with both public and private financial institutions in order to map out possible actions it can take.	5. In order to mobilise private financing for energy efficiency measures and energy renovation, ~~*in accordance with*~~***to contribute to the achievement the Union's energy efficiency targets and of the national contributions pursuant to Article 4 of this Directive and of the objectives in*** Directive 2010/31/EU, the Commission shall conduct a dialogue with both public and private financial institutions***, as well as specific sectors such as transport, ICT and buildings,*** in order to map out ***needs and*** possible actions it can take.	5. In order to mobilise private financing for energy efficiency measures and energy renovation, in accordance with Directive 2010/31/EU, the Commission shall conduct a dialogue with both public and private financial institutions in order to map out possible actions it can take.	
Article 28(6), introductory part				

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561	6. The actions referred to in paragraph 5 shall include the following elements :	6. The actions referred to in paragraph 5 shall include the following elements :	6. The actions referred to in paragraph 5 shall include the following elements :	
Article 28(6), point (a)				
562	(a) mobilising capital investment into energy efficiency by considering the wider impacts of energy savings;	(a) mobilising capital investment into energy efficiency by considering the wider impacts of energy savings;	(a) mobilising capital investment into energy efficiency by considering the wider impacts of energy savings;	
Article 28(6), point (a)(a)				
562a		***(aa) facilitating the implementation of dedicated energy efficiency financial instruments and financing schemes at scale to be set up by financial institutions;***		
Article 28(6), point (b), introductory part				
563	(b) ensuring better energy and finance performance data by:	(b) ensuring better energy and finance performance data by:	(b) ensuring better energy and finance performance data by:	
Article 28(6), point (b)(i)				
564				

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	(i) examining further how energy efficiency investments improve underlying asset values;	(i) examining further how energy efficiency investments improve underlying asset values;	(i) examining further how energy efficiency investments improve underlying asset values;	
Article 28(6), point (b)(ii)				
565	(ii) supporting studies to assess the monetisation of the non-energy benefits of energy efficiency investments.	(ii) supporting studies to assess the monetisation of the non-energy benefits of energy efficiency investments.	(ii) supporting studies to assess the monetisation of the non-energy benefits of energy efficiency investments.	
Article 28(7), introductory part				
566	7. For the purpose of mobilising private financing of energy efficiency measures and energy renovation, Member States shall, when implementing this Directive:	7. For the purpose of mobilising private financing of energy efficiency measures and energy renovation, Member States shall, when implementing this Directive:	7. For the purpose of mobilising private financing of energy efficiency measures and energy renovation, Member States shall, when implementing this Directive:	
Article 28(7), point (a)				
567	(a) consider ways to make better use of energy audits under Article 11 to influence decision-making;	(a) consider ways to make better use of energy ***management systems and energy*** audits under Article 11 to influence decision-making;	(a) consider ways to make better use of energy audits under Article 11 to influence decision-making;	
Article 28(7), point (b)				

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568	(b) make optimal use of the possibilities and tools available from the Union budget, and proposed in the smart finance for smart buildings initiative and in Commission Communication entitled 'Renovation Wave'.	(b) make optimal use of the possibilities and tools available from the Union budget, and proposed in the smart finance for smart buildings initiative and in Commission Communication entitled 'Renovation Wave'.	(b) make optimal use of the possibilities and tools available from the Union budget, and proposed in the smart finance for smart buildings initiative and in Commission Communication entitled 'Renovation Wave'.	
Article 28(8), first subparagraph				
569	8. By 31 December 202 the Commission shall provide guidance for Member States and market actors on how to unlock private investment.	8. By 31 December 202 the Commission shall provide guidance for Member States and market actors on how to unlock private investment.	8. By 31 December 202 the Commission shall provide guidance for Member States and market actors on how to unlock private investment.	
Article 28(8), second subparagraph				
570	The guidance shall have the purpose of helping Member States and market actors to develop and implement their energy efficiency investments in the various Union programmes, and will propose adequate financial mechanisms and solutions, with a combination of grants, financial instruments and project development assistance, to scale up existing initiatives and use	The guidance shall have the purpose of helping Member States and market actors to develop and implement their energy efficiency investments in the various Union programmes, and will propose adequate financial mechanisms and solutions, with a combination of grants, financial instruments and project development assistance, to scale up existing initiatives and use	The guidance shall have the purpose of helping Member States and market actors to develop and implement their energy efficiency investments in the various Union programmes, and will propose adequate financial mechanisms and solutions, with a combination of grants, financial instruments and project development assistance, to scale up existing initiatives and use	

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	the Union funding as a catalyst to leverage and trigger private financing.	the Union funding as a catalyst to leverage and trigger private financing.	the Union funding as a catalyst to leverage and trigger private financing.	
Article 28(9), first subparagraph				
571	9. Member States may set up an Energy Efficiency National Fund. The purpose of this fund shall be to implement energy efficiency measures, including measures pursuant to Article 8(3) and Article 22 as a priority among vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, and to implement national energy efficiency measures to support Member States in meeting their national energy efficiency contributions and their indicative trajectories referred to in Article 4(2). The Energy Efficiency National Fund may be financed with revenues from the allowance auctions pursuant to the EU Emission Trading System on buildings and transport sectors .	9. ***By ... [transposition date],*** Member States may set up ~~*an*~~***a National*** Energy Efficiency ~~*National*~~ Fund. The purpose of ~~*this fund shall be to implement*~~***the National*** Energy Efficiency ~~*measures, including measures pursuant to Article 8(3) and Article 22 as a priority among vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, and to*~~ ***Fund shall be to*** implement~~*national*~~ energy efficiency measures ~~*to*~~***in*** support ***of*** Member States~~*in meeting their*~~***'*** national ~~*energy efficiency*~~ contributions ~~*and their indicative trajectories referred to in*~~***pursuant to*** Article 4(2). The ***National*** Energy Efficiency ~~*National*~~ Fund may be ~~*financed with revenues from the allowance auctions pursuant to the EU Emission Trading System on buildings and*~~	9. Member States may set up an Energy Efficiency National Fund. The purpose of this fund shall be to implement energy efficiency measures~~, including measures pursuant to Article 8(3) and Article 22 as a priority among vulnerable customers, people affected by energy poverty and,~~ **to support Member States in meeting their national energy efficiency contributions and their indicative trajectories referred to in Article 4(2) and** where applicable~~, people living in social housing, and to implement national energy efficiency measures to support Member States in meeting their national~~ **including measures pursuand to Article 8(3) and Article 33 as a priority among vulnerable customers, people affected by** energy ~~efficiency contributions and their indicative trajectories referred~~	

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		~~transport sectors~~ ***established as a dedicated fund within an already existing national facility promoting capital investments***.	~~to in Article 4(2)~~**poverty and people living in social housing**. The Energy Efficiency National Fund may be financed with revenues from the allowance auctions pursuant to the EU Emission Trading System on buildings and transport sectors-.	
Article 28(9), second ubparagraph				
571a		***Member States shall establish financing instruments including public guarantees in their National Energy Efficiency Funds to increase the uptake of private investments in energy efficiency and of the energy efficiency lending products and innovative schemes referred to in paragraph 3 of this Article. Pursuant to Article 8(3) and Article 22, the National Energy Efficiency Fund shall support the implementation of measures as a priority among vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing. That support shall include financing for energy efficiency measures for SMEs in***		

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		order to leverage and trigger private financing for SMEs, thereby supporting the implementation of national energy efficiency measures to support Member States in meeting their national energy efficiency contributions and their indicative trajectories referred to in Article 4(2). [The National Energy Efficiency Fund may be financed with revenues from the allowance auctions pursuant to the EU Emission Trading System on buildings and transport sectors.]		
Article 28(10)				
572	10. Member States may allow public bodies to fulfil the obligations set out in Article 6(1) by means of annual contributions to the Energy Efficiency National Fund equivalent to the amount of the investments required to achieve those obligations.	10. Member States may allow public bodies to fulfil the obligations set out in Article 6(1) by means of annual contributions to the Energy Efficiency National Fund equivalent to the amount of the investments required to achieve those obligations.	10. Member States may allow public bodies to fulfil the obligations set out in Article 6(1) by means of annual contributions to the Energy Efficiency National Fund equivalent to the amount of the investments required to achieve those obligations.	
Article 28(11)				
573	11. Member States may provide	11. Member States may provide	11. Member States may provide	

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	that obligated parties can fulfil their obligations set out in Article 8(1) and (4) by contributing annually to the Energy Efficiency National Fund an amount equal to the investments required to achieve those obligations.	that obligated parties can fulfil their obligations set out in Article 8(1) and (4) by contributing annually to the Energy Efficiency National Fund an amount equal to the investments required to achieve those obligations.	that obligated parties can fulfil their obligations set out in Article 8(1) and (4) by contributing annually to the Energy Efficiency National Fund an amount equal to the investments required to achieve those obligations.	
Article 28(12)				
574	12. Member States may use their revenues from annual emission allocations under Decision No 406/2009/EC for the development of innovative financing for energy efficiency improvements .	12. Member States may use their revenues from annual emission allocations under Decision No 406/2009/EC for the development of innovative financing for energy efficiency improvements .	12. Member States may use their revenues from annual emission allocations under Decision No 406/2009/EC for the development of innovative financing for energy efficiency improvements .	
Article 28(12a), first subparagraph				
574a		***12a. The Commission shall assess the effectiveness and efficiency of energy efficiency investment measures implemented in the Member States and their capacity to increase the uptake of private investments in energy efficiency while also taking into account public financing needs expressed in the National Energy and Climate Plans. The***		

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		Commission shall evaluate whether an energy efficiency mechanism at Union level, with the objective to provide an EU guarantee, technical assistance, including one stop shops, and associated grants to enable the implementation of financial instruments, and financing and support schemes at national level, could support in a cost-effective way the achievement of the Union energy efficiency and climate targets, and, if appropriate, propose the establishment of such a mechanism.		
Article 28(12a), second subparagraph				
574b		***To that end, the Commission shall submit by ... [30 March 2024] a report to the European Parliament and the Council, which shall be accompanied, if appropriate, by a legislative proposal.***		
Article 28(12b), first subparagraph , introductory part				
574c		***12b. Member States shall report***		

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		to the Commission by ... [15 March 2025] and every two years thereafter, as part of their integrated national energy and climate progress reports in accordance with Articles 17 and 21 of Regulation (EU) 2018/1999 the following data:		
Article 28(12b), first subparagraph , point(a)				
574d		***(a) an estimation of the volume of public and private investments on energy efficiency, including investments via energy performance contracting and the leverage factor achieved by public funding supporting energy efficiency measures;***		
Article 28(12b), first subparagraph , point(b)				
574e		***(b) the volume of energy efficiency lending products, differentiating between secured and unsecured lending products;***		
Article 28(12b), first subparagraph , point(c)				
574f				

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		(c) national financing programmes put in place to increase uptake of energy efficiency and best practices, and innovative financing schemes for energy efficiency.		
Article 28(12b) , second subparagraph				
574g		***To facilitate the preparation of the report referred to in the first subparagraph, the Commission shall provide a common template to Member States by ... [15 March 2024]. Member States shall include an annex to their integrated national energy and climate progress reports, drawn up in accordance with that template.***		
Article 29				
575	Article 29 Conversion factors and primary energy factors	Article 29 Conversion factors and primary energy factors	Article 29 Conversion factors and primary energy factors	
Article 29(1)				
576				

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	1. For the purpose of comparison of energy savings and conversion to a comparable unit, the net calorific values in Annex VI of Commission Implementing Regulation (EU) 2018/2066[1] and the primary energy factors set out in paragraph 2 shall apply unless the use of other values or factors can be justified. _____ 1. Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.	1. For the purpose of comparison of energy savings and conversion to a comparable unit, the net calorific values in Annex VI of Commission Implementing Regulation (EU) 2018/2066[1] and the primary energy factors set out in paragraph 2 shall apply unless the use of other values or factors can be justified. _____ 1. Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.	1. For the purpose of comparison of energy savings and conversion to a comparable unit, the net calorific values in Annex VI of Commission Implementing Regulation (EU) 2018/2066[1] and the primary energy factors set out in paragraph 2 shall apply unless the use of other values or factors can be justified. _____ 1. Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council and amending Commission Regulation (EU) No 601/2012, OJ L 334, 31.12.2018, p. 1–93.	
Article 29(2)				
577	2. A primary energy factor shall be applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption.	2. A primary energy factor shall be applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption.	2. A primary energy factor shall be applicable when energy savings are calculated in primary energy terms using a bottom-up approach based on final energy consumption.	
Article 29(3)				
578	3. For savings in kWh electricity, Member States shall apply a	3. For savings in kWh electricity, Member States shall apply a	3. For savings in kWh electricity, Member States shall apply a	

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	coefficient in order to accurately calculate the resulting primary energy consumption savings. Member States shall apply a default coefficient of 2,1 unless they use their discretion to define a different coefficient based upon justified national circumstances.	coefficient in order to accurately calculate the resulting primary energy consumption savings. Member States shall apply a default coefficient of 2,1 unless they use their discretion to define a different coefficient based upon justified national circumstances.	coefficient in order to accurately calculate the resulting primary energy consumption savings. Member States shall apply a default coefficient of 2,1 unless they use their discretion to define a different coefficient based upon justified national circumstances.	
Article 29(4)				
579	4. For savings in kWh of other energy carriers, Member States shall apply a coefficient in order to accurately calculate the resulting primary energy consumption savings.	4. For savings in kWh of other energy carriers, Member States shall apply a coefficient in order to accurately calculate the resulting primary energy consumption savings.	4. For savings in kWh of other energy carriers, Member States shall apply a coefficient in order to accurately calculate the resulting primary energy consumption savings.	
Article 29(5)				
580	5. Where Member States establish their own coefficient to a default value provided pursuant to this Directive, Member States shall establish this through a transparent methodology on the basis of national circumstances affecting primary energy consumption. The circumstances shall be substantiated, verifiable and based	5. Where Member States establish their own coefficient to a default value provided pursuant to this Directive, Member States shall establish this through a transparent methodology on the basis of national ***or local*** circumstances affecting primary energy consumption. The circumstances shall be substantiated, verifiable	5. Where Member States establish their own coefficient to a default value provided pursuant to this Directive, Member States shall establish this through a transparent methodology on the basis of national circumstances affecting primary energy consumption. The circumstances shall be substantiated, verifiable and based	

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	on objective and non-discriminatory criteria.	and based on objective and non-discriminatory criteria.	on objective and non-discriminatory criteria.	
Article 29(6)				
581	6. Where establishing an own coefficient, Member States shall take into account the energy mix included in the update of their integrated national energy and climate plans and subsequent integrated National Energy and Climate Plan to be notified to the Commission in accordance with Regulation (EU) 2018/1999. If they deviate from the default value Member States shall notify the coefficient that they use to the Commission along with the calculation methodology and underlying data in the update of their integrated National Energy and Climate Plans and subsequent integrated National Energy and Climate Plans in accordance with Regulation (EU) 2018/1999.	6. Where establishing an own coefficient, Member States shall take into account the energy mix included in the update of their integrated national energy and climate plans and subsequent integrated National Energy and Climate Plan to be notified to the Commission in accordance with Regulation (EU) 2018/1999. If they deviate from the default value Member States shall notify the coefficient that they use to the Commission along with the calculation methodology and underlying data in the update of their integrated National Energy and Climate Plans and subsequent integrated National Energy and Climate Plans in accordance with Regulation (EU) 2018/1999.	6. Where establishing an own coefficient, Member States shall take into account the energy mix included in the update of their integrated national energy and climate plans and subsequent integrated National Energy and Climate Plan to be notified to the Commission in accordance with Regulation (EU) 2018/1999. If they deviate from the default value Member States shall notify the coefficient that they use to the Commission along with the calculation methodology and underlying data in the update of their integrated National Energy and Climate Plans and subsequent integrated National Energy and Climate Plans in accordance with Regulation (EU) 2018/1999.	
Article 29(7)				
582	7. By 25 December 2022 and	7. By 25 December 2022 and	7. By 25 December 2022 and	

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	every four years thereafter, the Commission shall revise the default coefficient on the basis of observed data. That revision shall be carried out taking into account its effects on other Union law such as Directive 2009/125/EC and Regulation (EU) 2017/1369.	every four years thereafter, the Commission shall revise the default coefficient on the basis of observed data. That revision shall be carried out taking into account its effects on other Union law such as Directive 2009/125/EC and Regulation (EU) 2017/1369. ***The methodology shall be regularly assessed to ensure that energy savings lead to the highest level of greenhouse gas emission reductions while contributing to the phasing out of fossil fuels.***	every four years thereafter, the Commission shall revise the default coefficient on the basis of observed data. That revision shall be carried out taking into account its effects on other Union law such as Directive 2009/125/EC and Regulation (EU) 2017/1369.	
CHAPTER VII				
583	CHAPTER VII FINAL PROVISIONS	CHAPTER VII FINAL PROVISIONS	CHAPTER VII FINAL PROVISIONS	
Article 30				
584	Article 30 Penalties	Article 30 Penalties	Article 30 Penalties	
Article 30				
585	Member States shall lay down the rules on penalties applicable in	Member States shall lay down the rules on penalties applicable in	Member States shall lay down the rules on penalties applicable in	

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	case of non-compliance with the national provisions adopted pursuant to this Directive and shall take the necessary measures to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by [transposition date] and shall notify it without delay of any subsequent amendment affecting them.	case of non-compliance with the national provisions adopted pursuant to this Directive and shall take the necessary measures to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by [transposition date] and shall notify it without delay of any subsequent amendment affecting them.	case of non-compliance with the national provisions adopted pursuant to this Directive and shall take the necessary measures to ensure that they are implemented. The penalties provided for shall be effective, proportionate and dissuasive. Member States shall notify those provisions to the Commission by [transposition date] and shall notify it without delay of any subsequent amendment affecting them.	
Article 31				
586	Article 31 Delegated acts	Article 31 Delegated acts	Article 31 Delegated acts	
Article 31(1)				
587	1. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning the review of the harmonised efficiency reference values referred to in the second subparagraph of Article 24(10).	1. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning the review of the harmonised efficiency reference values referred to in the second subparagraph of Article 24(10).	1. The Commission is empowered to adopt delegated acts in accordance with Article 32 concerning the review of the harmonised efficiency reference values referred to in the second subparagraph of Article 24(10).	
Article 31(2)				

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588	2. The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend or supplement this Directive by adapting to technical progress the values, calculation methods, default primary energy coefficients and requirements referred to in Article 29, Annexes II, III, V, VII to XI, and XIII .	2. The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend or supplement this Directive by adapting to technical progress the values, calculation methods, default primary energy coefficients and requirements referred to in Article 29, Annexes II, III, V, VII to XI, and XIII .	2. The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend or supplement this Directive by adapting to technical progress the values, calculation methods, default primary energy coefficients and requirements referred to in Article 29, Annexes II, III, V, VII to XI, and XIII .	
Article 31(3)				
589	3. The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend or supplement this Directive by establishing, after having consulted the relevant stakeholders, a common Union scheme for rating the sustainability of data centres located in its territory. The scheme shall establish the definition of data centre sustainability indicators, and, pursuant to paragraph 10 of Article 11 of this Directive, define the minimum thresholds for significant energy consumption and set out the key indicators and the methodology to measure them.	3. The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend or supplement this Directive by establishing, after having consulted the relevant stakeholders, a common Union scheme for rating the sustainability of data centres located in its territory***, within a month after the entry into force of the Directive***. The scheme shall establish the definition of data centre sustainability indicators, and, pursuant to ~~*paragraph 10 of*~~ Article ~~*11*~~***11a*** of this Directive, define the minimum thresholds for significant energy consumption	3. The Commission is empowered to adopt delegated acts in accordance with Article 32 to amend or supplement this Directive by establishing, after having consulted the relevant stakeholders, a common Union scheme for rating the sustainability of data centres located in its territory. The scheme shall establish the definition of data centre sustainability indicators, and, pursuant to paragraph 10 of Article 11 of this Directive, define the minimum thresholds for significant energy consumption and set out the key indicators and the methodology to measure them.	

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		and set out the key indicators and the methodology to measure them.		
Article 32				
590	Article 32 Exercise of the delegation	Article 32 Exercise of the delegation	Article 32 Exercise of the delegation	
Article 32(1)				
591	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	1. The power to adopt delegated acts is conferred on the Commission subject to the conditions laid down in this Article.	
Article 32(2)				
592	2. The power to adopt delegated acts referred to in Article 31 shall be conferred on the Commission for a period of five years from [date of publication in OJ] . The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for	2. The power to adopt delegated acts referred to in Article 31 shall be conferred on the Commission for a period of five years from [date of publication in OJ] . The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for	2. The power to adopt delegated acts referred to in Article 31 shall be conferred on the Commission for a period of five years from [date of publication in OJ] . The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for	

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	periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.	
Article 32(3)				
593	3. The delegation of power referred to in Article 31 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 31 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	3. The delegation of power referred to in Article 31 may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.	
Article 32(4)				
594	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the	4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the	

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	Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	Interinstitutional Agreement of 13 April 2016 on Better Law-Making.	
Article 32(5)				
595	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	5. As soon as it adopts a delegated act, the Commission shall notify it simultaneously to the European Parliament and to the Council.	
Article 32(6)				
596	6. A delegated act adopted pursuant to Article 31 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 31 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	6. A delegated act adopted pursuant to Article 31 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.	
Article 33				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
597	Article 33 Review and monitoring of implementation	Article 33 Review and monitoring of implementation	Article 33 Review and monitoring of implementation	
Article 33(1)				
598	1. In the context of the State of the Energy Union report, the Commission shall report on the functioning of the carbon market in accordance with Article 35(1) and point (c) of Article 35(2) of Regulation (EU) 2018/1999, taking into consideration the effects of the implementation of this Directive.	1. In the context of the State of the Energy Union report, the Commission shall report on the functioning of the carbon market in accordance with Article 35(1) and point (c) of Article 35(2) of Regulation (EU) 2018/1999, taking into consideration the effects of the implementation of this Directive.	1. In the context of the State of the Energy Union report, the Commission shall report on the functioning of the carbon market in accordance with Article 35(1) and point (c) of Article 35(2) of Regulation (EU) 2018/1999, taking into consideration the effects of the implementation of this Directive.	
Article 33(2), first subparagraph, introductory part				
599	2. By 31 October 2025 and every four years thereafter, the Commission shall evaluate the existing measures to achieve energy efficiency increase and decarbonisation in heating and cooling. The evaluation shall take into account:	2. By 31 October 2025 and every four years thereafter, the Commission shall evaluate the existing measures to achieve energy efficiency increase and decarbonisation in heating and cooling. The evaluation shall take into account:	2. By 31 October 2025 and every four years thereafter, the Commission shall evaluate the existing measures to achieve energy efficiency increase and decarbonisation in heating and cooling. The evaluation shall take into account:	
Article 33(2), first subparagraph, point (a)				

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600	(a) Energy efficiency and greenhouse gases emissions trends in heating and cooling, including in district heating and cooling;	(a) Energy efficiency and greenhouse gases emissions trends in heating and cooling, including in district heating and cooling;	(a) Energy efficiency and greenhouse gases emissions trends in heating and cooling, including in district heating and cooling;	
Article 33(2), first subparagraph, point (b)				
601	(b) Interlinkages between measures taken;	(b) Interlinkages between measures taken;	(b) Interlinkages between measures taken;	
Article 33(2), first subparagraph, point (c)				
602	(c) Changes in energy efficiency and greenhouse gas emissions in the heating and cooling;	(c) Changes in energy efficiency and greenhouse gas emissions in the heating and cooling;	(c) Changes in energy efficiency and greenhouse gas emissions in the heating and cooling;	
Article 33(2), first subparagraph, point (d)				
603	(d) Existing and planned energy efficiency policies and measures and greenhouse gas reduction policies and measures at national and EU level, and	(d) Existing and planned energy efficiency policies and measures and greenhouse gas reduction policies and measures at national and EU level, and	(d) Existing and planned energy efficiency policies and measures and greenhouse gas reduction policies and measures at national and EU level, and	
Article 33(2), first subparagraph, point (e)				
604	(e) Measures Member States	(e) Measures Member States	(e) Measures Member States	

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	provided in their comprehensive assessments pursuant to Article 23(1) of this Directive and notified in accordance with Article 17 (1) of Regulation (EU) 2018/1999.	provided in their comprehensive assessments pursuant to Article 23(1) of this Directive and notified in accordance with Article 17 (1) of Regulation (EU) 2018/1999.	provided in their comprehensive assessments pursuant to Article 23(1) of this Directive and notified in accordance with Article 17 (1) of Regulation (EU) 2018/1999.	
Article 33(2), second subparagraph				
605	The Commission may propose, if appropriate, measures to ensure the achievement of the Union's climate energy targets.	***By the dates referred to in the first subparagraph,*** the Commission ~~may~~***shall submit a report to the European Parliament and the Council on that evaluation and*** propose, if appropriate, measures to ensure the achievement of the Union's climate energy targets~~.~~	The ~~Commission may propose, if appropriate,~~**evaluation may be accompanied by** measures to ensure the achievement of the Union's climate **and** energy targets.	
Article 33(3)				
606	3. Member States shall submit to the Commission before 30 April each year statistics on national electricity and heat production from high and low efficiency cogeneration, in accordance with the methodology shown in Annex II, in relation to total heat and electricity production. They shall also submit annual statistics on cogeneration heat and electricity	3. Member States shall submit to the Commission before 30 April each year statistics on national electricity and heat production from high and low efficiency cogeneration, in accordance with the methodology shown in Annex II, in relation to total heat and electricity production. They shall also submit annual statistics on cogeneration heat and electricity	3. Member States shall submit to the Commission before 30 April each year statistics on national electricity and heat production from high and low efficiency cogeneration, in accordance with the methodology shown in Annex II, in relation to total heat and electricity production. They shall also submit annual statistics on cogeneration heat and electricity	

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	capacities and fuels for cogeneration, and on district heating and cooling production and capacities, in relation to total heat and electricity production and capacities. Member States shall submit statistics on primary energy savings achieved by application of cogeneration in accordance with the methodology shown in Annex III.	capacities and fuels for cogeneration, and on district heating and cooling production and capacities, in relation to total heat and electricity production and capacities. Member States shall submit statistics on primary energy savings achieved by application of cogeneration in accordance with the methodology shown in Annex III.	capacities and fuels for cogeneration, and on district heating and cooling production and capacities, in relation to total heat and electricity production and capacities. Member States shall submit statistics on primary energy savings achieved by application of cogeneration in accordance with the methodology shown in Annex III.	
Article 33(4)				
607	4. By 1 January 2021, the Commission shall carry out an assessment of the potential for energy efficiency in conversion, transformation, transmission, transportation and storage of energy, and shall submit a report to the European Parliament and to the Council. That report shall, if appropriate, be accompanied by legislative proposals.	4. By 1 January 2021, the Commission shall carry out an assessment of the potential for energy efficiency in conversion, transformation, transmission, transportation and storage of energy, and shall submit a report to the European Parliament and to the Council. That report shall, if appropriate, be accompanied by legislative proposals.	4. By 1 January 2021, the Commission shall carry out an assessment of the potential for energy efficiency in conversion, transformation, transmission, transportation and storage of energy, and shall submit a report to the European Parliament and to the Council. That report shall, if appropriate, be accompanied by legislative proposals.	
Article 33(5)				
608	5. Subject to any changes to the retail market provisions of	5. Subject to any changes to the retail market provisions of	5. Subject to any changes to the retail market provisions of	

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	Directive 2009/73/EC, by 31 December 2021, the Commission, shall carry out an assessment, and submit a report to the European Parliament and to the Council, on the provisions related to metering, billing and consumer information for natural gas, with the aim of aligning them, where appropriate, with the relevant provisions for electricity in Directive (EU) 2019/944, in order to strengthen consumer protection and enable final customers to receive more frequent, clear and up-to-date information about their natural gas consumption and to regulate their energy use. As soon as possible after submission of that report, the Commission shall, where appropriate, adopt legislative proposals.	Directive 2009/73/EC, by 31 December 2021, the Commission, shall carry out an assessment, and submit a report to the European Parliament and to the Council, on the provisions related to metering, billing and consumer information for natural gas, with the aim of aligning them, where appropriate, with the relevant provisions for electricity in Directive (EU) 2019/944, in order to strengthen consumer protection and enable final customers to receive more frequent, clear and up-to-date information about their natural gas consumption and to regulate their energy use. As soon as possible after submission of that report, the Commission shall, where appropriate, adopt legislative proposals.	Directive 2009/73/EC,– by 31 December 2021, the Commission~~,~~ shall carry out an assessment, and submit a report to the European Parliament and to the Council, on the provisions related to metering, billing and consumer information for natural gas, with the aim of aligning them, where appropriate, with the relevant provisions for electricity in Directive (EU) ~~2019/944~~, in order to strengthen consumer protection and enable final customers to receive more frequent, clear and up-to-date information about their natural gas consumption and to regulate their energy use. As soon as possible after submission of that report, the Commission shall, where appropriate, adopt legislative proposals.	
Article 33(6)				
609	6. By 31 October 2022, the Commission shall assess whether the Union has achieved its 2020 headline targets on energy efficiency.	6. By 31 October 2022, the Commission shall assess whether the Union has achieved its 2020 headline targets on energy efficiency.	6. By 31 October 2022, the Commission shall assess whether the Union has achieved its 2020 headline targets on energy efficiency.	

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Article 33(7), first subparagraph				
610	7. By 28 February 2027, and every five years thereafter, the Commission shall evaluate this Directive and submit a report to the European Parliament and to the Council.	7. By 28 February 2027, and every five years thereafter, the Commission shall evaluate this Directive and submit a report to the European Parliament and to the Council.	7. By 28 February 2027, and every five years thereafter, the Commission shall evaluate this Directive and submit a report to the European Parliament and to the Council.	
Article 33(7), second subparagraph, introductory part				
611	That evaluation shall include:	That evaluation shall include:	That evaluation shall include:	
Article 33(7), second subparagraph, point (a)				
612	(a) an assessment of the general effectiveness of this Directive and the need to adjust further the Union's energy efficiency policy in accordance with the objectives of the 2015 Paris Agreement and in the light of economic and innovation developments;	(a) an assessment of the general effectiveness of this Directive and the need to adjust further the Union's energy efficiency policy in accordance with the objectives of the 2015 Paris Agreement and in the light of economic and innovation developments;	(a) an assessment of the general effectiveness of this Directive and the need to adjust further the Union's energy efficiency policy in accordance with the objectives of the 2015 Paris Agreement and in the light of economic and innovation developments;	
Article 33(7), second subparagraph, point (a)(a)				
612a		***(aa) a comprehensive assessment of the aggregated macroeconomic impact of this Directive, with an***		

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		emphasis on the effects on the Union's energy security, energy prices, minimising energy poverty, economic growth, competitiveness, job creation, mobility cost and household purchasing power;		
Article 33(7), second subparagraph, point (b)				
613	(b) the Union's 2030 headline targets on energy efficiency set out in Article 4(1) with a view to revising those that targets upwards in the event of substantial cost reductions resulting from economic or technological developments, or where needed to meet the Union's decarbonisation targets for 2040 or 2050, or its international commitments for decarbonisation;	(b) the Union's 2030 headline targets on energy efficiency set out in Article 4(1) with a view to revising those that targets upwards in the event of substantial cost reductions resulting from economic or technological developments, or where needed to meet the Union's decarbonisation targets for 2040 or 2050, or its international commitments for decarbonisation;	(b) the Union's 2030 headline targets on energy efficiency set out in Article 4(1) with a view to revising those that targets upwards in the event of substantial cost reductions resulting from economic or technological developments, or where needed to meet the Union's decarbonisation targets for 2040 or 2050, or its international commitments for decarbonisation;	
Article 33(7), second subparagraph, point (c)				
614	(c) if Member States shall continue to achieve new annual savings in accordance with point (c) of the first subparagraph of Article 8 for the ten-year periods after 2030;	(c) if Member States shall continue to achieve new annual savings in accordance with point (c) of the first subparagraph of Article 8 for the ten-year periods after 2030;	(c) if Member States shall continue to achieve new annual savings in accordance with point (c) of the first subparagraph of Article 8 for the ten-year periods after 2030;	

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Article 33(7), second subparagraph, point (d)				
615	(d) if Member States shall continue to ensure that at least 3% of the total floor area of heated and/or cooled buildings owned by public bodies is renovated each year in accordance with paragraph 1 of Article 6 with a view to revising the renovation rate in that Article;	(d) if Member States shall continue to ensure that at least 3% of the total floor area of heated and/or cooled buildings owned by public bodies is renovated each year in accordance with paragraph 1 of Article 6 with a view to revising the renovation rate in that Article;	(d) if Member States shall continue to ensure that at least 3% of the total floor area of heated and/or cooled buildings owned by public bodies is renovated each year in accordance with paragraph 1 of Article 6 with a view to revising the renovation rate in that Article;	
Article 33(7), second subparagraph, point (e)				
616	(e) if Member States shall continue to achieve a share of energy savings among vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing, in accordance with paragraph 3 of Article 8 for the ten-year periods after 2030;	(e) if Member States shall continue to achieve a share of energy savings among vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing, in accordance with paragraph 3 of Article 8 for the ten-year periods after 2030;	(e) if Member States shall continue to achieve a share of energy savings among vulnerable customers, people affected by energy poverty, and, where applicable, people living in social housing, in accordance with paragraph 3 of Article 8 for the ten-year periods after 2030;	
Article 33(7), second subparagraph, point (f)				
617	(f) if Member States shall continue to achieve a reduction of final energy consumption in accordance with Article 5(1).	(f) if Member States shall continue to achieve a reduction of final energy consumption in accordance with Article 5(1).	(f) if Member States shall continue to achieve a reduction of final energy consumption in accordance with Article 5(1).	

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Article 33(7), third subparagraph				
618	That report shall be accompanied, where appropriate, by proposals for further measures.	That report shall be accompanied ***by a comprehensive assessment of whether there is a need to revise this Directive in the interest of regulatory simplification and***, where appropriate, by proposals for further measures. ***The Commission shall continuously adapt to administrative procedural best practices and shall take all measures to simplify the implementation of this Directive, keeping administrative burdens to a minimum.***	That report shall be accompanied, where appropriate, by proposals for further measures.	
Article 34				
619	Article 34 Committee procedure	Article 34 Committee procedure	Article 34 Committee procedure	
Article 34(1)				
620	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation	1. The Commission shall be assisted by a committee. That committee shall be a committee within the meaning of Regulation	

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	(EU) No 182/2011.	(EU) No 182/2011.	(EU) No 182/2011.	
Article 34(2)				
621	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	2. Where reference is made to this paragraph, Article 4 of Regulation (EU) No 182/2011 shall apply.	
Article 35				
622	Article 35 Transposition	Article 35 Transposition	Article 35 Transposition	
Article 35(1), first subparagraph				
623	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles […] and Annexes […] [articles and annexes which have been amended in substance by comparison with the repealed Directive] by […] .	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles […] and Annexes […] [articles and annexes which have been amended in substance by comparison with the repealed Directive] by […] .	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with Articles […] and Annexes […] [articles and annexes which have been amended in substance by comparison with the repealed Directive] by […] .	
Article 35(1), second subparagraph				
624	They shall immediately communicate the text of those	They shall immediately communicate the text of those	They shall immediately communicate the text of those	

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	measures to the Commission .	measures to the Commission .	measures to the Commission .	
Article 35(1), third subparagraph				
625	When Member States adopt those measures , they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated .	When Member States adopt those measures , they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated .	When Member States adopt those measures , they shall contain a reference to this Directive or be accompanied by such a reference on the occasion of their official publication. They shall also include a statement that references in existing laws, regulations and administrative provisions to the Directive repealed by this Directive shall be construed as references to this Directive. Member States shall determine how such reference is to be made and how that statement is to be formulated .	
Article 35(2)				
626	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	2. Member States shall communicate to the Commission the text of the main provisions of national law which they adopt in the field covered by this Directive.	
Article 36				

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627	Article 36 Repeal	Article 36 Repeal	Article 36 Repeal	
Article 36, first subparagraph				
628	Directive 2012/27/EU, as amended by the acts listed in Annex XV, Part A, is repealed with effect from […] [the day after the date in the first subparagraph of Article 35(1)], without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Annex XV, Part B .	Directive 2012/27/EU, as amended by the acts listed in Annex XV, Part A, is repealed with effect from […] [the day after the date in the first subparagraph of Article 35(1)], without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Annex XV, Part B .	Directive 2012/27/EU, as amended by the acts listed in Annex XV, Part A, is repealed with effect from […] [the day after the date in the first subparagraph of Article 35(1)], without prejudice to the obligations of the Member States relating to the time-limits for the transposition into national law of the Directives set out in Annex XV, Part B .	
Article 36, second subparagraph				
629	References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XVI.	References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XVI.	References to the repealed Directives shall be construed as references to this Directive and shall be read in accordance with the correlation table in Annex XVI.	
Article 37				
630	Article 37	Article 37	Article 37	

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	Entry into force	Entry into force	Entry into force	
Article 37, first subparagraph				
631	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	This Directive shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.	
Article 37, second subparagraph				
632	Articles […] and Annexes […] [articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from […] [the day after the date in the first subparagraph of Article 35(1)].	Articles […] and Annexes […] [articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from […] [the day after the date in the first subparagraph of Article 35(1)].	Articles […] and Annexes […] [articles and annexes which are unchanged by comparison with the repealed Directive] shall apply from […] [the day after the date in the first subparagraph of Article 35(1)].	
Article 38				
633	Article 38 Addressees	Article 38 Addressees	Article 38 Addressees	
Article 38, first subparagraph				
634	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	This Directive is addressed to the Member States.	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Formula				
635	Done at Brussels,	Done at Brussels,	Done at Brussels,	
Formula				
636	For the European Parliament	For the European Parliament	For the European Parliament	
Formula				
637	The President	The President	The President	
Formula				
638	For the Council	For the Council	For the Council	
Formula				
639	The President	The President	The President	
Annex I, first heading				
640	NATIONAL CONTRIBUTIONS TO THE UNION'S ENERGY EFFCIENCY TARGETS IN 2030 IN FINAL AND/OR PRIMARY	NATIONAL CONTRIBUTIONS TO THE UNION'S ENERGY EFFCIENCY TARGETS IN 2030 IN FINAL AND/OR PRIMARY	NATIONAL CONTRIBUTIONS TO THE UNION'S ENERGY EFFCIENCY TARGETS IN 2030 IN FINAL AND/OR PRIMARY	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	ENERGY CONSUMPTION	ENERGY CONSUMPTION	ENERGY CONSUMPTION	
Annex I, point (1), introductory part				
641	1. The level of national contributions is calculated based on the indicative formula:	1. The level of national contributions is calculated based on the ~~*indicative*~~ formula:	1. The level of national contributions is calculated based on the indicative formula:	
Annex I, point (1), first paragraph, introductory part				
642				
Annex I, Annex I, point (1), second paragraph, introductory part				
643				
Annex I, point (1), second paragraph				
644	Where C_{EU} is a correction factor, Target is the level of national-specific ambition and FEC_{B2030} PEC_{B2030} is the 2020 Reference Scenario used as a baseline for 2030.	Where C_{EU} is a correction factor ***set by the Commission after Member States have reported the target***, Target is the level of national-specific ambition and FEC_{B2030} PEC_{B2030} is the 2020 Reference Scenario used as a baseline for 2030.	Where C_{EU} is a correction factor, Target is the level of national-specific ambition and FEC_{B2030} PEC_{B2030} is the 2020 Reference Scenario used as a baseline for 2030.	
Annex I, point (2), introductory part				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
645	2. The following indicative formula represents the objective criteria reflecting the factors listed in points (d) (i) to (iv) of Article 4(2), each used for defining the level of national-specific ambition in % (Target) and having the same weight in the formula (0,25):	2. The following ~~*indicative*~~ formula represents the objective criteria reflecting the factors listed in points (d) (i) to (iv) of Article 4(2), each used for defining the level of national-specific ambition in % (Target) and having the same weight in the formula (0,25):	2. The following indicative formula represents the objective criteria reflecting the factors listed in points (d) (i) to (iv) of Article 4(2), each used for defining the level of national-specific ambition in % (Target) and having the same weight in the formula (0,25):	
Annex I, point (2), point (a)				
646	a) a flat rate contribution ("F_{flat}");	a) a flat rate contribution ("F_{flat}");	a) a flat rate contribution ("F_{flat}");	
Annex I, point (2) , point (b)				
647	b) GDP-per-capita dependent contribution ("F_{wealth}");	b) GDP-per-capita dependent contribution ("F_{wealth}");	b) GDP-per-capita dependent contribution ("F_{wealth}");	
Annex I , point (2), point (c)				
648	c) energy intensity dependent contribution ("$F_{intensity}$");	c) energy intensity dependent contribution ("$F_{intensity}$");	c) energy intensity dependent contribution ("$F_{intensity}$");	
Annex I,(point 2), point (d)				
649	d) cost-effective energy savings potential contribution ("$F_{potential}$").	d) cost-effective energy savings potential contribution ("$F_{potential}$").	d) cost-effective energy savings potential contribution ("$F_{potential}$").	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex I, point (3)				
650	3. F_{flat} represents the 2030 Union target that includes the additional efforts needed to reach the Union's energy efficiency targets in FEC and PEC compared to the 2020 Reference Scenario projections for 2030.	3. F_{flat} represents the 2030 Union target that includes the additional efforts needed to reach the Union's energy efficiency targets in FEC and PEC compared to the ~~2020~~***2007*** Reference Scenario projections for 2030.	3. F_{flat} represents the 2030 Union target that includes the additional efforts needed to reach the Union's energy efficiency targets in FEC and PEC compared to the 2020 Reference Scenario projections for 2030.	
Annex I , point (4)				
651	4. F_{wealth} shall be calculated for each Member State based on its three-year average Eurostat's real GDP per capita index to the Union's three-year average over the 2017-2019 period, expressed in Purchasing power parities (PPPs).	4. F_{wealth} shall be calculated for each Member State based on its three-year average Eurostat's real GDP per capita index to the Union's three-year average over the 2017-2019 period, expressed in Purchasing power parities (PPPs).	4. F_{wealth} shall be calculated for each Member State based on its three-year average Eurostat's real GDP per capita index to the Union's three-year average over the 2017-2019 period, expressed in Purchasing power parities (PPPs).	
Annex I, point (5)				
652	5. $F_{intensity}$ shall be calculated for each Member State based on its three-year average final energy intensity (FEC or PEC per real GDP in PPPs) index to the Union's three-year average over 2017-2019	5. $F_{intensity}$ shall be calculated for each Member State based on its three-year average final energy intensity (FEC or PEC per real GDP in PPPs) index to the Union's three-year average over 2017-2019	5. $F_{intensity}$ shall be calculated for each Member State based on its three-year average final energy intensity (FEC or PEC per real GDP in PPPs) index to the Union's three-year average over 2017-2019	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	period.	period.	period.	
Annex I(point 6)				
653	6. $F_{potential}$ shall be calculated for each Member State based on the final or primary energy savings under the PRIMES MIX 55% scenario for 2030. The savings are expressed in relation to 2020 Reference Scenario projections for 2030.	6. $F_{potential}$ shall be calculated for each Member State based on the final or primary energy savings under the PRIMES MIX 55% scenario for 2030. The savings are expressed in relation to ~~2020~~***2007*** Reference Scenario projections for 2030.	6. $F_{potential}$ shall be calculated for each Member State based on the final or primary energy savings under the PRIMES MIX 55% scenario for 2030. The savings are expressed in relation to 2020 Reference Scenario projections for 2030.	
Annex I , point (7)				
654	7. For each criteria provided in point 2(a) to (d), a lower and upper limit shall be applied. The level of ambition for each factor shall be capped at 50% and 150% of the Union average level of ambition under a given factor.	7. For each criteria provided in point 2(a) to (d), a lower and upper limit shall be applied. The level of ambition for each factor shall be capped at 50% and 150% of the Union average level of ambition under a given factor.	7. For each criteria provided in point 2(a) to (d), a lower and upper limit shall be applied. The level of ambition for each factor shall be capped at 50% and 150% of the Union average level of ambition under a given factor.	
Annex I, point (8)				
655	8. The source of the input data used to calculate the factors is Eurostat unless stated otherwise.	8. The source of the input data used to calculate the factors is Eurostat unless stated otherwise.	8. The source of the input data used to calculate the factors is Eurostat unless stated otherwise.	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex I, point (9)				
656	9. F_{total} shall be calculated as the weighted sum of all four factors (F_{flat}. F_{wealth} $F_{intensity}$ and $F_{potential}$). The target shall be then calculated as the product of the total factor F_{total} and the EU target.	9. F_{total} shall be calculated as the weighted sum of all four factors (F_{flat}. F_{wealth} $F_{intensity}$ and $F_{potential}$). The target shall be then calculated as the product of the total factor F_{total} and the EU target.	9. F_{total} shall be calculated as the weighted sum of all four factors (F_{flat}. F_{wealth} $F_{intensity}$ and $F_{potential}$). The target shall be then calculated as the product of the total factor F_{total} and the EU target.	
Annex I, point (10)				
657	10. A primary and final energy correction factor C_{EU} shall be applied to all Member States to calibrate the sum of all national contributions to the Union primary and final energy consumption targets in 2030. The factor C_{EU} is identical for all Member States.	10. ***The Commission shall determine*** a primary and final energy correction factor C_{EU}***, which*** shall be applied to all Member States***' target allocations*** to calibrate the sum of all national contributions to the Union primary and final energy consumption targets in 2030. The factor C_{EU} is identical for all Member States.	10. A primary and final energy correction factor C_{EU} shall be applied to all Member States to calibrate the sum of all national contributions to the Union primary and final energy consumption targets in 2030. The factor C_{EU} is identical for all Member States.	
Annex I, first paragraph				
658	_____	_____	_____	
Annex II, first heading				
659	GENERAL PRINCIPLES FOR	GENERAL PRINCIPLES FOR	GENERAL PRINCIPLES FOR	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	THE CALCULATION OF ELECTRICITY FROM COGENERATION	THE CALCULATION OF ELECTRICITY FROM COGENERATION	THE CALCULATION OF ELECTRICITY FROM COGENERATION	
Annex II, I				
660	I Part I	I Part I	I Part I	
Annex II, I, first heading				
661	General principles	General principles	General principles	
Annex II, I, first paragraph				
662	Values used for calculation of electricity from cogeneration shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use. For micro- cogeneration units the calculation may be based on certified values.	Values used for calculation of electricity from cogeneration shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use. For micro- cogeneration units the calculation may be based on certified values.	Values used for calculation of electricity from cogeneration shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use. For micro- cogeneration units the calculation may be based on certified values.	
Annex II, I, point (a), introductory part				
663	(a) Electricity production from cogeneration shall be considered equal to total annual electricity	(a) Electricity production from cogeneration shall be considered equal to total annual electricity	(a) Electricity production from cogeneration shall be considered equal to total annual electricity	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	production of the unit measured at the outlet of the main generators if following conditions are met :	production of the unit measured at the outlet of the main generators if following conditions are met :	production of the unit measured at the outlet of the main generators if following conditions are met :	
Annex II, I , point (a)(i)				
664	(i) in cogeneration units of types (b), (d), (e), (f), (g) and (h) referred to in Part II with an annual overall efficiency set by Member States at a level of at least 75 %;	(i) in cogeneration units of types (b), (d), (e), (f), (g) and (h) referred to in Part II with an annual overall efficiency set by Member States at a level of at least 75 %;	(i) in cogeneration units of types (b), (d), (e), (f), (g) and (h) referred to in Part II with an annual overall efficiency set by Member States at a level of at least 75 %;	
Annex II, I, point (a)(ii)				
665	(ii) in cogeneration units of types (a) and (c) referred to in Part II with an annual overall efficiency set by Member States at a level of at least 80 %.	(ii) in cogeneration units of types (a) and (c) referred to in Part II with an annual overall efficiency set by Member States at a level of at least 80 %.	(ii) in cogeneration units of types (a) and (c) referred to in Part II with an annual overall efficiency set by Member States at a level of at least 80 %.	
Annex II, I , point (b), introductory part				
666	(b) In cogeneration units with an annual overall efficiency below the value referred to in point (a)(i) (cogeneration units of types (b), (d), (e), (f), (g), and (h) referred to in Part II) or with an annual overall efficiency below the value referred	(b) In cogeneration units with an annual overall efficiency below the value referred to in point (a)(i) (cogeneration units of types (b), (d), (e), (f), (g), and (h) referred to in Part II) or with an annual overall efficiency below the value referred	(b) In cogeneration units with an annual overall efficiency below the value referred to in point (a)(i) (cogeneration units of types (b), (d), (e), (f), (g), and (h) referred to in Part II) or with an annual overall efficiency below the value referred	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	to in point (a)(ii) (cogeneration units of types (a) and (c) referred to in Part II) electricity from cogeneration is calculated according to the following formula:	to in point (a)(ii) (cogeneration units of types (a) and (c) referred to in Part II) electricity from cogeneration is calculated according to the following formula:	to in point (a)(ii) (cogeneration units of types (a) and (c) referred to in Part II) electricity from cogeneration is calculated according to the following formula:	
Annex II, I, point (b), first paragraph				
667	$E_{CHP}=H_{CHP}*C$	$E_{CHP}=H_{CHP}*C$	$E_{CHP}=H_{CHP}*C$	
Annex II, I, point (b,) second paragraph, introductory part				
668	where:	where:	where:	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, first paragraph				
669	E_{CHP} is the amount of electricity from cogeneration;	E_{CHP} is the amount of electricity from cogeneration;	E_{CHP} is the amount of electricity from cogeneration;	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, second paragraph				
670	C is the power-to-heat ratio;	C is the power-to-heat ratio;	C is the power-to-heat ratio;	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, third paragraph				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
671	H_{CHP} is the amount of useful heat from cogeneration (calculated for this purpose as total heat production minus any heat produced in separate boilers or by live steam extraction from the steam generator before the turbine).	H_{CHP} is the amount of useful heat from cogeneration (calculated for this purpose as total heat production minus any heat produced in separate boilers or by live steam extraction from the steam generator before the turbine).	H_{CHP} is the amount of useful heat from cogeneration (calculated for this purpose as total heat production minus any heat produced in separate boilers or by live steam extraction from the steam generator before the turbine).	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, introductory part				
672	The calculation of electricity from cogeneration must be based on the actual power-to-heat ratio. If the actual power-to-heat ratio of a cogeneration unit is not known, the following default values may be used, in particular for statistical purposes, for units of types (a), (b), (c), (d) and (e) referred to in Part II provided that the calculated cogeneration electricity is less or equal to total electricity production of the unit:	The calculation of electricity from cogeneration must be based on the actual power-to-heat ratio. If the actual power-to-heat ratio of a cogeneration unit is not known, the following default values may be used, in particular for statistical purposes, for units of types (a), (b), (c), (d) and (e) referred to in Part II provided that the calculated cogeneration electricity is less or equal to total electricity production of the unit:	The calculation of electricity from cogeneration must be based on the actual power-to-heat ratio. If the actual power-to-heat ratio of a cogeneration unit is not known, the following default values may be used, in particular for statistical purposes, for units of types (a), (b), (c), (d) and (e) referred to in Part II provided that the calculated cogeneration electricity is less or equal to total electricity production of the unit:	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 1, Row 1				
673				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Type of the unit	Type of the unit	Type of the unit	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 1, Row 2				
674	Combined cycle gas turbine with heat recovery	Combined cycle gas turbine with heat recovery	Combined cycle gas turbine with heat recovery	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 1, Row 3				
675	Steam back pressure turbine	Steam back pressure turbine	Steam back pressure turbine	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 1, Row 4				
676	Steam condensing extraction turbine	Steam condensing extraction turbine	Steam condensing extraction turbine	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 1, Row 5				
677	Gas turbine with heat recovery	Gas turbine with heat recovery	Gas turbine with heat recovery	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 1, Row 6				
678				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Internal combustion engine	Internal combustion engine	Internal combustion engine	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 2, Row 1				
679	Default power to heat ratio, C	Default power to heat ratio, C	Default power to heat ratio, C	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 2, Row 2				
680	0,95	0,95	0,95	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 2, Row 3				
681	0,45	0,45	0,45	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 2, Row 4				
682	0,45	0,45	0,45	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 2, Row 5				
683	0,55	0,55	0,55	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fourth paragraph, Table 1, Column 2, Row 6				
684	0,75	0,75	0,75	
Annex II, I, Annex II, I , point (b), Annex II, I, point (b,) second paragraph, fifth paragraph				
685	If Member States introduce default values for power-to-heat ratios for units of types (f), (g), (h), (i), (j) and (k) referred to in Part II, such default values shall be published and shall be notified to the Commission.	If Member States introduce default values for power-to-heat ratios for units of types (f), (g), (h), (i), (j) and (k) referred to in Part II, such default values shall be published and shall be notified to the Commission.	If Member States introduce default values for power-to-heat ratios for units of types (f), (g), (h), (i), (j) and (k) referred to in Part II, such default values shall be published and shall be notified to the Commission.	
Annex II, I, point (c)				
686	(c) If a share of the energy content of the fuel input to the cogeneration process is recovered in chemicals and recycled this share can be subtracted from the fuel input before calculating the overall efficiency used in points (a) and (b).	(c) If a share of the energy content of the fuel input to the cogeneration process is recovered in chemicals and recycled this share can be subtracted from the fuel input before calculating the overall efficiency used in points (a) and (b).	(c) If a share of the energy content of the fuel input to the cogeneration process is recovered in chemicals and recycled this share can be subtracted from the fuel input before calculating the overall efficiency used in points (a) and (b).	
Annex II, I, point (d)				
687				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	(d) Member States may determine the power-to-heat ratio as the ratio of electricity to useful heat when operating in cogeneration mode at a lower capacity using operational data of the specific unit.	(d) Member States may determine the power-to-heat ratio as the ratio of electricity to useful heat when operating in cogeneration mode at a lower capacity using operational data of the specific unit.	(d) Member States may determine the power-to-heat ratio as the ratio of electricity to useful heat when operating in cogeneration mode at a lower capacity using operational data of the specific unit.	
Annex II, I, point (e)				
688	(e) Member States may use other reporting periods than one year for the purpose of the calculations according to points (a) and (b).	(e) Member States may use other reporting periods than one year for the purpose of the calculations according to points (a) and (b).	(e) Member States may use other reporting periods than one year for the purpose of the calculations according to points (a) and (b).	
Annex II, II				
689	II Part II	II Part II	II Part II	
Annex II, II, first heading				
690	Cogeneration technologies covered by this Directive	Cogeneration technologies covered by this Directive	Cogeneration technologies covered by this Directive	
Annex II, II, point (a)				
691	(a) Combined cycle gas turbine with heat recovery	(a) Combined cycle gas turbine with heat recovery	(a) Combined cycle gas turbine with heat recovery	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex II, II, point (b)				
692	(b) Steam back pressure turbine	(b) Steam back pressure turbine	(b) Steam back pressure turbine	
Annex II, II, point (c)				
693	(c) Steam condensing extraction turbine	(c) Steam condensing extraction turbine	(c) Steam condensing extraction turbine	
Annex II, II, point (d)				
694	(d) Gas turbine with heat recovery	(d) Gas turbine with heat recovery	(d) Gas turbine with heat recovery	
Annex II, II, point (e)				
695	(e) Internal combustion engine	(e) Internal combustion engine	(e) Internal combustion engine	
Annex II, II, point (f)				
696	(f) Microturbines	(f) Microturbines	(f) Microturbines	
Annex II, II, point (g)				
697	(g) Stirling engines	(g) Stirling engines	(g) Stirling engines	
Annex II, II, point (h)				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
698	(h) Fuel cells	(h) Fuel cells	(h) Fuel cells	
Annex II, II, point (i)				
699	(i) Steam engines	(i) Steam engines	(i) Steam engines	
Annex II, II, point (j)				
700	(j) Organic Rankine cycles	(j) Organic Rankine cycles	(j) Organic Rankine cycles	
Annex II, II, point (k)				
701	(k) Any other type of technology or combination thereof falling under the definition laid down in point (32) of Article 2.	(k) Any other type of technology or combination thereof falling under the definition laid down in point (32) of Article 2.	(k) Any other type of technology or combination thereof falling under the definition laid down in point (32) of Article 2.	
Annex II, II, first paragraph				
702	When implementing and applying the general principles for the calculation of electricity from cogeneration, Member States shall use the detailed Guidelines established by Commission Decision 2008/952/EC[1]. _____ 1. Commission Decision 2008/952/EC of	When implementing and applying the general principles for the calculation of electricity from cogeneration, Member States shall use the detailed Guidelines established by Commission Decision 2008/952/EC[1]. _____ 1. Commission Decision 2008/952/EC of	When implementing and applying the general principles for the calculation of electricity from cogeneration, Member States shall use the detailed Guidelines established by Commission Decision 2008/952/EC[1]. _____ 1. Commission Decision 2008/952/EC of	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	19 November 2008 establishing detailed guidelines for the implementation and application of Annex II to Directive 2004/8/EC of the European Parliament and of the Council (OJ L 338, 17.12.2008, p. 55).	19 November 2008 establishing detailed guidelines for the implementation and application of Annex II to Directive 2004/8/EC of the European Parliament and of the Council (OJ L 338, 17.12.2008, p. 55).	19 November 2008 establishing detailed guidelines for the implementation and application of Annex II to Directive 2004/8/EC of the European Parliament and of the Council (OJ L 338, 17.12.2008, p. 55).	
Annex II, II, second paragraph				
703	_____	_____	_____	
Annex III, first heading				
704	METHODOLOGY FOR DETERMINING THE EFFICIENCY OF THE COGENERATION PROCESS	METHODOLOGY FOR DETERMINING THE EFFICIENCY OF THE COGENERATION PROCESS	METHODOLOGY FOR DETERMINING THE EFFICIENCY OF THE COGENERATION PROCESS	
Annex III, first paragraph				
705	Values used for calculation of efficiency of cogeneration and primary energy savings shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use.	Values used for calculation of efficiency of cogeneration and primary energy savings shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use.	Values used for calculation of efficiency of cogeneration and primary energy savings shall be determined on the basis of the expected or actual operation of the unit under normal conditions of use.	
Annex III, point (a), introductory part				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
706	(a) High-efficiency cogeneration	(a) High-efficiency cogeneration	(a) High-efficiency cogeneration	
Annex III, point (a), first paragraph, introductory part				
707	For the purpose of this Directive high-efficiency cogeneration shall fulfil the following criteria:	For the purpose of this Directive high-efficiency cogeneration shall fulfil the following criteria:	For the purpose of this Directive high-efficiency cogeneration shall fulfil the following criteria:	
Annex III, point (a), first paragraph, first indent				
708	- cogeneration production from cogeneration units shall provide primary energy savings calculated according to point (b) of at least 10 % compared with the references for separate production of heat and electricity;,	- cogeneration production from cogeneration units shall provide primary energy savings calculated according to point (b) of at least 10 % compared with the references for separate production of heat and electricity;,	- cogeneration production from cogeneration units shall provide primary energy savings calculated according to point (b) of at least 10 % compared with the references for separate production of heat and electricity;,	
Annex III, point (a), first paragraph, second indent				
709	- production from small-scale and micro-cogeneration units providing primary energy savings may qualify as high-efficiency cogeneration;.	- production from small-scale and micro-cogeneration units providing primary energy savings may qualify as high-efficiency cogeneration;.	- production from small-scale and micro-cogeneration units providing primary energy savings may qualify as high-efficiency cogeneration;.	
Annex III, point (a), first paragraph, third indent				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
710	- direct emissions of the carbon dioxide from cogeneration production that is fuelled with fossil fuels, are less than 270 gCO_2 per 1 kWh of energy output from the combined generation (including heating/cooling, power and mechanical energy).	- direct emissions of the carbon dioxide from cogeneration production that is fuelled with fossil fuels, are less than 270 gCO_2 per 1 kWh of energy output from the combined generation (including heating/cooling, power and mechanical energy).	- **for cogeneration units that are built or substantially refurbished after the transposition of this annex,** direct emissions of the carbon dioxide from cogeneration production that is fuelled with fossil fuels, are less than 270 gCO_2 per 1 kWh of energy output from the combined generation (including heating/cooling, power and mechanical energy).	
Annex III, point (a), first paragraph, fourth indent				
711	- When a cogeneration unit is built or substantially refurbished, Member States shall ensure that there is no increase in the use of fossil fuels other than natural gas in existing heat sources compared to the annual consumption averaged over the previous three calendar years of full operation before refurbishment, and that any new heat sources in that system do not use fossil fuels other than natural gas.	- When a cogeneration unit is built or substantially refurbished, Member States shall ensure that there is no increase in the use of fossil fuels other than natural gas in existing heat sources compared to the annual consumption averaged over the previous three calendar years of full operation before refurbishment, and that any new heat sources in that system do not use fossil fuels other than natural gas.	- When a cogeneration unit is built or substantially refurbished, Member States shall ensure that there is no increase in the use of fossil fuels other than natural gas in existing heat sources compared to the annual consumption averaged over the previous three calendar years of full operation before refurbishment, and that any new heat sources in that system do not use fossil fuels other than natural gas.	
Annex III, point (b), introductory part				

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712	(b) Calculation of primary energy savings	(b) Calculation of primary energy savings	(b) Calculation of primary energy savings	
Annex III, point (b), first paragraph, introductory part				
713	The amount of primary energy savings provided by cogeneration production defined in accordance with Annex II shall be calculated on the basis of the following formula:	The amount of primary energy savings provided by cogeneration production defined in accordance with Annex II shall be calculated on the basis of the following formula:	The amount of primary energy savings provided by cogeneration production defined in accordance with Annex II shall be calculated on the basis of the following formula:	
Annex III, point (b), first paragraph, first paragraph, introductory part				
714				
Annex III, point (b), first paragraph, second paragraph, introductory part				
715	Where:	Where:	Where:	
Annex III, point (b), first paragraph, second paragraph, first paragraph				
716	PES is primary energy savings.	PES is primary energy savings.	PES is primary energy savings.	
Annex III, point (b), first paragraph, second paragraph, second paragraph				
717				

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	CHP Hη is the heat efficiency of the cogeneration production defined as annual useful heat output divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration.	CHP Hη is the heat efficiency of the cogeneration production defined as annual useful heat output divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration.	CHP Hη is the heat efficiency of the cogeneration production defined as annual useful heat output divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration.	
Annex III, point (b), first paragraph, second paragraph, third paragraph				
718	Ref Hη is the efficiency reference value for separate heat production.	Ref Hη is the efficiency reference value for separate heat production.	Ref Hη is the efficiency reference value for separate heat production.	
Annex III, point (b), first paragraph, second paragraph, fourth paragraph				
719	CHP Eη is the electrical efficiency of the cogeneration production defined as annual electricity from cogeneration divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element does not create	CHP Eη is the electrical efficiency of the cogeneration production defined as annual electricity from cogeneration divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element does not create	CHP Eη is the electrical efficiency of the cogeneration production defined as annual electricity from cogeneration divided by the fuel input used to produce the sum of useful heat output and electricity from cogeneration. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element does not create	

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	a right to issue guarantees of origin in accordance with Article 24(10).	a right to issue guarantees of origin in accordance with Article 24(10).	a right to issue guarantees of origin in accordance with Article 24(10).	
Annex III, point (b), first paragraph, second paragraph, fifth paragraph				
720	Ref Eη is the efficiency reference value for separate electricity production.	Ref Eη is the efficiency reference value for separate electricity production.	Ref Eη is the efficiency reference value for separate electricity production.	
Annex III, point (c), introductory part				
721	(c) Calculations of energy savings using alternative calculation	(c) Calculations of energy savings using alternative calculation	(c) Calculations of energy savings using alternative calculation	
Annex III, point (c), first paragraph				
722	Member States may calculate primary energy savings from a production of heat and electricity and mechanical energy as indicated below without applying Annex II to exclude the non-cogenerated heat and electricity parts of the same process. Such a production can be regarded as high-efficiency cogeneration provided it fulfils the efficiency criteria in point (a) of this Annex and, for cogeneration units with an electrical capacity	Member States may calculate primary energy savings from a production of heat and electricity and mechanical energy as indicated below without applying Annex II to exclude the non-cogenerated heat and electricity parts of the same process. Such a production can be regarded as high-efficiency cogeneration provided it fulfils the efficiency criteria in point (a) of this Annex and, for cogeneration units with an electrical capacity	Member States may calculate primary energy savings from a production of heat and electricity and mechanical energy as indicated below without applying Annex II to exclude the non-cogenerated heat and electricity parts of the same process. Such a production can be regarded as high-efficiency cogeneration provided it fulfils the efficiency criteria in point (a) of this Annex and, for cogeneration units with an electrical capacity	

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	larger than 25 MW, the overall efficiency is above 70 %. However, specification of the quantity of electricity from cogeneration produced in such a production, for issuing a guarantee of origin and for statistical purposes, shall be determined in accordance with Annex II.	larger than 25 MW, the overall efficiency is above 70 %. However, specification of the quantity of electricity from cogeneration produced in such a production, for issuing a guarantee of origin and for statistical purposes, shall be determined in accordance with Annex II.	larger than 25 MW, the overall efficiency is above 70 %. However, specification of the quantity of electricity from cogeneration produced in such a production, for issuing a guarantee of origin and for statistical purposes, shall be determined in accordance with Annex II.	
Annex III, point (c), second paragraph, introductory part				
723	If primary energy savings for a process are calculated using alternative calculation as indicated above the primary energy savings shall be calculated using the formula in point (b) of this Annex replacing: 'CHP Hη' with 'Hη' and 'CHP Eη' with 'Eη', where:	If primary energy savings for a process are calculated using alternative calculation as indicated above the primary energy savings shall be calculated using the formula in point (b) of this Annex replacing: 'CHP Hη' with 'Hη' and 'CHP Eη' with 'Eη', where:	If primary energy savings for a process are calculated using alternative calculation as indicated above the primary energy savings shall be calculated using the formula in point (b) of this Annex replacing: 'CHP Hη' with 'Hη' and 'CHP Eη' with 'Eη', where:	
Annex III, point (c), second paragraph, first paragraph				
724	Hη shall mean the heat efficiency of the process, defined as the annual heat output divided by the fuel input used to produce the sum of heat output and electricity output.	Hη shall mean the heat efficiency of the process, defined as the annual heat output divided by the fuel input used to produce the sum of heat output and electricity output.	Hη shall mean the heat efficiency of the process, defined as the annual heat output divided by the fuel input used to produce the sum of heat output and electricity output.	

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Annex III, point (c), second paragraph, second paragraph				
725	Eη shall mean the electricity efficiency of the process, defined as the annual electricity output divided by the fuel input used to produce the sum of heat output and electricity output. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element will not create a right to issue guarantees of origin in accordance with Article 24(10).	Eη shall mean the electricity efficiency of the process, defined as the annual electricity output divided by the fuel input used to produce the sum of heat output and electricity output. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element will not create a right to issue guarantees of origin in accordance with Article 24(10).	Eη shall mean the electricity efficiency of the process, defined as the annual electricity output divided by the fuel input used to produce the sum of heat output and electricity output. Where a cogeneration unit generates mechanical energy, the annual electricity from cogeneration may be increased by an additional element representing the amount of electricity which is equivalent to that of mechanical energy. This additional element will not create a right to issue guarantees of origin in accordance with Article 24(10).	
Annex III, point (d)				
726	(d) Member States may use other reporting periods than one year for the purpose of the calculations according to points (b) and (c) of this Annex.	(d) Member States may use other reporting periods than one year for the purpose of the calculations according to points (b) and (c) of this Annex.	(d) Member States may use other reporting periods than one year for the purpose of the calculations according to points (b) and (c) of this Annex.	
Annex III, point (e)				
727	(e) For micro-cogeneration units	(e) For micro-cogeneration units	(e) For micro-cogeneration units	

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	the calculation of primary energy savings may be based on certified data.	the calculation of primary energy savings may be based on certified data.	the calculation of primary energy savings may be based on certified data.	
Annex III, point (f), introductory part				
728	(f) Efficiency reference values for separate production of heat and electricity	(f) Efficiency reference values for separate production of heat and electricity	(f) Efficiency reference values for separate production of heat and electricity	
Annex III, point (f), first paragraph				
729	The harmonised efficiency reference values shall consist of a matrix of values differentiated by relevant factors, including year of construction and types of fuel, and must be based on a well-documented analysis taking, inter alia, into account data from operational use under realistic conditions, fuel mix and climate conditions as well as applied cogeneration technologies.	The harmonised efficiency reference values shall consist of a matrix of values differentiated by relevant factors, including year of construction and types of fuel, and must be based on a well-documented analysis taking, inter alia, into account data from operational use under realistic conditions, fuel mix and climate conditions as well as applied cogeneration technologies.	The harmonised efficiency reference values shall consist of a matrix of values differentiated by relevant factors, including year of construction and types of fuel, and must be based on a well-documented analysis taking, inter alia, into account data from operational use under realistic conditions, fuel mix and climate conditions as well as applied cogeneration technologies.	
Annex III, point (f), second paragraph				
730	The efficiency reference values for separate production of heat and	The efficiency reference values for separate production of heat and	The efficiency reference values for separate production of heat and	

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	electricity in accordance with the formula set out in point (b) shall establish the operating efficiency of the separate heat and electricity production that cogeneration is intended to substitute.	electricity in accordance with the formula set out in point (b) shall establish the operating efficiency of the separate heat and electricity production that cogeneration is intended to substitute.	electricity in accordance with the formula set out in point (b) shall establish the operating efficiency of the separate heat and electricity production that cogeneration is intended to substitute.	
Annex III, point (f), third paragraph, introductory part				
731	The efficiency reference values shall be calculated according to the following principles:	The efficiency reference values shall be calculated according to the following principles:	The efficiency reference values shall be calculated according to the following principles:	
Annex III, point (f), third paragraph, point (i)				
732	(i) for cogeneration units the comparison with separate electricity production shall be based on the principle that the same fuel categories are compared;.	(i) for cogeneration units the comparison with separate electricity production shall be based on the principle that the same fuel categories are compared;.	(i) for cogeneration units the comparison with separate electricity production shall be based on the principle that the same fuel categories are compared;.	
Annex III, point (f), third paragraph, point (ii)				
733	(ii) each cogeneration unit shall be compared with the best available and economically justifiable technology for separate production of heat and electricity on the	(ii) each cogeneration unit shall be compared with the best available and economically justifiable technology for separate production of heat and electricity on the	(ii) each cogeneration unit shall be compared with the best available and economically justifiable technology for separate production of heat and electricity on the	

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	market in the year of construction of the cogeneration unit;.	market in the year of construction of the cogeneration unit;.	market in the year of construction of the cogeneration unit;.	
Annex III, point (f), third paragraph, point (iii)				
734	(iii) the efficiency reference values for cogeneration units older than 10 years of age shall be fixed on the reference values of units of 10 years of age;.	(iii) the efficiency reference values for cogeneration units older than 10 years of age shall be fixed on the reference values of units of 10 years of age;.	(iii) the efficiency reference values for cogeneration units older than 10 years of age shall be fixed on the reference values of units of 10 years of age;.	
Annex III, point (f), third paragraph, point (iv)				
735	(iv) the efficiency reference values for separate electricity production and heat production shall reflect the climatic differences between Member States.	(iv) the efficiency reference values for separate electricity production and heat production shall reflect the climatic differences between Member States.	(iv) the efficiency reference values for separate electricity production and heat production shall reflect the climatic differences between Member States.	
Annex III, second paragraph				
736	_____	_____	_____	
Annex IV, first heading				
737	ENERGY EFFICIENCY REQUIREMENTS FOR PUBLIC PROCUREMENT	ENERGY EFFICIENCY REQUIREMENTS FOR PUBLIC PROCUREMENT	ENERGY EFFICIENCY REQUIREMENTS FOR PUBLIC PROCUREMENT	

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Annex IV, first paragraph, introductory part				
738	In award procedures for public contracts and concessions, contracting authorities and contracting entities that purchase products, services, buildings and works, shall:	In award procedures for public contracts and concessions, contracting authorities and contracting entities that purchase products, services, buildings and works, shall:	In award procedures for public contracts and concessions, contracting authorities and contracting entities that purchase products, services, buildings and works, shall:	
Annex IV, first paragraph, point (a)				
739	(a) where a product is covered by a delegated act adopted under Regulation (EU) 2017/1369 or by a related Commission implementing directive, purchase only the products that comply with the criterion laid down in Article 7(2) of that Regulation ;	(a) where a product is covered by a delegated act adopted under Regulation (EU) 2017/1369 or by a related Commission implementing directive, purchase only the products that comply with the criterion laid down in Article 7(2) of that Regulation ;	(a) where a product is covered by a delegated act adopted under Regulation (EU) 2017/1369 or by a related Commission implementing directive, purchase only the products that comply with the criterion laid down in Article 7(2) of that Regulation ;	
Annex IV, first paragraph, point (b)				
740	(b) where a product not covered under point (a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase only products	(b) where a product not covered under point (a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase only products	(b) where a product not covered under point (a) is covered by an implementing measure under Directive 2009/125/EC adopted after the entry into force of this Directive, purchase only products	

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	that comply with energy efficiency benchmarks specified in that implementing measure;	that comply with energy efficiency benchmarks specified in that implementing measure;	that comply with energy efficiency benchmarks specified in that implementing measure;	
Annex IV, first paragraph, point (c)				
741	(c) where a product or a service is covered by the Union green public procurement criteria, with relevance to energy efficiency of the product or service, make best efforts to purchase only products and services that respect at least the technical specifications set at 'core' level in the relevant Union green public procurement criteria including among others for data centres, server rooms and cloud services, Union green public procurement criteria for road lighting and traffic signals, Union green public procurement criteria for computers, monitors tablets and smartphones;	(c) where a product or a service is covered by the Union green public procurement criteria, with relevance to energy efficiency of the product or service, make best efforts to purchase only products and services that respect at least the technical specifications set at 'core' level in the relevant Union green public procurement criteria including among others for data centres, server rooms and cloud services, Union green public procurement criteria for road lighting and traffic signals, Union green public procurement criteria for computers, monitors tablets and smartphones;	(c) where a product or a service is covered by the Union green public procurement criteria **or available equivalent national criteria**, with relevance to energy efficiency of the product or service, make best efforts to purchase only products and services that respect at least the technical specifications set at 'core' level in the relevant Union green public procurement criteria **or available equivalent national criteria** including among others for data centres, server rooms and cloud services, ~~Union green public procurement criteria for~~ road lighting and traffic signals, ~~Union green public procurement criteria for~~ computers, monitors tablets and smartphones;	
Annex IV, first paragraph, point (d)				
742	(d) purchase only tyres that	(d) purchase only tyres that	(d) purchase only tyres that	

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	comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EU) 2020/740 of the European Parliament and of the Council[1]. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons; _____ 1. Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 (OJ L 177, 5.6.2020, p. 1).	comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EU) 2020/740 of the European Parliament and of the Council[1]. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons; _____ 1. Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 (OJ L 177, 5.6.2020, p. 1).	comply with the criterion of having the highest fuel energy efficiency class, as defined by Regulation (EU) 2020/740 of the European Parliament and of the Council[1]. This requirement shall not prevent public bodies from purchasing tyres with the highest wet grip class or external rolling noise class where justified by safety or public health reasons; _____ 1. Regulation (EU) 2020/740 of the European Parliament and of the Council of 25 May 2020 on the labelling of tyres with respect to fuel efficiency and other parameters, amending Regulation (EU) 2017/1369 and repealing Regulation (EC) No 1222/2009 (OJ L 177, 5.6.2020, p. 1).	
Annex IV, first paragraph, point (e)				
743	(e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a), (b) and (d), when providing the services in question. This requirement shall apply only to new products purchased by service	(e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a), (b) and (d), when providing the services in question. This requirement shall apply only to new products purchased by service	(e) require in their tenders for service contracts that service providers use, for the purposes of providing the services in question, only products that comply with the requirements referred to in points (a), (b) and (d), when providing the services in question. This requirement shall apply only to new products purchased by service	

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	providers partially or wholly for the purpose of providing the service in question;	providers partially or wholly for the purpose of providing the service in question;	providers partially or wholly for the purpose of providing the service in question;	
Annex IV, first paragraph, point (f), introductory part				
744	(f) purchase, or make new rental agreements for, only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1) of Directive 2010/31/EU unless the purpose of the purchase is:	(f) purchase, or make new rental agreements for, only buildings that comply at least with the minimum energy performance requirements referred to in Article 4(1) of Directive 2010/31/EU unless the purpose of the purchase is:	(f) purchase, or make new rental agreements for, only buildings that comply at least with ~~the minimum~~**nearly zero** energy ~~performance requirements referred to in~~**level, without prejudice to** Article ~~4(1) of~~ **6 of this** Directive**,** ~~2010/31/EU~~ unless the purpose of the purchase is:	
Annex IV, first paragraph, point (f)(i)				
745	(i) to undertake deep renovation or demolition;	(i) to undertake deep renovation or demolition;	(i) to undertake deep renovation or demolition;	
Annex IV, first paragraph, point (f)(ii)				
746	(ii) in the case of public bodies, to re-sell the building without using it for public body's own purposes; or	(ii) in the case of public bodies, to re-sell the building without using it for public body's own purposes; or	(ii) in the case of public bodies, to re-sell the building without using it for public body's own purposes; or	
Annex IV, first paragraph, point (f)(iIi)				

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747	(iii) to preserve it as a building officially protected as part of a designated environment, or because of its special architectural or historical merit.	(iii) to preserve it as a building officially protected as part of a designated environment, or because of its special architectural or historical merit.	(iii) to preserve it as a building officially protected as part of a designated environment, or because of its special architectural or ~~historical~~**historic** merit.	
Annex IV, second paragraph				
748	Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.	Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.	Compliance with these requirements shall be verified by means of the energy performance certificates referred to in Article 11 of Directive 2010/31/EU.	
Annex IV, third paragraph				
749	THIS PARAGRAPH IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.	THIS PARAGRAPH IS MISSING. THANK YOU FOR USING ANOTHER LANGUAGE.	*deleted*	
Annex V, first heading				
750	Common methods and principles for calculating the impact of energy efficiency obligation schemes or other policy measures under Articles 8, 9 and 10 and Article 28(11)	Common methods and principles for calculating the impact of energy efficiency obligation schemes or other policy measures under Articles 8, 9 and 10 and Article 28(11)	Common methods and principles for calculating the impact of energy efficiency obligation schemes or other policy measures under Articles 8, 9 and 10 and Article 28(11)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
			Annex V: Title = font to be changed in the table. Format problem, when uploading Commission's proposal .	
Annex V, point (1), introductory part				
751	1. Methods for calculating energy savings other than those arising from taxation measures for the purposes of Articles 8, 9 and 10 and Article 28(11).	1. Methods for calculating energy savings other than those arising from taxation measures for the purposes of Articles 8, 9 and 10 and Article 28(11).	1. Methods for calculating energy savings other than those arising from taxation measures for the purposes of Articles 8, 9 and 10 and Article 28(11).	
Annex V, point (1), first paragraph, introductory part				
752	Obligated, participating or entrusted parties, or implementing public authorities, may use the following methods for calculating energy savings:	Obligated, participating or entrusted parties, or implementing public authorities, may use the following methods for calculating energy savings:	Obligated, participating or entrusted parties, or implementing public authorities, may use the following methods for calculating energy savings:	
Annex V, point (1), first paragraph, point (a)				
753	(a) deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The generic approach is termed ‘ex ante’;	(a) deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The generic approach is termed ‘ex ante’;	(a) deemed savings, by reference to the results of previous independently monitored energy improvements in similar installations. The generic approach is termed ‘ex ante’;	

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Annex V, point (1), first paragraph, point (b)				
754	(b) metered savings, whereby the savings from the installation of a measure, or package of measures, are determined by recording the actual reduction in energy use, taking due account of factors such as additionality, occupancy, production levels and the weather which may affect consumption. The generic approach is termed 'ex post';	(b) metered savings, whereby the savings from the installation of a measure, or package of measures, are determined by recording the actual reduction in energy use, taking due account of factors such as additionality, occupancy, production levels and the weather which may affect consumption. The generic approach is termed 'ex post';	(b) metered savings, whereby the savings from the installation of a measure, or package of measures, are determined by recording the actual reduction in energy use, taking due account of factors such as additionality, occupancy, production levels and the weather which may affect consumption. The generic approach is termed 'ex post';	
Annex V, point (1), first paragraph, point (c)				
755	(c) scaled savings, whereby engineering estimates of savings are used. This approach may be used only where establishing robust measured data for a specific installation is difficult or disproportionately expensive, e.g. replacing a compressor or electric motor with a different kWh rating from that for which independent information about savings has been measured, or where those estimates are carried out on the basis of	(c) scaled savings, whereby engineering estimates of savings are used. This approach may be used only where establishing robust measured data for a specific installation is difficult or disproportionately expensive, e.g. replacing a compressor or electric motor with a different kWh rating from that for which independent information about savings has been measured, or where those estimates are carried out on the basis of	(c) scaled savings, whereby engineering estimates of savings are used. This approach may be used only where establishing robust measured data for a specific installation is difficult or disproportionately expensive, e.g. replacing a compressor or electric motor with a different kWh rating from that for which independent information about savings has been measured, or where those estimates are carried out on the basis of	

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	nationally established methodologies and benchmarks by qualified or accredited experts that are independent of the obligated, participating or entrusted parties involved;	nationally established methodologies and benchmarks by qualified or accredited experts that are independent of the obligated, participating or entrusted parties involved;	nationally established methodologies and benchmarks by qualified or accredited experts that are independent of the obligated, participating or entrusted parties involved;	
Annex V, Annex V, point (1), Annex V, point (1), first paragraph, point (ca)				
755a			**(ca) When calculating the energy savings for the purpose of Article 8(3) that can be counted to fulfil the obligation in Article 8(3), Member States might estimate the energy savings of vulnerable customers, persons affected by energy poverty, financially weak households, or, where applicable, persons living in social housing based on engineering estimates using standardised occupancy and thermal comfort conditions or parameters, such as parameters defined in national building regulations. The way comfort is considered for actions in buildings should be reported by the Member States to the Commission together with the**	

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			explanations about their calculation methodology.	
Annex V, point (1), first paragraph, point(d)				
756	(d) surveyed savings, where consumers' response to advice, information campaigns, labelling or certification schemes or smart metering is determined. This approach may be used only for savings resulting from changes in consumer behaviour. It shall not be used for savings resulting from the installation of physical measures.	(d) surveyed savings, where consumers' response to advice, information campaigns, labelling or certification schemes or smart metering is determined. This approach may be used only for savings resulting from changes in consumer behaviour. It shall not be used for savings resulting from the installation of physical measures.	~~(d)~~**(e)** surveyed savings, where consumers' response to advice, information campaigns, labelling or certification schemes or smart metering is determined. This approach may be used only for savings resulting from changes in consumer behaviour. It shall not be used for savings resulting from the installation of physical measures.	
Annex V, point (2), introductory part				
757	2. In determining the energy savings for an energy efficiency measure for the purposes of Articles 8, 9 and 10 and Article 28(11), the following principles apply:	2. In determining the energy savings for an energy efficiency measure for the purposes of Articles 8, 9 and 10 and Article 28(11), the following principles apply:	2. In determining the energy savings for an energy efficiency measure for the purposes of Articles 8, 9 and 10 and Article 28(11), the following principles apply:	
Annex V , point (2), point (a)				
758	(a) Member States shall demonstrate that the policy	(a) Member States shall demonstrate that the policy	(a) Member States shall demonstrate that ~~the policy~~	

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	measure has been implemented for the purpose of fulfilling the energy savings obligation and achieving end-use energy savings pursuant to Article 8(1). Member States shall provide evidence and their documentation that the energy savings are caused by a policy measure, including voluntary agreements;	measure has been implemented for the purpose of fulfilling the energy savings obligation and achieving end-use energy savings pursuant to Article 8(1). Member States shall provide evidence and their documentation that the energy savings are caused by a policy measure, including voluntary agreements;	~~measure has been implemented for the purpose of fulfilling the energy savings obligation and achieving~~**one of the objectives of the policy, whether new or existing is the achievement of** end-use energy savings pursuant to Article 8(1)~~. Member States~~ **and** shall provide evidence and their documentation that the energy savings are caused by a policy measure, including voluntary agreements;	
Annex V, point (2), point (b)				
759	(b) The savings shall be shown to be additional to those that would have occurred in any event without the activity of the obligated, participating or entrusted parties, or implementing public authorities. To determine the savings that can be claimed as additional, Member States shall have regard to how energy use and demand would evolve in the absence of the policy measure in question by taking into account at least the following factors: energy consumption trends, changes in consumer	(b) The savings shall be shown to be additional to those that would have occurred in any event without the activity of the obligated, participating or entrusted parties, or implementing public authorities. To determine the savings that can be claimed as additional, Member States shall have regard to how energy use and demand would evolve in the absence of the policy measure in question by taking into account at least the following factors: energy consumption trends, changes in consumer	(b) The savings shall be shown to be additional to those that would have occurred in any event without the activity of the obligated, participating or entrusted parties, or implementing public authorities. To determine the savings that can be claimed as additional, Member States shall have regard to how energy use and demand would evolve in the absence of the policy measure in question by taking into account at least the following factors: energy consumption trends, changes in consumer	

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	behaviour, technological progress and changes caused by other measures implemented at Union and national level;.	behaviour, technological progress and changes caused by other measures implemented at Union and national level;.	behaviour, technological progress and changes caused by other measures implemented at Union and national level;.	
Annex V, point (2) , point (c)				
760	(c) savings resulting from the implementation of mandatory Union law shall be considered to be savings that would have occurred in any event, and thus shall not be claimed as energy savings for the purpose of Article 8(1). By way of derogation from that requirement, savings related to the renovation of existing buildings may be claimed as energy savings for the purpose of Article 8(1), provided that the materiality criterion referred to in point 3(h) of this Annex is ensured. Measures promoting energy efficiency improvements in the public sector pursuant to Article 5 and Article 6 may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1), provided that they result in verifiable, and measurable or estimable, end-use energy	(c) savings resulting from the implementation of mandatory Union law shall be considered to be savings that would have occurred in any event, and thus shall not be claimed as energy savings for the purpose of Article 8(1). By way of derogation from that requirement, savings related to the renovation of existing buildings may be claimed as energy savings for the purpose of Article 8(1), provided that the materiality criterion referred to in point 3(h) of this Annex is ensured. Measures promoting energy efficiency improvements in the public sector pursuant to Article 5 and Article 6 may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1), provided that they result in verifiable, and measurable or estimable, end-use energy	(c) savings resulting from the implementation of mandatory Union law shall be considered to be savings that would have occurred in any event, and thus shall not be claimed as energy savings for the purpose of Article 8(1). By way of derogation from that requirement, savings related to the renovation of existing buildings may be claimed as energy savings for the purpose of Article 8(1), provided that the materiality criterion referred to in point 3(h) of this Annex is ensured. Measures promoting energy efficiency improvements in the public sector pursuant to Article 5 and Article 6 may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1), provided that they result in verifiable, and measurable or estimable, end-use energy	

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	savings. The calculation of energy savings shall comply with the requirements of this Annex;	savings. The calculation of energy savings shall comply with the requirements of this Annex;	savings. The calculation of energy savings shall comply with the requirements of this Annex;	
Annex V, point (2), point (d)				
761	(d) measures taken pursuant to Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions can be considered material, but Member States have to show that they result in verifiable and measurable or estimable end-use energy savings. The calculation of energy savings shall comply with the requirements of this Annex;	(d) measures taken pursuant to Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions can be considered material, but Member States have to show that they result in verifiable and measurable or estimable end-use energy savings. The calculation of energy savings shall comply with the requirements of this Annex;	(d) measures taken pursuant to Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions can be considered material, but Member States have to show that they result in verifiable and measurable or estimable end-use energy savings. The calculation of energy savings shall comply with the requirements of this Annex;	
Annex V, point (2), point point (e)				
762	(e) Member States cannot count reduced energy use in sectors, including the transport and building sector, that would have occurred in any event as a result of emission trading pursuant to the EU ETS Directive towards the fulfilment of the energy savings obligation pursuant to Article 8(1). If an entity is an obligated party	(e) Member States cannot count reduced energy use in sectors, including the transport and building sector, that would have occurred in any event as a result of emission trading pursuant to the EU ETS Directive towards the fulfilment of the energy savings obligation pursuant to Article 8(1). If an entity is an obligated party	(e) Member States ~~cannot~~**can** count ~~reduced~~**end use** energy ~~use~~**savings** in sectors, including the transport and building sector, that would have occurred in any event as a result of emission trading pursuant to the EU ETS Directive **and, where applicable, other national ETS requirements** towards the fulfilment of the	

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	under a national energy efficiency obligation scheme under Article 9 of this Directive and under the EU Emissions Trading System for buildings and road transport [COM(2021) 551 final,2021/0211 (COD)], the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according Article 1(21) of COM(2021) 551 final,2021/0211 (COD)] is taken into account when calculating and reporting the energy savings of its energy saving measures;	under a national energy efficiency obligation scheme under Article 9 of this Directive and under the EU Emissions Trading System for buildings and road transport [COM(2021) 551 final,2021/0211 (COD)], the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according Article 1(21) of COM(2021) 551 final,2021/0211 (COD)] is taken into account when calculating and reporting the energy savings of its energy saving measures;	energy savings obligation pursuant to Article 8(1) **provided that they have implemented complementary policy measures pursuant to Article 9 or 10**. If an entity is an obligated party under a national energy efficiency obligation scheme under Article 9 of this Directive and under the EU Emissions Trading System for buildings and road transport [COM(2021) 551 final,2021/0211 (COD)], the monitoring and verification system shall ensure that the carbon price passed through when releasing fuel for consumption [according Article 1(21) of– COM(2021) 551 final,2021/0211 (COD)] is taken into account when calculating and reporting the energy savings of its energy saving measures;	
Annex V, point (2), point (f), introductory part				
763	(f) credit may be given only for savings exceeding the following levels:	(f) credit may be given only for savings exceeding the following levels:	(f) credit may be given only for savings exceeding the following levels:	
Annex V, point (2), point (f)(i)				

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764	(i) Union emission performance standards for new passenger cars and new light commercial vehicles following the implementation of Regulation (EU) 2019/631 of the European Parliament and of the Council[1]; Member States must provide evidence, their assumptions and their calculation methodology to show additionality to the Union´s new vehicle CO2 requirements; _____ 1. Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (OJ L 111, 25.4.2019, p. 13).	(i) Union emission performance standards for new passenger cars and new light commercial vehicles following the implementation of Regulation (EU) 2019/631 of the European Parliament and of the Council[1]; Member States must provide evidence, their assumptions and their calculation methodology to show additionality to the Union´s new vehicle CO2 requirements; _____ 1. Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (OJ L 111, 25.4.2019, p. 13).	(i) Union emission performance standards for new passenger cars and new light commercial vehicles following the implementation of Regulation (EU) 2019/631 of the European Parliament and of the Council[1]; Member States must provide ~~evidence~~**justification**, their assumptions and their calculation methodology to show additionality to the Union's new vehicle CO2 requirements; _____ 1. Regulation (EU) 2019/631 of the European Parliament and of the Council of 17 April 2019 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles, and repealing Regulations (EC) No 443/2009 and (EU) No 510/2011 (OJ L 111, 25.4.2019, p. 13).	
Annex V, point (2), point (f)(ii)				
765	(ii) Union requirements relating to the removal from the market of certain energy related products following the implementation of implementing measures under Directive 2009/125/EC. Member States shall provide evidence, their assumptions and their calculation	(ii) Union requirements relating to the removal from the market of certain energy related products following the implementation of implementing measures under Directive 2009/125/EC. Member States shall provide evidence, their assumptions and their calculation	(ii) Union requirements relating to the removal from the market of certain energy related products following the implementation of implementing measures under Directive 2009/125/EC. Member States shall provide evidence, their assumptions and their calculation	

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	methodology to show additionality;	methodology to show additionality;	methodology to show additionality;	
Annex V, point (2), point (g)				
766	(g) policies with the purpose of encouraging higher levels of energy efficiency of products, equipment, transport systems, vehicles and fuels, buildings and building elements, processes or markets shall be permitted , except those policy measures regarding the use of direct combustion of fossil fuel technologies that are implemented as from 1 January 2024 ;	(g) policies with the purpose of encouraging higher levels of energy efficiency of products, equipment, transport systems, vehicles and fuels, buildings and building elements, processes or markets shall be permitted-, except ***for*** those policy measures regarding the use of direct combustion of fossil fuel technologies that are implemented as from 1 ***July 2028, and except for those policy measures subsidising the use of direct combustion of fossil fuel technologies in residential buildings as from 1*** January 2024. ***Energy savings as a result of policy measures regarding the use of direct fossil fuel combustion may count towards the fulfilment of energy savings obligation for a maximum amount equivalent to one fourth of energy savings as from 1 January 2024 to 30 June 2028***-;	(g) policies with the purpose of encouraging higher levels of energy efficiency of products, equipment, transport systems, vehicles and fuels, buildings and building elements, processes or markets shall be permitted , except those policy measures regarding the use of direct combustion of fossil fuel technologies that are **newly** implemented as from 1 January 2024 ;	

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Annex V, point (2), point (ga)				
766a		***(ga) individual actions regarding the use of direct combustion of fossil fuel technologies are not permitted as from 1 July 2028. Individual actions promoting combinations of technologies are permitted. In the case of individual actions promoting combinations of technologies, the share of energy savings related to the fossil fuel combustion technologies shall not be eligible to be counted as from 1 July 2028;***		
Annex V, point (2), point (h)				
767	(h) Energy savings as a result of policy measures regarding the use of direct fossil fuel combustion in products, equipment, transport systems, vehicles, buildings or works shall not count towards the fulfilment of energy savings obligation as from 1 January 2024;	*deleted*	(h) Energy savings as a result of policy measures **newly implemented as from 1 January 2024** regarding the use of direct fossil fuel combustion in products, equipment, transport systems, vehicles, buildings or works shall not count towards the fulfilment of energy savings obligation **pursuant to Article 8(1)(b). In case of policy measures promoting combinations of**	

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			technologies, the share of energy savings related to the fossil fuel combustion technology are not eligible. ~~as from 1 January 2024;~~	
Annex V, Annex V, point (2), point (ha)				
767a			**(ha) By way of derogation for the period 1 January 2024 to 31 December 2030, energy savings from direct fossil fuel combustion technologies improving the energy efficiency in energy intense enterprises in the industry sector, may only be counted as energy savings for the purpose of Article 8(1)(b) and (c) until 31 December 2030, provided that:** Numbering of the subpoints within this subparagraph to be adjusted (from i to vii)	
Annex V, Annex V, point (2), point (hb)				
767b			**(hb) (i) the enterprise should have carried out an energy audit pursuant to Article 11(2) and an implementation plan including:**	

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			- an overview of all cost-effective energy efficiency measures with a payback period of five years or less, based on simple pay-back period methodologies provided by the Member State, - a timeframe for the implementation of all recommended energy efficiency measures with a payback period of five years or fewer, - a calculation of expected energy savings resulting from the energy efficiency measures recommended and, - energy efficiency measures relate to the use direct fossil fuel combustion technologies with the relevant information needed for: > proving that the measure identified does not increasethe amount of energy needed or the capacity of an installation, > justifying that the uptake of sustainable, non-fossil fuel technologies is technically not feasible > showing that the direct fossil	

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			fuel combustion technology complies with the most up to date corresponding European emission performance legislation and prevent technology lock-in effects by ensuring future compatibility with climate-neutral alternative non-fossil fuels and technologies.	
Annex V, Annex V, point (2), point (hc)				
767c			**(hc) (ii) the continuation of the use of direct fossil fuel technologies is an energy efficiency measures to decrease energy consumption with a payback period of five years or less, based on simple pay-back period methodologies provided by the Member State, recommended as result of an energy audit pursuant to Article 11(2) and included in the implementation plan;** **(iii) the use of direct fossil fuel technologies complies with the most up to date corresponding European emission performance**	

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			legislation, does not lead to technology lock-in effects and ensures future compatibility with climate-neutral alternative fuels and technologies; **(iv) the use of direct fossil fuel technologies in the enterprise does not lead to an increased energy consumption or increase the capacity of the installation in that enterprise;** **(v) evidence is provided that no alternative, sustainable non-fossil fuel solution was technically feasible ;** **(vi) the use of direct fossil fuel technologies result in verifiable, and measurable or estimable, end-use energy savings calculated in compliance with the requirements of this Annex;** **vii) evidence is published (website)/publicly available for all interested citizens.**	
Annex V, point (2), point (i)				

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768	(i) measures promoting the installation of small-scale renewable energy technologies on or in buildings may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1), provided that they result in verifiable, and measurable or estimable, end-use energy savings. The calculation of energy savings shall comply with the requirements of this Annex;	(i) measures promoting the installation of small-scale renewable energy technologies on or in buildings may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1), provided that they result in verifiable, and measurable or estimable, end-use energy savings. The calculation of energy savings shall comply with the requirements of this Annex;	(i) ——measures promoting the installation of small-scale renewable energy technologies on or in buildings may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1), provided that they result in verifiable, and measurable or estimable, end-use energy savings. The calculation of energy savings shall comply with the requirements of this Annex;	
Annex V, point (2, point(j)				
769	(j) measures promoting the installation of solar thermal technologies may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1) provided that they result in verifiable, and measurable or estimable, end-use energy savings. The ambient heat captured by solar thermal technologies can be excluded from their end-use energy consumption;	(j) measures promoting the installation of solar thermal technologies may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1) provided that they result in verifiable, and measurable or estimable, end-use energy savings. The ambient heat captured by solar thermal technologies can be excluded from their end-use energy consumption;	(j) measures promoting the installation of solar thermal technologies may be eligible to be taken into account for the fulfilment of energy savings required under Article 8(1) provided that they result in verifiable, and measurable or estimable, end-use energy savings. The ~~ambient heat captured~~**heat produced** by solar thermal technologies **from solar radiation** can be excluded from their end-use energy consumption;	

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Annex V, point (2), point (k)				
770	(k) for policies that accelerate the uptake of more efficient products and vehicles, except those regarding the use of direct fossil fuel combustion, full credit may be claimed, provided that it is shown that such uptake takes place before expiry of the average expected lifetime of the product or vehicle, or before the product or vehicle would usually be replaced, and the savings are claimed only for the period until end of the average expected lifetime of the product or vehicle to be replaced;	(k) for policies that accelerate the uptake of more efficient products and vehicles, except those regarding the use of direct fossil fuel combustion, full credit may be claimed, provided that it is shown that such uptake takes place before expiry of the average expected lifetime of the product or vehicle, or before the product or vehicle would usually be replaced, and the savings are claimed only for the period until end of the average expected lifetime of the product or vehicle to be replaced;	(k) for policies that accelerate the uptake of more efficient products and vehicles, except those **newly implemented as from 1 Janaury 2024** regarding the use of direct fossil fuel combustion,– full credit may be claimed, provided that it is shown that such uptake takes place before expiry of the average expected lifetime of the product or vehicle, or before the product or vehicle would usually be replaced, and the savings are claimed only for the period until end of the average expected lifetime of the product or vehicle to be replaced;	
Annex V, point (2), point (l)				
771	(l) in promoting the uptake of energy efficiency measures, Member States shall, where relevant, ensure that quality standards for products, services and installation of measures are maintained or introduced where such standards do not exist;	(l) in promoting the uptake of energy efficiency measures, Member States shall, where relevant, ensure that quality standards for products, services and installation of measures are maintained or introduced where such standards do not exist;	(l) in promoting the uptake of energy efficiency measures, Member States shall, where relevant, ensure that quality standards for products, services and installation of measures are maintained or introduced where such standards do not exist;	

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Annex V, point (2), point (m)				
772	(m) to account for climatic variations between regions, Member States may choose to adjust the savings to a standard value or to accord different energy savings in accordance with temperature variations between regions;	(m) to account for climatic variations between regions, Member States may choose to adjust the savings to a standard value or to accord different energy savings in accordance with temperature variations between regions;	(m) to account for climatic variations between regions, Member States may choose to adjust the savings to a standard value or to accord different energy savings in accordance with temperature variations between regions;	
Annex V, point (2), point(n)				
773	(n) the calculation of energy savings shall take into account the lifetime of the measures and the rate at which the savings decline over time. That calculation shall count the savings each individual action will achieve during the period from its date of implementation to the end of each obligation period . Alternatively, Member States may adopt another method that is estimated to achieve at least the same total quantity of savings. When using another method, Member States shall ensure that the total amount of	(n) the calculation of energy savings shall take into account the lifetime of the measures and the rate at which the savings decline over time. That calculation shall count the savings each individual action will achieve during the period from its date of implementation to the end of each obligation period . Alternatively, Member States may adopt another method that is estimated to achieve at least the same total quantity of savings. When using another method, Member States shall ensure that the total amount of	(n) the calculation of energy savings shall take into account the lifetime of the measures and the rate at which the savings decline over time. That calculation shall count the savings each individual action will achieve during the period from its date of implementation to the end of each obligation period . Alternatively, Member States may adopt another method that is estimated to achieve at least the same total quantity of savings. When using another method, Member States shall ensure that the total amount of	

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	energy savings calculated using that method does not exceed the amount of energy savings that would have been the result of their calculation when counting the savings each individual action will achieve during the period from its date of implementation to 2030. Member States shall describe in detail in their integrated national energy and climate plans under Regulation (EU) 2018/1999 the other method and the provisions made to ensure that the binding calculation requirement is met.	energy savings calculated using that method does not exceed the amount of energy savings that would have been the result of their calculation when counting the savings each individual action will achieve during the period from its date of implementation to 2030. Member States shall describe in detail in their integrated national energy and climate plans under Regulation (EU) 2018/1999 the other method and the provisions made to ensure that the binding calculation requirement is met.	energy savings calculated using that method does not exceed the amount of energy savings that would have been the result of their calculation when counting the savings each individual action will achieve during the period from its date of implementation to 2030. Member States shall describe in detail in their integrated national energy and climate plans under Regulation (EU) 2018/1999 the other method and the provisions made to ensure that the binding calculation requirement is met.	
Annex V, point (3), introductory part				
774	3. Member States shall ensure that the following requirements for policy measures taken pursuant to Article 10 and Article 28(11) are met:	3. Member States shall ensure that the following requirements for policy measures taken pursuant to Article 10 and Article 28(11) are met:	3. Member States shall ensure that the following requirements for policy measures taken pursuant to Article 10 and Article 28(11) are met:	
Annex V, point (3), point (a)				
775	(a) policy measures and individual actions produce verifiable end-use energy savings;	(a) policy measures and individual actions produce verifiable end-use energy savings;	(a) policy measures and individual actions produce verifiable end-use energy savings;	

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Annex V, point (3), point (b)				
776	(b) the responsibility of each participating party, entrusted party or implementing public authority, as relevant, is clearly defined;	(b) the responsibility of each participating party, entrusted party or implementing public authority, as relevant, is clearly defined;	(b) the responsibility of each participating party, entrusted party or implementing public authority, as relevant, is clearly defined;	
Annex V, point (3), point (c)				
777	(c) the energy savings that are achieved or are to be achieved are determined in a transparent manner;	(c) the energy savings that are achieved or are to be achieved are determined in a transparent manner;	(c) the energy savings that are achieved or are to be achieved are determined in a transparent manner;	
Annex V, point (3), point (d)				
778	(d) the amount of energy savings required or to be achieved by the policy measure is expressed in either final or primary energy consumption, using the net calorific values or primary energy factors referred to in Article 29 ;	(d) the amount of energy savings required or to be achieved by the policy measure is expressed in either final or primary energy consumption, using the net calorific values or primary energy factors referred to in Article 29 ;	(d) the amount of energy savings required or to be achieved by the policy measure is expressed in either final or primary energy consumption, using the net calorific values or primary energy factors referred to in Article 29 ;	
Annex V, point (3), point (e)				
779	(e) an annual report on the energy savings achieved by entrusted parties, participating parties and	(e) an annual report on the energy savings achieved by entrusted parties, participating parties and	(e) an annual report on the energy savings achieved by entrusted parties, participating parties and	

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	implementing public authorities be provided and made publicly available, as well as data on the annual trend of energy savings;	implementing public authorities be provided and made publicly available, as well as data on the annual trend of energy savings;	implementing public authorities be provided and made publicly available, as well as data on the annual trend of energy savings;	
Annex V, point (3), point (f)				
780	(f) monitoring of the results and taking appropriate measures if progress is not satisfactory;	(f) monitoring of the results and taking appropriate measures if progress is not satisfactory;	(f) monitoring of the results and taking appropriate measures if progress is not satisfactory;	
Annex V, point (3), point (g)				
781	(g) the energy savings from an individual action are not claimed by more than one party;	(g) the energy savings from an individual action are not claimed by more than one party;	(g) the energy savings from an individual action are not claimed by more than one party;	
Annex V, point (3), point (h)				
782	(h) the activities of the participating party, entrusted party or implementing public authority are shown to be material to the achievement of the energy savings claimed;.	(h) the activities of the participating party, entrusted party or implementing public authority are shown to be material to the achievement of the energy savings claimed;.	(h) the activities of the participating party, entrusted party or implementing public authority are shown to be material to the achievement of the energy savings claimed;.	
Annex V, point (3, point (i)				
783				

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	(i) the activities of the participating party, entrusted party or implementing public authority have no adverse effects on vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing.	(i) the activities of the participating party, entrusted party or implementing public authority have no adverse effects on vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing.	(i) the activities of the participating party, entrusted party or implementing public authority have no adverse effects on vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing.	
Annex V, point (4), introductory part				
784	4. In determining the energy saving from taxation related policy measures introduced under Article 10, the following principles shall apply:	4. In determining the energy saving from taxation ***and parafiscal levies*** related policy measures introduced under Article 10, the following principles shall apply:	4. In determining the energy saving from taxation related policy measures introduced under Article 10, the following principles shall apply:	
Annex V, point (4), point (a)				
785	(a) credit shall be given only for energy savings from taxation measures exceeding the minimum levels of taxation applicable to fuels as required in Council Directive 2003/96/EC[1] or 2006/112/EC[2]; _____ 1. Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy	(a) credit shall be given only for energy savings from taxation measures exceeding the minimum levels of taxation applicable to fuels as required in Council Directive 2003/96/EC[1] or 2006/112/EC[2]; _____ 1. Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy	(a) credit shall be given only for energy savings from taxation measures exceeding the minimum levels of taxation applicable to fuels as required in Council Directive 2003/96/EC[1] or 2006/112/EC[2]; _____ 1. Council Directive 2003/96/EC of 27 October 2003 restructuring the Community framework for the taxation of energy	

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	products and electricity (OJ L 283, 31.10.2003, p. 51). 2. Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).	products and electricity (OJ L 283, 31.10.2003, p. 51). 2. Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).	products and electricity (OJ L 283, 31.10.2003, p. 51). 2. Council Directive 2006/112/EC of 28 November 2006 on the common system of value added tax (OJ L 347, 11.12.2006, p. 1).	
Annex V, point (4), point (aa)				
785a		***(aa) credit shall be given only for energy savings from taxation measures and parafiscal levies designed with the purpose of generating energy savings as defined in Article 2, point (7);***		
Annex V, point (4) point(b)				
786	(b) short-run price elasticities for the calculation of the impact of the (energy) taxation measures shall represent the responsiveness of energy demand to price changes, and shall be estimated on the basis of recent and representative official data sources; which are applicable for the Member State, and, where applicable, based on accompanying studies from an independent institute. If a different price elasticity than short-run elasticities	(b) ~~short-run~~ price elasticities for the calculation of the impact of the (energy) taxation measures shall ***be end-user segment specific, including income classes, company types and size, and thus*** represent the responsiveness of energy demand to price changes, and shall be estimated on the basis of recent and representative official data sources~~,~~ which are applicable for the Member State, and, where applicable, based on accompanying	(b) short-run price elasticities for the calculation of the impact of the (energy) taxation measures shall represent the responsiveness of energy demand to price changes, and shall be estimated on the basis of recent and representative official data sources; which are applicable for the Member State, and, where applicable, based on accompanying studies from an independent institute. If a different price elasticity than short-run elasticities	

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	is used, Member States shall explain how energy efficiency improvements due to the implementation of other Union legislation have been included in the baseline used to estimate the energy savings, or how a double-counting of energy savings from other Union legislation has been avoided;	studies from an independent institute~~. *If a different price elasticity than short-run elasticities is used, Member States shall explain how energy efficiency improvements due to the implementation of other Union legislation have been included in the baseline used to estimate the energy savings, or how a double-counting of energy savings from other Union legislation has been avoided*~~ ;	is used, Member States shall explain how energy efficiency improvements due to the implementation of other Union legislation have been included in the baseline used to estimate the energy savings, or how a double-counting of energy savings from other Union legislation has been avoided;	
Annex V, point (4)(, point (c)				
787	(c) the energy savings from accompanying taxation policy instruments, including fiscal incentives or payment to a fund, shall be accounted separately;	(c) the energy savings from accompanying taxation policy instruments, including fiscal incentives or payment to a fund, shall be accounted separately;	(c) the energy savings from accompanying taxation policy instruments, including fiscal incentives or payment to a fund, shall be accounted separately;	
Annex V, point (4), point (d)				
788	(d) short-run elasticity estimates should be used to assess the energy savings from taxation measures to avoid overlap with Union law and other policy measures;	(d) short-run elasticity estimates ~~should~~***shall*** be used to assess the energy savings from taxation measures to avoid overlap with Union law and other policy measures;	(d) short-run elasticity estimates should be used to assess the energy savings from taxation measures to avoid overlap with Union law and other policy measures;	

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Annex V, point (4) , point (e)				
789	(e) Member States shall determine distributional effects of taxation and equivalent measures on vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, and show the effects of mitigation measures implemented in accordance with Article 22(1) to (3);	(e) Member States shall determine distributional effects of taxation and equivalent measures on vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, and show the effects of mitigation measures implemented in accordance with Article 22(1) to (3);	(e) Member States shall determine distributional effects of taxation and equivalent measures on vulnerable customers, people affected by energy poverty and, where applicable, people living in social housing, and show the effects of mitigation measures implemented in accordance with Article 22(1) to (3);	
Annex V, point (4), point (f)				
790	(f) Member States shall provide evidence, including calculation methodologies, that where there is an overlap in the impact of energy or carbon taxation measures or emission trading according the EU ETS Directive [COM(2021) 551 final,2021/0211 (COD)], there is no double counting of energy savings.	(f) Member States shall provide evidence, including calculation methodologies, that where there is an overlap in the impact of energy or carbon taxation measures or emission trading according the EU ETS Directive [COM(2021) 551 final,2021/0211 (COD)], there is no double counting of energy savings.	(f) Member States shall provide evidence, including calculation methodologies, that where there is an overlap in the impact of energy or carbon taxation measures or emission trading according the EU ETS Directive [COM(2021) 551 final,2021/0211 (COD)], there is no double counting of energy savings.	
Annex V, point (5), introductory part				
791				

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	5. Notification of methodology	5. Notification of methodology	5. Notification of methodology	
Annex V, point (5), first paragraph, introductory part				
792	Member States shall in accordance with Regulation (EU) 2018/1999 notify to the Commission their proposed detailed methodology for the operation of the energy efficiency obligation schemes and alternative measures referred to in Articles 9 and 10, and Article 28(11). Except in the case of taxation, such notification shall include details of:	Member States shall in accordance with Regulation (EU) 2018/1999 notify to the Commission their proposed detailed methodology for the operation of the energy efficiency obligation schemes and alternative measures referred to in Articles 9 and 10, and Article 28(11). Except in the case of taxation, such notification shall include details of:	Member States shall in accordance with Regulation (EU) 2018/1999 notify to the Commission their proposed detailed methodology for the operation of the energy efficiency obligation schemes and alternative measures referred to in Articles 9 and 10, and Article 28(11). Except in the case of taxation, such notification shall include details of:	
Annex V, point (5), first paragraph, point (a)				
793	(a) the level of the energy savings required under the first subparagraph of Article 8(1) or savings expected to be achieved over the whole period from 1 January 2021 to 31 December 2030;	(a) the level of the energy savings required under the first subparagraph of Article 8(1) or savings expected to be achieved over the whole period from 1 January 2021 to 31 December 2030;	(a) the level of the energy savings required under the first subparagraph of Article 8(1) or savings expected to be achieved over the whole period from 1 January 2021 to 31 December 2030;	
Annex V, point (5), first paragraph, point (b)				
794	(b) how the calculated quantity of	(b) how the calculated quantity of	(b) how the calculated quantity of	

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	new energy savings required under the first subparagraph of Article 8(1) or energy savings expected to be achieved will be phased over the obligation period;	new energy savings required under the first subparagraph of Article 8(1) or energy savings expected to be achieved will be phased over the obligation period;	new energy savings required under the first subparagraph of Article 8(1) or energy savings expected to be achieved will be phased over the obligation period;	
Annex V, point (5), first paragraph, point (c)				
795	(c) the obligated, participating or entrusted parties, or implementing public authorities;	(c) the obligated, participating or entrusted parties, or implementing public authorities;	(c) the obligated, participating or entrusted parties, or implementing public authorities;	
Annex V, point (5), first paragraph, point (d)				
796	(d) target sectors;	(d) target sectors;	(d) target sectors;	
Annex V, point (5), first paragraph, point (e)				
797	(e) policy measures and individual actions, including the expected total amount of cumulative energy savings for each measure;	(e) policy measures and individual actions, including the expected total amount of cumulative energy savings for each measure;	(e) policy measures and individual actions, including the expected total amount of cumulative energy savings for each measure;	
Annex V, point (5), first paragraph, point (f)				
798	(f) information on policy measures or programmes or measures financed under an Energy	(f) information on policy measures or programmes or measures financed under an Energy	(f) information on policy measures or programmes or measures financed under an Energy	

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	Efficiency National Fund implemented as a priority among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	Efficiency National Fund implemented as a priority among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	Efficiency National Fund implemented as a priority among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	
Annex V, point (5), first paragraph, point(g)				
799	(g) the share and the amount of energy savings to be achieved among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	(g) the share and the amount of energy savings to be achieved among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	(g) the share and the amount of energy savings to be achieved among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	
Annex V, point (5), first paragraph, point (h)				
800	(h) where applicable, information about the indicators applied, the arithmetic average share and the outcome of policy measures established according to Article 8(3);	(h) where applicable, information about the indicators applied, the arithmetic average share and the outcome of policy measures established according to Article 8(3);	(h) where applicable, information about the indicators applied, the arithmetic average share and the outcome of policy measures established according to Article 8(3);	
Annex V, point (5), first paragraph, point(i)				
801	(i) where applicable, information about impacts and adverse effects	(i) where applicable, information about impacts and adverse effects	(i) where applicable, information about impacts and adverse effects	

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	of policy measures implemented pursuant to Article 8(3) on people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	of policy measures implemented pursuant to Article 8(3) on people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	of policy measures implemented pursuant to Article 8(3) on people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	
Annex V, point (5), first paragraph, point (j)				
802	(j) the duration of the obligation period for the energy efficiency obligation scheme;	(j) the duration of the obligation period for the energy efficiency obligation scheme;	(j) the duration of the obligation period for the energy efficiency obligation scheme;	
Annex V, point (5), first paragraph, point(k)				
803	(k) where applicable, the amount of energy savings or cost reduction targets to be achieved by obligated parties among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	(k) where applicable, the amount of energy savings or cost reduction targets to be achieved by obligated parties among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	(k) where applicable, the amount of energy savings or cost reduction targets to be achieved by obligated parties among people affected by energy poverty, vulnerable customers, and, where applicable, people living in social housing;	
Annex V, point (5), first paragraph, point (l)				
804	(l) the actions provided for by the policy measure;	(l) the actions provided for by the policy measure;	(l) the actions provided for by the policy measure;	
Annex V, point (5), first paragraph, point (m)				

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805	(m) the calculation methodology, including how additionality and materiality have been determined and which methodologies and benchmarks are used for deemed and scaled savings, and, where applicable, the net calorific values and conversion factors used ;	(m) the calculation methodology, including how additionality and materiality have been determined and which methodologies and benchmarks are used for deemed and scaled savings, and, where applicable, the net calorific values and conversion factors used ;	(m) the calculation methodology, including how additionality and materiality have been determined and which methodologies and benchmarks are used for deemed and scaled savings, and, where applicable, the net calorific values and conversion factors used ;	
Annex V, point (5), first paragraph, point (n)				
806	(n) the lifetimes of measures, and how they are calculated or what they are based upon;	(n) the lifetimes of measures, and how they are calculated or what they are based upon;	(n) the lifetimes of measures, and how they are calculated or what they are based upon;	
Annex V, point (5), first paragraph point (o)				
807	(o) the approach taken to address climatic variations within the Member State;	(o) the approach taken to address climatic variations within the Member State;	(o) the approach taken to address climatic variations within the Member State;	
Annex V, point (5), first paragraph, point (p)				
808	(p) the monitoring and verification systems for measures under Articles 9 and 10 and how their independence from the obligated, participating or entrusted parties is	(p) the monitoring and verification systems for measures under Articles 9 and 10 and how their independence from the obligated, participating or entrusted parties is	(p) the monitoring and verification systems for measures under Articles 9 and 10 and how their independence from the obligated, participating or entrusted parties is	

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	ensured;	ensured;	ensured;	
Annex V, point (5), first paragraph, point (q), introductory part				
809	(q) in the case of taxation:	(q) in the case of taxation:	(q) in the case of taxation:	
Annex V, point (5), first paragraph, point (q)(i)				
810	(i) the target sectors and segment of taxpayers;	(i) the target sectors and segment of taxpayers;	(i) the target sectors and segment of taxpayers;	
Annex V, point (5), first paragraph, point (q)(ii)				
811	(ii) the implementing public authority;	(ii) the implementing public authority;	(ii) the implementing public authority;	
Annex V, point (5), first paragraph, point (q)(iii)				
812	(iii) the savings expected to be achieved;	(iii) the savings expected to be achieved;	(iii) the savings expected to be achieved;	
Annex V, point (5), first paragraph, point (q)(iv)				
813	(iv) the duration of the taxation measure;	(iv) the duration of the taxation measure;	(iv) the duration of the taxation measure;	
Annex V, point (5), first paragraph, point (q)(v)				

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814	(v) the calculation methodology, including the price elasticities used and how they have been established and	(v) the calculation methodology, including the price elasticities used and how they have been established and	(v) the calculation methodology, including the price elasticities used and how they have been established and	
Annex V, point (5), first paragraph, point (q)(vi)				
815	(vi) how overlaps with emission trading in accordance with the EU ETS Directive [COM(2021) 551 final,2021/0211 (COD)] have been avoided and the risk of double counting has been abolished.	(vi) how overlaps with emission trading in accordance with the EU ETS Directive [COM(2021) 551 final,2021/0211 (COD)] have been avoided and the risk of double counting has been abolished.	(vi) how overlaps with emission trading in accordance with the EU ETS Directive [COM(2021) 551 final,2021/0211 (COD)] have been avoided and the risk of double counting has been abolished.	
Annex V, first paragraph				
816	_____	_____	_____	
Annex VI, first heading				
817	Minimum criteria for energy audits including those carried out as part of energy management systems	Minimum criteria for energy audits including those carried out as part of energy management systems	Minimum criteria for energy audits including those carried out as part of energy management systems	
Annex VI, first paragraph, introductory part				
818	The energy audits referred to in	The energy audits referred to in	The energy audits referred to in	

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	Article 11 shall be based on the following criteria :	Article 11 shall be based on the following criteria :	Article 11 shall be based on the following criteria :	
Annex VI, first paragraph, point (a)				
819	(a) be based on up-to-date, measured, traceable operational data on energy consumption and (for electricity) load profiles;	(a) be based on up-to-date, measured, traceable operational data on energy consumption and (for electricity) load profiles;	(a) be based on up-to-date, measured, traceable operational data on energy consumption and (for electricity) load profiles;	
Annex VI, first paragraph, point (b)				
820	(b) comprise a detailed review of the energy consumption profile of buildings or groups of buildings, industrial operations or installations, including transportation;	(b) comprise a detailed review of the energy consumption profile of buildings or groups of buildings, industrial operations or installations, including transportation;	(b) comprise a detailed review of the energy consumption profile of buildings or groups of buildings, industrial operations or installations, including transportation;	
Annex VI, first paragraph, point (c)				
821	(c) identify energy efficiency measures to decrease energy consumption;	(c) identify energy efficiency measures to decrease energy consumption;	(c) identify energy efficiency measures to decrease energy consumption;	
Annex VI, first paragraph, point (d)				
822	(d) identify the potential for cost-	(d) identify the potential for cost-	(d) identify the potential for cost-	

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	effective use or production of renewable energy;	effective use or production of renewable energy;	effective use or production of renewable energy;	
Annex VI, first paragraph, point (e)				
823	(e) build, whenever possible, on life-cycle cost analysis (LCCA) instead of Simple Payback Periods (SPP) in order to take account of long-term savings, residual values of long-term investments and discount rates;	(e) build, whenever possible, on life-cycle cost analysis (LCCA) instead of Simple Payback Periods (SPP) in order to take account of long-term savings, residual values of long-term investments and discount rates;	(e) build, whenever possible, on life-cycle cost analysis (LCCA) instead of Simple Payback Periods (SPP) in order to take account of long-term savings, residual values of long-term investments and discount rates;	
Annex VI, first paragraph, point (f)				
824	(f) be proportionate, and sufficiently representative to permit the drawing of a reliable picture of overall energy performance and the reliable identification of the most significant opportunities for improvement.	(f) be proportionate, and sufficiently representative to permit the drawing of a reliable picture of overall energy performance and the reliable identification of the most significant opportunities for improvement.	(f) be proportionate, and sufficiently representative to permit the drawing of a reliable picture of overall energy performance and the reliable identification of the most significant opportunities for improvement.	
Annex VI, second paragraph				
825	Energy audits shall allow detailed and validated calculations for the proposed measures so as to provide	Energy audits shall allow detailed and validated calculations for the proposed measures so as to provide	Energy audits shall allow detailed and validated calculations for the proposed measures so as to provide	

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	clear information on potential savings.	clear information on potential savings.	clear information on potential savings.	
Annex VI, third paragraph				
826	The data used in energy audits shall be storable for historical analysis and tracking performance.	The data used in energy audits shall be storable for historical analysis and tracking performance.	The data used in energy audits shall be storable for historical analysis and tracking performance.	
Annex VI, heading				
827	Minimum requirements for monitoring and publishing the energy performance of data centres	*deleted*	**ANNEX VIa -** Minimum requirements for monitoring and publishing the energy performance of data centres This part of Annex VI becomes a new Annex VI a "MINIMUM REQUIREMENTS FOR MONITORING AND PUBLISHING THE ENERGY PERFORMANCE OF DATA CENTRES"	
Annex VIa, heading				
827a		***Minimum requirements for monitoring and publishing the energy performance of data centres***		
Annex VIa, introductory part				

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828	The following minimum information shall be monitored and published as regards the energy performance of data centres referred to in Article 11(10):	The following minimum information shall be monitored and published ~~as regards~~***with regard to*** the energy performance of data centres referred to in Article 11~~(10)~~***a(1)***:	The following minimum information shall be monitored and published as regards the energy performance of data centres referred to in Article 11~~(10)~~ **a** :	
Annex VIa, point (a)				
829	(a) the name of the data centre, the name of the owner and operators of the data centre, the municipality where the data centre is based;	(a) the name of the data centre, the name of the owner and operators of the data centre, the municipality where the data centre is based***, except for data centres related to national security and defence***;	(a) the name of the data centre, the name of the owner and operators of the data centre, the **date of entry into operation and the** municipality where the data centre is based;	
Annex VIa, point (b)				
830	(b) the floor area of the data centre; the installed power; the annual incoming and outgoing data traffic; and the amount of data stored and processed within the data centre;	(b) the floor area of the data centre; the installed power; the ***temperature set points; the*** annual incoming and outgoing data traffic ***if available to the data centre operator and taking into account the business model and customer type***; and the amount of data stored and processed within ***the data centre when this affects the energy consumption of*** the data	(b) the floor area of the data centre; the installed power; the annual incoming and outgoing data traffic; and the amount of data stored and processed within the data centre;	

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		centre;		
Annex VIa, point (c)				
831	(c) the performance, during the last full calendar year, of the data centre in accordance with key performance indicators about, inter alia, energy consumption, power utilisation, temperature set points, waste heat utilisation, water usage and use of renewable energy.	(c) the performance, during the last full calendar year, of the data centre in accordance with ***the following*** key performance indicators ~~*about, inter alia, energy consumption, power utilisation, temperature set points, waste heat utilisation, water usage and use of renewable energy.*~~***from CEN/CENELEC EN 50600-4 "Information technology - Data centre facilities and infrastructures", taking due account of the geographical location of the data centre, the demand of heat reuse and the heat infrastructures available, until the entry into force of the delegated act pursuant to Article 31 of this Directive:***	(c) the performance, during the last full calendar year, of the data centre in accordance with key performance indicators about, inter alia, energy consumption, power utilisation, temperature set points, waste heat utilisation, water usage and use of renewable energy.	
Annex VI, fifth paragraph				
832	————————	*deleted*	————————	

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Annex VIa, point(c)(i)				
832a		*(i) Power Usage Effectiveness (PUE), according to CEN/CENELEC EN 50600-4-2*		
Annex VIa, point(c)(ii)				
832b		*(ii) Renewable Energy Factor (REF), according to CEN/CENELEC EN 50600-4-3*		
Annex VIa, point(c)(iii)				
832c		*(iii) Energy Re-use Factor (ERF), according to CEN/CENELEC EN 50600-4-6*		
Annex VIa, point(c)(iv)				
832d		*(iv) Cooling Effectiveness Ratio (CER), according to CEN/CENELEC EN 50600-4-7*		
Annex VIa, point(c)(v)				
832e		*(v) Carbon Usage Effectiveness (CUE), according to*		

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		CEN/CENELEC EN 50600-4-8		
Annex VIa, point(c)(vi)				
832f		***(vi) Water Usage Effectiveness (WUE), according to CEN/CENELEC EN 50600-4-9***		
Annex VII, first heading				
833	Minimum requirements for billing and billing information based on actual consumption of natural gas	Minimum requirements for billing and billing information based on actual consumption of natural gas	Minimum requirements for billing and billing information based on actual consumption of natural gas	
Annex VII, point (1), introductory part				
834	1. Minimum requirements for billing	1. Minimum requirements for billing	1. Minimum requirements for billing	
Annex VII, point (1)(1.1), introductory part				
835	1.1. Billing based on actual consumption	1.1. Billing based on actual consumption	1.1. Billing based on actual consumption	
Annex VII, point (1)(1.1), first paragraph				
836	In order to enable final customers	In order to enable final customers	In order to enable final customers	

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	to regulate their own energy consumption, billing should take place on the basis of actual consumption at least once a year, and billing information should be made available at least quarterly, on request or where the consumers have opted to receive electronic billing or else twice yearly. Gas used only for cooking purposes may be exempted from this requirement.	to regulate their own energy consumption, billing should take place on the basis of actual consumption at least once a year, and billing information should be made available at least quarterly, on request or where the consumers have opted to receive electronic billing or else twice yearly. Gas used only for cooking purposes may be exempted from this requirement.	to regulate their own energy consumption, billing should take place on the basis of actual consumption at least once a year, and billing information should be made available at least quarterly, on request or where the consumers have opted to receive electronic billing or else twice yearly. Gas used only for cooking purposes may be exempted from this requirement.	
Annex VII, point (1)(1.2), introductory part				
837	1.2. Minimum information contained in the bill	1.2. Minimum information contained in the bill	1.2. Minimum information contained in the bill	
Annex VII, point (1)(1.2), first paragraph, introductory part				
838	Member States shall ensure that, where appropriate, the following information is made available to final customers in clear and understandable terms in or with their bills, contracts, transactions, and receipts at distribution stations:	Member States shall ensure that, where appropriate, the following information is made available to final customers in clear and understandable terms in or with their bills, contracts, transactions, and receipts at distribution stations:	Member States shall ensure that, where appropriate, the following information is made available to final customers in clear and understandable terms in or with their bills, contracts, transactions, and receipts at distribution stations:	
Annex VII, point (1)(1.2), first paragraph, point (a)				

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839	(a) current actual prices and actual consumption of energy;	(a) current actual prices and actual consumption of energy;	(a) current actual prices and actual consumption of energy;	
Annex VII, point (1)(1.2), first paragraph, point (b)				
840	(b) comparisons of the final customer's current energy consumption with consumption for the same period in the previous year, preferably in graphic form;	(b) comparisons of the final customer's current energy consumption with consumption for the same period in the previous year, preferably in graphic form;	(b) comparisons of the final customer's current energy consumption with consumption for the same period in the previous year, preferably in graphic form;	
Annex VII, point (1)(1.2), first paragraph, point (c)				
841	(c) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information may be obtained on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment.	(c) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information may be obtained on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment.	(c) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information may be obtained on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment.	
Annex VII, point (1)(1.2), second paragraph				
842	In addition, wherever possible and useful, Member States shall ensure	In addition, wherever possible and useful, Member States shall ensure	In addition, wherever possible and useful, Member States shall ensure	

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	that comparisons with an average normalised or benchmarked final customer in the same user category are made available to final customers in clear and understandable terms, in, with or signposted to within, their bills, contracts, transactions, and receipts at distribution stations.	that comparisons with an average normalised or benchmarked final customer in the same user category are made available to final customers in clear and understandable terms, in, with or signposted to within, their bills, contracts, transactions, and receipts at distribution stations.	that comparisons with an average normalised or benchmarked final customer in the same user category are made available to final customers in clear and understandable terms, in, with or signposted to within, their bills, contracts, transactions, and receipts at distribution stations.	
Annex VII, point (1)(1.3), introductory part				
843	1.3. Advice on energy efficiency accompanying bills and other feedback to final customers	1.3. Advice on energy efficiency accompanying bills and other feedback to final customers	1.3. Advice on energy efficiency accompanying bills and other feedback to final customers	
Annex VII, point (1)(1.3), first paragraph				
844	When sending contracts and contract changes, and in the bills customers receive or through websites addressing individual customers, energy distributors, distribution system operators and retail energy sales companies shall inform their customers in a clear and understandable manner of contact information for independent consumer advice centres, energy agencies or similar	When sending contracts and contract changes, and in the bills customers receive or through websites addressing individual customers, energy distributors, distribution system operators and retail energy sales companies shall inform their customers in a clear and understandable manner of contact information for independent consumer advice centres, energy agencies or similar	When sending contracts and contract changes, and in the bills customers receive or through websites addressing individual customers, energy distributors, distribution system operators and retail energy sales companies shall inform their customers in a clear and understandable manner of contact information for independent consumer advice centres, energy agencies or similar	

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	institutions, including their internet addresses, where they can obtain advice on available energy efficiency measures, benchmark profiles for their energy consumption and technical specifications of energy using appliances that can serve to reduce the consumption of these appliances.	institutions, including their internet addresses, where they can obtain advice on available energy efficiency measures, benchmark profiles for their energy consumption and technical specifications of energy using appliances that can serve to reduce the consumption of these appliances.	institutions, including their internet addresses, where they can obtain advice on available energy efficiency measures, benchmark profiles for their energy consumption and technical specifications of energy using appliances that can serve to reduce the consumption of these appliances.	
Annex VII, first paragraph				
845	_____	_____	_____	
Annex VIII, first heading				
846	Minimum requirements for billing and consumption information for heating, cooling and domestic hot water	Minimum requirements for billing and consumption information for heating, cooling and domestic hot water	Minimum requirements for billing and consumption information for heating, cooling and domestic hot water	
Annex VIII, point (1), introductory part				
847	1. Billing based on actual consumption or heat cost allocator readings	1. Billing based on actual consumption or heat cost allocator readings	1. Billing based on actual consumption or heat cost allocator readings	
Annex VIII, point (1), first paragraph				

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848	In order to enable final users to regulate their own energy consumption, billing shall take place on the basis of actual consumption or heat cost allocator readings at least once per year.	In order to enable final users to regulate their own energy consumption, billing shall take place on the basis of actual consumption or heat cost allocator readings at least once per year.	In order to enable final users to regulate their own energy consumption, billing shall take place on the basis of actual consumption or heat cost allocator readings at least once per year.	
Annex VIII, point (2), introductory part				
849	2. Minimum frequency of billing or consumption information	2. Minimum frequency of billing or consumption information	2. Minimum frequency of billing or consumption information	
Annex VIII, point (2), first paragraph				
850	Until 31 December 2021 where remotely readable meters or heat cost allocators have been installed, billing or consumption information based on actual consumption or heat cost allocator readings shall be provided to final users at least quarterly upon request or where final customers have opted to receive electronic billing, or else twice a year.	Until 31 December 2021 where remotely readable meters or heat cost allocators have been installed, billing or consumption information based on actual consumption or heat cost allocator readings shall be provided to final users at least quarterly upon request or where final customers have opted to receive electronic billing, or else twice a year.	Until 31 December 2021 where remotely readable meters or heat cost allocators have been installed, billing or consumption information based on actual consumption or heat cost allocator readings shall be provided to final users at least quarterly upon request or where final customers have opted to receive electronic billing, or else twice a year.	
Annex VIII, point (2), second paragraph				
851				

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	From 1 January 2022, where remotely readable meters or heat cost allocators have been installed, billing or consumption information based on actual consumption or heat cost allocator readings shall be provided to final users at least monthly. It may also be made available via the internet and be updated as frequently as allowed by the measurement devices and systems used. Heating and cooling may be exempted from that requirement outside the heating/cooling seasons.	From 1 January 2022, where remotely readable meters or heat cost allocators have been installed, billing or consumption information based on actual consumption or heat cost allocator readings shall be provided to final users at least monthly. It may also be made available via the internet and be updated as frequently as allowed by the measurement devices and systems used. Heating and cooling may be exempted from that requirement outside the heating/cooling seasons.	From 1 January 2022, where remotely readable meters or heat cost allocators have been installed, billing or consumption information based on actual consumption or heat cost allocator readings shall be provided to final users at least monthly. It may also be made available via the internet and be updated as frequently as allowed by the measurement devices and systems used. Heating and cooling may be exempted from that requirement outside the heating/cooling seasons.	
Annex VIII, point (3), introductory part				
852	3. Minimum information contained in the bill	3. Minimum information contained in the bill	3. Minimum information contained in the bill	
Annex VIII, point (3), first paragraph, introductory part				
853	Member States shall ensure that the following information is made available to final users in clear and comprehensible terms in or with their bills where those are based on actual consumption or heat cost allocator readings:	Member States shall ensure that the following information is made available to final users in clear and comprehensible terms in or with their bills where those are based on actual consumption or heat cost allocator readings:	Member States shall ensure that the following information is made available to final users in clear and comprehensible terms in or with their bills where those are based on actual consumption or heat cost allocator readings:	

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Annex VIII, point (3), first paragraph(, point (a)				
854	(a) current actual prices and actual consumption of energy or total heat cost and heat cost allocator readings;	(a) current actual prices and actual consumption of energy or total heat cost and heat cost allocator readings;	(a) current actual prices and actual consumption of energy or total heat cost and heat cost allocator readings;	
Annex VIII, point (3), first paragraph, point (b)				
855	(b) information about the fuel mix used and the related annual greenhouse gas emissions, including for final users supplied by district heating or district cooling, and a description of the different taxes, levies and tariffs applied. Member States may limit the scope of the requirement to provide information about greenhouse gas emissions to include only supplies from district heating systems with a total rated thermal input exceeding 20 MW;	(b) information about the fuel mix used and the related annual greenhouse gas emissions, including for final users supplied by district heating or district cooling, and a description of the different taxes, levies and tariffs applied. Member States may limit the scope of the requirement to provide information about greenhouse gas emissions to include only supplies from district heating systems with a total rated thermal input exceeding 20 MW;	(b) information about the fuel mix used and the related annual greenhouse gas emissions, including for final users supplied by district heating or district cooling, and a description of the different taxes, levies and tariffs applied. Member States may limit the scope of the requirement to provide information about greenhouse gas emissions to include only supplies from district heating systems with a total rated thermal input exceeding 20 MW;	
Annex VIII, point (3), first paragraph, point (c)				
856	(c) comparisons of the final users current energy consumption with	(c) comparisons of the final users current energy consumption with	(c) comparisons of the final users current energy consumption with	

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	consumption for the same period in the previous year, in graphic form, climate corrected for heating and cooling;	consumption for the same period in the previous year, in graphic form, climate corrected for heating and cooling;	consumption for the same period in the previous year, in graphic form, climate corrected for heating and cooling;	
Annex VIII, point (3), first paragraph, point (d)				
857	(d) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment may be obtained;	(d) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment may be obtained;	(d) contact information for final customers' organisations, energy agencies or similar bodies, including website addresses, from which information on available energy efficiency improvement measures, comparative end-user profiles and objective technical specifications for energy-using equipment may be obtained;	
Annex VIII, point (3), first paragraph, point (e)				
858	(e) information about related complaints procedures, ombudsman services or alternative dispute resolution mechanisms, as applicable in the Member States;	(e) information about related complaints procedures, ombudsman services or alternative dispute resolution mechanisms, as applicable in the Member States;	(e) information about related complaints procedures, ombudsman services or alternative dispute resolution mechanisms, as applicable in the Member States;	
Annex VIII, point (3), first paragraph, point (f)				
859	(f) comparisons with an average	(f) comparisons with an average	(f) comparisons with an average	

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	normalised or benchmarked final user in the same user category. In the case of electronic bills, such comparisons may instead be made available online and signposted to within the bills.	normalised or benchmarked final user in the same user category. In the case of electronic bills, such comparisons may instead be made available online and signposted to within the bills.	normalised or benchmarked final user in the same user category. In the case of electronic bills, such comparisons may instead be made available online and signposted to within the bills.	
Annex VIII, point (3), second paragraph				
860	Bills that are not based on actual consumption or heat cost allocator readings shall contain a clear and comprehensible explanation of how the amount set out in the bill was calculated, and at least the information referred to in points (d) and (e).	Bills that are not based on actual consumption or heat cost allocator readings shall contain a clear and comprehensible explanation of how the amount set out in the bill was calculated, and at least the information referred to in points (d) and (e).	Bills that are not based on actual consumption or heat cost allocator readings shall contain a clear and comprehensible explanation of how the amount set out in the bill was calculated, and at least the information referred to in points (d) and (e).	
Annex VIII, first paragraph				
861	_____	_____	_____	
Annex IX, first heading				
862	Potential for efficiency in heating and cooling	Potential for efficiency in heating and cooling	Potential for efficiency in heating and cooling	
Annex IX, first paragraph				

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863	The comprehensive assessment of national heating and cooling potentials referred to in Article 23(1) shall include and be based on the following:	The comprehensive assessment of national heating and cooling potentials referred to in Article 23(1) shall include and be based on the following:	The comprehensive assessment of national heating and cooling potentials referred to in Article 23(1) shall include and be based on the following:	
Annex IX, I				
864	I Part I	I Part I	I Part I	
Annex IX, I, first heading				
865	OVERVIEW OF HEATING AND COOLING	OVERVIEW OF HEATING AND COOLING	OVERVIEW OF HEATING AND COOLING	
Annex IX, I, point (1), introductory part				
866	1. heating and cooling demand in terms of assessed useful energy[1] and quantified final energy consumption in GWh per year[2] by sectors: _____ 1. The amount of thermal energy needed to satisfy the heating and cooling demand of end-users. 2. The most recent data available should be used.	1. heating and cooling demand in terms of assessed useful energy[1] and quantified final energy consumption in GWh per year[2] by sectors: _____ 1. The amount of thermal energy needed to satisfy the heating and cooling demand of end-users. 2. The most recent data available should be used.	1. heating and cooling demand in terms of assessed useful energy[1] and quantified final energy consumption in GWh per year[2] by sectors: _____ 1. The amount of thermal energy needed to satisfy the heating and cooling demand of end-users. 2. The most recent data available should be used.	

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Annex IX, I, point (1)(, point (a)				
867	(a) residential;	(a) residential;	(a) residential;	
Annex IX, I, point (1), point (b)				
868	(b) services;	(b) services;	(b) services;	
Annex IX, I, point (1), point(c)				
869	(c) industry;	(c) industry;	(c) industry;	
Annex IX, I, point (1)(, point (d)				
870	(d) any other sector that individually consumes more than 5 % of total national useful heating and cooling demand;	(d) any other sector that individually consumes more than 5 % of total national useful heating and cooling demand;	(d) any other sector that individually consumes more than 5 % of total national useful heating and cooling demand;	
Annex IX, I, point (2), introductory part				
871	2. identification, or in the case of point 2(a)(i), identification or estimation, of current heating and cooling supply:	2. identification, or in the case of point 2(a)(i), identification or estimation, of current heating and cooling supply:	2. identification, or in the case of point 2(a)(i), identification or estimation, of current heating and cooling supply:	
Annex IX, I, point (2, point (a) introductory part				

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872	(a) by technology, in GWh per year[1], within sectors mentioned under point 1 where possible, distinguishing between energy derived from fossil and renewable sources: _____ 1. The most recent data available should be used.	(a) by technology, in GWh per year[1], within sectors mentioned under point 1 where possible, distinguishing between energy derived from fossil and renewable sources: _____ 1. The most recent data available should be used.	(a) by technology, in GWh per year[1], within sectors mentioned under point 1 where possible, distinguishing between energy derived from fossil and renewable sources: _____ 1. The most recent data available should be used.	
Annex IX, I, point (2), point (a)(i), introductory part				
873	(i) provided on-site in residential and service sites by:	(i) provided on-site in residential and service sites by:	(i) provided on-site in residential and service sites by:	
Annex IX, I, point (2), point (a)(i), first indent				
874	- heat only boilers;	- heat only boilers;	- heat only boilers;	
Annex IX, I, point (2,) point)(a)(i), second indent				
875	- high-efficiency heat and power cogeneration;	- high-efficiency heat and power cogeneration;	- high-efficiency heat and power cogeneration;	
Annex IX, I, point (2), point (a)(i), third indent				
876	- heat pumps;	- heat pumps;	- heat pumps;	

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Annex IX, I, point (2), point (a)(i), fourth indent				
877	- other on-site technologies and sources;	- other on-site technologies and sources;	- other on-site technologies and sources;	
Annex IX, I, point (2), point (a)(ii), introductory part				
878	(ii) provided on-site in non-service and non-residential sites by:	(ii) provided on-site in non-service and non-residential sites by:	(ii) provided on-site in non-service and non-residential sites by:	
Annex IX, I, point (2), point (a)(ii), first indent				
879	- heat only boilers;	- heat only boilers;	- heat only boilers;	
Annex IX, I, point (2), Annex IX, I, point (2 point (a) introductory part, Annex IX, I, point (2, point (a)(ii), second indent				
880	- high-efficiency heat and power cogeneration;	- high-efficiency heat and power cogeneration;	- high-efficiency heat and power cogeneration;	
Annex IX, I, point (2), point (a)(ii), third indent				
881	- heat pumps;	- heat pumps;	- heat pumps;	
Annex IX, I, point (2), point (a)(ii), fourth indent				
882	- other on-site technologies and	- other on-site technologies and	- other on-site technologies and	

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	sources;	sources;	sources;	
Annex IX, I, point (2), Annex IX, I, point (2), point (a) introductory part(iii), introductory part				
883	(iii) provided off-site by:	(iii) provided off-site by:	(iii) provided off-site by:	
Annex IX, I, point (2), point (a)(iii), first indent				
884	- high-efficiency heat and power cogeneration;	- high-efficiency heat and power cogeneration;	- high-efficiency heat and power cogeneration;	
Annex IX, I, point (2), point (a)(iii), second indent				
885	- waste heat;	- waste heat;	- waste heat;	
Annex IX, I, point (2), point (a)(iii), third indent				
886	- other off-site technologies and sources;	- other off-site technologies and sources;	- other off-site technologies and sources;	
Annex IX, I, point (2), point (b), introductory part				
887	(b) identification of installations that generate waste heat or cold and their potential heating or cooling supply, in GWh per year:	(b) identification of installations that generate waste heat or cold and their potential heating or cooling supply, in GWh per year:	(b) identification of installations that generate waste heat or cold and their potential heating or cooling supply, in GWh per year:	

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Annex IX, I, point (2), point)(b)(i)				
888	(i) thermal power generation installations that can supply or can be retrofitted to supply waste heat with a total thermal input exceeding 50 MW;	(i) thermal power generation installations that can supply or can be retrofitted to supply waste heat with a total thermal input exceeding 50 MW;	(i) thermal power generation installations that can supply or can be retrofitted to supply waste heat with a total thermal input exceeding 50 MW;	
Annex IX, I, point (2), point (b)(ii)				
889	(ii) heat and power cogeneration installations using technologies referred to in Part II of Annex II with a total thermal input exceeding 20 MW;	(ii) heat and power cogeneration installations using technologies referred to in Part II of Annex II with a total thermal input exceeding 20 MW;	(ii) heat and power cogeneration installations using technologies referred to in Part II of Annex II with a total thermal input exceeding 20 MW;	
Annex IX, I, point , point (2)(b)(iii)				
890	(iii) waste incineration plants;	(iii) waste incineration plants;	(iii) waste incineration plants;	
Annex IX, I, point (2), point(b)(iv)				
891	(iv) renewable energy installations with a total thermal input exceeding 20 MW other than the installations specified under point 2(b)(i) and (ii) generating heating	(iv) renewable energy installations with a total thermal input exceeding 20 MW other than the installations specified under point 2(b)(i) and (ii) generating heating	(iv) renewable energy installations with a total thermal input exceeding 20 MW other than the installations specified under point 2(b)(i) and (ii) generating heating	

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	or cooling using the energy from renewable sources;	or cooling using the energy from renewable sources;	or cooling using the energy from renewable sources;	
Annex IX, I, point (2), point(b)(v)				
892	(v) industrial installations with a total thermal input exceeding 20 MW which can provide waste heat;	(v) industrial installations with a total thermal input exceeding 20 MW which can provide waste heat;	(v) industrial installations with a total thermal input exceeding 20 MW which can provide waste heat;	
Annex IX, I, point (2), point (c)				
893	(c) reported share of energy from renewable sources and from waste heat or cold in the final energy consumption of the district heating and cooling[1] sector over the past 5 years, in line with Directive (EU) 2018/2001; _____ 1. The identification of 'renewable cooling' shall, after the methodology for calculating the quantity of renewable energy used for cooling and district cooling is established in accordance with Article 35 of Directive (EU) 2018/2001, be carried out in accordance with that Directive. Until then it shall be carried out according to an appropriate national methodology.	(c) reported share of energy from renewable sources and from waste heat or cold in the final energy consumption of the district heating and cooling[1] sector over the past 5 years, in line with Directive (EU) 2018/2001; _____ 1. The identification of 'renewable cooling' shall, after the methodology for calculating the quantity of renewable energy used for cooling and district cooling is established in accordance with Article 35 of Directive (EU) 2018/2001, be carried out in accordance with that Directive. Until then it shall be carried out according to an appropriate national methodology.	(c) reported share of energy from renewable sources and from waste heat or cold in the final energy consumption of the district heating and cooling[1] sector over the past 5 years, in line with Directive (EU) 2018/2001; _____ 1. The identification of 'renewable cooling' shall, after the methodology for calculating the quantity of renewable energy used for cooling and district cooling is established in accordance with Article 35 of Directive (EU) 2018/2001, be carried out in accordance with that Directive. Until then it shall be carried out according to an appropriate national methodology.	
Annex IX, I, point (3), introductory part				
894				

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	3. a map covering the entire national territory identifying (while preserving commercially sensitive information):	3. a map covering the entire national territory identifying (while preserving commercially sensitive information):	3. a map covering the entire national territory identifying (while preserving commercially sensitive information):	
Annex IX, I, point (3), point (a)				
895	(a) heating and cooling demand areas following from the analysis of point 1, while using consistent criteria for focusing on energy dense areas in municipalities and conurbations;	(a) heating and cooling demand areas following from the analysis of point 1, while using consistent criteria for focusing on energy dense areas in municipalities and conurbations;	(a) heating and cooling demand areas following from the analysis of point 1, while using consistent criteria for focusing on energy dense areas in municipalities and conurbations;	
Annex IX, I, point (3), point(b)				
896	(b) existing heating and cooling supply points identified under point 2(b) and district heating transmission installations;	(b) existing heating and cooling supply points identified under point 2(b) and district heating transmission installations;	(b) existing heating and cooling supply points identified under point 2(b) and district heating transmission installations;	
Annex IX, I, point (3), point (c)				
897	(c) planned heating and cooling supply points of the type described under point 2(b) and district heating transmission installations;	(c) planned heating and cooling supply points of the type described under point 2(b) and district heating transmission installations;	(c) planned heating and cooling supply points of the type described under point 2(b) and district heating transmission installations;	
Annex IX, I, point (4)				

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898	4. a forecast of trends in the demand for heating and cooling to maintain a perspective of the next 30 years in GWh and taking into account in particular projections for the next 10 years, the change in demand in buildings and different sectors of the industry, and the impact of policies and strategies related to the demand management, such as long-term building renovation strategies under Directive (EU) 2018/844;	4. a forecast of trends in the demand for heating and cooling to maintain a perspective of the next 30 years in GWh and taking into account in particular projections for the next 10 years, the change in demand in buildings and different sectors of the industry, and the impact of policies and strategies related to the demand management, such as long-term building renovation strategies under Directive (EU) 2018/844;	4. a forecast of trends in the demand for heating and cooling to maintain a perspective of the next 30 years in GWh and taking into account in particular projections for the next 10 years, the change in demand in buildings and different sectors of the industry, and the impact of policies and strategies related to the demand management, such as long-term building renovation strategies under Directive (EU) 2018/844;	
Annex IX, II				
899	II Part II	II Part II	II Part II	
Annex IX, II, first heading				
900	OBJECTIVES, STRATEGIES AND POLICY MEASURES	OBJECTIVES, STRATEGIES AND POLICY MEASURES	OBJECTIVES, STRATEGIES AND POLICY MEASURES	
Annex IX, II, point (5)				
901	5. planned contribution of the Member State to its national objectives, targets and	5. planned contribution of the Member State to its national objectives, targets and	5. planned contribution of the Member State to its national objectives, targets and	

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	contributions for the five dimensions of the Energy Union, as laid out in Article 3(2)(b) of Regulation (EU) 2018/1999, delivered through efficiency in heating and cooling, in particular related to points 1 to 4 of Article 4(b) and to paragraph (4)(b) of Article 15, identifying which of these elements is additional compared to integrated national energy and climate plans;	contributions for the five dimensions of the Energy Union, as laid out in Article 3(2)(b) of Regulation (EU) 2018/1999, delivered through efficiency in heating and cooling, in particular related to points 1 to 4 of Article 4(b) and to paragraph (4)(b) of Article 15, identifying which of these elements is additional compared to integrated national energy and climate plans;	contributions for the five dimensions of the Energy Union, as laid out in Article 3(2)(b) of Regulation (EU) 2018/1999, delivered through efficiency in heating and cooling, in particular related to points 1 to 4 of Article 4(b) and to paragraph (4)(b) of Article 15, identifying which of these elements is additional compared to integrated national energy and climate plans;	
Annex IX, II, point (6)				
902	6. general overview of the existing policies and measures as described in the most recent report submitted in accordance with Articles 3, 20, 21 and 27(a) of Regulation (EU) 2018/1999;	6. general overview of the existing policies and measures as described in the most recent report submitted in accordance with Articles 3, 20, 21 and 27(a) of Regulation (EU) 2018/1999;	6. general overview of the existing policies and measures as described in the most recent report submitted in accordance with Articles 3, 20, 21 and 27(a) of Regulation (EU) 2018/1999;	
Annex IX, III				
903	III Part III	III Part III	III Part III	
Annex IX, III, first heading				
904	ANALYSIS OF THE ECONOMIC	ANALYSIS OF THE ECONOMIC	ANALYSIS OF THE ECONOMIC	

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	POTENTIAL FOR EFFICIENCY IN HEATING AND COOLING	POTENTIAL FOR EFFICIENCY IN HEATING AND COOLING	POTENTIAL FOR EFFICIENCY IN HEATING AND COOLING	
Annex IX, III, point (7), introductory part				
905	7. an analysis of the economic potential[1] of different technologies for heating and cooling shall be carried out for the entire national territory by using the cost-benefit analysis referred to in Article 23(3) and shall identify alternative scenarios for more efficient and renewable heating and cooling technologies, distinguishing between energy derived from fossil and renewable sources where applicable. _____ 1. The analysis of the economic potential should present the volume of energy (in GWh) that can be generated per year by each technology analysed. The limitations and interrelations within the energy system should also be taken into account. The analysis may make use of models based on assumptions representing the operation of common types of technologies or systems.	7. an analysis of the economic potential[1] of different technologies for heating and cooling shall be carried out for the entire national territory by using the cost-benefit analysis referred to in Article 23(3) and shall identify alternative scenarios for more efficient and renewable heating and cooling technologies, distinguishing between energy derived from fossil and renewable sources where applicable. _____ 1. The analysis of the economic potential should present the volume of energy (in GWh) that can be generated per year by each technology analysed. The limitations and interrelations within the energy system should also be taken into account. The analysis may make use of models based on assumptions representing the operation of common types of technologies or systems.	7. an analysis of the economic potential[1] of different technologies for heating and cooling shall be carried out for the entire national territory by using the cost-benefit analysis referred to in Article 23(3) and shall identify alternative scenarios for more efficient and renewable heating and cooling technologies, distinguishing between energy derived from fossil and renewable sources where applicable. _____ 1. The analysis of the economic potential should present the volume of energy (in GWh) that can be generated per year by each technology analysed. The limitations and interrelations within the energy system should also be taken into account. The analysis may make use of models based on assumptions representing the operation of common types of technologies or systems.	
Annex IX, III, point (7), first paragraph, introductory part				
906	The following technologies should	The following technologies should	The following technologies should	

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	be considered:	be considered:	be considered:	
Annex IX, III, point (7), first paragraph, point (a)				
907	(a) industrial waste heat and cold;	(a) industrial waste heat and cold;	(a) industrial waste heat and cold;	
Annex IX, III, point (7), first paragraph, point (b)				
908	(b) waste incineration;	(b) waste incineration;	(b) waste incineration;	
Annex IX, III, point (7), first paragraph point (c)				
909	(c) high efficiency cogeneration;	(c) high efficiency cogeneration;	(c) high efficiency cogeneration;	
Annex IX, III, point (7), first paragraph, point (d)				
910	(d) renewable energy sources (such as geothermal, solar thermal and biomass) other than those used for high efficiency cogeneration;	(d) renewable energy sources (such as geothermal, solar thermal and biomass) other than those used for high efficiency cogeneration;	(d) renewable energy sources (such as geothermal, solar thermal and biomass) other than those used for high efficiency cogeneration;	
Annex IX, III, point (7), first paragraph, point (e)				
911	(e) heat pumps;	(e) heat pumps;	(e) heat pumps;	
Annex IX, III, point (7), first paragraph, point (f)				
912				

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	(f) reducing heat and cold losses from existing district networks;	(f) reducing heat and cold losses from existing district networks;	(f) reducing heat and cold losses from existing district networks;	
Annex IX, III, point (7), first paragraph(fa)				
912a			**(g) district heating and cooling.**	
Annex IX, III, point (8), introductory part				
913	8. this analysis of economic potential shall include the following steps and considerations:	8. this analysis of economic potential shall include the following steps and considerations:	8. this analysis of economic potential shall include the following steps and considerations:	
Annex IX, III, point (8), point (a), introductory part				
914	(a) Considerations:	(a) Considerations:	(a) Considerations:	
Annex IX, III, point (8), point (a)(i)				
915	(i) the cost-benefit analysis for the purposes of Article 23(3) shall include an economic analysis that takes into consideration socioeconomic and environmental factors[1], and a financial analysis performed to assess projects from the investors' point of view. Both economic and financial analyses	(i) the cost-benefit analysis for the purposes of Article 23(3) shall include an economic analysis that takes into consideration socioeconomic and environmental factors[1], and a financial analysis performed to assess projects from the investors' point of view. Both economic and financial analyses	(i) the cost-benefit analysis for the purposes of Article 23(3) shall include an economic analysis that takes into consideration socioeconomic and environmental factors[1], and a financial analysis performed to assess projects from the investors' point of view. Both economic and financial analyses	

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	shall use the net present value as criterion for the assessment; _____ 1. Including the assessment referred to in Article 15, paragraph 7 of Directive (EU) 2018/2001.	shall use the net present value as criterion for the assessment; _____ 1. Including the assessment referred to in Article 15, paragraph 7 of Directive (EU) 2018/2001.	shall use the net present value as criterion for the assessment; _____ 1. Including the assessment referred to in Article 15, paragraph 7 of Directive (EU) 2018/2001.	
Annex IX, III, point (8), point (a)(ii)				
916	(ii) the baseline scenario should serve as a reference point and take into account existing policies at the time of compiling this comprehensive assessment[1], and be linked to data collected under Part I and point 6 of Part II of this Annex; _____ 1. The cut-off date for taking into account policies for the baseline scenario is the end of the year preceding to the year by the end of which the comprehensive assessment is due. That is to say, policies enacted within a year prior to the deadline for submission of the comprehensive assessment do not need to be taken into account.	(ii) the baseline scenario should serve as a reference point and take into account existing policies at the time of compiling this comprehensive assessment[1], and be linked to data collected under Part I and point 6 of Part II of this Annex; _____ 1. The cut-off date for taking into account policies for the baseline scenario is the end of the year preceding to the year by the end of which the comprehensive assessment is due. That is to say, policies enacted within a year prior to the deadline for submission of the comprehensive assessment do not need to be taken into account.	(ii) the baseline scenario should serve as a reference point and take into account existing policies at the time of compiling this comprehensive assessment[1], and be linked to data collected under Part I and point 6 of Part II of this Annex; _____ 1. The cut-off date for taking into account policies for the baseline scenario is the end of the year preceding to the year by the end of which the comprehensive assessment is due. That is to say, policies enacted within a year prior to the deadline for submission of the comprehensive assessment do not need to be taken into account.	
Annex IX, III, point (8), point (a)(iii), introductory part				
917	(iii) alternative scenarios to the baseline shall take into account energy efficiency and renewable	(iii) alternative scenarios to the baseline shall take into account energy efficiency and renewable	(iii) alternative scenarios to the baseline shall take into account energy efficiency and renewable	

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	energy objectives of Regulation (EU) 2018/1999. Each scenario shall present the following elements compared to the baseline scenario:	energy objectives of Regulation (EU) 2018/1999. Each scenario shall present the following elements compared to the baseline scenario:	energy objectives of Regulation (EU) 2018/1999. Each scenario shall present the following elements compared to the baseline scenario:	
Annex IX, III, point (8), point (a)(iii), first indent				
918	- economic potential of technologies examined using the net present value as criterion;	- economic potential of technologies examined using the net present value as criterion;	- economic potential of technologies examined using the net present value as criterion;	
Annex IX, III, point (8), point (a)(iii), second indent				
919	- greenhouse gas emission reductions;	- greenhouse gas emission reductions;	- greenhouse gas emission reductions;	
Annex IX, III, point (8), point (a)(iii), third indent				
920	- primary energy savings in GWh per year;	- primary energy savings in GWh per year;	- primary energy savings in GWh per year;	
Annex IX, III, point (8), point (a)(iii), fourth indent				
921	- impact on the share of renewables in the national energy mix.	- impact on the share of renewables in the national energy mix.	- impact on the share of renewables in the national energy mix.	

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Annex IX, III, point (8), point (a)(iii), first paragraph				
922	Scenarios that are not feasible due to technical reasons, financial reasons or national regulation may be excluded at an early stage of the cost-benefit analysis, if justified based on careful, explicit and well-documented considerations.	Scenarios that are not feasible due to technical reasons, financial reasons or national regulation may be excluded at an early stage of the cost-benefit analysis, if justified based on careful, explicit and well-documented considerations.	Scenarios that are not feasible due to technical reasons, financial reasons or national regulation may be excluded at an early stage of the cost-benefit analysis, if justified based on careful, explicit and well-documented considerations.	
Annex IX, III, point (8), point (a)(iii), second paragraph				
923	The assessment and decision-making should take into account costs and energy savings from the increased flexibility in energy supply and from a more optimal operation of the electricity networks, including avoided costs and savings from reduced infrastructure investment, in the analysed scenarios.	The assessment and decision-making should take into account costs and energy savings from the increased flexibility in energy supply and from a more optimal operation of the electricity networks, including avoided costs and savings from reduced infrastructure investment, in the analysed scenarios.	The assessment and decision-making should take into account costs and energy savings from the increased flexibility in energy supply and from a more optimal operation of the electricity networks, including avoided costs and savings from reduced infrastructure investment, in the analysed scenarios.	
Annex IX, III, point (8), point (b), introductory part				
924	(b) Costs and benefits	(b) Costs and benefits	(b) Costs and benefits	
Annex IX, III, point (8), point (b), first paragraph, introductory part				
925				

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	The costs and benefits referred to under point 8(a) shall include at least the following benefits and costs:	The costs and benefits referred to under point 8(a) shall include at least the following benefits and costs:	The costs and benefits referred to under point 8(a) shall include at least the following benefits and costs:	
Annex IX, III, point (8), point (b), first paragraph(i), introductory part				
926	(i) Benefits:	(i) Benefits:	(i) Benefits:	
Annex IX, III, point (8), Annex IX, III, point (8), point (b), Annex IX, III, point (8), point (b), first paragraph, Annex IX, III, point (8), point (b), first paragraph(i), first indent				
927	- value of output to the consumer (heating, cooling and electricity);	- value of output to the consumer (heating, cooling and electricity);	- value of output to the consumer (heating, cooling and electricity);	
Annex IX, III, point (8), point (b), first paragraph(i), second indent				
928	- external benefits such as environmental, greenhouse gas emissions and health and safety benefits, to the extent possible;	- external benefits such as environmental, greenhouse gas emissions and health and safety benefits, to the extent possible;	- external benefits such as environmental, greenhouse gas emissions and health and safety benefits, to the extent possible;	
Annex IX, III, point (8), point (b), first paragraph(i), third indent				
929	- labour market effects, energy security and competitiveness, to the extent possible.	- labour market effects, energy security and competitiveness, to the extent possible.	- labour market effects, energy security and competitiveness, to the extent possible.	

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Annex IX, III, point (8), point(b), first paragraph(ii), introductory part				
930	(ii) Costs:	(ii) Costs:	(ii) Costs:	
Annex IX, III, point (8), point (b), first paragraph(ii), first indent				
931	- capital costs of plants and equipment;	- capital costs of plants and equipment;	- capital costs of plants and equipment;	
Annex IX, III, point (8), point (b), first paragraph(ii), second indent				
932	- capital costs of the associated energy networks;	- capital costs of the associated energy networks;	- capital costs of the associated energy networks;	
Annex IX, III, point (8), Annex IX, III, point (8), point (b), Annex IX, III, point (8), point (b), first paragraph, Annex IX, III, point (8), point(b), first paragraph(ii), third indent				
933	- variable and fixed operating costs;	- variable and fixed operating costs;	- variable and fixed operating costs;	
Annex IX, III, point (8), Annex IX, III, point (8), point (b), Annex IX, III, point (8), point (b), first paragraph, Annex IX, III, point (8), point(b), first paragraph(ii), fourth indent				
934	- energy costs;	- energy costs;	- energy costs;	

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Annex IX, III, point (8), Annex IX, III, point (8), point (b), Annex IX, III, point (8), point (b), first paragraph, Annex IX, III, point (8), point(b), first paragraph(ii), fifth indent				
935	- environmental, health and safety costs, to the extent possible;	- environmental, health and safety costs, to the extent possible;	- environmental, health and safety costs, to the extent possible;	
Annex IX, III, point (8), Annex IX, III, point (8), point (b), Annex IX, III, point (8), point (b), first paragraph, Annex IX, III, point (8), point(b), first paragraph(ii), sixth indent				
936	- labour market costs, energy security and competitiveness, to the extent possible.	- labour market costs, energy security and competitiveness, to the extent possible.	- labour market costs, energy security and competitiveness, to the extent possible.	
Annex IX, III, point (8), point (c), introductory part				
937	(c) Relevant scenarios to the baseline:	(c) Relevant scenarios to the baseline:	(c) Relevant scenarios to the baseline:	
Annex IX, III, point (8), point (c), first paragraph, introductory part				
938	All relevant scenarios to the baseline shall be considered, including the role of efficient individual heating and cooling.	All relevant scenarios to the baseline shall be considered, including the role of efficient individual heating and cooling.	All relevant scenarios to the baseline shall be considered, including the role of efficient individual heating and cooling.	

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Annex IX, III, point (8)(, point (c), first paragraph(i)				
939	(i) the cost-benefit analysis may either cover a project assessment or a group of projects for a broader local, regional or national assessment in order to establish the most cost-effective and beneficial heating or cooling solution against a baseline for a given geographical area for the purpose of planning;	(i) the cost-benefit analysis may either cover a project assessment or a group of projects for a broader local, regional or national assessment in order to establish the most cost-effective and beneficial heating or cooling solution against a baseline for a given geographical area for the purpose of planning;	(i) the cost-benefit analysis may either cover a project assessment or a group of projects for a broader local, regional or national assessment in order to establish the most cost-effective and beneficial heating or cooling solution against a baseline for a given geographical area for the purpose of planning;	
Annex IX, III, point (8), point (d), introductory part				
940	(d) Boundaries and integrated approach:	(d) Boundaries and integrated approach:	(d) Boundaries and integrated approach:	
Annex IX, III, point (8), point (d)(i)				
941	(i) the geographical boundary shall cover a suitable well-defined geographical area;	(i) the geographical boundary shall cover a suitable well-defined geographical area;	(i) the geographical boundary shall cover a suitable well-defined geographical area;	
Annex IX, III, point (8), point (d)(ii)				
942	(ii) the cost-benefit analyses shall take into account all relevant centralised or decentralised supply resources available within the	(ii) the cost-benefit analyses shall take into account all relevant centralised or decentralised supply resources available within the	(ii) the cost-benefit analyses shall take into account all relevant centralised or decentralised supply resources available within the	

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	system and geographical boundary, including technologies considered under point 7 of Part III of this Annex, and heating and cooling demand trends and characteristics.	system and geographical boundary, including technologies considered under point 7 of Part III of this Annex, and heating and cooling demand trends and characteristics.	system and geographical boundary, including technologies considered under point 7 of Part III of this Annex, and heating and cooling demand trends and characteristics.	
Annex IX, III, point (8), point (e), introductory part				
943	(e) Assumptions:	(e) Assumptions:	(e) Assumptions:	
Annex IX, III, point (8), point (e)(i)				
944	(i) Member States shall provide assumptions, for the purpose of the cost-benefit analyses, on the prices of major input and output factors and the discount rate;	(i) Member States shall provide assumptions, for the purpose of the cost-benefit analyses, on the prices of major input and output factors and the discount rate;	(i) Member States shall provide assumptions, for the purpose of the cost-benefit analyses, on the prices of major input and output factors and the discount rate;	
Annex IX, III, point (8), point (e)(ii)				
945	(ii) the discount rate used in the economic analysis to calculate net present value shall be chosen according to European or national guidelines;	(ii) the discount rate used in the economic analysis to calculate net present value shall be chosen according to European or national guidelines;	(ii) the discount rate used in the economic analysis to calculate net present value shall be chosen according to European or national guidelines;	
Annex IX, III, point (8), point (e)(iii)				
946				

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	(iii) Member States shall use national, European or international energy price development forecasts if appropriate in their national and/or regional/local context;	(iii) Member States shall use national, European or international energy price development forecasts if appropriate in their national and/or regional/local context;	(iii) Member States shall use national, European or international energy price development forecasts if appropriate in their national and/or regional/local context;	
Annex IX, III, point (8), point (e)(iv)				
947	(iv) the prices used in the economic analysis shall reflect socio economic costs and benefits. External costs, such as environmental and health effects, should be included to the extent possible, i.e. when a market price exists or when it is already included in European or national regulation.	(iv) the prices used in the economic analysis shall reflect socio economic costs and benefits. External costs, such as environmental and health effects, should be included to the extent possible, i.e. when a market price exists or when it is already included in European or national regulation.	(iv) the prices used in the economic analysis shall reflect socio economic costs and benefits. External costs, such as environmental and health effects, should be included to the extent possible, i.e. when a market price exists or when it is already included in European or national regulation.	
Annex IX, III, point (8), point (f), introductory part				
948	(f) Sensitivity analysis:	(f) Sensitivity analysis:	(f) Sensitivity analysis:	
Annex IX, III, point (8), point (f)(i)				
949	(i) a sensitivity analysis shall be included to assess the costs and benefits of a project or group of projects and be based on variable	(i) a sensitivity analysis shall be included to assess the costs and benefits of a project or group of projects and be based on variable	(i) a sensitivity analysis shall be included to assess the costs and benefits of a project or group of projects and be based on variable	

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	factors having a significant impact on the outcome of the calculations, such as different energy prices, levels of demand, discount rates and other.	factors having a significant impact on the outcome of the calculations, such as different energy prices, levels of demand, discount rates and other.	factors having a significant impact on the outcome of the calculations, such as different energy prices, levels of demand, discount rates and other.	
Annex IX, IV				
950	IV Part IV	IV Part IV	IV Part IV	
Annex IX, IV, first heading				
951	POTENTIAL NEW STRATEGIES AND POLICY MEASURES	POTENTIAL NEW STRATEGIES AND POLICY MEASURES	POTENTIAL NEW STRATEGIES AND POLICY MEASURES	
Annex IX, IV, point (9), introductory part				
952	9. overview of new legislative and non-legislative policy measures[1] to realise the economic potential identified in accordance with points 7 and 8, along with their foreseen: _____ 1. This overview shall include financing measures and programmes that may be adopted over the period of the comprehensive assessment, not prejudging a separate notification of the public support schemes for a State aid assessment.	9. overview of new legislative and non-legislative policy measures[1] to realise the economic potential identified in accordance with points 7 and 8, along with their foreseen: _____ 1. This overview shall include financing measures and programmes that may be adopted over the period of the comprehensive assessment, not prejudging a separate notification of the public support schemes for a State aid assessment.	9. overview of new legislative and non-legislative policy measures[1] to realise the economic potential identified in accordance with points 7 and 8, along with their foreseen: _____ 1. This overview shall include financing measures and programmes that may be adopted over the period of the comprehensive assessment, not prejudging a separate notification of the public support schemes for a State aid assessment.	

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Annex IX, IV, point (9), point (a)				
953	(a) greenhouse gas emission reductions;	(a) greenhouse gas emission reductions;	(a) greenhouse gas emission reductions;	
Annex IX, IV, point (9), point (b)				
954	(b) primary energy savings in GWh per year;	(b) primary energy savings in GWh per year;	(b) primary energy savings in GWh per year;	
Annex IX, IV, point (9), point(c)				
955	(c) impact on the share of high-efficiency cogeneration;	(c) impact on the share of high-efficiency cogeneration;	(c) impact on the share of high-efficiency cogeneration;	
Annex IX, IV, point (9), point(d)				
956	(d) impact on the share of renewables in the national energy mix and in the heating and cooling sector;	(d) impact on the share of renewables in the national energy mix and in the heating and cooling sector;	(d) impact on the share of renewables in the national energy mix and in the heating and cooling sector;	
Annex IX, IV, point (9), point (e)				
957	(e) links to national financial programming and cost savings for	(e) links to national financial programming and cost savings for	(e) links to national financial programming and cost savings for	

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	the public budget and market participants;	the public budget and market participants;	the public budget and market participants;	
Annex IX, IV, point (9), point (f)				
958	(f) estimated public support measures, if any, with their annual budget and identification of the potential aid element.	(f) estimated public support measures, if any, with their annual budget and identification of the potential aid element.	(f) estimated public support measures, if any, with their annual budget and identification of the potential aid element.	
Annex IX, IV, first paragraph				
959	_____	_____	_____	
Annex X, first heading				
960	COST-BENEFIT ANALYSIS	COST-BENEFIT ANALYSIS	COST-BENEFIT ANALYSIS	
Annex X, second heading				
961	Principles for the purpose of Article 24 and (6)	Principles for the purpose of Article 24 and (6)	Principles for the purpose of Article 24 and (6)	
Annex X, first paragraph, introductory part				
962	The cost-benefit analyses shall provide information for the	The cost-benefit analyses shall provide information for the	The cost-benefit analyses shall provide information for the	

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	purpose of the measures in Article 24 and (6):	purpose of the measures in Article 24 and (6):	purpose of the measures in Article 24 and (6):	
Annex X, first paragraph, first paragraph				
963	If an electricity-only installation or an installation without heat recovery is planned, a comparison shall be made between the planned installations or the planned refurbishment and an equivalent installation producing the same amount of electricity or process heat, but recovering the waste heat and supplying heat through high-efficiency cogeneration and/or district heating and cooling networks.	If an electricity-only installation or an installation without heat recovery is planned, a comparison shall be made between the planned installations or the planned refurbishment and an equivalent installation producing the same amount of electricity or process heat, but recovering the waste heat and supplying heat through high-efficiency cogeneration and/or district heating and cooling networks.	If an electricity-only installation or an installation without heat recovery is planned, a comparison shall be made between the planned installations or the planned refurbishment and an equivalent installation producing the same amount of electricity or process heat, but recovering the waste heat and supplying heat through high-efficiency cogeneration and/or district heating and cooling networks.	
Annex X, first paragraph, second paragraph				
964	Within a given geographical boundary the assessment shall take into account the planned installation and any appropriate existing or potential heat or cooling demand points that could be supplied from it, taking into account rational possibilities (for example, technical feasibility and	Within a given geographical boundary the assessment shall take into account the planned installation and any appropriate existing or potential heat or cooling demand points that could be supplied from it, taking into account rational possibilities (for example, technical feasibility and	Within a given geographical boundary the assessment shall take into account the planned installation and any appropriate existing or potential heat or cooling demand points that could be supplied from it, taking into account rational possibilities (for example, technical feasibility and	

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	distance).	distance).	distance).	
Annex X, first paragraph, third paragraph				
965	The system boundary shall be set to include the planned installation and the heat and cooling loads, such as building(s) and industrial process. Within this system boundary the total cost of providing heat and power shall be determined for both cases and compared.	The system boundary shall be set to include the planned installation and the heat and cooling loads, such as building(s) and industrial process. Within this system boundary the total cost of providing heat and power shall be determined for both cases and compared.	The system boundary shall be set to include the planned installation and the heat and cooling loads, such as building(s) and industrial process. Within this system boundary the total cost of providing heat and power shall be determined for both cases and compared.	
Annex X, first paragraph, fourth paragraph				
966	Heat or cooling loads shall include existing heat or cooling loads, such as an industrial installation or an existing district heating or cooling system, and also, in urban areas, the heat or cooling load and costs that would exist if a group of buildings or part of a city were provided with and/or connected into a new district heating or cooling network.	Heat or cooling loads shall include existing heat or cooling loads, such as an industrial installation or an existing district heating or cooling system, and also, in urban areas, the heat or cooling load and costs that would exist if a group of buildings or part of a city were provided with and/or connected into a new district heating or cooling network.	Heat or cooling loads shall include existing heat or cooling loads, such as an industrial installation or an existing district heating or cooling system, and also, in urban areas, the heat or cooling load and costs that would exist if a group of buildings or part of a city were provided with and/or connected into a new district heating or cooling network.	
Annex X, first paragraph, fifth paragraph				

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967	The cost-benefit analysis shall be based on a description of the planned installation and the comparison installation(s), covering electrical and thermal capacity, as applicable, fuel type, planned usage and the number of planned operating hours annually, location and electricity and thermal demand.	The cost-benefit analysis shall be based on a description of the planned installation and the comparison installation(s), covering electrical and thermal capacity, as applicable, fuel type, planned usage and the number of planned operating hours annually, location and electricity and thermal demand.	The cost-benefit analysis shall be based on a description of the planned installation and the comparison installation(s), covering electrical and thermal capacity, as applicable, fuel type, planned usage and the number of planned operating hours annually, location and electricity and thermal demand.	
Annex X, first paragraph, sixth paragraph				
968	Assessment of waste heat utilization shall take into consideration current technologies. The assessment shall take into consideration the direct use of waste heat or its upgrading to higher temperature levels, or both. In case of waste heat recovery on-site, at least the use of heat exchangers, heat pumps, and heat to power technologies shall be assessed. In case of waste heat recovery off-site, at least industrial installations, agriculture sites and district heating networks shall be assessed as potential demand points.	Assessment of waste heat utilization shall take into consideration current technologies. The assessment shall take into consideration the direct use of waste heat or its upgrading to higher temperature levels, or both. In case of waste heat recovery on-site, at least the use of heat exchangers, heat pumps, and heat to power technologies shall be assessed. In case of waste heat recovery off-site, at least industrial installations, agriculture sites and district heating networks shall be assessed as potential demand points.	Assessment of waste heat utilization shall take into consideration current technologies. The assessment shall take into consideration the direct use of waste heat or its upgrading to higher temperature levels, or both. In case of waste heat recovery on-site, at least the use of heat exchangers, heat pumps, and heat to power technologies shall be assessed. In case of waste heat recovery off-site, at least industrial installations, agriculture sites and district heating networks shall be assessed as potential demand points.	

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Annex X, first paragraph, seventh paragraph				
969	For the purpose of the comparison, the thermal energy demand and the types of heating and cooling used by the nearby heat or cooling demand points shall be taken into account. The comparison shall cover infrastructure related costs for the planned and comparison installation.	For the purpose of the comparison, the thermal energy demand and the types of heating and cooling used by the nearby heat or cooling demand points shall be taken into account. The comparison shall cover infrastructure related costs for the planned and comparison installation.	For the purpose of the comparison, the thermal energy demand and the types of heating and cooling used by the nearby heat or cooling demand points shall be taken into account. The comparison shall cover infrastructure related costs for the planned and comparison installation.	
Annex X, first paragraph, eighth paragraph				
970	Cost-benefit analyses for the purposes of Article 24(4) shall include an economic analysis covering a financial analysis reflecting actual cash flow transactions from investing in and operating individual installations.	Cost-benefit analyses for the purposes of Article 24(4) shall include an economic analysis covering a financial analysis reflecting actual cash flow transactions from investing in and operating individual installations.	Cost-benefit analyses for the purposes of Article 24(4) shall include an economic analysis covering a financial analysis reflecting actual cash flow transactions from investing in and operating individual installations.	
Annex X, first paragraph, ninth paragraph				
971	Projects with positive cost-benefit outcome are those where the sum of discounted benefits in the economic and financial analysis	Projects with positive cost-benefit outcome are those where the sum of discounted benefits in the economic and financial analysis	Projects with positive cost-benefit outcome are those where the sum of discounted benefits in the economic and financial analysis	

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	exceeds the sum of discounted costs (cost-benefit surplus).	exceeds the sum of discounted costs (cost-benefit surplus).	exceeds the sum of discounted costs (cost-benefit surplus).	
Annex X, first paragraph, tenth paragraph				
972	Member States shall set guiding principles for the methodology, assumptions and time horizon for the economic analysis.	Member States shall set guiding principles for the methodology, assumptions and time horizon for the economic analysis.	Member States shall set guiding principles for the methodology, assumptions and time horizon for the economic analysis.	
Annex X, first paragraph, eleventh paragraph				
973	Member States may require that the companies responsible for the operation of thermal electric generation installations, industrial companies, district heating and cooling networks, or other parties influenced by the defined system boundary and geographical boundary, contribute data for use in assessing the costs and benefits of an individual installation.	Member States may require that the companies responsible for the operation of thermal electric generation installations, industrial companies, district heating and cooling networks, or other parties influenced by the defined system boundary and geographical boundary, contribute data for use in assessing the costs and benefits of an individual installation.	Member States may require that the companies responsible for the operation of thermal electric generation installations, industrial companies, district heating and cooling networks, or other parties influenced by the defined system boundary and geographical boundary, contribute data for use in assessing the costs and benefits of an individual installation.	
Annex X, second paragraph				
974	_____	_____	_____	
Annex XI, first heading				

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975	Guarantee of origin for electricity produced from high-efficiency cogeneration	Guarantee of origin for electricity produced from high-efficiency cogeneration	Guarantee of origin for electricity produced from high-efficiency cogeneration	
Annex XI, point (a), introductory part				
976	(a) Member States shall take measures to ensure that:	(a) Member States shall take measures to ensure that:	(a) Member States shall take measures to ensure that:	
Annex XI, point (a)(i), introductory part				
977	(i) the guarantee of origin of the electricity produced from high-efficiency cogeneration:	(i) the guarantee of origin of the electricity produced from high-efficiency cogeneration:	(i) the guarantee of origin of the electricity produced from high-efficiency cogeneration:	
Annex XI, point (a)(i), first indent				
978	- enable producers to demonstrate that the electricity they sell is produced from high-efficiency cogeneration and is issued to this effect in response to a request from the producer;,	- enable producers to demonstrate that the electricity they sell is produced from high-efficiency cogeneration and is issued to this effect in response to a request from the producer;,	- enable producers to demonstrate that the electricity they sell is produced from high-efficiency cogeneration and is issued to this effect in response to a request from the producer;,	
Annex XI, point (a)(i), second indent				
979	- is accurate, reliable and fraud-	- is accurate, reliable and fraud-	- is accurate, reliable and fraud-	

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	resistant;,	resistant;,	resistant;,	
Annex XI, point (a)(i), third indent				
980	- is issued, transferred and cancelled electronically;	- is issued, transferred and cancelled electronically;	- is issued, transferred and cancelled electronically;	
Annex XI, point (a)(ii)				
981	(ii) the same unit of energy from high-efficiency cogeneration is taken into account only once.	(ii) the same unit of energy from high-efficiency cogeneration is taken into account only once.	(ii) the same unit of energy from high-efficiency cogeneration is taken into account only once.	
Annex XI, point (b), introductory part				
982	(b) The guarantee of origin referred to in Article 24(10) shall contain at least the following information:	(b) The guarantee of origin referred to in Article 24(10) shall contain at least the following information:	(b) The guarantee of origin referred to in Article 24(10) shall contain at least the following information:	
Annex XI, point (b)(i)				
983	(i) the identity, location, type and capacity (thermal and electrical) of the installation where the energy was produced;	(i) the identity, location, type and capacity (thermal and electrical) of the installation where the energy was produced;	(i) the identity, location, type and capacity (thermal and electrical) of the installation where the energy was produced;	
Annex XI, point (b)(ii)				

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984	(ii) the dates and places of production;	(ii) the dates and places of production;	(ii) the dates and places of production;	
Annex XI, point (b)(iii)				
985	(iii) the lower calorific value of the fuel source from which the electricity was produced;	(iii) the lower calorific value of the fuel source from which the electricity was produced;	(iii) the lower calorific value of the fuel source from which the electricity was produced;	
Annex XI, point (b)(iv)				
986	(iv) the quantity and the use of the heat generated together with the electricity;	(iv) the quantity and the use of the heat generated together with the electricity;	(iv) the quantity and the use of the heat generated together with the electricity;	
Annex XI, point (b)(v)				
987	(v) the quantity of electricity from high-efficiency cogeneration in accordance with Annex III that the guarantee represents;	(v) the quantity of electricity from high-efficiency cogeneration in accordance with Annex III that the guarantee represents;	(v) the quantity of electricity from high-efficiency cogeneration in accordance with Annex III that the guarantee represents;	
Annex XI, point (b)(vi)				
988	(vi) the primary energy savings calculated in accordance with Annex III based on the harmonised	(vi) the primary energy savings calculated in accordance with Annex III based on the harmonised	(vi) the primary energy savings calculated in accordance with Annex III based on the harmonised	

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	efficiency reference values indicated in point (f) of Annex III;	efficiency reference values indicated in point (f) of Annex III;	efficiency reference values indicated in point (f) of Annex III;	
Annex XI, point (b)(vii)				
989	(vii) the nominal electric and thermal efficiency of the plant;	(vii) the nominal electric and thermal efficiency of the plant;	(vii) the nominal electric and thermal efficiency of the plant;	
Annex XI, point (b)(viii)				
990	(viii) whether and to what extent the installation has benefited from investment support;	(viii) whether and to what extent the installation has benefited from investment support;	(viii) whether and to what extent the installation has benefited from investment support;	
Annex XI, point (b)(ix)				
991	(ix) whether and to what extent the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme;	(ix) whether and to what extent the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme;	(ix) whether and to what extent the unit of energy has benefited in any other way from a national support scheme, and the type of support scheme;	
Annex XI, point (b)(x)				
992	(x) the date on which the installation became operational; and	(x) the date on which the installation became operational; and	(x) the date on which the installation became operational; and	

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Annex XI, point (b)(xi)				
993	(xi) the date and country of issue and a unique identification number.	(xi) the date and country of issue and a unique identification number.	(xi) the date and country of issue and a unique identification number.	
Annex XI, point (b), first paragraph				
994	The guarantee of origin shall be of the standard size of 1 MWh. It shall relate to the net electricity output measured at the station boundary and exported to the grid.	The guarantee of origin shall be of the standard size of 1 MWh. It shall relate to the net electricity output measured at the station boundary and exported to the grid.	The guarantee of origin shall be of the standard size of 1 MWh. It shall relate to the net electricity output measured at the station boundary and exported to the grid.	
Annex XI, first paragraph				
995	_____	_____	_____	
Annex XII, first heading				
996	Energy efficiency criteria for energy network regulation and for electricity network tariffs	Energy efficiency criteria for energy network regulation and for electricity network tariffs	Energy efficiency criteria for energy network regulation and for electricity network tariffs	
Annex XII, point (1)				
997	1. Network tariffs shall be cost-reflective of cost-savings in networks achieved from demand-	1. Network tariffs shall be cost-reflective of cost-savings in networks achieved from demand-	1. Network tariffs shall be **transparent, non-discriminatory and in line**	

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	side and demand- response measures and distributed generation, including savings from lowering the cost of delivery or of network investment and a more optimal operation of the network.	side and demand- response measures and distributed generation, including savings from lowering the cost of delivery or of network investment and a more optimal operation of the network.	**with Article 18 of Regulation (EU) 2019/943 and** cost-reflective of cost-savings in networks achieved from demand-side and demand- response measures and distributed generation, including savings from lowering the cost of delivery or of network investment and a more optimal operation of the network.	
Annex XII, point (2), introductory part				
998	2. Network regulation and tariffs shall not prevent network operators or energy retailers making available system services for demand response measures, demand management and distributed generation on organised electricity markets, in particular:	2. Network regulation and tariffs shall not prevent network operators or energy retailers making available system services for demand response measures, demand management and distributed generation on organised electricity markets, in particular:	2. Network regulation and tariffs shall not prevent network operators or energy retailers making available system services for demand response measures, demand management and distributed generation on organised electricity markets, in particular:	
Annex XII, point (2), point (a)				
999	(a) the shifting of the load from peak to off-peak times by final customers taking into account the availability of renewable energy, energy from cogeneration and distributed generation;	(a) the shifting of the load from peak to off-peak times by final customers taking into account the availability of renewable energy, energy from cogeneration and distributed generation;	(a) the shifting of the load from peak to off-peak times by final customers taking into account the availability of renewable energy, energy from cogeneration and distributed generation;	

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Annex XII, point (2), point (b)				
1000	(b) energy savings from demand response of distributed consumers by energy aggregators;	(b) energy savings from demand response of distributed consumers by energy aggregators;	(b) energy savings from demand response of distributed consumers by ~~energy~~**independent** aggregators;	
Annex XII, point (2), point (c)				
1001	(c) demand reduction from energy efficiency measures undertaken by energy service providers, including energy service companies;	(c) demand reduction from energy efficiency measures undertaken by energy service providers, including energy service companies;	(c) demand reduction from energy efficiency measures undertaken by energy service providers, including energy service companies;	
Annex XII, point (2), point (d)				
1002	(d) the connection and dispatch of generation sources at lower voltage levels;	(d) the connection and dispatch of generation sources at lower voltage levels;	(d) the connection and dispatch of generation sources at lower voltage levels;	
Annex XII, point (2), point (e)				
1003	(e) the connection of generation sources from closer location to the consumption; and	(e) the connection of generation sources from closer location to the consumption; and	(e) the connection of generation sources from closer location to the consumption; and	
Annex XII, point (2), point (f)				

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1004	(f) the storage of energy.	(f) the storage of energy.	(f) the storage of energy.	
Annex XII, point (2), first paragraph				
1005	For the purposes of this provision the term 'organised electricity markets' shall include over-the-counter markets and electricity exchanges for trading energy, capacity, balancing and ancillary services in all timeframes, including forward, day-ahead and intra-day markets.	For the purposes of this provision the term 'organised electricity markets' shall include over-the-counter markets and electricity exchanges for trading energy, capacity, balancing and ancillary services in all timeframes, including forward, day-ahead and intra-day markets.	For the purposes of this provision the term 'organised electricity markets' shall include over-the-counter markets and electricity exchanges for trading energy, capacity, balancing and ancillary services in all timeframes, including forward, day-ahead and intra-day markets.	
Annex XII, point (3), introductory part				
1006	3. Network or retail tariffs may support dynamic pricing for demand response measures by final customers, such as:	3. Network or retail tariffs may support dynamic pricing for demand response measures by final customers, such as:	3. Network or retail tariffs may support dynamic pricing for demand response measures by final customers, such as:	
Annex XII, point (3), point (a)				
1007	(a) time-of-use tariffs;	(a) time-of-use tariffs;	(a) time-of-use tariffs;	
Annex XII, point (3), point (b)				
1008				

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	(b) critical peak pricing;	(b) critical peak pricing;	(b) critical peak pricing;	
Annex XII, point (3), point (c)				
1009	(c) real time pricing; and	(c) real time pricing; and	(c) real time pricing; and	
Annex XII, point (3), point (d)				
1010	(d) peak time rebates.	(d) peak time rebates.	(d) peak time rebates.	
Annex XII, first paragraph				
1011	_____	_____	_____	
Annex XIII, first heading				
1012	ENERGY EFFICIENCY REQUIREMENTS FOR TRANSMISSION SYSTEM OPERATORS AND DISTRIBUTION SYSTEM OPERATORS	ENERGY EFFICIENCY REQUIREMENTS FOR TRANSMISSION SYSTEM OPERATORS AND DISTRIBUTION SYSTEM OPERATORS	ENERGY EFFICIENCY REQUIREMENTS FOR TRANSMISSION SYSTEM OPERATORS AND DISTRIBUTION SYSTEM OPERATORS	
Annex XIII, first paragraph, introductory part				
1013	Transmission system operators and distribution system operators shall:	Transmission system operators and distribution system operators shall:	Transmission system operators and distribution system operators shall:	

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Annex XIII, first paragraph, point (a)				
1014	(a) set up and make public their standard rules relating to the bearing and sharing of costs of technical adaptations, such as grid connections, grid reinforcements and the introduction of new grids, improved operation of the grid and rules on the non-discriminatory implementation of the grid codes, which are necessary in order to integrate new producers feeding electricity produced from high-efficiency cogeneration into the interconnected grid;	(a) set up and make public their standard rules relating to the bearing and sharing of costs of technical adaptations, such as grid connections, grid reinforcements and the introduction of new grids, improved operation of the grid and rules on the non-discriminatory implementation of the grid codes, which are necessary in order to integrate new producers feeding electricity produced from high-efficiency cogeneration into the interconnected grid;	(a) set up and make public their standard rules relating to the bearing and sharing of costs of technical adaptations, such as grid connections, grid reinforcements and the introduction of new grids, improved operation of the grid and rules on the non-discriminatory implementation of the grid codes, which are necessary in order to integrate new producers feeding electricity produced from high-efficiency cogeneration into the interconnected grid;	
Annex XIII, first paragraph, point (b), introductory part				
1015	(b) provide any new producer of electricity produced from high-efficiency cogeneration wishing to be connected to the system with the comprehensive and necessary information required, including:	(b) provide any new producer of electricity produced from high-efficiency cogeneration wishing to be connected to the system with the comprehensive and necessary information required, including:	(b) provide any new producer of electricity produced from high-efficiency cogeneration wishing to be connected to the system with the comprehensive and necessary information required, including:	
Annex XIII, first paragraph, point (b)(i)				
1016				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	(i) a comprehensive and detailed estimate of the costs associated with the connection;	(i) a comprehensive and detailed estimate of the costs associated with the connection;	(i) a comprehensive and detailed estimate of the costs associated with the connection;	
Annex XIII, first paragraph, point (b)(ii)				
1017	(ii) a reasonable and precise timetable for receiving and processing the request for grid connection;	(ii) a reasonable and precise timetable for receiving and processing the request for grid connection;	(ii) a reasonable and precise timetable for receiving and processing the request for grid connection;	
Annex XIII, first paragraph, point (b)(iii)				
1018	(iii) a reasonable indicative timetable for any proposed grid connection. The overall process to become connected to the grid should be no longer than 24 months, bearing in mind what is reasonably practicable and non-discriminatory;	(iii) a reasonable indicative timetable for any proposed grid connection. The overall process to become connected to the grid should be no longer than 24 months, bearing in mind what is reasonably practicable and non-discriminatory;	(iii) a reasonable indicative timetable for any proposed grid connection. The overall process to become connected to the grid should be no longer than 24 months, bearing in mind what is reasonably practicable and non-discriminatory;	
Annex XIII, first paragraph, point (c)				
1019	(c) provide standardised and simplified procedures for the connection of distributed high-efficiency cogeneration producers to facilitate their connection to the	(c) provide standardised and simplified procedures for the connection of distributed high-efficiency cogeneration producers to facilitate their connection to the	(c) provide standardised and simplified procedures for the connection of distributed high-efficiency cogeneration producers to facilitate their connection to the	

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	grid.	grid.	grid.	
Annex XIII, second paragraph				
1020	The standard rules referred to in point (a) shall be based on objective, transparent and non-discriminatory criteria taking particular account of all the costs and benefits associated with the connection of those producers to the grid. They may provide for different types of connection.	The standard rules referred to in point (a) shall be based on objective, transparent and non-discriminatory criteria taking particular account of all the costs and benefits associated with the connection of those producers to the grid. They may provide for different types of connection.	The standard rules referred to in point (a) shall be based on objective, transparent and non-discriminatory criteria taking particular account of all the costs and benefits associated with the connection of those producers to the grid. They may provide for different types of connection.	
Annex XIII, third paragraph				
1021	_____	_____	_____	
Annex XIV, first heading				
1022	Minimum items to be included in energy performance contracts or in the associated tender specifications	Minimum items to be included in energy performance contracts or in the associated tender specifications	Minimum items to be included in energy performance contracts or in the associated tender specifications	
Annex XIV, second indent				
1023	- Findings /recommendations of an analysis/ audit carried out before	- Findings /recommendations of an analysis/ audit carried out before	- Findings /recommendations of an analysis/ **energy** audit carried out	

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	the contract has been concluded that covers energy use of the building with a view to implement energy efficiency improvement measures.	the contract has been concluded that covers energy use of the building with a view to implement energy efficiency improvement measures.	before the contract has been concluded that covers energy use of the building with a view to implement energy efficiency improvement measures.	
Annex XIV, third indent				
1024	- Clear and transparent list of the efficiency measures to be implemented or the efficiency results to be obtained.	- Clear and transparent list of the efficiency measures to be implemented or the efficiency results to be obtained.	- Clear and transparent list of the efficiency measures to be implemented or the efficiency results to be obtained.	
Annex XIV, fourth indent				
1025	- Guaranteed savings to be achieved by implementing the measures of the contract.	- Guaranteed savings to be achieved by implementing the measures of the contract.	- Guaranteed savings to be achieved by implementing the measures of the contract.	
Annex XIV, fifth indent				
1026	- Duration and milestones of the contract, terms and period of notice.	- Duration and milestones of the contract, terms and period of notice.	- Duration and milestones of the contract, terms and period of notice.	
Annex XIV, sixth indent				
1027	- Clear and transparent list of the	- Clear and transparent list of the	- Clear and transparent list of the	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	obligations of each contracting party.	obligations of each contracting party.	obligations of each contracting party.	
Annex XIV, seventh indent				
1028	- Reference date(s) to establish achieved savings.	- Reference date(s) to establish achieved savings.	- Reference date(s) to establish achieved savings.	
Annex XIV, eighth indent				
1029	- Clear and transparent list of steps to be performed to implement a measure or package of measures and, where relevant, associated costs.	- Clear and transparent list of steps to be performed to implement a measure or package of measures and, where relevant, associated costs.	- Clear and transparent list of steps to be performed to implement a measure or package of measures and, where relevant, associated costs.	
Annex XIV, ninth indent				
1030	- Obligation to fully implement the measures in the contract and documentation of all changes made during the project.	- Obligation to fully implement the measures in the contract and documentation of all changes made during the project.	- Obligation to fully implement the measures in the contract and documentation of all changes made during the project.	
Annex XIV, tenth indent				
1031	- Regulations specifying the inclusion of equivalent requirements in any subcontracting	- Regulations specifying the inclusion of equivalent requirements in any subcontracting	- Regulations specifying the inclusion of equivalent requirements in any subcontracting	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	with third parties.	with third parties.	with third parties.	
Annex XIV, eleventh indent				
1032	- Clear and transparent display of financial implications of the project and distribution of the share of both parties in the monetary savings achieved (i.e. remuneration of the service provider).	- Clear and transparent display of financial implications of the project and distribution of the share of both parties in the monetary savings achieved (i.e. remuneration of the service provider).	- Clear and transparent display of financial implications of the project and distribution of the share of both parties in the monetary savings achieved (i.e. remuneration of the service provider).	
Annex XIV, twelfth indent				
1033	- Clear and transparent provisions on measurement and verification of the guaranteed savings achieved, quality checks and guarantees.	- Clear and transparent provisions on measurement and verification of the guaranteed savings achieved, quality checks and guarantees.	- Clear and transparent provisions on measurement and verification of the guaranteed savings achieved, quality checks and guarantees.	
Annex XIV, thirteenth indent				
1034	- Provisions clarifying the procedure to deal with changing framework conditions that affect the content and the outcome of the contract (i.e. changing energy prices, use intensity of an installation).	- Provisions clarifying the procedure to deal with changing framework conditions that affect the content and the outcome of the contract (i.e. changing energy prices, use intensity of an installation).	- Provisions clarifying the procedure to deal with changing framework conditions that affect the content and the outcome of the contract (i.e. changing energy prices, use intensity of an installation).	
Annex XIV, fourteenth indent				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1035	- Detailed information on the obligations of each of the contracting party and of the penalties for their breach.	- Detailed information on the obligations of each of the contracting party and of the penalties for their breach.	- Detailed information on the obligations of each of the contracting party and of the penalties for their breach.	
Annex XIV, first paragraph				
1036	_____	_____	_____	
Annex XV, A				
1037	A Part A	A Part A	A Part A	
Annex XV, A, first heading				
1038	Repealed Directive with list of the successive amendments thereto (referred to in Article 36)	Repealed Directive with list of the successive amendments thereto (referred to in Article 36)	Repealed Directive with list of the successive amendments thereto (referred to in Article 36)	
Annex XV, Table 2, Column 1, Row 1				
1039	Directive 2012/27/EU of the European Parliament and of the Council (OJ L 315, 14.11.2012, p. 1)	Directive 2012/27/EU of the European Parliament and of the Council (OJ L 315, 14.11.2012, p. 1)	Directive 2012/27/EU of the European Parliament and of the Council (OJ L 315, 14.11.2012, p. 1)	
Annex XV, Table 2, Column 1, Row 2				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1040				
Annex XV, Table 2, Column 1, Row 3				
1041				
Annex XV, Table 2, Column 1, Row 4				
1042				
Annex XV, Table 2, Column 1, Row 5				
1043				
Annex XV, Table 2, Column 1, Row 6				
1044				
Annex XV, Table 2, Column 1, Row 7				
1045				
Annex XV, Table 2, Column 1, Row 8				
1046				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XV, Table 2, Column 2, Row 2				
1047	Council Directive 2013/12/EU (OJ L 141, 28.5.2013, p. 28)	Council Directive 2013/12/EU (OJ L 141, 28.5.2013, p. 28)	Council Directive 2013/12/EU (OJ L 141, 28.5.2013, p. 28)	
Annex XV, Table 2, Column 2, Row 3				
1048	Directive (EU) 2018/844 of the European Parliament and of the Council (OJ L 156, 19.6.2018, p. 75)	Directive (EU) 2018/844 of the European Parliament and of the Council (OJ L 156, 19.6.2018, p. 75)	Directive (EU) 2018/844 of the European Parliament and of the Council (OJ L 156, 19.6.2018, p. 75)	
Annex XV, Table 2, Column 2, Row 4				
1049	Directive (EU) 2018/2002 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 210)	Directive (EU) 2018/2002 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 210)	Directive (EU) 2018/2002 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 210)	
Annex XV, Table 2, Column 2, Row 5				
1050	Regulation (EU) 2018/1999 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1)	Regulation (EU) 2018/1999 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1)	Regulation (EU) 2018/1999 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p. 1)	
Annex XV, Table 2, Column 2, Row 6				
1051				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Decision (EU) 2019/504 of the European Parliament and of the Council (OJ L 85I , 27.3.2019, p. 66)	Decision (EU) 2019/504 of the European Parliament and of the Council (OJ L 85I , 27.3.2019, p. 66)	Decision (EU) 2019/504 of the European Parliament and of the Council (OJ L 85I , 27.3.2019, p. 66)	
Annex XV, Table 2, Column 2, Row 7				
1052	Commission Delegated Regulation (EU) 2019/826 (OJ L 137, 23.5.2019, p. 3)	Commission Delegated Regulation (EU) 2019/826 (OJ L 137, 23.5.2019, p. 3)	Commission Delegated Regulation (EU) 2019/826 (OJ L 137, 23.5.2019, p. 3)	
Annex XV, Table 2, Column 2, Row 8				
1053	Directive (EU) 2019/944 of the European Parliament and of the Council (OJ L 158, 14.6.2019, p. 125)	Directive (EU) 2019/944 of the European Parliament and of the Council (OJ L 158, 14.6.2019, p. 125)	Directive (EU) 2019/944 of the European Parliament and of the Council (OJ L 158, 14.6.2019, p. 125)	
Annex XV, Table 2, Column 3, Row 1				
1054				
Annex XV, Table 2, Column 4, Row 2				
1055				
Annex XV, Table 2, Column 4, Row 3				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1056	only Article 2	only Article 2	only Article 2	
Annex XV, Table 2, Column 4, Row 4				
1057				
Annex XV, Table 2, Column 4, Row 5				
1058	only Article 54	only Article 54	only Article 54	
Annex XV, Table 2, Column 4, Row 6				
1059	only Article 1	only Article 1	only Article 1	
Annex XV, Table 2, Column 4, Row 7				
1060				
Annex XV, Table 2, Column 4, Row 8				
1061	only Article 70	only Article 70	only Article 70	
Annex XV, B				
1062	B Part B	B Part B	B Part B	

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Annex XV, B, first heading				
1063	Time-limits for transposition into national law (referred to in Article 36)	Time-limits for transposition into national law (referred to in Article 36)	Time-limits for transposition into national law (referred to in Article 36)	
Annex XV, Table 3, Column 1, Row 1				
1064	Directive	Directive	Directive	
Annex XV, Table 3, Column 1, Row 2				
1065	2012/27/EU	2012/27/EU	2012/27/EU	
Annex XV, Table 3, Column 1, Row 3				
1066	(EU) 2018/844	(EU) 2018/844	(EU) 2018/844	
Annex XV, Table 3, Column 1, Row 4				
1067	(EU) 2018/2002	(EU) 2018/2002	(EU) 2018/2002	
Annex XV, Table 3, Column 1, Row 5				
1068	(EU) 2019/944	(EU) 2019/944	(EU) 2019/944	
Annex XV, Table 3, Column 2, Row 1				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1069	Time-limit for transposition	Time-limit for transposition	Time-limit for transposition	
Annex XV, Table 3, Column 2, Row 2				
1070	5 June 2014	5 June 2014	5 June 2014	
Annex XV, Table 3, Column 2, Row 3				
1071	10 March 2020	10 March 2020	10 March 2020	
Annex XV, Table 3, Column 2, Row 4				
1072	25 June 2020, with the exception of points 5 to 10 of Article 1 and points 3 and 4 of the Annex 25 October 2020 as regards points 5 to 10 of Article 1 and points 3 and 4 of the Annex	25 June 2020, with the exception of points 5 to 10 of Article 1 and points 3 and 4 of the Annex 25 October 2020 as regards points 5 to 10 of Article 1 and points 3 and 4 of the Annex	25 June 2020, with the exception of points 5 to 10 of Article 1 and points 3 and 4 of the Annex 25 October 2020 as regards points 5 to 10 of Article 1 and points 3 and 4 of the Annex	
Annex XV, Table 3, Column 2, Row 5				
1073	31 December 2019 as regards point (5)(a) of Article 70 25 October 2020 as regards point (4) of Article 70	31 December 2019 as regards point (5)(a) of Article 70 25 October 2020 as regards point (4) of Article 70	31 December 2019 as regards point (5)(a) of Article 70 25 October 2020 as regards point (4) of Article 70	

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	31 December 2020 as regards points (1) to (3), (5)(b) and (6) of Article 70	31 December 2020 as regards points (1) to (3), (5)(b) and (6) of Article 70	31 December 2020 as regards points (1) to (3), (5)(b) and (6) of Article 70	
Annex XV, B, first paragraph				
1074	_____	_____	_____	
Annex XVI, first heading				
1075	Correlation Table	Correlation Table	Correlation Table	
Annex XVI, Table 4, Column 1, Row 1				
1076	Directive 2012/27/EU	Directive 2012/27/EU	Directive 2012/27/EU	
Annex XVI, Table 4, Column 1, Row 2				
1077	Article 1	Article 1	Article 1	
Annex XVI, Table 4, Column 1, Row 3				
1078	Article 2, introductory wording	Article 2, introductory wording	Article 2, introductory wording	
Annex XVI, Table 4, Column 1, Row 4				
1079	Article 2, point 1	Article 2, point 1	Article 2, point 1	

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Annex XVI, Table 4, Column 1, Row 5				
1080	-	-	-	
Annex XVI, Table 4, Column 1, Row 6				
1081	Article 2, point 2	Article 2, point 2	Article 2, point 2	
Annex XVI, Table 4, Column 1, Row 7				
1082	Article 2, point 3	Article 2, point 3	Article 2, point 3	
Annex XVI, Table 4, Column 1, Row 8				
1083	Article 2, point 4	Article 2, point 4	Article 2, point 4	
Annex XVI, Table 4, Column 1, Row 9				
1084	Article 2, point 5	Article 2, point 5	Article 2, point 5	
Annex XVI, Table 4, Column 1, Row 10				
1085	Article 2, point 6	Article 2, point 6	Article 2, point 6	
Annex XVI, Table 4, Column 1, Row 11				

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1086	Article 2, point 7	Article 2, point 7	Article 2, point 7	
Annex XVI, Table 4, Column 1, Row 12				
1087	Article 2, point 8	Article 2, point 8	Article 2, point 8	
Annex XVI, Table 4, Column 1, Row 13				
1088	Article 2, point 9	Article 2, point 9	Article 2, point 9	
Annex XVI, Table 4, Column 1, Row 14				
1089	Article 2, point 10	Article 2, point 10	Article 2, point 10	
Annex XVI, Table 4, Column 1, Row 15				
1090	_	_	_	
Annex XVI, Table 4, Column 1, Row 16				
1091	Article 2, point 11	Article 2, point 11	Article 2, point 11	
Annex XVI, Table 4, Column 1, Row 17				
1092	Article 2, point 12	Article 2, point 12	Article 2, point 12	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 18				
1093	Article 2, point 13	Article 2, point 13	Article 2, point 13	
Annex XVI, Table 4, Column 1, Row 19				
1094	Article 2, point 14	Article 2, point 14	Article 2, point 14	
Annex XVI, Table 4, Column 1, Row 20				
1095	Article 2, point 15	Article 2, point 15	Article 2, point 15	
Annex XVI, Table 4, Column 1, Row 21				
1096	Article 2, point 16	Article 2, point 16	Article 2, point 16	
Annex XVI, Table 4, Column 1, Row 22				
1097	Article 2, point 17	Article 2, point 17	Article 2, point 17	
Annex XVI, Table 4, Column 1, Row 23				
1098	Article 2, point 18	Article 2, point 18	Article 2, point 18	
Annex XVI, Table 4, Column 1, Row 24				
1099				

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	Article 2, point 19	Article 2, point 19	Article 2, point 19	
Annex XVI, Table 4, Column 1, Row 25				
1100	Article 2, point 20	Article 2, point 20	Article 2, point 20	
Annex XVI, Table 4, Column 1, Row 26				
1101	Article 2, point 21	Article 2, point 21	Article 2, point 21	
Annex XVI, Table 4, Column 1, Row 27				
1102	Article 2, point 22	Article 2, point 22	Article 2, point 22	
Annex XVI, Table 4, Column 1, Row 28				
1103	Article 2, point 23	Article 2, point 23	Article 2, point 23	
Annex XVI, Table 4, Column 1, Row 29				
1104	Article 2, point 24	Article 2, point 24	Article 2, point 24	
Annex XVI, Table 4, Column 1, Row 30				
1105	Article 2, point 25	Article 2, point 25	Article 2, point 25	

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Annex XVI, Table 4, Column 1, Row 31				
1106	Article 2, point 26	Article 2, point 26	Article 2, point 26	
Annex XVI, Table 4, Column 1, Row 32				
1107	Article 2, point 27	Article 2, point 27	Article 2, point 27	
Annex XVI, Table 4, Column 1, Row 33				
1108	Article 2, point 28	Article 2, point 28	Article 2, point 28	
Annex XVI, Table 4, Column 1, Row 34				
1109	Article 2, point 29	Article 2, point 29	Article 2, point 29	
Annex XVI, Table 4, Column 1, Row 35				
1110	Article 2, point 30	Article 2, point 30	Article 2, point 30	
Annex XVI, Table 4, Column 1, Row 36				
1111	Article 2, point 31	Article 2, point 31	Article 2, point 31	
Annex XVI, Table 4, Column 1, Row 37				
1112				

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	Article 2, point 32	Article 2, point 32	Article 2, point 32	
Annex XVI, Table 4, Column 1, Row 38				
1113	Article 2, point 33	Article 2, point 33	Article 2, point 33	
Annex XVI, Table 4, Column 1, Row 39				
1114	Article 2, point 34	Article 2, point 34	Article 2, point 34	
Annex XVI, Table 4, Column 1, Row 40				
1115	Article 2, point 35	Article 2, point 35	Article 2, point 35	
Annex XVI, Table 4, Column 1, Row 41				
1116	Article 2, point 36	Article 2, point 36	Article 2, point 36	
Annex XVI, Table 4, Column 1, Row 42				
1117	Article 2, point 37	Article 2, point 37	Article 2, point 37	
Annex XVI, Table 4, Column 1, Row 43				
1118	Article 2, point 38	Article 2, point 38	Article 2, point 38	

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Annex XVI, Table 4, Column 1, Row 44				
1119	Article 2, point 39	Article 2, point 39	Article 2, point 39	
Annex XVI, Table 4, Column 1, Row 45				
1120	Article 2, point 40	Article 2, point 40	Article 2, point 40	
Annex XVI, Table 4, Column 1, Row 46				
1121	Article 2, point 41	Article 2, point 41	Article 2, point 41	
Annex XVI, Table 4, Column 1, Row 47				
1122	Article 2, point 42	Article 2, point 42	Article 2, point 42	
Annex XVI, Table 4, Column 1, Row 48				
1123	Article 2, point 43	Article 2, point 43	Article 2, point 43	
Annex XVI, Table 4, Column 1, Row 49				
1124	-	-	-	
Annex XVI, Table 4, Column 1, Row 50				
1125				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 2, points 44 and 45	Article 2, points 44 and 45	Article 2, points 44 and 45	
Annex XVI, Table 4, Column 1, Row 51				
1126	-	-	-	
Annex XVI, Table 4, Column 1, Row 52				
1127	-	-	-	
Annex XVI, Table 4, Column 1, Row 53				
1128	-	-	-	
Annex XVI, Table 4, Column 1, Row 54				
1129	Article 3(1), first subparagraph	Article 3(1), first subparagraph	Article 3(1), first subparagraph	
Annex XVI, Table 4, Column 1, Row 55				
1130	Article 3(1), second subparagraph, introductory wording	Article 3(1), second subparagraph, introductory wording	Article 3(1), second subparagraph, introductory wording	
Annex XVI, Table 4, Column 1, Row 56				
1131	Article 3(1), second subparagraph, points (a) and (b)	Article 3(1), second subparagraph, points (a) and (b)	Article 3(1), second subparagraph, points (a) and (b)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 57				
1132	Article 3(1), second subparagraph, point (c)	Article 3(1), second subparagraph, point (c)	Article 3(1), second subparagraph, point (c)	
Annex XVI, Table 4, Column 1, Row 58				
1133	Article 3(1), second subparagraph, point (d)	Article 3(1), second subparagraph, point (d)	Article 3(1), second subparagraph, point (d)	
Annex XVI, Table 4, Column 1, Row 59				
1134	Article 3(1), third subparagraph, introductory wording	Article 3(1), third subparagraph, introductory wording	Article 3(1), third subparagraph, introductory wording	
Annex XVI, Table 4, Column 1, Row 60				
1135	-	-	-	
Annex XVI, Table 4, Column 1, Row 61				
1136	-	-	-	
Annex XVI, Table 4, Column 1, Row 62				
1137	Article 3(1), third subparagraph,	Article 3(1), third subparagraph,	Article 3(1), third subparagraph,	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	point (a)	point (a)	point (a)	
Annex XVI, Table 4, Column 1, Row 63				
1138	-	-	-	
Annex XVI, Table 4, Column 1, Row 64				
1139	Article 3(1), third subparagraph, point (b)	Article 3(1), third subparagraph, point (b)	Article 3(1), third subparagraph, point (b)	
Annex XVI, Table 4, Column 1, Row 65				
1140	Article 3(1), third subparagraph, point (c)	Article 3(1), third subparagraph, point (c)	Article 3(1), third subparagraph, point (c)	
Annex XVI, Table 4, Column 1, Row 66				
1141	Article 3(1), third subparagraph, point (d)	Article 3(1), third subparagraph, point (d)	Article 3(1), third subparagraph, point (d)	
Annex XVI, Table 4, Column 1, Row 67				
1142	Article 3(1), third subparagraph, point (e)	Article 3(1), third subparagraph, point (e)	Article 3(1), third subparagraph, point (e)	
Annex XVI, Table 4, Column 1, Row 68				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1143	Article 3(2) and (3)	Article 3(2) and (3)	Article 3(2) and (3)	
Annex XVI, Table 4, Column 1, Row 69				
1144	Article 3(4)	Article 3(4)	Article 3(4)	
Annex XVI, Table 4, Column 1, Row 70				
1145	Article 3(5) and (6)	Article 3(5) and (6)	Article 3(5) and (6)	
Annex XVI, Table 4, Column 1, Row 71				
1146	-	-	-	
Annex XVI, Table 4, Column 1, Row 72				
1147	-	-	-	
Annex XVI, Table 4, Column 1, Row 73				
1148	-	-	-	
Annex XVI, Table 4, Column 1, Row 74				
1149	Article 5(1), first subparagraph	Article 5(1), first subparagraph	Article 5(1), first subparagraph	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 75				
1150	Article 5(1), second subparagraph	Article 5(1), second subparagraph	Article 5(1), second subparagraph	
Annex XVI, Table 4, Column 1, Row 76				
1151	Article 5(1), third subparagraph	Article 5(1), third subparagraph	Article 5(1), third subparagraph	
Annex XVI, Table 4, Column 1, Row 77				
1152	Article 5(1), fourth and fifth subparagraph	Article 5(1), fourth and fifth subparagraph	Article 5(1), fourth and fifth subparagraph	
Annex XVI, Table 4, Column 1, Row 78				
1153	Article 5(2) and (3)	Article 5(2) and (3)	Article 5(2) and (3)	
Annex XVI, Table 4, Column 1, Row 79				
1154	Article 5(4)	Article 5(4)	Article 5(4)	
Annex XVI, Table 4, Column 1, Row 80				
1155	Article 5(5)	Article 5(5)	Article 5(5)	
Annex XVI, Table 4, Column 1, Row 81				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1156	Article 5(6) and (7)	Article 5(6) and (7)	Article 5(6) and (7)	
Annex XVI, Table 4, Column 1, Row 82				
1157	Article 6(1), first subparagraph	Article 6(1), first subparagraph	Article 6(1), first subparagraph	
Annex XVI, Table 4, Column 1, Row 83				
1158	Article 6(1), second subparagraph	Article 6(1), second subparagraph	Article 6(1), second subparagraph	
Annex XVI, Table 4, Column 1, Row 84				
1159	-	-	-	
Annex XVI, Table 4, Column 1, Row 85				
1160	Article 6(1), third subparagraph	Article 6(1), third subparagraph	Article 6(1), third subparagraph	
Annex XVI, Table 4, Column 1, Row 86				
1161	Article 6(2), (3) and (4)	Article 6(2), (3) and (4)	Article 6(2), (3) and (4)	
Annex XVI, Table 4, Column 1, Row 87				
1162	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 88				
1163	-	-	-	
Annex XVI, Table 4, Column 1, Row 89				
1164	Article 7(1), introductory wording, point (a) and (b)	Article 7(1), introductory wording, point (a) and (b)	Article 7(1), introductory wording, point (a) and (b)	
Annex XVI, Table 4, Column 1, Row 90				
1165	-	-	-	
Annex XVI, Table 4, Column 1, Row 91				
1166	Article 7(1), second subparagraph	Article 7(1), second subparagraph	Article 7(1), second subparagraph	
Annex XVI, Table 4, Column 1, Row 92				
1167	Article 7(1), third subparagraph	Article 7(1), third subparagraph	Article 7(1), third subparagraph	
Annex XVI, Table 4, Column 1, Row 93				
1168	Article 7(1), fourth subparagraph	Article 7(1), fourth subparagraph	Article 7(1), fourth subparagraph	
Annex XVI, Table 4, Column 1, Row 94				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1169	-	-	-	
Annex XVI, Table 4, Column 1, Row 95				
1170	Article 7(2)	Article 7(2)	Article 7(2)	
Annex XVI, Table 4, Column 1, Row 96				
1171	Article 7(3)	Article 7(3)	Article 7(3)	
Annex XVI, Table 4, Column 1, Row 97				
1172	Article 7(4)	Article 7(4)	Article 7(4)	
Annex XVI, Table 4, Column 1, Row 98				
1173	Article 7(5)	Article 7(5)	Article 7(5)	
Annex XVI, Table 4, Column 1, Row 99				
1174	Article 7(6)	Article 7(6)	Article 7(6)	
Annex XVI, Table 4, Column 1, Row 100				
1175	Article 7(7)	Article 7(7)	Article 7(7)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 101				
1176	Article 7(8)	Article 7(8)	Article 7(8)	
Annex XVI, Table 4, Column 1, Row 102				
1177	Article 7(9)	Article 7(9)	Article 7(9)	
Annex XVI, Table 4, Column 1, Row 103				
1178	Article 7(10)	Article 7(10)	Article 7(10)	
Annex XVI, Table 4, Column 1, Row 104				
1179	Article 7(11)	Article 7(11)	Article 7(11)	
Annex XVI, Table 4, Column 1, Row 105				
1180				
Annex XVI, Table 4, Column 1, Row 106				
1181	Article 7(12)	Article 7(12)	Article 7(12)	
Annex XVI, Table 4, Column 1, Row 107				
1182				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 7a (1), (2) and (3)	Article 7a (1), (2) and (3)	Article 7a (1), (2) and (3)	
Annex XVI, Table 4, Column 1, Row 108				
1183	-	-	-	
Annex XVI, Table 4, Column 1, Row 109				
1184	Article 7a (4) and (5)	Article 7a (4) and (5)	Article 7a (4) and (5)	
Annex XVI, Table 4, Column 1, Row 110				
1185	-	-	-	
Annex XVI, Table 4, Column 1, Row 111				
1186	Article 7a (6) and (7)	Article 7a (6) and (7)	Article 7a (6) and (7)	
Annex XVI, Table 4, Column 1, Row 112				
1187	Article 7b (1) and (2)	Article 7b (1) and (2)	Article 7b (1) and (2)	
Annex XVI, Table 4, Column 1, Row 113				
1188	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 114				
1189	-	-	-	
Annex XVI, Table 4, Column 1, Row 115				
1190	Article 8(1) and (2)	Article 8(1) and (2)	Article 8(1) and (2)	
Annex XVI, Table 4, Column 1, Row 116				
1191	Article 8(3) and (4)	Article 8(3) and (4)	Article 8(3) and (4)	
Annex XVI, Table 4, Column 1, Row 117				
1192	-	-	-	
Annex XVI, Table 4, Column 1, Row 118				
1193	Article 8(5)	Article 8(5)	Article 8(5)	
Annex XVI, Table 4, Column 1, Row 119				
1194	-	-	-	
Annex XVI, Table 4, Column 1, Row 120				
1195				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 8(6)	Article 8(6)	Article 8(6)	
Annex XVI, Table 4, Column 1, Row 121				
1196	Article 8(7)	Article 8(7)	Article 8(7)	
Annex XVI, Table 4, Column 1, Row 122				
1197	-	-	-	
Annex XVI, Table 4, Column 1, Row 123				
1198	Article 9	Article 9	Article 9	
Annex XVI, Table 4, Column 1, Row 124				
1199	Article 9a	Article 9a	Article 9a	
Annex XVI, Table 4, Column 1, Row 125				
1200	Article 9b	Article 9b	Article 9b	
Annex XVI, Table 4, Column 1, Row 126				
1201	Article 9c	Article 9c	Article 9c	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 127				
1202	Article 10	Article 10	Article 10	
Annex XVI, Table 4, Column 1, Row 128				
1203	Article 10a	Article 10a	Article 10a	
Annex XVI, Table 4, Column 1, Row 129				
1204	Article 11	Article 11	Article 11	
Annex XVI, Table 4, Column 1, Row 130				
1205	Article 11a	Article 11a	Article 11a	
Annex XVI, Table 4, Column 1, Row 131				
1206	-	-	-	
Annex XVI, Table 4, Column 1, Row 132				
1207	-	-	-	
Annex XVI, Table 4, Column 1, Row 133				
1208				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 12(1)	Article 12(1)	Article 12(1)	
Annex XVI, Table 4, Column 1, Row 134				
1209	Article 12(2), introductory wording and point (a), subpoints (i) to (v)	Article 12(2), introductory wording and point (a), subpoints (i) to (v)	Article 12(2), introductory wording and point (a), subpoints (i) to (v)	
Annex XVI, Table 4, Column 1, Row 135				
1210	Article 12(2), point (b)	Article 12(2), point (b)	Article 12(2), point (b)	
Annex XVI, Table 4, Column 1, Row 136				
1211	-	-	-	
Annex XVI, Table 4, Column 1, Row 137				
1212	Article 12(2), point (b), subpoints (i) and (ii)	Article 12(2), point (b), subpoints (i) and (ii)	Article 12(2), point (b), subpoints (i) and (ii)	
Annex XVI, Table 4, Column 1, Row 138				
1213	-	-	-	
Annex XVI, Table 4, Column 1, Row 139				
1214	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 140				
1215	-	-	-	
Annex XVI, Table 4, Column 1, Row 141				
1216	-	-	-	
Annex XVI, Table 4, Column 1, Row 142				
1217	Article 13	Article 13	Article 13	
Annex XVI, Table 4, Column 1, Row 143				
1218	Article 14(1) and (2)	Article 14(1) and (2)	Article 14(1) and (2)	
Annex XVI, Table 4, Column 1, Row 144				
1219	-	-	-	
Annex XVI, Table 4, Column 1, Row 145				
1220	Article 14(3)	Article 14(3)	Article 14(3)	
Annex XVI, Table 4, Column 1, Row 146				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1221	-	-	-	
Annex XVI, Table 4, Column 1, Row 147				
1222	Article 14(4)	Article 14(4)	Article 14(4)	
Annex XVI, Table 4, Column 1, Row 148				
1223	-	-	-	
Annex XVI, Table 4, Column 1, Row 149				
1224	-	-	-	
Annex XVI, Table 4, Column 1, Row 150				
1225	Article 14(5), introductory wording and point (a)	Article 14(5), introductory wording and point (a)	Article 14(5), introductory wording and point (a)	
Annex XVI, Table 4, Column 1, Row 151				
1226	Article 14(5), points (b), (c) and (d)	Article 14(5), points (b), (c) and (d)	Article 14(5), points (b), (c) and (d)	
Annex XVI, Table 4, Column 1, Row 152				
1227	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 153				
1228	Article 14(5), second and third subparagraphs	Article 14(5), second and third subparagraphs	Article 14(5), second and third subparagraphs	
Annex XVI, Table 4, Column 1, Row 154				
1229	Article 14(6), point (a)	Article 14(6), point (a)	Article 14(6), point (a)	
Annex XVI, Table 4, Column 1, Row 155				
1230	Article 14(6), point (b)	Article 14(6), point (b)	Article 14(6), point (b)	
Annex XVI, Table 4, Column 1, Row 156				
1231	Article 14(6), point (c)	Article 14(6), point (c)	Article 14(6), point (c)	
Annex XVI, Table 4, Column 1, Row 157				
1232	-	-	-	
Annex XVI, Table 4, Column 1, Row 158				
1233	Article 14(6), second and third subparagraphs	Article 14(6), second and third subparagraphs	Article 14(6), second and third subparagraphs	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 159				
1234	Article 14(7), (8) and (9)	Article 14(7), (8) and (9)	Article 14(7), (8) and (9)	
Annex XVI, Table 4, Column 1, Row 160				
1235	-	-	-	
Annex XVI, Table 4, Column 1, Row 161				
1236	Article 14(10) and (11)	Article 14(10) and (11)	Article 14(10) and (11)	
Annex XVI, Table 4, Column 1, Row 162				
1237	Article 15(1), first subparagraph	Article 15(1), first subparagraph	Article 15(1), first subparagraph	
Annex XVI, Table 4, Column 1, Row 163				
1238	Article 15(1), second and third subparagraphs	Article 15(1), second and third subparagraphs	Article 15(1), second and third subparagraphs	
Annex XVI, Table 4, Column 1, Row 164				
1239	-	-	-	
Annex XVI, Table 4, Column 1, Row 165				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1240	Article 15(1), fourth subparagraph	Article 15(1), fourth subparagraph	Article 15(1), fourth subparagraph	
Annex XVI, Table 4, Column 1, Row 166				
1241	Article 15(2) and (2a)	Article 15(2) and (2a)	Article 15(2) and (2a)	
Annex XVI, Table 4, Column 1, Row 167				
1242	Article 15(3), (4) and (5), first subparagraph	Article 15(3), (4) and (5), first subparagraph	Article 15(3), (4) and (5), first subparagraph	
Annex XVI, Table 4, Column 1, Row 168				
1243	Article 15(5), second suparagraph	Article 15(5), second suparagraph	Article 15(5), second suparagraph	
Annex XVI, Table 4, Column 1, Row 169				
1244	Article 15(6), first subparagraph	Article 15(6), first subparagraph	Article 15(6), first subparagraph	
Annex XVI, Table 4, Column 1, Row 170				
1245	Article 15(6), second subparagraph	Article 15(6), second subparagraph	Article 15(6), second subparagraph	
Annex XVI, Table 4, Column 1, Row 171				
1246	Article 15(7)	Article 15(7)	Article 15(7)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 172				
1247	Article 15(9), first subparagraph	Article 15(9), first subparagraph	Article 15(9), first subparagraph	
Annex XVI, Table 4, Column 1, Row 173				
1248	Article 15(9), second subparagraph	Article 15(9), second subparagraph	Article 15(9), second subparagraph	
Annex XVI, Table 4, Column 1, Row 174				
1249	Article 16(1) and (2)	Article 16(1) and (2)	Article 16(1) and (2)	
Annex XVI, Table 4, Column 1, Row 175				
1250	-	-	-	
Annex XVI, Table 4, Column 1, Row 176				
1251	Article 16(3)	Article 16(3)	Article 16(3)	
Annex XVI, Table 4, Column 1, Row 177				
1252	-	-	-	
Annex XVI, Table 4, Column 1, Row 178				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1253	Article 17(1), first subparagraph	Article 17(1), first subparagraph	Article 17(1), first subparagraph	
Annex XVI, Table 4, Column 1, Row 179				
1254	Article 17(1), second subparagraph	Article 17(1), second subparagraph	Article 17(1), second subparagraph	
Annex XVI, Table 4, Column 1, Row 180				
1255	Article 17(2)	Article 17(2)	Article 17(2)	
Annex XVI, Table 4, Column 1, Row 181				
1256	Article 17(3)	Article 17(3)	Article 17(3)	
Annex XVI, Table 4, Column 1, Row 182				
1257	Article 17(4)	Article 17(4)	Article 17(4)	
Annex XVI, Table 4, Column 1, Row 183				
1258	Article 17(5)	Article 17(5)	Article 17(5)	
Annex XVI, Table 4, Column 1, Row 184				
1259	Article 18(1), introductory wording	Article 18(1), introductory wording	Article 18(1), introductory wording	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 185				
1260	Article 18(1), point (a), subpoints (i) and (ii)	Article 18(1), point (a), subpoints (i) and (ii)	Article 18(1), point (a), subpoints (i) and (ii)	
Annex XVI, Table 4, Column 1, Row 186				
1261	-	-	-	
Annex XVI, Table 4, Column 1, Row 187				
1262	Article 18(1), point (b)	Article 18(1), point (b)	Article 18(1), point (b)	
Annex XVI, Table 4, Column 1, Row 188				
1263	Article 18(1), point (c)	Article 18(1), point (c)	Article 18(1), point (c)	
Annex XVI, Table 4, Column 1, Row 189				
1264	-	-	-	
Annex XVI, Table 4, Column 1, Row 190				
1265	Article 18(1), point (d), subpoints (i) and (ii)	Article 18(1), point (d), subpoints (i) and (ii)	Article 18(1), point (d), subpoints (i) and (ii)	
Annex XVI, Table 4, Column 1, Row 191				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1266	-	-	-	
Annex XVI, Table 4, Column 1, Row 192				
1267	Article 18(2), points (a) and (b)	Article 18(2), points (a) and (b)	Article 18(2), points (a) and (b)	
Annex XVI, Table 4, Column 1, Row 193				
1268	Article 18(2), point (c) and (d)	Article 18(2), point (c) and (d)	Article 18(2), point (c) and (d)	
Annex XVI, Table 4, Column 1, Row 194				
1269	-	-	-	
Annex XVI, Table 4, Column 1, Row 195				
1270	-	-	-	
Annex XVI, Table 4, Column 1, Row 196				
1271	Article 18(3)	Article 18(3)	Article 18(3)	
Annex XVI, Table 4, Column 1, Row 197				
1272	Article 19(1), point (a)	Article 19(1), point (a)	Article 19(1), point (a)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 198				
1273	Article 19(1), point (b)	Article 19(1), point (b)	Article 19(1), point (b)	
Annex XVI, Table 4, Column 1, Row 199				
1274	Article 19(1), second subparagraph	Article 19(1), second subparagraph	Article 19(1), second subparagraph	
Annex XVI, Table 4, Column 1, Row 200				
1275	Article 19(2)	Article 19(2)	Article 19(2)	
Annex XVI, Table 4, Column 1, Row 201				
1276	Article 20(1) and (2)	Article 20(1) and (2)	Article 20(1) and (2)	
Annex XVI, Table 4, Column 1, Row 202				
1277	-	-	-	
Annex XVI, Table 4, Column 1, Row 203				
1278	Article 20(3), (3a), (3b) and (3c)	Article 20(3), (3a), (3b) and (3c)	Article 20(3), (3a), (3b) and (3c)	
Annex XVI, Table 4, Column 1, Row 204				
1279				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 20(3d)	Article 20(3d)	Article 20(3d)	
Annex XVI, Table 4, Column 1, Row 205				
1280	-	-	-	
Annex XVI, Table 4, Column 1, Row 206				
1281	Article 20(4), (5), (6) and (7)	Article 20(4), (5), (6) and (7)	Article 20(4), (5), (6) and (7)	
Annex XVI, Table 4, Column 1, Row 207				
1282	Article 21	Article 21	Article 21	
Annex XVI, Table 4, Column 1, Row 208				
1283	-	-	-	
Annex XVI, Table 4, Column 1, Row 209				
1284	Article 22(1) and (2)	Article 22(1) and (2)	Article 22(1) and (2)	
Annex XVI, Table 4, Column 1, Row 210				
1285	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 211				
1286	Article 23	Article 23	Article 23	
Annex XVI, Table 4, Column 1, Row 212				
1287	Article 24(4a), (5) and (6)	Article 24(4a), (5) and (6)	Article 24(4a), (5) and (6)	
Annex XVI, Table 4, Column 1, Row 213				
1288	Article 24(7), (8), (9), (10), (12)	Article 24(7), (8), (9), (10), (12)	Article 24(7), (8), (9), (10), (12)	
Annex XVI, Table 4, Column 1, Row 214				
1289	Article 24(13) and (14)	Article 24(13) and (14)	Article 24(13) and (14)	
Annex XVI, Table 4, Column 1, Row 215				
1290	Article 24(15), introductory wording	Article 24(15), introductory wording	Article 24(15), introductory wording	
Annex XVI, Table 4, Column 1, Row 216				
1291	Article 24(15), point (a)	Article 24(15), point (a)	Article 24(15), point (a)	
Annex XVI, Table 4, Column 1, Row 217				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1292	Article 24(15), point (b)	Article 24(15), point (b)	Article 24(15), point (b)	
Annex XVI, Table 4, Column 1, Row 218				
1293				
Annex XVI, Table 4, Column 1, Row 219				
1294	Article 24(15), second subparagraph	Article 24(15), second subparagraph	Article 24(15), second subparagraph	
Annex XVI, Table 4, Column 1, Row 220				
1295	Article 25	Article 25	Article 25	
Annex XVI, Table 4, Column 1, Row 221				
1296	Article 26	Article 26	Article 26	
Annex XVI, Table 4, Column 1, Row 222				
1297	Article 27, first subparagraph	Article 27, first subparagraph	Article 27, first subparagraph	
Annex XVI, Table 4, Column 1, Row 223				
1298	Article 27, second subparagraph	Article 27, second subparagraph	Article 27, second subparagraph	

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Annex XVI, Table 4, Column 1, Row 224				
1299	Article 27, third subparagraph	Article 27, third subparagraph	Article 27, third subparagraph	
Annex XVI, Table 4, Column 1, Row 225				
1300	Article 27(2) and (3)	Article 27(2) and (3)	Article 27(2) and (3)	
Annex XVI, Table 4, Column 1, Row 226				
1301	Article 28(1), first subparagraph	Article 28(1), first subparagraph	Article 28(1), first subparagraph	
Annex XVI, Table 4, Column 1, Row 227				
1302	Article 28(1), second subparagraph	Article 28(1), second subparagraph	Article 28(1), second subparagraph	
Annex XVI, Table 4, Column 1, Row 228				
1303	Article 28(1), third and fourth subparagraphs	Article 28(1), third and fourth subparagraphs	Article 28(1), third and fourth subparagraphs	
Annex XVI, Table 4, Column 1, Row 229				
1304	Article 28(2)	Article 28(2)	Article 28(2)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 230				
1305	Article 29	Article 29	Article 29	
Annex XVI, Table 4, Column 1, Row 231				
1306	Article 30	Article 30	Article 30	
Annex XVI, Table 4, Column 1, Row 232				
1307	-	-	-	
Annex XVI, Table 4, Column 1, Row 233				
1308	Annex I	Annex I	Annex I	
Annex XVI, Table 4, Column 1, Row 234				
1309	Annex II	Annex II	Annex II	
Annex XVI, Table 4, Column 1, Row 235				
1310	Annex III	Annex III	Annex III	
Annex XVI, Table 4, Column 1, Row 236				
1311				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Annex IV	Annex IV	Annex IV	
Annex XVI, Table 4, Column 1, Row 237				
1312	Annex V	Annex V	Annex V	
Annex XVI, Table 4, Column 1, Row 238				
1313	Annex VI	Annex VI	Annex VI	
Annex XVI, Table 4, Column 1, Row 239				
1314	Annex VII	Annex VII	Annex VII	
Annex XVI, Table 4, Column 1, Row 240				
1315	Annex VIIa	Annex VIIa	Annex VIIa	
Annex XVI, Table 4, Column 1, Row 241				
1316	Annex VIII	Annex VIII	Annex VIII	
Annex XVI, Table 4, Column 1, Row 242				
1317	Annex IX	Annex IX	Annex IX	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 1, Row 243				
1318	Annex X	Annex X	Annex X	
Annex XVI, Table 4, Column 1, Row 244				
1319	Annex XI	Annex XI	Annex XI	
Annex XVI, Table 4, Column 1, Row 245				
1320	Annex XII	Annex XII	Annex XII	
Annex XVI, Table 4, Column 1, Row 246				
1321	Annex XIII	Annex XIII	Annex XIII	
Annex XVI, Table 4, Column 1, Row 247				
1322	Annex XV	Annex XV	Annex XV	
Annex XVI, Table 4, Column 1, Row 248				
1323	-	-	-	
Annex XVI, Table 4, Column 1, Row 249				
1324				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	-	-	-	
Annex XVI, Table 4, Column 2, Row 1				
1325	This Directive	This Directive	This Directive	
Annex XVI, Table 4, Column 2, Row 2				
1326	Article 1	Article 1	Article 1	
Annex XVI, Table 4, Column 2, Row 3				
1327	Article 2, introductory wording	Article 2, introductory wording	Article 2, introductory wording	
Annex XVI, Table 4, Column 2, Row 4				
1328	Article 2, point 1	Article 2, point 1	Article 2, point 1	
Annex XVI, Table 4, Column 2, Row 5				
1329	Article 2, points 2 and 3	Article 2, points 2 and 3	Article 2, points 2 and 3	
Annex XVI, Table 4, Column 2, Row 6				
1330	Article 2, point 4	Article 2, point 4	Article 2, point 4	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 7				
1331	Article 2, point 5	Article 2, point 5	Article 2, point 5	
Annex XVI, Table 4, Column 2, Row 8				
1332	Article 2, point 6	Article 2, point 6	Article 2, point 6	
Annex XVI, Table 4, Column 2, Row 9				
1333	Article 2, point 7	Article 2, point 7	Article 2, point 7	
Annex XVI, Table 4, Column 2, Row 10				
1334	Article 2, point 8	Article 2, point 8	Article 2, point 8	
Annex XVI, Table 4, Column 2, Row 11				
1335	Article 2, point 9	Article 2, point 9	Article 2, point 9	
Annex XVI, Table 4, Column 2, Row 12				
1336	Article 2, point 10	Article 2, point 10	Article 2, point 10	
Annex XVI, Table 4, Column 2, Row 13				
1337				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	-	-	-	
Annex XVI, Table 4, Column 2, Row 14				
1338	Article 2, point 11	Article 2, point 11	Article 2, point 11	
Annex XVI, Table 4, Column 2, Row 15				
1339	Article 2, points 12 and 13	Article 2, points 12 and 13	Article 2, points 12 and 13	
Annex XVI, Table 4, Column 2, Row 16				
1340	Article 2, point 14	Article 2, point 14	Article 2, point 14	
Annex XVI, Table 4, Column 2, Row 17				
1341	Article 2, point 15	Article 2, point 15	Article 2, point 15	
Annex XVI, Table 4, Column 2, Row 18				
1342	Article 2, point 16	Article 2, point 16	Article 2, point 16	
Annex XVI, Table 4, Column 2, Row 19				
1343	Article 2, point 17	Article 2, point 17	Article 2, point 17	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 20				
1344	Article 2, point 18	Article 2, point 18	Article 2, point 18	
Annex XVI, Table 4, Column 2, Row 21				
1345	Article 2, point 19	Article 2, point 19	Article 2, point 19	
Annex XVI, Table 4, Column 2, Row 22				
1346	Article 2, point 20	Article 2, point 20	Article 2, point 20	
Annex XVI, Table 4, Column 2, Row 23				
1347	Article 2, point 21	Article 2, point 21	Article 2, point 21	
Annex XVI, Table 4, Column 2, Row 24				
1348	Article 2, point 22	Article 2, point 22	Article 2, point 22	
Annex XVI, Table 4, Column 2, Row 25				
1349	Article 2, point 23	Article 2, point 23	Article 2, point 23	
Annex XVI, Table 4, Column 2, Row 26				
1350				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 2, point 24	Article 2, point 24	Article 2, point 24	
Annex XVI, Table 4, Column 2, Row 27				
1351	Article 2, point 25	Article 2, point 25	Article 2, point 25	
Annex XVI, Table 4, Column 2, Row 28				
1352	Article 2, point 26	Article 2, point 26	Article 2, point 26	
Annex XVI, Table 4, Column 2, Row 29				
1353	Article 2, point 27	Article 2, point 27	Article 2, point 27	
Annex XVI, Table 4, Column 2, Row 30				
1354	Article 2, point 28	Article 2, point 28	Article 2, point 28	
Annex XVI, Table 4, Column 2, Row 31				
1355	-	-	-	
Annex XVI, Table 4, Column 2, Row 32				
1356	Article 2, point 29	Article 2, point 29	Article 2, point 29	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 33				
1357	Article 2, point 30	Article 2, point 30	Article 2, point 30	
Annex XVI, Table 4, Column 2, Row 34				
1358	Article 2, point 31	Article 2, point 31	Article 2, point 31	
Annex XVI, Table 4, Column 2, Row 35				
1359	Article 2, point 32	Article 2, point 32	Article 2, point 32	
Annex XVI, Table 4, Column 2, Row 36				
1360	Article 2, point 33	Article 2, point 33	Article 2, point 33	
Annex XVI, Table 4, Column 2, Row 37				
1361	Article 2, point 34	Article 2, point 34	Article 2, point 34	
Annex XVI, Table 4, Column 2, Row 38				
1362	Article 2, point 35	Article 2, point 35	Article 2, point 35	
Annex XVI, Table 4, Column 2, Row 39				
1363				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 2, point 36	Article 2, point 36	Article 2, point 36	
Annex XVI, Table 4, Column 2, Row 40				
1364	Article 2, point 37	Article 2, point 37	Article 2, point 37	
Annex XVI, Table 4, Column 2, Row 41				
1365	Article 2, point 38	Article 2, point 38	Article 2, point 38	
Annex XVI, Table 4, Column 2, Row 42				
1366	Article 2, point 39	Article 2, point 39	Article 2, point 39	
Annex XVI, Table 4, Column 2, Row 43				
1367	Article 2, point 40	Article 2, point 40	Article 2, point 40	
Annex XVI, Table 4, Column 2, Row 44				
1368	Article 2, point 41	Article 2, point 41	Article 2, point 41	
Annex XVI, Table 4, Column 2, Row 45				
1369	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 46				
1370	Article 2, point 42	Article 2, point 42	Article 2, point 42	
Annex XVI, Table 4, Column 2, Row 47				
1371	Article 2, point 43	Article 2, point 43	Article 2, point 43	
Annex XVI, Table 4, Column 2, Row 48				
1372	Article 2, point 44	Article 2, point 44	Article 2, point 44	
Annex XVI, Table 4, Column 2, Row 49				
1373	Article 2, point 45	Article 2, point 45	Article 2, point 45	
Annex XVI, Table 4, Column 2, Row 50				
1374	Article 2, points 46 and 47	Article 2, points 46 and 47	Article 2, points 46 and 47	
Annex XVI, Table 4, Column 2, Row 51				
1375	Article 2, points 48, 49 and 50	Article 2, points 48, 49 and 50	Article 2, points 48, 49 and 50	
Annex XVI, Table 4, Column 2, Row 52				
1376				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 3	Article 3	Article 3	
Annex XVI, Table 4, Column 2, Row 53				
1377	Article 4(1)	Article 4(1)	Article 4(1)	
Annex XVI, Table 4, Column 2, Row 54				
1378	Article 4(2), first subparagraph	Article 4(2), first subparagraph	Article 4(2), first subparagraph	
Annex XVI, Table 4, Column 2, Row 55				
1379	Article 4(2), second subparagraph, introductory wording	Article 4(2), second subparagraph, introductory wording	Article 4(2), second subparagraph, introductory wording	
Annex XVI, Table 4, Column 2, Row 56				
1380	Article 4(2), second subparagraph, points (a) and (b)	Article 4(2), second subparagraph, points (a) and (b)	Article 4(2), second subparagraph, points (a) and (b)	
Annex XVI, Table 4, Column 2, Row 57				
1381	-	-	-	
Annex XVI, Table 4, Column 2, Row 58				
1382	Article 4(2), second subparagraph,	Article 4(2), second subparagraph,	Article 4(2), second subparagraph,	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	point (c)	point (c)	point (c)	
Annex XVI, Table 4, Column 2, Row 59				
1383	-	-	-	
Annex XVI, Table 4, Column 2, Row 60				
1384	Article 4(2), second subparagraph, point (d), introductory wording	Article 4(2), second subparagraph, point (d), introductory wording	Article 4(2), second subparagraph, point (d), introductory wording	
Annex XVI, Table 4, Column 2, Row 61				
1385	Article 4(2), second subparagraph, points (d)(i), (ii) and (iii)	Article 4(2), second subparagraph, points (d)(i), (ii) and (iii)	Article 4(2), second subparagraph, points (d)(i), (ii) and (iii)	
Annex XVI, Table 4, Column 2, Row 62				
1386	Article 4(2), second subparagraph, point (d)(iv)	Article 4(2), second subparagraph, point (d)(iv)	Article 4(2), second subparagraph, point (d)(iv)	
Annex XVI, Table 4, Column 2, Row 63				
1387	Article 4(2), second subparagraph, point (e), introductory wording	Article 4(2), second subparagraph, point (e), introductory wording	Article 4(2), second subparagraph, point (e), introductory wording	
Annex XVI, Table 4, Column 2, Row 64				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1388	Article 4(2), second subparagraph, point (e)(i)	Article 4(2), second subparagraph, point (e)(i)	Article 4(2), second subparagraph, point (e)(i)	
Annex XVI, Table 4, Column 2, Row 65				
1389	Article 4(2), second subparagraph, point (e)(ii)	Article 4(2), second subparagraph, point (e)(ii)	Article 4(2), second subparagraph, point (e)(ii)	
Annex XVI, Table 4, Column 2, Row 66				
1390	Article 4(2), second subparagraph, point (e)(iii)	Article 4(2), second subparagraph, point (e)(iii)	Article 4(2), second subparagraph, point (e)(iii)	
Annex XVI, Table 4, Column 2, Row 67				
1391	-	-	-	
Annex XVI, Table 4, Column 2, Row 68				
1392	-	-	-	
Annex XVI, Table 4, Column 2, Row 69				
1393	Article 33(6)	Article 33(6)	Article 33(6)	
Annex XVI, Table 4, Column 2, Row 70				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1394	-	-	-	
Annex XVI, Table 4, Column 2, Row 71				
1395	Article 4(3)	Article 4(3)	Article 4(3)	
Annex XVI, Table 4, Column 2, Row 72				
1396	Article 4(4)	Article 4(4)	Article 4(4)	
Annex XVI, Table 4, Column 2, Row 73				
1397	Article 5	Article 5	Article 5	
Annex XVI, Table 4, Column 2, Row 74				
1398	Article 6(1), first subparagraph	Article 6(1), first subparagraph	Article 6(1), first subparagraph	
Annex XVI, Table 4, Column 2, Row 75				
1399	-	-	-	
Annex XVI, Table 4, Column 2, Row 76				
1400	Article 6(1), second subparagraph	Article 6(1), second subparagraph	Article 6(1), second subparagraph	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 77				
1401	-	-	-	
Annex XVI, Table 4, Column 2, Row 78				
1402	-	-	-	
Annex XVI, Table 4, Column 2, Row 79				
1403	Article 6(2)	Article 6(2)	Article 6(2)	
Annex XVI, Table 4, Column 2, Row 80				
1404	Article 6(3)	Article 6(3)	Article 6(3)	
Annex XVI, Table 4, Column 2, Row 81				
1405	-	-	-	
Annex XVI, Table 4, Column 2, Row 82				
1406	Article 7(1), first subparagraph	Article 7(1), first subparagraph	Article 7(1), first subparagraph	
Annex XVI, Table 4, Column 2, Row 83				
1407				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
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Annex XVI, Table 4, Column 2, Row 84				
1408	Article 7(1), second subparagraph	Article 7(1), second subparagraph	Article 7(1), second subparagraph	
Annex XVI, Table 4, Column 2, Row 85				
1409	-	-	-	
Annex XVI, Table 4, Column 2, Row 86				
1410	Article 7(2), (3) and (4)	Article 7(2), (3) and (4)	Article 7(2), (3) and (4)	
Annex XVI, Table 4, Column 2, Row 87				
1411	Article 7(5) and (6)	Article 7(5) and (6)	Article 7(5) and (6)	
Annex XVI, Table 4, Column 2, Row 88				
1412	Article 7(7), second subparagraph	Article 7(7), second subparagraph	Article 7(7), second subparagraph	
Annex XVI, Table 4, Column 2, Row 89				
1413	Article 8(1), introductory wording, point (a) and (b)	Article 8(1), introductory wording, point (a) and (b)	Article 8(1), introductory wording, point (a) and (b)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 90				
1414	Article 8(1), point (c)	Article 8(1), point (c)	Article 8(1), point (c)	
Annex XVI, Table 4, Column 2, Row 91				
1415	Article 8(5)	Article 8(5)	Article 8(5)	
Annex XVI, Table 4, Column 2, Row 92				
1416	Article 8(1), second subparagraph	Article 8(1), second subparagraph	Article 8(1), second subparagraph	
Annex XVI, Table 4, Column 2, Row 93				
1417	Article 8(1), third subparagraph	Article 8(1), third subparagraph	Article 8(1), third subparagraph	
Annex XVI, Table 4, Column 2, Row 94				
1418	Article 8(2), (3) and (4)	Article 8(2), (3) and (4)	Article 8(2), (3) and (4)	
Annex XVI, Table 4, Column 2, Row 95				
1419	Article 8(6)	Article 8(6)	Article 8(6)	
Annex XVI, Table 4, Column 2, Row 96				
1420				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 8(7)	Article 8(7)	Article 8(7)	
Annex XVI, Table 4, Column 2, Row 97				
1421	Article 8(8)	Article 8(8)	Article 8(8)	
Annex XVI, Table 4, Column 2, Row 98				
1422	Article 8(9)	Article 8(9)	Article 8(9)	
Annex XVI, Table 4, Column 2, Row 99				
1423	Article 8(10)	Article 8(10)	Article 8(10)	
Annex XVI, Table 4, Column 2, Row 100				
1424	-	-	-	
Annex XVI, Table 4, Column 2, Row 101				
1425	-	-	-	
Annex XVI, Table 4, Column 2, Row 102				
1426	-	-	-	

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Annex XVI, Table 4, Column 2, Row 103				
1427	-	-	-	
Annex XVI, Table 4, Column 2, Row 104				
1428	-	-	-	
Annex XVI, Table 4, Column 2, Row 105				
1429	Article 8(11), (12) and (13)	Article 8(11), (12) and (13)	Article 8(11), (12) and (13)	
Annex XVI, Table 4, Column 2, Row 106				
1430	Article 8(14)	Article 8(14)	Article 8(14)	
Annex XVI, Table 4, Column 2, Row 107				
1431	Article 9(1), (2) and (3)	Article 9(1), (2) and (3)	Article 9(1), (2) and (3)	
Annex XVI, Table 4, Column 2, Row 108				
1432	Article 9(4), (5) and (6)	Article 9(4), (5) and (6)	Article 9(4), (5) and (6)	
Annex XVI, Table 4, Column 2, Row 109				
1433				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 9(7) and (8)	Article 9(7) and (8)	Article 9(7) and (8)	
Annex XVI, Table 4, Column 2, Row 110				
1434	Article 9(9)	Article 9(9)	Article 9(9)	
Annex XVI, Table 4, Column 2, Row 111				
1435	Article 9(10) and (11)	Article 9(10) and (11)	Article 9(10) and (11)	
Annex XVI, Table 4, Column 2, Row 112				
1436	Article 10(1) and (2)	Article 10(1) and (2)	Article 10(1) and (2)	
Annex XVI, Table 4, Column 2, Row 113				
1437	Article 10(3) and (4)	Article 10(3) and (4)	Article 10(3) and (4)	
Annex XVI, Table 4, Column 2, Row 114				
1438	Article 11(1) and (2)	Article 11(1) and (2)	Article 11(1) and (2)	
Annex XVI, Table 4, Column 2, Row 115				
1439	Article 11(3) and (4)	Article 11(3) and (4)	Article 11(3) and (4)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 116				
1440	-	-	-	
Annex XVI, Table 4, Column 2, Row 117				
1441	Article 11(5)	Article 11(5)	Article 11(5)	
Annex XVI, Table 4, Column 2, Row 118				
1442	Article 11(6)	Article 11(6)	Article 11(6)	
Annex XVI, Table 4, Column 2, Row 119				
1443	Article 11(7)	Article 11(7)	Article 11(7)	
Annex XVI, Table 4, Column 2, Row 120				
1444	Artice 11(8)	Artice 11(8)	Artice 11(8)	
Annex XVI, Table 4, Column 2, Row 121				
1445	Article 11(9)	Article 11(9)	Article 11(9)	
Annex XVI, Table 4, Column 2, Row 122				
1446				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 11(10)	Article 11(10)	Article 11(10)	
Annex XVI, Table 4, Column 2, Row 123				
1447	Article 12	Article 12	Article 12	
Annex XVI, Table 4, Column 2, Row 124				
1448	Article 13	Article 13	Article 13	
Annex XVI, Table 4, Column 2, Row 125				
1449	Article 14	Article 14	Article 14	
Annex XVI, Table 4, Column 2, Row 126				
1450	Article 15	Article 15	Article 15	
Annex XVI, Table 4, Column 2, Row 127				
1451	Article 16	Article 16	Article 16	
Annex XVI, Table 4, Column 2, Row 128				
1452	Article 17	Article 17	Article 17	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 129				
1453	Article 18	Article 18	Article 18	
Annex XVI, Table 4, Column 2, Row 130				
1454	Article 19	Article 19	Article 19	
Annex XVI, Table 4, Column 2, Row 131				
1455	Article 20	Article 20	Article 20	
Annex XVI, Table 4, Column 2, Row 132				
1456	Article 21(1)	Article 21(1)	Article 21(1)	
Annex XVI, Table 4, Column 2, Row 133				
1457	Article 21(2)	Article 21(2)	Article 21(2)	
Annex XVI, Table 4, Column 2, Row 134				
1458	Article 21(2), second subparagraph, subpoints (i) to (v) Article 21(2), second subparagraph, subpoint (vi)	Article 21(2), second subparagraph, subpoints (i) to (v) Article 21(2), second subparagraph, subpoint (vi)	Article 21(2), second subparagraph, subpoints (i) to (v) Article 21(2), second subparagraph, subpoint (vi)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 135				
1459	Article 21(2), third subparagraph	Article 21(2), third subparagraph	Article 21(2), third subparagraph	
Annex XVI, Table 4, Column 2, Row 136				
1460	Article 21(2), third subparagraph, point (i)	Article 21(2), third subparagraph, point (i)	Article 21(2), third subparagraph, point (i)	
Annex XVI, Table 4, Column 2, Row 137				
1461	Article 21(2), third subparagraph, points (ii) and (iii)	Article 21(2), third subparagraph, points (ii) and (iii)	Article 21(2), third subparagraph, points (ii) and (iii)	
Annex XVI, Table 4, Column 2, Row 138				
1462	Article 21(2), third subparagraph, point (iv)	Article 21(2), third subparagraph, point (iv)	Article 21(2), third subparagraph, point (iv)	
Annex XVI, Table 4, Column 2, Row 139				
1463	Article 21(4)	Article 21(4)	Article 21(4)	
Annex XVI, Table 4, Column 2, Row 140				
1464	Article 21(5), third and fourth	Article 21(5), third and fourth	Article 21(5), third and fourth	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	subparagraphs	subparagraphs	subparagraphs	
Annex XVI, Table 4, Column 2, Row 141				
1465	Article 22	Article 22	Article 22	
Annex XVI, Table 4, Column 2, Row 142				
1466	Article 30	Article 30	Article 30	
Annex XVI, Table 4, Column 2, Row 143				
1467	-	-	-	
Annex XVI, Table 4, Column 2, Row 144				
1468	Article 23(1) and (2)	Article 23(1) and (2)	Article 23(1) and (2)	
Annex XVI, Table 4, Column 2, Row 145				
1469	Article 23(3), first subparagraph	Article 23(3), first subparagraph	Article 23(3), first subparagraph	
Annex XVI, Table 4, Column 2, Row 146				
1470	Article 23(3), second subparagraph	Article 23(3), second subparagraph	Article 23(3), second subparagraph	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 147				
1471	Article 23(4)	Article 23(4)	Article 23(4)	
Annex XVI, Table 4, Column 2, Row 148				
1472	Article 23(5) and (6)	Article 23(5) and (6)	Article 23(5) and (6)	
Annex XVI, Table 4, Column 2, Row 149				
1473	Article 24(1), (2) and (3)	Article 24(1), (2) and (3)	Article 24(1), (2) and (3)	
Annex XVI, Table 4, Column 2, Row 150				
1474	Article 24(4), introductory wording and point (a)	Article 24(4), introductory wording and point (a)	Article 24(4), introductory wording and point (a)	
Annex XVI, Table 4, Column 2, Row 151				
1475	-	-	-	
Annex XVI, Table 4, Column 2, Row 152				
1476	Article 24(4), points (b), (c) and (d) and second subparagraph	Article 24(4), points (b), (c) and (d) and second subparagraph	Article 24(4), points (b), (c) and (d) and second subparagraph	
Annex XVI, Table 4, Column 2, Row 153				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1477	Article 24(4), third and fourth subparagraphs	Article 24(4), third and fourth subparagraphs	Article 24(4), third and fourth subparagraphs	
Annex XVI, Table 4, Column 2, Row 154				
1478	Article 24(5), point (a)	Article 24(5), point (a)	Article 24(5), point (a)	
Annex XVI, Table 4, Column 2, Row 155				
1479	-	-	-	
Annex XVI, Table 4, Column 2, Row 156				
1480	Article 24(5), point (b)	Article 24(5), point (b)	Article 24(5), point (b)	
Annex XVI, Table 4, Column 2, Row 157				
1481	Article 24(5), point (c)	Article 24(5), point (c)	Article 24(5), point (c)	
Annex XVI, Table 4, Column 2, Row 158				
1482	Article 24(5), second and third subparagraphs	Article 24(5), second and third subparagraphs	Article 24(5), second and third subparagraphs	
Annex XVI, Table 4, Column 2, Row 159				
1483				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 24(6), (7) and (8)	Article 24(6), (7) and (8)	Article 24(6), (7) and (8)	
Annex XVI, Table 4, Column 2, Row 160				
1484	Article 24(9)	Article 24(9)	Article 24(9)	
Annex XVI, Table 4, Column 2, Row 161				
1485	Article 24(10) and (11)	Article 24(10) and (11)	Article 24(10) and (11)	
Annex XVI, Table 4, Column 2, Row 162				
1486	Article 25(1)	Article 25(1)	Article 25(1)	
Annex XVI, Table 4, Column 2, Row 163				
1487	-	-	-	
Annex XVI, Table 4, Column 2, Row 164				
1488	Article 25(2), (3) and (4)	Article 25(2), (3) and (4)	Article 25(2), (3) and (4)	
Annex XVI, Table 4, Column 2, Row 165				
1489	Article 25(5)	Article 25(5)	Article 25(5)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 166				
1490	-	-	-	
Annex XVI, Table 4, Column 2, Row 167				
1491	Article 25(6), (7) and (8)	Article 25(6), (7) and (8)	Article 25(6), (7) and (8)	
Annex XVI, Table 4, Column 2, Row 168				
1492	-	-	-	
Annex XVI, Table 4, Column 2, Row 169				
1493	-	-	-	
Annex XVI, Table 4, Column 2, Row 170				
1494	Article 25(9)	Article 25(9)	Article 25(9)	
Annex XVI, Table 4, Column 2, Row 171				
1495	Article 25(10)	Article 25(10)	Article 25(10)	
Annex XVI, Table 4, Column 2, Row 172				
1496				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 25(11)	Article 25(11)	Article 25(11)	
Annex XVI, Table 4, Column 2, Row 173				
1497	-	-	-	
Annex XVI, Table 4, Column 2, Row 174				
1498	-	-	-	
Annex XVI, Table 4, Column 2, Row 175				
1499	Article 26(1) and (2)	Article 26(1) and (2)	Article 26(1) and (2)	
Annex XVI, Table 4, Column 2, Row 176				
1500	Article 26(3)	Article 26(3)	Article 26(3)	
Annex XVI, Table 4, Column 2, Row 177				
1501	Article 26(4)	Article 26(4)	Article 26(4)	
Annex XVI, Table 4, Column 2, Row 178				
1502	-	-	-	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 179				
1503	Article 28(3)	Article 28(3)	Article 28(3)	
Annex XVI, Table 4, Column 2, Row 180				
1504	Article 21(3)	Article 21(3)	Article 21(3)	
Annex XVI, Table 4, Column 2, Row 181				
1505	-	-	-	
Annex XVI, Table 4, Column 2, Row 182				
1506	-	-	-	
Annex XVI, Table 4, Column 2, Row 183				
1507	Article 21(6)	Article 21(6)	Article 21(6)	
Annex XVI, Table 4, Column 2, Row 184				
1508	Article 27(1), introductory wording	Article 27(1), introductory wording	Article 27(1), introductory wording	
Annex XVI, Table 4, Column 2, Row 185				
1509				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 27(1), points (a) and (b)	Article 27(1), points (a) and (b)	Article 27(1), points (a) and (b)	
Annex XVI, Table 4, Column 2, Row 186				
1510	Article 27(1), points (c) and (d)	Article 27(1), points (c) and (d)	Article 27(1), points (c) and (d)	
Annex XVI, Table 4, Column 2, Row 187				
1511	Article 27(2)	Article 27(2)	Article 27(2)	
Annex XVI, Table 4, Column 2, Row 188				
1512	Article 27(3)	Article 27(3)	Article 27(3)	
Annex XVI, Table 4, Column 2, Row 189				
1513	Article 27(4)	Article 27(4)	Article 27(4)	
Annex XVI, Table 4, Column 2, Row 190				
1514	Article 27(5), points (a) and (b)	Article 27(5), points (a) and (b)	Article 27(5), points (a) and (b)	
Annex XVI, Table 4, Column 2, Row 191				
1515	Article 27(5), point (c)	Article 27(5), point (c)	Article 27(5), point (c)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 192				
1516	Article 27(6), points (a) and (b)	Article 27(6), points (a) and (b)	Article 27(6), points (a) and (b)	
Annex XVI, Table 4, Column 2, Row 193				
1517	-	-	-	
Annex XVI, Table 4, Column 2, Row 194				
1518	Article 27(6), point (c)	Article 27(6), point (c)	Article 27(6), point (c)	
Annex XVI, Table 4, Column 2, Row 195				
1519	Article 27(7)	Article 27(7)	Article 27(7)	
Annex XVI, Table 4, Column 2, Row 196				
1520	Article 27(8)	Article 27(8)	Article 27(8)	
Annex XVI, Table 4, Column 2, Row 197				
1521	Article 21(5), first subparagraph	Article 21(5), first subparagraph	Article 21(5), first subparagraph	
Annex XVI, Table 4, Column 2, Row 198				
1522				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	Article 7(7), first subparagraph	Article 7(7), first subparagraph	Article 7(7), first subparagraph	
Annex XVI, Table 4, Column 2, Row 199				
1523	Article 21(5), second subparagraph	Article 21(5), second subparagraph	Article 21(5), second subparagraph	
Annex XVI, Table 4, Column 2, Row 200				
1524	-	-	-	
Annex XVI, Table 4, Column 2, Row 201				
1525	Article 28(1) and (2)	Article 28(1) and (2)	Article 28(1) and (2)	
Annex XVI, Table 4, Column 2, Row 202				
1526	Article 28(3)	Article 28(3)	Article 28(3)	
Annex XVI, Table 4, Column 2, Row 203				
1527	Article 28(4), (5), (6) and (7)	Article 28(4), (5), (6) and (7)	Article 28(4), (5), (6) and (7)	
Annex XVI, Table 4, Column 2, Row 204				
1528	Article 28(8), first subparagraph	Article 28(8), first subparagraph	Article 28(8), first subparagraph	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 205				
1529	Article 28(8), second subparagraph	Article 28(8), second subparagraph	Article 28(8), second subparagraph	
Annex XVI, Table 4, Column 2, Row 206				
1530	Article 28(9), (10), (11) and (12)	Article 28(9), (10), (11) and (12)	Article 28(9), (10), (11) and (12)	
Annex XVI, Table 4, Column 2, Row 207				
1531	Article 29(1)	Article 29(1)	Article 29(1)	
Annex XVI, Table 4, Column 2, Row 208				
1532	Article 29(2), (3), (4), (5), (6) and (7)	Article 29(2), (3), (4), (5), (6) and (7)	Article 29(2), (3), (4), (5), (6) and (7)	
Annex XVI, Table 4, Column 2, Row 209				
1533	Article 31(1) and (2)	Article 31(1) and (2)	Article 31(1) and (2)	
Annex XVI, Table 4, Column 2, Row 210				
1534	Article 31(3)	Article 31(3)	Article 31(3)	
Annex XVI, Table 4, Column 2, Row 211				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1535	Article 32	Article 32	Article 32	
Annex XVI, Table 4, Column 2, Row 212				
1536	Article 33(1), (2) and (3)	Article 33(1), (2) and (3)	Article 33(1), (2) and (3)	
Annex XVI, Table 4, Column 2, Row 213				
1537	-	-	-	
Annex XVI, Table 4, Column 2, Row 214				
1538	Article 33(4) and (5)	Article 33(4) and (5)	Article 33(4) and (5)	
Annex XVI, Table 4, Column 2, Row 215				
1539	Article 33(7), introductory wording	Article 33(7), introductory wording	Article 33(7), introductory wording	
Annex XVI, Table 4, Column 2, Row 216				
1540	-	-	-	
Annex XVI, Table 4, Column 2, Row 217				
1541	Article 33(7), point (a)	Article 33(7), point (a)	Article 33(7), point (a)	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 218				
1542	Article 33(7), point (b), (c), (d), (e) and (f)	Article 33(7), point (b), (c), (d), (e) and (f)	Article 33(7), point (b), (c), (d), (e) and (f)	
Annex XVI, Table 4, Column 2, Row 219				
1543	Article 33(7), second subparagraph	Article 33(7), second subparagraph	Article 33(7), second subparagraph	
Annex XVI, Table 4, Column 2, Row 220				
1544	-	-	-	
Annex XVI, Table 4, Column 2, Row 221				
1545	Article 34	Article 34	Article 34	
Annex XVI, Table 4, Column 2, Row 222				
1546	Article 36, first subparagraph	Article 36, first subparagraph	Article 36, first subparagraph	
Annex XVI, Table 4, Column 2, Row 223				
1547	-	-	-	
Annex XVI, Table 4, Column 2, Row 224				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1548	Article 36, second subparagraph	Article 36, second subparagraph	Article 36, second subparagraph	
Annex XVI, Table 4, Column 2, Row 225				
1549	-	-	-	
Annex XVI, Table 4, Column 2, Row 226				
1550	Article 35(1), first subparagraph	Article 35(1), first subparagraph	Article 35(1), first subparagraph	
Annex XVI, Table 4, Column 2, Row 227				
1551	-	-	-	
Annex XVI, Table 4, Column 2, Row 228				
1552	Article 35(1), second and third subparagraphs	Article 35(1), second and third subparagraphs	Article 35(1), second and third subparagraphs	
Annex XVI, Table 4, Column 2, Row 229				
1553	Article 35(2)	Article 35(2)	Article 35(2)	
Annex XVI, Table 4, Column 2, Row 230				
1554	Article 37	Article 37	Article 37	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 231				
1555	Article 38	Article 38	Article 38	
Annex XVI, Table 4, Column 2, Row 232				
1556	Annex I	Annex I	Annex I	
Annex XVI, Table 4, Column 2, Row 233				
1557	Annex II	Annex II	Annex II	
Annex XVI, Table 4, Column 2, Row 234				
1558	Annex III	Annex III	Annex III	
Annex XVI, Table 4, Column 2, Row 235				
1559	Annex IV	Annex IV	Annex IV	
Annex XVI, Table 4, Column 2, Row 236				
1560	-	-	-	
Annex XVI, Table 4, Column 2, Row 237				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
1561	Annex V	Annex V	Annex V	
Annex XVI, Table 4, Column 2, Row 238				
1562	Annex VI	Annex VI	Annex VI	
Annex XVI, Table 4, Column 2, Row 239				
1563	Annex VII	Annex VII	Annex VII	
Annex XVI, Table 4, Column 2, Row 240				
1564	Annex VIII	Annex VIII	Annex VIII	
Annex XVI, Table 4, Column 2, Row 241				
1565	Annex IX	Annex IX	Annex IX	
Annex XVI, Table 4, Column 2, Row 242				
1566	Annex X	Annex X	Annex X	
Annex XVI, Table 4, Column 2, Row 243				
1567	Annex XI	Annex XI	Annex XI	

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
Annex XVI, Table 4, Column 2, Row 244				
1568	Annex XII	Annex XII	Annex XII	
Annex XVI, Table 4, Column 2, Row 245				
1569	Annex XIII	Annex XIII	Annex XIII	
Annex XVI, Table 4, Column 2, Row 246				
1570	Annex XIV	Annex XIV	Annex XIV	
Annex XVI, Table 4, Column 2, Row 247				
1571	-	-	-	
Annex XVI, Table 4, Column 2, Row 248				
1572	Annex XV	Annex XV	Annex XV	
Annex XVI, Table 4, Column 2, Row 249				
1573	Annex XVI	Annex XVI	Annex XVI	
Annex XVI, first paragraph				
1574				

	Commission Proposal	EP Mandate	ST 10697/22 Council Mandate	Draft Agreement
	_____	_____	_____	