



Council of the European Union
General Secretariat

Brussels, 29 September 2023

WK 12405/2023 INIT

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	SE comments on the revision of the Energy performance of buildings Directive (WK 11935/23)

Delegations will find in the annex the SE comments on the revision of the Energy performance of buildings Directive (WK 11935/23).

Sweden's written comments on the Directive of Energy Performance of Buildings (EPBD), after energy working party 26th of September 2023.

29th of September 2023

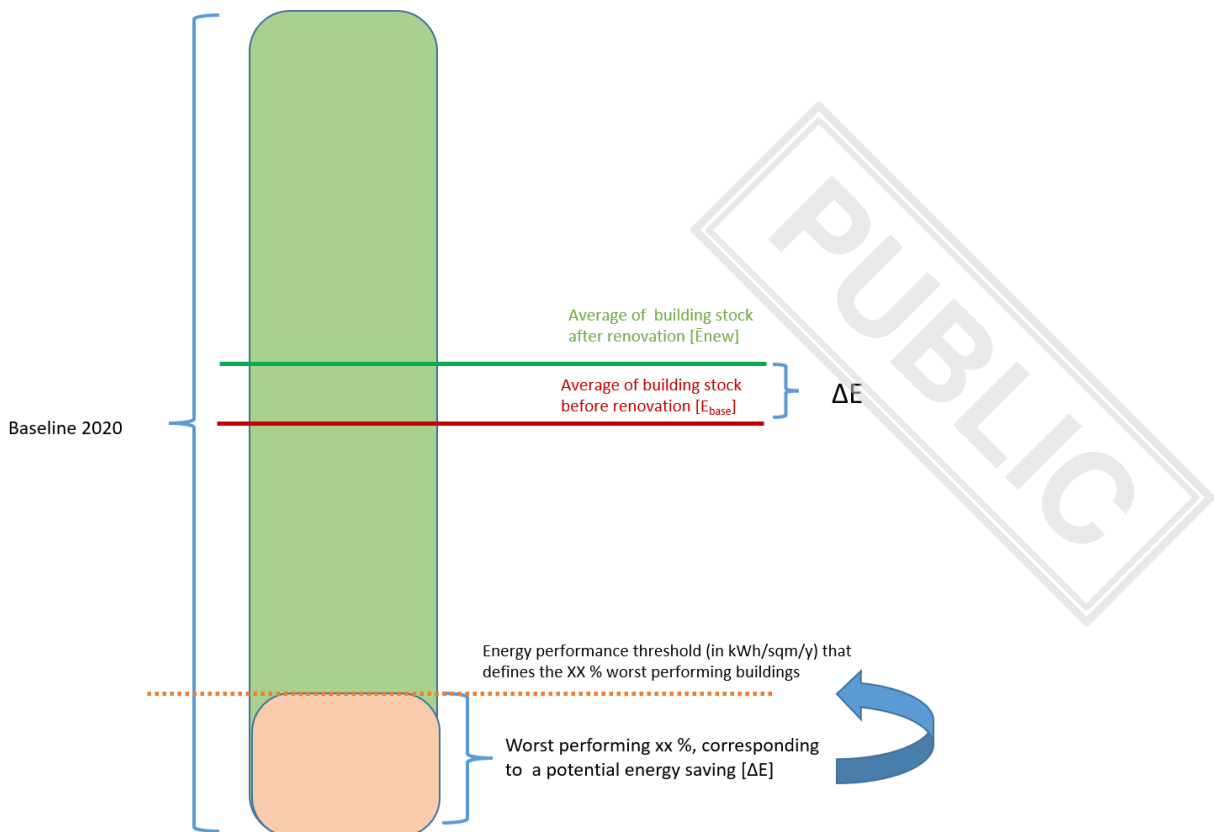
Reasoning for choosing a MEPS model that gives full flexibility for MS to choose which residential buildings to renovate

Sweden would like to thank the presidency for giving member states the possibility to discuss an improved MEPS model that increases the possibility to choose which residential buildings to renovate to meet the objectives of the directive. By providing increased flexibility, renovation can be focused where it provides the greatest benefit. This can for example mean buildings with fossil heating. In addition, administrative costs can be lowered and MS should also be able to choose which category of buildings to target first in the order depending on the condition of the national building stock and how renovation fits the other national plans and strategies.

It is also expected that MS will focus on the worst performing buildings even if it is not mandatory in the model, as these buildings have the greatest cost-effective potential for energy renovation measures.

Sweden therefore prefers a model in accordance with the proposal we sent through the Delegates Portal after the previous EWP meeting. This model provides increased flexibility for Member States while ensuring that sufficient renovations are carried out. As a small reminder, here is a brief description of the model:

1. Establish a baseline for the energy performance of the building stock in 2020, based on the building's primary energy use in kWh/sqm/year.
2. Then identify the [xx] percent worst performing buildings of the baseline, and a corresponding threshold (see orange dotted on the figure)
3. Calculate the energy savings achieved if renovating the worst performing buildings to the threshold level.
4. MS are obliged to reach the same savings as in point 3. However, MS are free to choose which buildings in the total stock to renovate and can count all energy savings that have occurred in the building stock during the period [2020-2033].



Feedback on the options presented by the Commission and the Presidency. (Doc. WK 11935/2023).

Sweden supports GA and especially its principle for residential buildings, i.e. a trajectory approach where the average energy performance of the building stock is gradually increased. Sweden cannot accept to impose requirements on individual residential buildings.

Of the three options presented, Sweden prefers option 2 and, secondly, option 3. However, both proposals require some improvement. None of the three options give MS full freedom of choice concerning which buildings to renovate. Option 1 is not acceptable as it gives a very low level of flexibility. The constant x in proposals 2 and 3 needs to be set rather low in order to get a reasonable result regarding the renovation requirements.

Option 1 has a very low level of flexibility and results in an increase in ambition for Sweden compared to GA that will not be acceptable. Also, the model does not give any credit to renovation done during the energy crisis. Sweden therefore rejects this option.

Option 2 is better as it gives some flexibility for MS to choose which buildings to renovate. Also, it is positive that the model is based on a trajectory approach, and therefore has a clear link to the goal to be achieved by 2050.

For Sweden, this model gives reasonable results (in line with GA) if the constant ' x ' is set to around 3. If x is set higher, the flexibility becomes significantly lowered. This may pose a risk in the continuation of the negotiation.

Sweden also sees a possibility to improve and simplify the model by determining both target points a) and b) nationally on the basis of a linear curve until 2050.

Option 3 gives some flexibility regarding which of the worst performing buildings to renovate in order to reach the average energy performance of the building stock. However, as the target group where the renovations have to be carried out will be rather small, the actual flexibility will be severely limited. Therefore, Sweden's position is that this model does not give enough flexible.

Also, option 3 only gives reasonable results if the constant 'x' is set to a rather low level (single-digit number).

However, the model can be improved by allowing that a partition of the renovation can be done outside of the target group (e.g. in the whole residential building stock).

Sweden's comments on the other provisions in Article 9 (line-by-line)

Line	Comments
246	Sweden prefers GA but can if necessary accept EP provided that "including grants" is replaced by " such as grants".
247	Sweden prefers GA.
248	Sweden prefers GA
249	
250	Sweden can, if necessary, accept the proposal from the EP
250a	Sweden cannot accept the amendment from EP. In principle it is the same wording as they proposed in Articles 15 and 23 (lines 320 and 410).
251	
251a	Sweden can, if necessary, accept the proposal from the EP, provided that the requirement for MS is made non-binding
252	
253	Sweden can, if necessary, accept the proposal from the EP
254	
255	Sweden can, if necessary, accept the proposal from the EP
256	
257	
257a	Sweden would like to maintain the amendment from GA
258a-c	Sweden cannot accept the amendments from EP. The amendments go much further than the commission and council on line 245-250 in terms of requirements for appropriate financial support. As an example, the EP's amendments demands that measures within the framework of the financial support must be sufficient and effective, which can be very difficult to assess.