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NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee

Subject: Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF
THE COUNCIL on the energy performance of buildings (recast)
- Preparation for the trilogue

DOCUMENT PARTIALLY ACCESSIBLE TO THE PUBLIC (07.09.2023)

I. INTRODUCTION

1. The Commission submitted to the European Parliament and the Council a proposal for a recast of the Energy Performance of Buildings Directive on 15 December 2021. The Directive forms part of the Commission Work Programme 'Fit for 55' package, setting the vision for achieving a zero-emission building stock by 2050. It is also a key component of the Renovation Wave Strategy published in October 2020. In addition, the Commission published the REPowerEU Plan on 18 May 2022, accompanied by a proposal for a Directive amending Directive (EU) 2018/2001 on the promotion of the use of energy from renewable sources, Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency (REPowerEU Directive).

2. Following intensive preparatory work, on 25 October 2022, the Council agreed on a General Approach on the proposal and gave a mandate to the Presidency to engage in negotiations with the European Parliament.
3. The European Parliament appointed the Committee on Industry, Research and Energy (ITRE) as the committee responsible for this proposal and Mr Ciarán Cuffe (IE, Greens/EFA) as rapporteur. The European Parliament adopted its position in plenary on 14 March 2023.
4. The European Economic and Social Committee adopted its opinion on the above proposal on 23 March 2022. The European Committee of the Regions adopted its opinion on the above proposal on 30 June 2022.

II. INTERINSTITUTIONAL NEGOTIATIONS – STATE OF PLAY

5. On 6 June 2023, the first trilogue concerning the revision of the Energy Performance of Buildings Directive (EPBD) was held at the Council premises. All institutions recognised the importance of this directive for the achievement of our common climate targets. The co-legislators presented their respective positions and held exploratory discussions on Article 9 (Minimum energy performance standards) and Article 16 (Energy performance certificates); and a more in-depth exchange and a preliminary agreement on several provisions in Articles 20, 21, 22, 23, 24 and Annex VI. The co-legislators gave a broad mandate to the technical level to continue the work.
6. Following the first trilogue, there was one technical meeting under the Swedish Presidency on 20 June 2023. The Spanish Presidency has swiftly resumed negotiations and held exchanges with the European Parliament and the European Commission in four technical meetings on 4, 5, 17 and 19 July.

III. PREPARATION FOR THE NEXT TRILOGUE

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IV. CONCLUSIONS

15. In light of the above, the Permanent Representatives Committee is invited to:

- confirm the compromise texts as preliminarily agreed at the technical level, as listed in point 13 of this note and as set out in the Annex (four-column table), in view of the upcoming trilogue;
- provide political guidance to the Presidency on possible areas of flexibility concerning issues listed in point 14.2.

**Proposal for a DIRECTIVE OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL on the
energy performance of buildings (recast) (Text with EEA relevance)
2021/0426(COD)**

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Recital 28a				
38b				DELETED FROM THIS POINT UNTIL THE END OF THE COLUMN (page 127)
Recital 43a				
53a				
Recital 53				
63	(53) Regular maintenance and inspection of heating , ventilation and air-conditioning systems by qualified personnel contributes to maintaining their correct adjustment in accordance with the product specification and in that way ensures optimal performance from an environmental, safety and energy point of view. An independent assessment of the entire heating , ventilation and	(53) Regular maintenance and inspection of heating–, <u>electrical installations, fire extinction,</u> ventilation– and air-conditioning systems by qualified personnel contributes to maintaining their correct adjustment in accordance with the product specification and in that way ensures optimal performance from an environmental, safety and energy point of view. An independent	(53) Regular maintenance and inspection of heating–, ventilation and air-conditioning systems by qualified personnel contributes to maintaining their correct adjustment in accordance with the product specification and in that way ensures optimal performance from an environmental, safety and energy point of view. An independent assessment of the entire heating–, ventilation– and	

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	air-conditioning system should occur at regular intervals during its lifecycle in particular before its replacement or upgrading. In order to minimise the administrative burden on building owners and tenants, Member States should endeavour to combine inspections and certifications as far as possible.	assessment of the entire heating-, <u>electrical installations, fire extinction</u> , ventilation- and air-conditioning system should occur at regular intervals during its lifecycle in particular before its replacement or upgrading. In order to minimise the administrative burden on building owners and tenants, Member States should endeavour to combine inspections and certifications as far as possible.	air-conditioning system should occur at regular intervals during its lifecycle in particular before its replacement or upgrading. In order to minimise the administrative burden on building owners and tenants, Member States should endeavour to combine inspections and certifications as far as possible.	
Recital 53a				
63a				
Recital 54				
64	(54) A common approach to the energy performance certification of buildings , renovation passports, smart readiness indicators and the inspection of heating and air-conditioning systems, carried out by qualified or certified experts, whose independence is to be guaranteed on the basis of objective criteria, contribute to a level playing field as regards efforts made in Member States to energy saving in the buildings sector and will introduce	(54) A common approach to the energy performance certification of buildings-, renovation passports, smart readiness indicators- and <u>and</u> the inspection of heating <u>ventilation, air-conditioning systems, electrical installations</u> and air-conditioning systems, carried out by qualified or certified- experts, whose independence is to be guaranteed on the basis of objective criteria, contribute to a level playing field as regards efforts made in Member	(54) A common approach to the energy performance certification of buildings-, renovation passports, smart readiness indicators- and and the inspection of heating and air-conditioning systems, carried out by qualified or- certified experts, whose independence is to be guaranteed on the basis of objective criteria,- contribute to a level playing field as regards efforts made in Member States to energy saving in the buildings sector and will introduce	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	transparency for prospective owners or users with regard to energy performance in the Union property market. In order to ensure the quality of energy performance certificates , renovation passports, smart readiness indicators and of the inspection of heating and air-conditioning systems throughout the Union, an independent control mechanism should be established in each Member State.	States to energy saving in the buildings sector and will introduce transparency for prospective owners or users with regard to energy performance in the Union property market. In order to ensure the quality of energy performance certificates–, renovation passports, smart readiness indicators– and of the inspection of <u>the thermal characteristics of the building heating and air-conditioning and controls</u> systems throughout the Union, an independent control mechanism should be established in each Member State.	transparency for prospective owners or users with regard to energy performance in the Union property market. In order to ensure the quality of energy performance certificates–, renovation passports, smart readiness indicators– and of the inspection of heating and air-conditioning systems throughout the Union, an independent control mechanism should be established in each Member State.	
Article 1				
G	75	Article 1 Subject matter	Article 1 Subject matter	Article 1 Subject matter
Article 1(1)				
R	76	1. This Directive promotes the improvement of the energy performance of buildings and the reduction of greenhouse gas emissions from buildings within the Union, with a view to achieving a zero-emission building	1. This Directive promotes the improvement of the energy performance of buildings– and the reduction of greenhouse gas emissions from buildings– within the Union,– with a view to achieving a zero-emission building	1. This Directive promotes the improvement of the energy performance of buildings– and the reduction of greenhouse gas emissions from buildings– within the Union,– with a view to achieving a zero-emission building

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	stock by 2050 taking into account outdoor climatic and local conditions, as well as indoor climate requirements and cost-effectiveness.	stock by 2050– taking into account <u>the</u> outdoor climatic and <u>conditions, the</u> local conditions, as well as <u>the requirements for</u> indoor climate requirements <u>environmental quality and the contribution of the building stock to demand-side flexibility for the purpose of improving energy system efficiency</u> and cost-effectiveness.	stock by 2050– taking into account outdoor climatic and local conditions, as well as indoor climate requirements and cost-effectiveness.	
Article 1(2)				
77	2. This Directive lays down requirements as regards:	2. This Directive lays down requirements as regards:	2. This Directive lays down requirements as regards:	
Article 1(2), point (a)				
78	(a) the common general framework for a methodology for calculating the integrated energy performance of buildings and building units;	(a) the common general framework for a methodology for calculating the integrated energy performance of buildings and building units;	(a) the common general framework for a methodology for calculating the integrated energy performance of buildings and building units;	
Article 1(2), point (b)				
79	(b) the application of minimum requirements to the energy performance of new buildings and	(b) the application of minimum requirements to the energy performance of new buildings and	(b) the application of minimum requirements to the energy performance of new buildings and	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	new building units;	new building units;	new building units;	
Article 1(2), point (c)				
80	(c) the application of minimum requirements to the energy performance of:	(c) the application of minimum requirements to the energy performance of:	(c) the application of minimum requirements to the energy performance of:	
Article 1(2), point (c)(i)				
81	(i) existing buildings and building units that are subject to major renovation;	(i) existing buildings and <u>and</u> building units that are subject to major renovation;	(i) existing buildings and <u>and</u> building units that are subject to major renovation;	
Article 1(2), point (c)(ii)				
82	(ii) building elements that form part of the building envelope and that have a significant impact on the energy performance of the building envelope when they are retrofitted or replaced;	(ii) building elements that form part of the building envelope and that have a significant impact on the energy performance of the building envelope when they are retrofitted or replaced;	(ii) building elements that form part of the building envelope and that have a significant impact on the energy performance of the building envelope when they are retrofitted or replaced;	
Article 1(2), point (c)(iii)				
83	(iii) technical building systems whenever they are installed, replaced or upgraded;	(iii) technical building systems whenever they are installed, replaced or upgraded;	(iii) technical building systems whenever they are installed, replaced or upgraded;	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 1(2), point (d)				
G	84	(d) the application of minimum energy performance standards to existing buildings and existing building units;	(d) the application of minimum energy performance standards to existing buildings and existing building units, <u>in accordance with Articles 3 and 9</u> ;	(d) the application of minimum energy performance standards to existing buildings and existing building units;
Article 1(2), point (da)				
G	84a		<u>(da) a harmonised framework for assessing the life-cycle global warming potential</u> ;	
Article 1(2), point (db)				
G	84b		<u>(db) solar energy in buildings</u> ;	
Article 1(2), point (dc)				
R	84c		<u>(dc) the phasing out of fossil fuel use in buildings</u> ;	
Article 1(2), point (e)				
G	85	(e) renovation passports;	(e) renovation passports;	(e) renovation passports;
Article 1(2), point (f)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
86	(f) national building renovation plans;	(f) national building renovation plans;	(f) national building renovation plans;	
Article 1(2), point (g)				
87	(g) sustainable mobility infrastructure in and adjacent to buildings; and	(g) sustainable mobility infrastructure in and adjacent to buildings; and	(g) sustainable mobility infrastructure in and adjacent to buildings; and	
Article 1(2), point (h)				
88	(h) smart buildings;	(h) smart buildings;	(h) smart buildings;	
Article 1(2), point (ha)				
88a		<u><i>(ha) nature-based solutions that reinforce the good use and adaptation of the public space surrounding the buildings with elements such as wood materials, greens roofs and facades and solutions that are inspired and supported by nature, which can simultaneously provide environmental, social and economic benefits and help build resilience;</i></u>		
Article 1(2), point (i)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement	
G	89	(i) energy performance certification of buildings or building units;	(i) energy performance certification of buildings or building units;	(i) energy- performance certification of buildings or building units;	G
Article 1(2), point (j)					
G	90	(j) regular inspection of heating , ventilation and air-conditioning systems in buildings;	(j) regular inspection of heating , ventilation and air-conditioning systems in buildings;	(j) regular inspection of heating-, ventilation- and air-conditioning systems in buildings;	G
Article 1(2), point (k)					
G	91	(k) independent control systems for energy performance certificates , renovation passports, smart readiness indicators and inspection reports.	(k) independent control systems for energy performance certificates , renovation passports, smart readiness indicators- and inspection reports-;	(k) independent control systems for energy performance certificates , renovation passports, smart readiness indicators- and inspection reports-;	G
R	91a		<u>(ka) the indoor environmental quality performance of buildings.</u>		R
Article 1(2), point (ka)					
G	91b			(ka) the calculation and disclosure of the life-cycle Global Warming Potential of buildings.	G

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 1(3)				
92	3. The requirements laid down in this Directive are minimum requirements and shall not prevent any Member State from maintaining or introducing more stringent measures. Such measures shall be compatible with the TFEU . They shall be notified to the Commission.	3. The requirements laid down in this Directive are minimum requirements and shall not prevent any Member State from maintaining or introducing more stringent measures. Such measures shall be compatible with the TFEU . They shall be notified to the Commission.	3. The requirements laid down in this Directive are minimum requirements and shall not prevent any Member State from maintaining or introducing more stringent measures-, provided that such measures shall be compatible with the TFEU . They shall be notified to the Commission.	
Article 2				
93	Article 2 Definitions	Article 2 Definitions	Article 2 Definitions	
Article 2, first paragraph				
94	For the purpose of this Directive, the following definitions apply:	For the purpose of this Directive, the following definitions apply:	For the purpose of this Directive, the following definitions– apply:	
Article 2, first paragraph, point (1)				
95	1. ‘building’ means a roofed construction having walls, for which energy is used to condition	1. ‘building’ means a roofed construction having walls, for which energy is used to condition	1. ‘building’ means a roofed construction having walls, for which energy is used to condition	


	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	the indoor climate;	the indoor climate <u>environment</u> ;	the indoor climate;	
Article 2, first paragraph, point (2)				
96	2. ‘zero-emission building’ means a building with a very high energy performance, as determined in accordance with Annex I, where the very low amount of energy still required is fully covered by energy from renewable sources generated on-site, from a renewable energy community within the meaning of Directive (EU) 2018/2001 [amended RED] or from a district heating and cooling system, in accordance with the requirements set out in Annex III;	2. ‘zero-emission building’ means a building with a very high energy performance, as determined in accordance with Annex I, where the very low amount of energy still required is fully covered by Annexes I and III, which contributes to the optimisation of the energy from renewable sources generated on-site, from a renewable energy community within the meaning of Directive (EU) 2018/2001 [amended RED] or from a district heating and cooling system, in accordance with the requirements set out in Annex III; <u>system through demand-side flexibility, where any very low residual amount of energy still required is fully covered by energy from:</u>	2. ‘zero-emission building’ means a building with a very high energy performance, as determined in accordance with Annex I, where therequiring zero or a very low amount of energy, producing zero on-site carbon emissions from fossil fuels and producing zero or a very low amount of operational greenhouse gas emissions still required is fully covered by energy from renewable sources generated on-site, from a renewable energy community within the meaning of Directive (EU) 2018/2001 [amended RED] or from a district heating and cooling system, in accordance with the requirements set out in Annex III Article 9b ;	
Article 2, first paragraph, point (2)(a)				
96a		<u>(a) renewable sources generated or stored on-site;</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (2)(b)				
96b		<u><i>(b) renewable sources generated nearby off-site and delivered through the grid in accordance with Directive (EU) 2018/2001 [amended RED];</i></u>		
Article 2, first paragraph, point (2)(c)				
96c		<u><i>(c) a renewable energy community within the meaning of Directive (EU) 2018/2001 [amended RED]; or</i></u>		
Article 2, first paragraph, point (2)(d)				
96d		<u><i>(d) renewable energy and waste heat from an efficient district heating and cooling system within the meaning of Directive (EU) .../... [recast EED], in accordance with the requirements set out in Annex III;</i></u>		
Article 2, first paragraph, point (3)				
97	3. ‘nearly zero-energy building’ means a building with a very high energy performance, as	3. ‘nearly zero-energy building’ means a building with a very high energy performance, as	3. ‘nearly zero-energy building’ means a building with with a very high energy performance, as	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	determined in accordance with Annex I , which cannot be lower than the 2023 cost-optimal level reported by Member States in accordance with Article 6(2) and where the nearly zero or very low amount of energy required is covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;	determined in accordance with Annex I , which cannot be lower than the 2023 cost-optimal level reported by Member States in accordance with Article 6(2) and where the nearly zero or very low amount of energy required is covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;	determined in accordance with Annex I–, which cannot be lower than the 2023 cost-optimal level reported by Member States in accordance with Article 6(2) and where– the nearly zero or very low amount of energy required– is is covered to a very significant extent by energy from renewable sources, including energy from renewable sources produced on-site or nearby;	
97a		<u><i>(3a) ‘worst-performing building’ means a building classified in energy performance classes E, F or G;</i></u>		
97b		<u><i>(3b) ‘passive system’ means a design principle or a building element that maintains or improves energy performance or one or more indoor environment parameters with no assistance from an energy source;</i></u>		
Article 2, first paragraph, point (4)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
98	4. ‘minimum energy performance standards’ means rules that require existing buildings to meet an energy performance requirement as part of a wide renovation plan for a building stock or at a trigger point on the market (sale or rent), in a period of time or by a specific date, thereby triggering renovation of existing buildings;	4. ‘minimum energy performance standards’ means rules that require existing buildings to meet an energy performance requirement as part of a wide renovation plan for a building stock or at a trigger point on the market (sale or rent), in a period of time or by a specific date, <u>in line with the energy efficiency first principle</u> , thereby triggering renovation of existing buildings;	4. ‘minimum energy performance standards’ means rules that require existing buildings to meet an energy performance requirement as part of a wide renovation plan for a building stock or at a trigger point on the market (sale , rent , donation or change of purpose within the cadastre or land registry or rent), in a period of time or by a specific date, thereby triggering renovation of existing buildings;	
98a		<u>(4a) ‘energy efficiency first’ means energy efficiency first as defined in Article 2, point (18), of Regulation (EU) 2018/1999;</u>		
Article 2, first paragraph, point (5)				
99	5. ‘public bodies’ means ‘contracting authorities’ as defined in Article 2(1) of Directive 2014/24/EU of the European Parliament and of the Council ¹ ; 1. OJ L 94, 28.3.2014, p. 65.	5. ‘public bodies’ means ‘contracting authorities’ <u>public bodies</u> as defined in Article 2(1) of the Directive 2014/24/EU of the European Parliament and of the Council ² , <u>point (10), of Directive (EU) .../... [recast EED]</u> ;	5. ‘public bodies’ means ‘contracting authorities’ as defined in Article 2(1) of Directive 2014/24/EU of the European Parliament and of the Council ¹ public bodies within the meaning of Article. 2(10) of	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		1. OJL 94, 28.3.2014, p. 65.	[recast EED] ;" 1. OJL 94, 28.3.2014, p. 65.	
Article 2, first paragraph, point (6)				
100	6. ‘technical building system’ means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, on-site renewable energy generation and storage , or a combination thereof, including those systems using energy from renewable sources, of a building or building unit;	6. ‘technical building system’ means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, <u>electrically operated solar shading, electrical installations, electric-vehicles charging stations, on-site</u> on-site renewable energy—generation and storage—, or a combination thereof, including those systems using energy from renewable sources, of a building or building unit;	6. ‘technical building system’ means technical equipment for space heating, space cooling, ventilation, domestic hot water, built-in lighting, building automation and control, on-site renewable energy— generation— and and energy storage—, or a combination thereof, including those systems using energy from renewable sources, of a building or building unit;	
100a		<u>(6a) ‘demand-side flexibility’ means the capacity of active customers to react to external signals and adjust their energy generation and consumption, individually or through aggregation, in a dynamic time-</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<p><u>dependent way, which may be provided by smart, decentralised energy resources, including demand management, energy storage, and distributed renewable generation, to support a more reliable, sustainable and efficient energy system;</u></p>		
100b		<p><u>(6b) 'cooling system' means a combination of passive and active components required to provide a form of indoor air treatment by which the temperature is lowered;</u></p>		
100c		<p><u>(6c) 'electrical installation' means a system composed of fixed components, including switchboards, electrical cables, earthing systems, sockets, switches and light fittings, which have the purpose of distributing electrical power within a building to all points of use or transmit electricity generated on-site;</u></p>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
100d		<u>(6d) ‘system efficiency’ means the selection of energy-efficient solutions which enable a cost-effective decarbonisation pathway, additional flexibility and the efficient use of resources;</u>		
100e		<u>(6e) ‘ventilation system’ means a combination of components required to provide a renewal of indoor air by outdoor air;</u>		
Article 2, first paragraph, point (7)				
101	7. ‘building automation and control system’ means a system comprising all products, software and engineering services that can support energy efficient, economical and safe operation of technical building systems through automatic controls and by facilitating the manual management of those technical building systems;	7. ‘building automation and control system’ means a system comprising all products, software and engineering services that can support energy efficient, economical and safe operation of technical building systems through automatic controls and by facilitating the manual management of those technical building systems;	7. ‘building automation and control system’ means a system comprising all products, software and engineering services that can support energy efficient, economical and safe operation of technical building systems through automatic controls and by facilitating the manual management of those technical building systems;	
Article 2, first paragraph, point (8)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
102	8. ‘energy performance of a building’ means the calculated or metered amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, inter alia, energy used for heating, cooling, ventilation, hot water and lighting;	8. ‘energy performance of a building’ means the calculated or metered— amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, inter alia, energy used for heating, cooling, ventilation, hot water, <u>lighting and technical building systems</u> and <i>lighting</i> ;	8. ‘energy performance of a building’ means the calculated or metered— amount of energy needed to meet the energy demand associated with a typical use of the building, which includes, inter alia, energy used for heating, cooling, ventilation, hot water and lighting;	
Article 2, first paragraph, point (9)				
103	9. ‘primary energy’ means energy from renewable and non-renewable sources which has not undergone any conversion or transformation process;	9. ‘primary energy’ means energy from renewable and non-renewable sources which has not undergone any conversion or transformation process;	9. ‘primary energy’ means energy from renewable and non-renewable sources which has not undergone any conversion or transformation process;	
103a		<u>(9a) ‘final energy’ means energy from renewable or non-renewable sources that has undergone a conversion or transformation process for the purpose of ensuring that it is ready for consumption and supply to end-users;</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
103b		<u><i>(9b) 'metered' means measured by a relevant device, such as an energy meter, a power meter, a power metering and monitoring device, or an electricity meter;</i></u>		
Article 2, first paragraph, point (10)				
104	10. 'non-renewable primary energy factor' means non-renewable primary energy for a given energy carrier, including the delivered energy and the calculated energy overheads of delivery to the points of use, divided by the delivered energy;	10. 'non-renewable primary energy factor' means non-renewable primary energy for a given energy carrier, including the delivered energy and the calculated energy overheads of delivery to the points of use, divided by the delivered energy;	10. 'non-renewable primary energy factor' means non-renewable primary energy for a given energy carrier, including the delivered energy and the calculated energy overheads of delivery to the points of use, divided by the delivered energy;	
Article 2, first paragraph, point (11)				
105	11. 'renewable primary energy factor' means renewable primary energy from an on-site, nearby or distant energy source that is delivered via a given energy carrier, including the delivered energy and the calculated energy overheads of delivery to the points of use, divided by the delivered energy;	11. 'renewable primary energy factor' means renewable primary energy from an on-site, nearby or distant energy source that is delivered via a given energy carrier, including the delivered energy and the calculated energy overheads of delivery to the points of use, divided by the delivered energy;	11. 'renewable primary energy factor' means renewable primary energy from an on-site ; a nearby or distant energy source that is delivered via a given energy carrier, including the delivered energy and the calculated energy overheads of delivery to the points of use, divided by the delivered energy;	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (12)				
106	12. ‘total primary energy factor’ means the weighted sum of renewable and non-renewable primary energy factors for a given energy carrier;	12. ‘total primary energy factor’ means the weighted sum of renewable and non-renewable primary energy factors for a given energy carrier;	12. ‘total primary energy factor’ means the weighted sum of renewable and non-renewable primary energy factors for a given energy carrier;	
Article 2, first paragraph, point (13)				
107	13. ‘energy from renewable sources’ means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic) , and geothermal energy , ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas;	13. ‘energy from renewable sources’ <u>or ‘renewable energy’</u> means energy from renewable non-fossil sources, namely wind, solar (solar thermal and solar photovoltaic) , and geothermal energy <u>as defined in Article 2, ambient energy, tide, wave and other ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas</u> <u>point (1), of Directive (EU) 2018/2001</u> ;	13. ‘energy from renewable sources’ means energy from renewable non-fossil sources, namely wind, solar– (solar thermal and solar photovoltaic)–, and and geothermal– energy–, and and other– ocean energy, hydropower, biomass, landfill gas, sewage treatment plant gas, and biogas;	
Article 2, first paragraph, point (14)				
108	14. ‘building envelope’ means the integrated elements of a building which separate its interior from the	14. ‘building envelope’ means the integrated elements of a building which separate its interior from the	14. ‘building envelope’ means the integrated elements of a building which separate its interior from the	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	outdoor environment;	outdoor environment;	outdoor environment;	
Article 2, first paragraph, point (15)				
109	15. ‘building unit’ means a section, floor or apartment within a building which is designed or altered to be used separately;	15. ‘building unit’ means a section, floor or apartment within a building which is designed or altered to be used separately;	15. ‘building unit’ means a section, floor or apartment within a building which is designed or altered to be used separately;	
Article 2, first paragraph, point (16)				
110	16. ‘building element’ means a technical building system or an element of the building envelope;	16. ‘building element’ means a technical building system or an element of the building envelope;	16. ‘building element’ means a technical building system or an element of the building envelope;	
Article 2, first paragraph, point (17)				
111	17. ‘dwelling’ means a room or suite of rooms in a permanent building or a structurally separated part of a building which is designed for habitation by one private household all year round;	17. ‘dwelling’ means a <u>physical space consisting of a</u> room or suite of rooms in a permanent building or a structurally separated part of a building which is designed for habitation by one private household <u>to develop their basic life functions</u> all year round;	17. ‘ dwelling residential building unit ’ means a room or suite of rooms in a permanent building or a structurally separated part of a building which is designed for habitation by one private household all year round;	
Article 2, first paragraph, point (18)				
112	18. ‘renovation passport’ means a	18. ‘renovation passport’ means a	18. ‘renovation passport’ means a	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	document that provides a tailored roadmap for the renovation of a specific building in several steps that will significantly improve its energy performance;	document that provides a tailored roadmap for the <u>deep</u> renovation of a specific building in <u>several a maximum number of</u> steps that will <u>significantly improve its energy performance</u> <u>transform the building into a zero emission building by 2050 at the latest</u> ;	document that provides a tailored roadmap for the renovation of a specific building in several steps that will significantly improve its energy performance;	
Article 2, first paragraph, point (19)				
113	19. ‘deep renovation’ means a renovation which transforms a building or building unit	19. ‘deep renovation’ means a renovation <u>in line with the energy efficiency first principle and efforts to reduce whole life-cycle greenhouse gas emissions generated during the renovation, which focuses on essential building items, such as wall insulation, roof insulation, low floor insulation, replacement of external joinery, ventilation and heating or heating systems and treatment of thermal bridges, to ensure the necessary comfort of the occupants in summer and winter or a renovation resulting in a reduction of at least 60% primary energy demand for worst-performing buildings for which it is technically and economically not feasible to achieve a zero-</u>	19. ‘deep renovation’ means a renovation which transforms a building or building unit	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>emission building standard, and</u> which transforms a building or building unit;		
Article 2, first paragraph, point (19)(a)				
114	(a) before 1 January 2030, into a nearly zero-energy building;	(a) before 1 January 2030 <u>2027</u> , into a nearly zero-energy building;	(a) before 1 January 2030, into a nearly zero-energy building;	
Article 2, first paragraph, point (19)(b)				
115	(b) as of 1 January 2030, into a zero-emission building;	(b) as of <u>from</u> 1 January 2030 <u>2027</u> , into a zero-emission building;	(b) as of 1 January 2030, into a zero-emission building;	
Article 2, first paragraph, point (20)				
116	20. ‘staged deep renovation’ means a deep renovation carried out in several steps, following the steps set out in a renovation passport in accordance with Article 10;	20. ‘staged deep renovation’ means a deep renovation carried out in several <u>a maximum number of</u> steps, following the steps set out in a renovation passport in accordance with Article 10, <u>which may include the use of energy performance contracts</u> ;	20. ‘staged deep renovation’ means a deep renovation carried out in several steps, following the steps set out in a renovation passport in accordance with Article 10;	
Article 2, first paragraph, point (21), first subparagraph				
117	21. ‘major renovation’ means the renovation of a building where:	21. ‘major renovation’ means the renovation of a building where	21. ‘major renovation’ means the renovation of a building where:	

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		<u><i>either, depending on the choice of a Member State:</i></u>		
Article 2, first paragraph, point (21), first subparagraph, point (a)				
118	(a) the total cost of the renovation relating to the building envelope or the technical building systems is higher than 25 % of the value of the building, excluding the value of the land upon which the building is situated; or	(a) the total cost of the renovation relating to the building envelope or the technical building systems is higher than 25 % of the value of the building, excluding the value of the land upon which the building is situated; or	(a) the total cost of the renovation relating to the building envelope or the technical building systems is higher than 25 % of the value of the building, excluding the value of the land upon which the building is situated; or	
Article 2, first paragraph, point (21), first subparagraph, point (b)				
119	(b) more than 25 % of the surface of the building envelope undergoes renovation;	(b) more than 25 % of the surface of the building envelope undergoes renovation;	(b) more than 25 % of the surface of the building envelope undergoes renovation;	
Article 2, first paragraph, point (21), second subparagraph				
120	Member States may choose to apply option (a) or (b).	<i>deleted</i>	—Member States may choose to apply option (a) or (b).	
Article 2, first paragraph, point (22)				
121	22. “operational greenhouse gas emissions” means greenhouse gas emissions associated with energy	22. “ operational greenhouse gas emissions ” means greenhouse gas emissions associated with energy	22. “operational greenhouse gas emissions” means greenhouse gas emissions associated with energy	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	consumption of the technical building systems during use and operation of the building;	consumption of the technical building systems during use and operation of the building;	consumption of the technical building systems during use and operation of the building;	
Article 2, first paragraph, point (23)				
122	23. ‘whole life-cycle greenhouse gas emissions’ means the combined greenhouse gas emissions associated with the building at all stages of its life-cycle, from the ‘cradle’ (the extraction of the raw materials that are used in the construction of the building) over the material production and processing, and the building’s operation stage, to the ‘grave’ (the deconstruction of the building and reuse, recycling, other recovery and disposal of its materials);	23. ‘whole life-cycle greenhouse gas emissions’ means the combined greenhouse gas emissions associated with the building at all stages of its life-cycle, <u>considering the benefits from reuse and recycling at the end-of-life</u> , from the ‘cradle’ (the extraction of the raw materials that are used in the construction of the building) over the material production and processing, and the building’s operation stage, to the ‘grave’ <u>end of life</u> ’ (the deconstruction of the building and reuse, recycling, other recovery and disposal of its materials);	23. ‘whole life-cycle greenhouse gas emissions’ means the combined greenhouse gas emissions associated with the building at all stages of its life-cycle, from the ‘cradle’ (the extraction of the raw materials that are used emissions that occur over the life cycle of the buildings, including production of construction products, their transport, construction site activities, use of energy in the construction of the building) over the material production and processing, and the building’s operation stage, to the ‘grave’ (the deconstruction of the building and reuse, recycling, other recovery and replacement of construction products, as well as demolition, transport and management of waste materials and their final disposal of its materials);	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (24)				
123	24. ‘Life-cycle Global Warming Potential (GWP)’ means an indicator which quantifies the global warming potential contributions of a building along its full life-cycle;	24. ‘life-cycle global warming potential’ <u>or ‘life-cycle GWP (GWP)’</u> means an indicator which quantifies the global warming potential contributions of a building along its full life-cycle;	24. ‘Life-cycle Global Warming Potential (GWP)’ means an indicator which quantifies the global warming potential contributions of a building along its full life-cycle;	
Article 2, first paragraph, point (25)				
124	25. ‘split incentives’ means split incentives as defined in Article 2(52) of [recast EED];	25. ‘split incentives’ means split incentives as defined in Article 2(52) of [recast EED];	25. ‘split incentives’ means split incentives as defined in Article 2(52) of [recast EED];	
Article 2, first paragraph, point (26)				
125	26. ‘energy poverty’ means energy poverty as defined in Article 2(49) of [recast EED];	26. ‘energy poverty’ means energy poverty as defined in Article 2(49) of [recast EED];	26. ‘energy poverty’ means energy poverty as defined in Article 2(49) of [recast EED];	
Article 2, first paragraph, point (27)				
126	27. ‘vulnerable households’ means households in energy poverty or households, including lower middle-income ones, that are particularly exposed to high energy costs and lack the means to renovate the building they occupy;	27. ‘vulnerable households’ means households in <u>or at risk of</u> energy poverty or households, including lower middle-income ones, that are particularly exposed to high energy costs and lack the means to renovate the building they occupy;	27. ‘vulnerable households’ means households in energy poverty or households, including lower middle-income ones, that are particularly exposed to high energy costs and lack the means to renovate the building they occupy;	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (28)				
127	28. ‘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;	28. ‘European standard’ <u>or ‘EN standard’</u> 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;	28. ‘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, first paragraph, point (29)				
128	29. ‘energy performance certificate’ means a certificate recognised by a Member State or by a legal person designated by it, which indicates the energy performance of a building or building unit, calculated according to a methodology adopted in accordance with Article 4;	29. ‘energy performance certificate’ means a certificate recognised by a Member State or by a legal person designated by it, which indicates the energy <u>and climate</u> performance of a building or building unit, calculated according to a methodology adopted in accordance with Article 4;	29. ‘energy performance certificate’ means a certificate recognised by a Member State or by a legal person designated by it, which indicates the energy performance of a building or building unit, calculated according to a methodology adopted in accordance with Article 4;	
Article 2, first paragraph, point (30)				
129	30. ‘cogeneration’ means simultaneous generation in one	30. ‘cogeneration’ means simultaneous generation in one	30. ‘cogeneration’ means simultaneous generation in one	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	process of thermal energy and electrical or mechanical energy;	process of thermal energy and electrical or mechanical energy;	process of thermal energy and electrical or mechanical energy;	
Article 2, first paragraph, point (31), first subparagraph				
130	31. ‘cost-optimal level’ means the energy performance level which leads to the lowest cost during the estimated economic lifecycle, where:	31. ‘cost-optimal level’ means the energy performance level which leads to the lowest cost during the estimated economic lifecycle, <u>established by applying the cost-optimal methodology</u> where:	31. ‘cost-optimal level’ means the energy performance level which leads to the lowest cost during the estimated economic lifecycle, where:	
Article 2, first paragraph, point (31), first subparagraph, point (a)				
131	(a) the lowest cost is determined taking into account:	(a) the lowest cost is determined taking into account:	(a) the lowest cost is determined taking into account:	
Article 2, first paragraph, point (31), first subparagraph, point (a)(i)				
132	i) the category and use of building concerned:	i) the category and use of building concerned:	i) the category and use of building concerned:	
Article 2, first paragraph, point (31), first subparagraph, point (a)(ii)				
133	ii) energy-related investment costs based on official forecasts ;	ii) energy-related investment costs based on official forecasts ;	ii) energy-related investment costs based on official forecasts-;	
Article 2, first paragraph, point (31), first subparagraph, point (a)(iii)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
134	iii) maintenance and operating costs, including energy costs taking into account the cost of greenhouse gas allowances;	iii) maintenance and operating costs, including energy costs taking into account the cost of greenhouse gas allowances;	iii) maintenance and operating costs, including energy costs taking into account the cost of greenhouse gas allowances;	
Article 2, first paragraph, point (31), first subparagraph, point (a)(iv)				
135	iv) environmental and health externalities of energy use;	iv) environmental and health externalities of energy use;	iv) environmental and health externalities of energy use;	
Article 2, first paragraph, point (31), first subparagraph, point (a)(v)				
136	v) earnings from energy produced on-site , where applicable;	v) earnings from energy produced on-site , where applicable;	v) earnings from energy produced on-site on-site , where applicable;	
Article 2, first paragraph, point (31), first subparagraph, point (a)(vi)				
137	vi) waste management costs, where applicable; and	vi) waste management costs, where applicable; <i>and</i>	vi) waste management– costs, where applicable; and	
137a		<u><i>via) social externalities of building renovations, construction, demolition including the modification of built areas;</i></u>		
Article 2, first paragraph, point (31), first subparagraph, point (b)				

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138	(b) the estimated economic lifecycle is determined by each Member State and refers to the remaining estimated economic lifecycle of a building where energy performance requirements are set for the building as a whole, or to the estimated economic lifecycle of a building element where energy performance requirements are set for building elements.	(b) the estimated economic lifecycle is determined by each Member State and refers to the remaining estimated economic lifecycle of a building where energy performance requirements are set for the building as a whole, or to the estimated economic lifecycle of a building element where energy performance requirements are set for building elements.	(b) the estimated economic lifecycle is determined by each Member State and and refers to the remaining estimated economic lifecycle of a building where energy performance requirements are set for the building as a whole, or to the estimated economic lifecycle of a building element where energy performance requirements are set for building elements.	
Article 2, first paragraph, point (31), second subparagraph				
139	The cost-optimal level shall lie within the range of performance levels where the cost benefit analysis calculated over the estimated economic lifecycle is positive;	The cost-optimal level shall lie within the range of performance levels where the cost benefit analysis calculated over the estimated economic lifecycle is positive;	The cost-optimal level shall lie within the range of performance levels where the cost benefit analysis calculated over the estimated economic lifecycle is positive;	
Article 2, first paragraph, point (32)				
140	32. ‘recharging point’ means a recharging point as defined in Article 2(41) of [AFIR];	32. ‘recharging point’ means a recharging point as defined in Article 2(41) of [AFIR];	32. ‘recharging point’ means a recharging point as defined in Article 2(41) of [AFIR];	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
140a		<u>32a. 'pre-cabling' means all measures that are necessary to enable the installation of recharging points, including data transmission, cable routes, spaces for transformers and electricity meters, and upgrade of the electrical board;</u>		
Article 2, first paragraph, point (33)				
141	33. 'micro isolated system' means any system with consumption less than 500 GWh in the year 2022, where there is no connection with other systems;	33. 'micro isolated system' means any system with consumption less than 500 GWh in the year 2022, where there is no connection with other systems;	33. 'micro isolated system' means any system with consumption less than 500 GWh in the year 2022, where there is no connection with other systems;	
Article 2, first paragraph, point (34)				
142	34. 'smart charging' means smart charging as defined in Article 2(14l) of Directive (EU) 2018/2001 [amended RED];	34. 'smart charging' means smart charging as defined in Article 2(14l) of Directive (EU) 2018/2001 [amended RED];	34. 'smart charging' means smart charging as defined in Article 2(14l) of Directive (EU) 2018/2001 [amended RED];	
Article 2, first paragraph, point (35)				
143	35. 'bidirectional charging' means bidirectional charging as defined in Article 2(14n) of Directive (EU)	35. 'bidirectional charging' means bidirectional charging as defined in Article 2(14n) of Directive (EU)	35. 'bidirectional charging' means bidirectional charging as defined in Article 2(14n) of Directive (EU)	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	2018/2001 [amended RED];	2018/2001 [amended RED];	2018/2001 [amended RED];	
143a		<u>35a. 'digitally connected recharging point' means a recharging point that can send and receive information in real time, that can communicate bidirectionally with the electricity grid and the electric vehicle, and that can be remotely monitored and controlled, including to start and stop the recharging session and to measure electricity flows;</u>		
Article 2, first paragraph, point (36)				
144	36. 'mortgage portfolio standards' means mechanisms incentivising mortgage lenders to increase the median energy performance of the portfolio of buildings covered by their mortgages and to encourage potential clients to make their property more energy-performant along the Union's decarbonisation ambition and relevant energy targets in the area of energy consumption in buildings, relying on the definition of sustainable	36. 'mortgage portfolio standards' means mechanisms incentivising <u>requiring</u> mortgage lenders, <u>including banks, investors, and other relevant financial institutions, such as final holders of mortgages housed in special purpose vehicles, securitisation companies and other intermediate bodies, to establish a path</u> to increase the median energy performance of the portfolio of buildings covered by	36. 'mortgage portfolio standards' means mechanisms incentivising mortgage lenders to increase the median energy performance of the portfolio of buildings covered by their mortgages and to encourage potential clients to make their property more energy-performant along the Union's decarbonisation ambition and relevant energy targets in the area of energy consumption in buildings, relying on the definition of sustainable	

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	economic activities in the EU Taxonomy;	<p>their mortgages <u>towards 2030 and 2050, with a view to ensuring reliable, evidence-based and affordable solutions for</u>and to encourage potential clients to make their property more energy-performant along<u>clients, in line with the Union’s decarbonisation ambition and national building renovation plans and</u> relevant energy targets in the area of energy consumption in buildings, relying on the definition of sustainable economic activities in the EU Taxonomy <u>and in line with energy performance certificates and the life-cycle GWP, in accordance with this Directive;</u></p>	economic activities in the EU Taxonomy;	
144a		<p><u>36a. ‘pay-as-you-save financial scheme’ means a loan scheme dedicated exclusively to energy performance improvements, where the annualised repayments on the loan do not exceed the monetary equivalent of the yearly energy savings, taking into account the indexation of the energy cost and loan re-financing;</u></p>		


	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
144b		<u>36b. ‘energy building benchmark’ means an information platform to publicly disclose energy performance and yearly consumptions of single and multi-unit buildings over time, compared to similar buildings or to modelled simulations of a reference building built to a specific standard, such as minimum energy performance standards, and using the range of energy performance classes;</u>		
Article 2, first paragraph, point (37)				
145	37. ‘digital building logbook’ means a common repository for all relevant building data, including data related to energy performance such as energy performance certificates, renovation passports and smart readiness indicators, which facilitates informed decision making and information sharing within the construction sector, among building owners and occupants, financial institutions and public authorities;	37. ‘digital building logbook’ means a common repository for all relevant building data, including data related to energy performance such as energy performance certificates, renovation passports and smart readiness indicators, <u>as well as on the life-cycle GWP and indoor environmental quality,</u> which facilitates informed decision making and information sharing within the construction sector, among building owners and occupants, financial institutions	37. ‘digital building logbook’ means a common repository for all relevant building data, including data related to energy performance such as energy performance certificates, renovation passports and smart readiness indicators, which facilitates informed decision making and information sharing within the construction sector, among building owners and occupants, financial institutions and public authorities bodies;	

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		and public authorities;		
Article 2, first paragraph, point (38)				
146	38. 'air-conditioning system' means a combination of the components required to provide a form of indoor air treatment, by which temperature is controlled or can be lowered;	38. 'air-conditioning system' means a combination of the components required to provide a form of indoor air treatment, by which temperature is controlled or can be lowered;	38. 'air-conditioning system' means a combination of the components required to provide a form of indoor air treatment, by which temperature is controlled or can be lowered;	
Article 2, first paragraph, point (39)				
147	39. 'heating system' means a combination of the components required to provide a form of indoor air treatment, by which the temperature is increased;	39. 'heating system' means a combination of the components required to provide a form of indoor air treatment, by which the temperature is increased;	39. 'heating system' means a combination of the components required to provide a form of indoor air treatment, by which the temperature is increased;	
147a			(39a) 'ventilation system' means the technical building system which provides outdoor air by natural or mechanical means to a space;	
147b				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
			(39b) ‘cooling generator’ means the part of an air-conditioning system that generates useful cooling for uses identified in Annex I.;	
Article 2, first paragraph, point (40)				
148	40. ‘heat generator’ means the part of a heating system that generates useful heat for uses identified in Annex I, using one or more of the following processes:	40. ‘heat generator’ means the part of a heating system that generates useful heat— for uses identified in Annex I,— using one or more of the following processes:	40. ‘heat generator’ means the part of a heating system that generates useful heat— for uses identified in Annex I,— using one or more of the following processes:	
Article 2, first paragraph, point (40)(a)				
149	(a) the combustion of fuels in, for example, a boiler;	(a) the combustion of fuels in, for example, a boiler;	(a) the combustion of fuels in, for example, a boiler;	
Article 2, first paragraph, point (40)(b)				
150	(b) the Joule effect, taking place in the heating elements of an electric resistance heating system;	(b) the Joule effect, taking place in the heating elements of an electric resistance heating system;	(b) the Joule effect, taking place in the heating elements of an electric resistance heating system;	
Article 2, first paragraph, point (40)(c)				
151	(c) capturing heat from ambient air, ventilation exhaust air, or a	(c) capturing heat from ambient air, ventilation exhaust air, or a	(c) capturing heat from ambient air, ventilation exhaust air, or a	

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	water or ground heat source using a heat pump;	water or ground heat source using a heat pump;	water or ground heat source using a heat pump;	
Article 2, first paragraph, point (40a)				
151a		<u>40a. 'heat pump' means a machine, a device or an installation that transfers heat from a source such as the air, water or the ground, to sinks such as buildings or industrial applications, for the purpose of providing heating, cooling or domestic hot water;</u>		
Article 2, first paragraph, point (41)				
152	41. 'energy performance contracting' means energy performance contracting as defined in Article 2, point (29), of Directive (EU) .../... [recast Energy Efficiency Directive];	41. 'energy performance contracting' means energy performance contracting as defined in Article 2, point (29), of Directive (EU) .../... [recast Energy Efficiency Directive];	41. 'energy performance contracting' means energy performance contracting as defined in Article 2, point (29), of Directive (EU) .../... [recast Energy Efficiency Directive];	
Article 2, first paragraph, point (42)				
153	42. 'boiler' means the combined boiler body-burner unit, designed to transmit to fluids the heat released from burning;	42. 'boiler' means the combined boiler body-burner unit, designed to transmit to fluids the heat released from burning;	42. 'boiler' means the combined boiler body-burner unit, designed to transmit to fluids the heat released from burning;	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 2, first paragraph, point (43)				
154	43. ‘effective rated output’ means the maximum calorific output, expressed in kW, specified and guaranteed by the manufacturer as being deliverable during continuous operation while complying with the useful efficiency indicated by the manufacturer;	43. ‘effective rated output’ means the maximum calorific output, expressed in kW, specified and guaranteed by the manufacturer as being deliverable during continuous operation while complying with the useful efficiency indicated by the manufacturer;	43. ‘effective rated output’ means the maximum calorific output, expressed in kW, specified and guaranteed by the manufacturer as being deliverable during continuous operation while complying with the useful efficiency indicated by the manufacturer;	
Article 2, first paragraph, point (44)				
155	44. ‘district heating’ or ‘district cooling’ means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network to multiple buildings or sites, for the use of space or process heating or cooling;	44. ‘district heating’ or ‘district cooling’ means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network to multiple buildings or sites, for the use of space or process heating or cooling;	44. ‘district heating’ or ‘district cooling’ means the distribution of thermal energy in the form of steam, hot water or chilled liquids, from a central source of production through a network to multiple buildings or sites, for the use of space or process heating or cooling;	
155a		<u>44a. ‘integrated district’ means a district selected on the basis of an analysis of building stock, taking</u>		

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		<p><u><i>into account the area-specific potentials for energy efficiency measures by means of clear and measurable objectives and that develops renovation road map templates for similar building types, following an adequate analysis of local conditions, with the aim of a rapid, resource-efficient and mutually coordinated transformation of buildings, as well as other aspects, such as the social structure, the economic and environmental conditions and the energy supply infrastructure of buildings;</i></u></p>		
Article 2, first paragraph, point (45)				
156	<p>45. ‘useful floor area’ means the area of the floor of a building needed as parameter to quantify specific conditions of use that are expressed per unit of floor area and for the application of the simplifications and the zoning and (re-)allocation rules;</p>	<p>45. ‘useful floor area’ means the area of the floor of a building needed as parameter to quantify specific conditions of use that are expressed per unit of floor area and for the application of the simplifications and the zoning and (re-)allocation rules, <u><i>taking into account national, European and international standards;</i></u></p>	<p>45. ‘useful floor area’ means the floor area used as a reference size for the assessment area of the floor energy performance of a building, calculated as the sum of individual zones within the building envelope, which are needed to quantify the specific conditions of use, such as indoor climate, and needed as parameter to quantify specific conditions of use that are expressed per unit of floor area and for the application of</p>	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
			the simplifications and the zoning and (re-)allocation rules;	
156a		<u>45a. 'waste heat' means unavoidable heat generated as by-product in industrial or power generation installations, or in the tertiary sector, which would be dissipated unused in air or water without access to a district heating or cooling system, where a cogeneration process has been used or will be used or where cogeneration is not feasible;</u>		
Article 2, first paragraph, point (46)				
157	46. 'reference floor area' means the floor area used as reference size for the assessment of the energy performance of a building, calculated as the sum of the useful floor areas of the spaces within the building envelope specified for the energy performance assessment;	46. 'reference floor area' means the floor area used as reference size for the assessment of the energy performance of a building, calculated as the sum of the useful floor areas of the spaces within the building envelope specified for the energy performance assessment;	<i>deleted</i>	
Article 2, first paragraph, point (47)				
158				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	47. ‘assessment boundary’ means the boundary where the delivered and exported energy are measured or calculated;	47. ‘assessment boundary’ means the boundary where the delivered and exported energy are measured or calculated;	47. ‘assessment boundary’ means the boundary where the delivered and exported energy are measured or calculated;	
Article 2, first paragraph, point (48)				
159	48. ‘on-site’ means the premises and the land on which the building is located and the building itself;	48. ‘on-site’ means the premises and the land on which the building is located and the building itself;	48. ‘on-site’ means the premises and the land on which the building is located and the building itself;	
Article 2, first paragraph, point (49)				
160	49. ‘energy from renewable sources produced nearby’ means energy from renewable sources produced within a local or district level perimeter of the building assessed, which fulfils all the following conditions:	49. ‘energy from renewable sources produced nearby’ means energy from renewable sources produced within a local or district level perimeter of the building assessed, which fulfils all the following conditions:	49. ‘energy from renewable sources produced nearby’ means energy from renewable sources produced within a local or district level perimeter of the building assessed, which fulfils all the following conditions:	
Article 2, first paragraph, point (49)(a)				
161	(a) it can only be distributed and used within that local and district level perimeter through a dedicated distribution network;	(a) it can only be distributed and used within that local and district level perimeter through a dedicated distribution network;	(a) it can only be distributed and used within that local and district level perimeter through a dedicated distribution network;	
Article 2, first paragraph, point (49)(b)				


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162	(b) it allows for the calculation of a specific primary energy factor valid only for the energy from renewable sources produced within that local or district level perimeter; and	(b) it allows for the calculation of a specific primary energy factor valid only for the energy from renewable sources produced within that local or district level perimeter; and	(b) it allows for the calculation of a specific primary energy factor valid only for the energy from renewable sources produced within that local or district level perimeter; and	
Article 2, first paragraph, point (49)(c)				
163	(c) it can be used on-site of the building assessed through a dedicated connection to the energy production source, that dedicated connection requiring specific equipment for the safe supply and metering of energy for self-use of the building assessed;	(c) it can be used on-site of the building assessed through a dedicated connection to the energy production source, that dedicated connection requiring specific equipment for the safe supply and metering of energy for self-use of the building assessed;	(c) it can be used on-site of the building assessed through a dedicated connection to the energy production source, that dedicated connection requiring specific equipment for the safe supply and metering of energy for self-use of the building assessed;	
Article 2, first paragraph, point (50)				
164	50. ‘energy performance of buildings (EPB) services’ means the services, such as heating, cooling, ventilation, domestic hot water and lighting and others for which the energy use is taken into account in the energy performance of buildings;	50. ‘energy performance of buildings (EPB) services’ means the services, such as heating, cooling, ventilation, domestic hot water and lighting and others for which the energy use is taken into account in the energy performance of buildings;	50. ‘energy performance of buildings (EPB) services’ means the services, such as heating, cooling, ventilation, domestic hot water and lighting and others for which the energy use is taken into account in the calculation of the energy performance of buildings;	
Article 2, first paragraph, point (51)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
165	51. ‘energy needs’ means the energy to be delivered to, or extracted from, a conditioned space to maintain the intended space conditions during a given period of time disregarding any technical building system inefficiencies;	51. ‘energy needs’ means the energy to be delivered to, or extracted from, a conditioned space to maintain the intended space conditions during a given period of time, <u>taking into account transmission and ventilation losses and solar and internal gains in accordance with EN standards</u> , disregarding any technical building system inefficiencies;	51. ‘energy needs’ means the energy to be delivered to, or extracted from, a conditioned space to maintain the intended space conditions during a given period of time disregarding any technical building system inefficiencies;	
Article 2, first paragraph, point (52)				
166	52. ‘energy use’ means energy input to a technical building system providing a EPB-service intended to satisfy an energy need;	52. ‘energy use’ means energy input to a technical building system providing a EPB-service intended to satisfy an energy need;	52. ‘energy use’ means energy input to a technical building system providing a EPB-service intended to satisfy an energy need;	
Article 2, first paragraph, point (53)				
167	53. ‘self-used’ means part of on-site or nearby produced renewable energy used by on-site technical systems for EPB services;	53. ‘self-used’ means part of on-site or nearby produced renewable energy used <u>simultaneously</u> by on-site technical systems for EPB services;	53. ‘self-used’ means part of on-site or nearby produced renewable energy used by on-site technical systems for EPB services;	
Article 2, first paragraph, point (54)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
168	54. ‘other on-site uses’ means energy used on-site for uses other than EPB services, and may include appliances, miscellaneous and ancillary loads or electro-mobility charging points;	54. ‘other on-site uses’ means energy used on-site for uses other than EPB services, and may include appliances, miscellaneous and ancillary loads, <u>domestic batteries energy storage systems</u> or electro-mobility charging points;	54. ‘other on-site uses’ means energy used on-site for uses other than EPB services, and may include appliances, miscellaneous and ancillary loads or electro-mobility charging points;	
Article 2, first paragraph, point (55)				
169	55. ‘calculation interval’ means the discrete time interval used for the calculation of the energy performance;	55. ‘calculation interval’ means the discrete time interval used for the calculation of the energy performance;	55. ‘calculation interval’ means the discrete time interval used for the calculation of the energy performance;	
Article 2, first paragraph, point (56)				
170	56. ‘delivered energy’ means energy, expressed per energy carrier, supplied to the technical building systems through the assessment boundary, to satisfy the uses taken into account or to produce the exported energy;	56. ‘delivered energy’ means energy, expressed per energy carrier, supplied to the technical building systems through the assessment boundary, to satisfy the uses taken into account or to produce the exported energy;	56. ‘delivered energy’ means energy, expressed per energy carrier, supplied to the technical building systems through the assessment boundary, to satisfy the uses taken into account or to produce the exported energy;	
Article 2, first paragraph, point (57)				
171	57. ‘exported energy’ means, expressed per energy carrier and	57. ‘exported energy’ means, expressed per energy carrier and	57. ‘exported energy’ means, expressed per energy carrier and	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	per primary energy factor, the proportion of the renewable energy that is exported to the energy grid instead of being used on site for self-use or for other on-site uses.	per primary energy factor, the proportion of the renewable energy that is exported to the energy grid instead of being used on site for self-use or for other on-site uses.;	per primary energy factor, the proportion of the renewable energy that is exported to the energy grid instead of being used on site for self-use or for other on-site uses.	
171a		<u>57a. 'secondary material' means material recovered from previous use or from waste which substitutes primary materials as defined in the construction framework standard EN 15643;</u>		
171b		<u>57b. 'bicycle parking space' means a designated space for at least one bicycle, which provides secure and easy storage for a variety of bicycle types and which may be lit and protected from the weather;</u>		
171c		<u>57c. 'physically adjacent' means a car park which is intended for the use of residents, visitors, or</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>workers of a building, which is located within the property area of the building or which is in the direct vicinity of the building;</u>		
171d		<u>57d. 'circularity' means the reduction of the need for extraction of virgin materials through the reduction of demand for new materials, through repair, reuse, repurposing, and recycling of used materials and through the extension of the lifetime of products and buildings;</u>		
171e		<u>57e. 'sufficiency' means the minimisation of demand for energy, materials, land, water, and other natural resources over the lifecycle of buildings and goods;</u>		
171f		<u>57f. 'bill of materials' means a record of the type, source and quantity of construction products</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<p><u>and materials that are used to construct or renovate a building, which affect its thermal performance and technical system efficiency in accordance with Annex I, as well as its fire performance and indoor environmental quality;</u></p>		
171g		<p><u>57g. 'indoor environmental quality' means a set of parameters relating to a building, including indoor air quality, thermal comfort, lighting, and acoustic affecting the health and wellbeing of its occupants;</u></p>		
171h		<p><u>57h. 'healthy indoor climate' means the indoor environment of a building, which optimises the health, comfort and well-being of occupants in line with specific performance levels, including those related to daylight, indoor air quality and thermal comfort, such as mitigating overheating and enhancing acoustic quality.</u></p>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement	
Article 9a					
G	258d	Article 9a Solar Energy in buildings	Article 9a Solar Energy in buildings	Article 9a Solar Energy in buildings	G
Article 9a(1)					
G	258e	1. Member States shall ensure that all new buildings are designed to optimise their solar energy generation potential on the basis of the solar irradiance of the site, enabling the later cost-effective installation of solar technologies.	1. <u>By... /24 months after the date of entry into force of this Directive/</u> , Member States shall ensure that all new buildings are designed to optimise their solar energy generation potential on the basis of the solar irradiance of the site, enabling the later <u>subsequent</u> cost-effective installation of solar technologies.	1. Member States shall ensure that all new buildings are designed to optimise their solar energy generation potential on the basis of the solar irradiance of the site, enabling the later cost-effective installation of solar technologies.	G
Article 9(6b)					
Y	258f		<u>2. Member States shall encourage, through information measures and streamlined permitting schemes, the deployment of suitable solar energy installations in all buildings undergoing major renovation or deep renovation in combination with the renovation</u>		Y


	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>of the building envelope, with the replacement of technical building systems and with the installation of equipment with electricity storage, EV-charging infrastructure, heat pump technology, and building automation and control systems.</u>		
Article 9a(1)				
Y	258g	2. Member States shall ensure the deployment of suitable solar energy installations:	2. Member States shall ensure the deployment of suitable solar energy installations:	
		23. Member States shall ensure the deployment of suitable solar energy installations, <u>if technically suitable and economically and functionally feasible, as follows:</u>		
R	258h	(a) by 31 December 2026, on all new public and commercial buildings with useful floor area larger than 250 square meters;	(a) by 31 December 2026, on all new public and commercial non-residential buildings with useful floor area larger than 250 square meters over 250 m2 ;	
		(a) by... <u>[24 months after the date of entry into force of this Directive], on all new public and new non-residential buildings</u> 31 December 2026, on all new public and commercial buildings with useful floor area larger than 250 square meters;		
R	258i			

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	(b) by 31 December 2027, on all existing public and commercial buildings with useful floor area larger than 250 square meters; and	(b) by 31 December 2027 <u>2026</u> , on all existing public and commercial <u>non-residential</u> buildings with useful floor area larger than 250 square meters; and	(b) by 31 December 2027, on all existing public and commercial <u>non-residential</u> buildings undergoing a major or a deep renovation with useful floor area larger than 250 square meters over 400 m² ; and	
R	258j	(c) by 31 December 2029 <u>2028</u> , on all new residential buildings ; <u>and roofed car parks;</u>	(c) by 31 December 2029, on all new residential buildings.	
R	258k	<u>(d) by 31 December 2032, on all buildings undergoing major renovation.</u>		
Article 9a(1)				
Y	258l	34. Member States shall define, establish and make publicly available, criteria at national level for the practical implementation of these obligations; <u>the deadlines set out in paragraph 3</u> and for possible exemptions for specific types of buildings, in accordance	3. Member States shall define, and make publicly available, criteria at national level for the practical implementation of these obligations, and for possible exemptions for specific types of buildings, including those mentioned in Article 9,	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	potential of the solar energy installations and the characteristics of the buildings covered by this obligation.	with the assessed technical and economic potential of the solar energy installations and the characteristics of the buildings covered by this obligation <u>those obligations</u> .	paragraph 6, taking into account also the principle of technological neutrality, and in accordance with the assessed technical and economic potential of the solar energy installations and the characteristics of the buildings covered by this obligation provision . When defining such criteria Member States shall also take into account other relevant factors, such as structural integrity, biodiversity, stability of the electricity network.	
Article 9a(5)				
258m		<u>5. The deployment of suitable solar energy installations on all new residential buildings and roofed carparks and on all buildings undergoing major renovation as set out in paragraph 3, points (c) and (d) shall be combined with attic and roof insulation where appropriate, taking into account the functioning of the building. The deployment of suitable solar energy installations as set out in paragraph 3 shall be combined</u>		



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>with the permit-granting process for the installation of solar energy equipment in artificial structures laid down in Article 16c of Directive (EU) 2018/2001 (amended RED as proposed by COM(2022)0222). For solar installations below 50 kW, Member States shall allow a simple-notification procedure as provided for in Article 17 of Directive (EU) 2018/2001.</u>		
Article 9a(6)				
G	258n	<u>6. Member States shall establish a pathway with numerical targets for their national contribution to the deployment of solar energy and heat pumps in buildings in their national building renovation plans.</u>		G
Article 9a(7)				
G	258o	<u>7. Member States shall ensure that their regulatory frameworks provide the necessary administrative, technical and financial capacities and incentives for the deployment of solar energy</u>		G

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<p><u><i>in buildings, including in combination with technical building systems such as domestic batteries, heat pumps for self consumption, or large-scale heat pumps distributing heat through district heating systems. Member States shall ensure an equal regulatory playing field for all solar and heating technologies.</i></u></p>		
Article 9a(8)				
258p		<p><u><i>8. Member States shall ensure that representatives of national regulatory authorities, distribution system operators, renewable energy communities, consumer organisations, storage providers and other stakeholders assess the need for additional measures with regard to the distribution system to achieve the objectives of this Article. That assessment shall include the required connection and procurement of flexible distributed energy generation in line with the provisions of Regulation (EU) 2019/943 of the European Parliament and of the Council¹ and Directive (EU) 2019/944 of the European</i></u></p>		



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<p><u>Parliament and of the Council², in particular considering a necessary levelplaying field and fair remuneration for active customers and energy communities.</u></p> <p><u>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).</u></p> <p><u>2. Directive (EU) 2019/944 of the European Parliament and of the Council of 5 June 2019 on common rules for the internal market for electricity and amending Directive 2012/27/EU (OJ L 158, 14.6.2019, p. 125).</u></p>		
Article 9a(9)				
R	258q	<p><u>9. Member States shall encourage measures to ensure the fire safety of solar energy installations in buildings, including in combination with technical building systems such as domestic batteries or heat pumps for self-consumption.</u></p>		
Article 11				
	267	Article 11 Technical building systems	Article 11 Technical building systems	Article 11 Technical building systems

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 11(1), first subparagraph				
268	<p>1. Member States shall, for the purpose of optimising the energy use of technical building systems, set system requirements in respect of the overall energy performance, the proper installation, and the appropriate dimensioning, adjustment and control of the technical building systems which are installed in new or existing buildings. When setting up the requirements, Member States shall take account of design conditions and typical or average operating conditions.</p>	<p>1. Member States shall, for the purpose of optimising the energy use of technical building systems, set system requirements <u>using energy saving technologies</u>, in respect of the overall energy performance, the proper installation, and the appropriate dimensioning, adjustment and control of the technical building systems, <u>and, where appropriate, hydronic balancing</u>, which are installed in new or existing buildings. When setting up the requirements, Member States shall take account of design conditions and typical or average operating conditions <u>and shall ensure the use of the equipment that meets the criteria for the highest available energy efficiency classes in accordance with the relevant legal acts of the Union on energy labelling, taking into account system efficiency and the energy efficiency first principle.</u></p>	<p>1. Member States shall, for the purpose of optimising the energy use of technical building systems, set system requirements in respect of the overall energy performance, the proper installation, and the appropriate dimensioning, adjustment and control of the technical building systems which are installed in new or existing buildings. When setting up the requirements, Member States shall take account of design conditions and typical or average operating conditions.</p>	
Article 11(1), second subparagraph				
269	System requirements shall be set	System requirements shall be set	System requirements shall be set	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	for new, replacement and upgrading of technical building systems and shall be applied in so far as they are technically, economically and functionally feasible.	for new, replacement and upgrading of technical building systems and shall be applied in so far as they are technically, economically and functionally feasible.	for new, replacement and upgrading of technical building systems and shall be applied in so far as they are technically, economically and functionally feasible.	
Article 11(1), third subparagraph				
270	Member States may set requirements related to the greenhouse gas emissions of, or to the type of fuel used by heat generators provided that such requirements do not constitute an unjustifiable market barrier.	Member States may shall set requirements related to the greenhouse gas emissions of, or to the type of fuel used by heat generators provided that such requirements do not constitute an unjustifiable market barrier are <u>technologically neutral and in line with the objective to phase out the use of fossil fuels in heating and cooling.</u>	Member States may set requirements related to the greenhouse gas emissions of, or to the type of fuel used by heat generators or to the minimum part of renewable energy used for heating at building's level, provided that such requirements do not constitute an unjustifiable market barrier.	
Article 11(1), fourth subparagraph				
271	Member States shall ensure that the requirements they set for technical building systems reach at least the latest cost-optimal levels.	Member States shall ensure that the requirements they set for technical building systems reach at least the latest cost-optimal levels <u>and take into account the relevant economic and environmental optimisation standards for the dimensioning.</u>	Member States shall ensure that the requirements they set for technical building systems reach at least the latest cost-optimal levels.	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 11(1), fifth subparagraph				
271a		<u>Member States shall ensure that the replacement of obsolete and inefficient technical building systems, where technically and economically feasible, is part of the steps set out in a renovation passport, in accordance with the energy efficiency first principle.</u>		
Article 11(2)				
272	2. Member States shall require new buildings, where technically and economically feasible, to be equipped with self-regulating devices for the separate regulation of the temperature in each room or, where justified, in a designated heated zone of the building unit. In existing buildings, the installation of such self-regulating devices shall be required when heat generators are replaced, where technically and economically feasible.	2. Member States shall require new buildings, where technically and economically feasible, to be equipped with self-regulating devices for the separate regulation of the temperature in each room or, where justified, in a designated heated <u>or cooled</u> zone of the building unit. In existing buildings, <u>and, where appropriate, with hydronic balancing.</u> The installation of such self-regulating devices <u>and, where appropriate, hydronic balancing in existing buildings</u> shall be required when heat <u>or cold</u> generators are replaced, where technically and	2. Member States shall require new buildings, where technically and economically feasible, to be equipped with self-regulating devices for the separate regulation of the temperature in each room or, where justified, in a designated heated zone of the building unit. In existing buildings, the installation of such self-regulating devices shall be required when heat generators are replaced, where technically and economically feasible.	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		economically feasible.		
Article 11(3)				
273	3. Member States shall require zero-emission buildings to be equipped with measuring and control devices for the monitoring and regulation of indoor air quality. In existing buildings, the installation of such devices shall be required, where technically and economically feasible, when a building undergoes a major renovation.	3. Member States shall require zero-emission buildings to be equipped with <u>the installation of</u> measuring and control devices for the monitoring and regulation of indoor air <u>environmental</u> quality: In existing buildings, the installation of such devices shall be required <u>at relevant unit level and</u> , where technically and economically feasible, when a building undergoes a major renovation <u>in the following buildings:</u> Comment: recommends changing to "indoor environmental quality" instead of "environmental quality" in line with the rest of EP text.	3. Member States shall require non-residential zero-emission buildings to be equipped with measuring and control devices for the monitoring and regulation of indoor air quality. In existing buildings, the installation of such devices shall be required, where technically and economically feasible, when a building undergoes a major renovation.	
Article 11(3), first subparagraph, point (a)				
273a		<u>(a) zero emission buildings;</u>		
Article 11(3), first subparagraph, point (b)				
273b				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>(b) new buildings;</u>		
Article 11(3), first subparagraph point (c)				
273c		<u>(c) existing buildings undergoing a major renovation;</u>		
Article 11(3), first subparagraph , point (d)				
273d		<u>(d) non-residential buildings with an effective rated output for heating systems, cooling systems or systems for combined space heating and cooling over 70kW;</u>		
Article 11(3), first subparagraph point (e)				
273e		<u>(e) public buildings and buildings providing social services of general interest, such as education, health and social assistance.</u>		
Article 11(3) , second subparagraph				
273f		<u>When considering the economic feasibility of an installation as referred to in the first subparagraph, Member States</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>shall also take account of its measurable health benefits.</u>		
Article 11(3) , third subparagraph				
273g		<u>Member States shall ensure that data on indoor environmental quality and other relevant data collected through measuring and control devices is interoperable with the digital building logbooks pursuant to Article 19(6) and in accordance with Union and national data protection rules.</u>		
Article 11(4)				
274	4. Member States shall ensure that, when a technical building system is installed, the overall energy performance of the altered part, and where relevant, of the complete altered system, is assessed. The results shall be documented and passed on to the building owner, so that they remain available and can be used for the verification of compliance with the minimum requirements laid down pursuant to paragraph 1 and the issue of energy performance	4. Member States shall ensure that, when a technical building system is installed <u>or altered</u> , the overall energy <u>and, where applicable, life-cycle GWP</u> performance of the altered part, and where relevant, of the complete altered system, is assessed <u>complete system, is improved and, where applicable, evidenced by in-use performance data</u> . The results shall be documented <u>in a digital building logbook</u> and passed on to the building owner <u>and tenant</u> , so that	4. Member States shall ensure that, when a technical building system is installed, the overall energy performance of the altered part, and where relevant, of the complete altered system, is assessed. The results shall be documented and passed on to the building owner, so that they remain available and can be used for the verification of compliance with the minimum requirements laid down pursuant to paragraph 1 and the issue of energy performance	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	certificates.	they remain available and can be used for the verification of compliance with the minimum requirements laid down pursuant to paragraph 1 and the issue of energy performance certificates.	certificates.	
Article 11(4), second subparagraph				
274a		<u>Member States may adopt new incentives and funding to encourage the switch from fossil-fuelled heating and cooling systems to non-fossil fuel based systems, accompanied by investment in housing improving energy efficiency.</u>		
274b			5. Member States shall strive to replace fossil-fuelled heat generators in existing buildings to be in line with the pathway for transforming the national building stock into zero-emission buildings.	
Article 11(4a), first subparagraph				
274c				



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>4a. Member States shall lay down requirements to ensure that, where technically and economically feasible, non-residential buildings are equipped with building automation and control systems, as follows:</u>		
Article 11(4a), first subparagraph, point (a)				
274d		<u>(a) by 31 December 2024, non-residential buildings with an effective rated output for heating systems, cooling systems or systems for combined space heating and ventilation of over 290 kW;</u> Comment: possible alignment to line 274l wording "combined space heating, cooling and ventilation" (adding cooling for consistency in this line too).		
Article 11(4a), first subparagraph point (b)				
274e		<u>(b) by 31 December 2029, non-residential buildings with an effective rated output for heating systems, cooling systems or systems for combined space</u>		



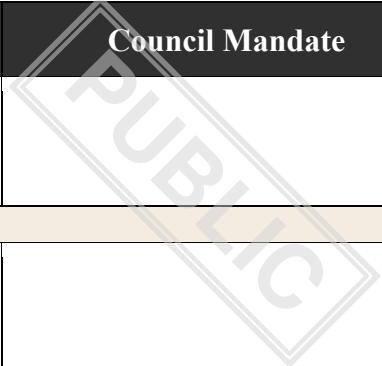
	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<p><u>heating and ventilation of over 70 kW.</u></p> <p>Comment: possible alignment to line 274l wording "combined space heating, cooling and ventilation" (adding cooling for consistency in this line too).</p>		
Article 11(4a), second subparagraph				
G	274f	<p><u>Member States shall set out clear parameters for establishing the economic feasibility of equipping non-residential buildings with building automation and control systems.</u></p>		G
Article 11(4b)				
Y	274g	<p><u>4b. The building automation and control systems referred to in paragraph 4a shall be capable of:</u></p>		Y
Article 11(4b), point (a)				
Y	274h	<p><u>(a) continuously monitoring, logging, analysing and allowing for adjusting energy use;</u></p>		Y



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 11(4a)(point (b))				
Y	274i	<u>(b) benchmarking the building's energy efficiency, detecting losses in efficiency of technical building systems, and informing the person responsible for the facilities or technical building management about opportunities for energy efficiency improvement;</u>		Y
Article 11(4b), point (c)				
Y	274j	<u>(c) allowing communication with connected technical building systems and other appliances inside the building, and being interoperable with technical building systems across different types of proprietary technologies, devices and manufacturers;</u>		Y
Article 11(4b), point (d)				
R	274k	<u>(d) effective monitoring of indoor environmental quality, to ensure occupants' health and safety.</u>		R
Article 11(4c)				
Y	274l			Y



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>4c. Member States shall lay down requirements to ensure that, where technically and economically feasible, from 1 January 2025, new residential buildings and residential buildings undergoing major renovations with an effective rated output for heating systems, cooling systems or systems for combined space heating, cooling and ventilation of over 70 kW are equipped with the following:</u>		
Article 11(4c), point (a)				
274m		<u>(a) the functionality of continuous electronic monitoring of systems in the building at the relevant building and unit level that measures efficiency and informs building owners or managers in the case of a significant variation and when system servicing is necessary;</u>		
Article 11(4c), point (b)				
274n		<u>(b) effective control and balancing functionalities to ensure optimum generation,</u>		



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>distribution, storage and use of energy;</u>		
	Article 11(4c), point (c)			
Y	274o	<u>(c) demand-side flexibility;</u>		Y
	Article 11(4c), point (d)			
R	274p	<u>(d) effective indoor environmental quality monitoring system, to ensure occupants' health and safety.</u>		R
	Article 11(4d)			
G	274q	<u>4d. In addition to requirements set out in paragraph 4c, residential buildings with a useful floor area larger than 1 000 sqm shall also be equipped with functionality allowing both of the following:</u>		G
	Article 11(4d), point (a)			
G	274r	<u>(a) benchmarking of the building's energy efficiency, detecting of losses in efficiency of</u>		G



	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u><i>technical building systems, and informing the person responsible for the facilities or technical building management about opportunities for energy efficiency improvement;</i></u>		
Article 11(4d), point (b)				
274s		<u><i>(b) communication with connected technical building systems and other appliances inside the building, and being interoperable with technical building systems across different types of proprietary technologies, devices and manufacturers.</i></u>		
Article 11(4e)				
274t		<u><i>4e. Member States shall require that, where technically and economically feasible, non-residential buildings are equipped with automatic lighting controls. The automatic lighting controls shall be capable of all of the following:</i></u>		
Article 11(4e), point (a)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
274u		<u>(a) zoned occupancy control for indoor lighting with automatic detection;</u>		
Article 11(4e), point (b)				
274v		<u>(b) zoned automatic dimming of the lighting power based on daylight levels in daylight;</u>		
Article 11(4e), point (c)				
274w		<u>(c) enabling continuous monitoring, logging and fault detection;</u>		
Article 11(4e), point (d)				
274x		<u>(d) allowing end-user control;</u>		
Article 11(4e), point (e)				
274y		<u>(e) allowing communication with relevant connected technical building systems inside the building.</u>		
Article 11a				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
274z		<u>Article 11a</u> <u>Indoor environmental quality</u>		
Article 11a(1)				
274aa		<u>1. Member States shall set requirements for the implementation of adequate indoor environmental quality standards in buildings in order to maintain a healthy indoor climate.</u>		
Article 11a(2), first subparagraph				
274ab		<u>2. By... / 24 months after the date of entry into force of this Directive], Member States shall set requirements according to measurable indicators based on to those of the LEVELs framework.</u>		
Article 11a(2), second subparagraph				
274ac		<u>Indoor environmental quality indicators shall be measured inside the building and shall at least include:</u>		
Article 11a(2), second subparagraph, point (a)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
274ad		<u>(a) the level of carbon dioxide;</u>		
Article 11a(2), second subparagraph, point (b)				
274ae		<u>(b) the temperature and thermal comfort;</u>		
Article 11a(2), second subparagraph, point (c)				
274af		<u>(c) the relative humidity;</u>		
Article 11a(2), second subparagraph, point (d)				
274ag		<u>(d) the level of daylight illumination or adequate daylight levels;</u>		
Article 11a(2), second subparagraph, point (e)				
274ah		<u>(e) the ventilation rate in air changes per hour;</u>		
Article 11a(2), second subparagraph, point (f)				
274ai		<u>(f) acoustic indoor comfort, such as the control of the reverberation time and background noise level</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>and speech intelligibility.</u>		
Article 11a(2), third subparagraph				
274aj		<p><u>Particulate matter of emissions of indoor sources and target pollutant limits from indoor sources, on volatile organic compounds, classified as carcinogenic, mutagenic, or toxic for reproduction according to Regulation (EC) No 1272/2008¹, including formaldehyde, shall be reported on the basis of the available data at product level, or direct measurement where available, of the relevant sources in relation to the indoor environment of the building.</u></p> <p><u>1. Regulation (EC) No 1272/2008 of the European Parliament and of the Council of 16 December 2008 on classification, labelling and packaging of substances and mixtures, amending and repealing Directives 67/548/EEC and 1999/45/EC, and amending Regulation (EC) No 1907/2006 (OJ L 353, 31.12.2008, p. 1).</u></p>		
Article 11a(3)				
274ak		<u>3. The Commission is empowered</u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u><i>to adopt delegated acts in accordance with Article 29 to supplement this Directive by establishing a methodology framework for calculating the indoor environmental quality standards.</i></u>		
Article 11a(4)				
		<u><i>4. Member States shall ensure that new buildings and buildings undergoing major renovation comply with adequate indoor environmental quality standards.</i></u>		
Article 13				
G	296 Article 13 Smart readiness of buildings	Article 13 Smart readiness of buildings	Article 13 Smart readiness of buildings	G
Article 13(1), first subparagraph				
R	297 1. The Commission shall adopt delegated acts in accordance with Article 29 concerning an optional common Union scheme for rating the smart readiness of buildings. The rating shall be based on an assessment of the capabilities of a	1. The Commission shall adopt <u>adopt</u> delegated acts <u>acts</u> in accordance with Article 29 concerning an <u>an</u> optional common Union scheme for rating the smart readiness of buildings. The rating shall be based on an assessment of	1. The Commission shall adopt <u>adopt</u> delegated acts <u>acts</u> in accordance with Article 29 concerning an <u>an</u> optional common Union scheme for rating the smart readiness of buildings. The rating shall be based on an assessment of	R

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	building or building unit to adapt its operation to the needs of the occupant and the grid and to improve its energy efficiency and overall performance.	the capabilities of a building or building unit to adapt its operation to the needs of the occupant, <u>in particular concerning indoor environmental quality</u> and the grid and to improve its energy efficiency and overall performance.	the capabilities of a building or building unit to adapt its operation to the needs of the occupant and the grid and to improve its energy efficiency and overall performance.	
Article 13(1), second subparagraph				
G	298	In accordance with Annex IV, the optional common Union scheme for rating the smart readiness of buildings shall lay down :	In accordance with Annex IV, the optional common Union scheme for rating the smart readiness of buildings shall lay down :	In accordance with Annex IV, the optional common Union scheme for rating the smart readiness of buildings shall– lay down–:
Article 13(1), second subparagraph, point (a)				
G	299	(a) the definition of the smart readiness indicator; and	(a) the definition of the smart readiness indicator; and	(a) the definition of the smart readiness indicator; and
Article 13(1), second subparagraph, point (b)				
G	300	(b) a methodology by which it is to be calculated.	(b) a methodology by which it is to be calculated.	(b) a methodology by which it is to be calculated.
R	301	2. The Commission shall, by 31 December 2025, adopt a delegated	2. The Commission shall, By 31 December 2025, <u>2024, the</u>	2. The Commission shall, by 31 December 2025, adopt a delegated

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	act in accordance with Article 29, requiring the application of the common Union scheme for rating the smart readiness of buildings, in accordance with Annex IV, to non-residential buildings with an effective rated output for heating systems, or systems for combined space heating and ventilation of over 290 kW.	<u>Commission shall</u> adopt a delegated act in accordance with Article 29, <u>amending this Directive by</u> requiring the <u>mandatory</u> application, <u>by the same date</u> , of the common Union scheme for rating the smart readiness of buildings, in accordance with Annex IV, to non-residential buildings with an effective rated output for heating systems, or <u>air-conditioning systems, and</u> systems for combined space heating, <u>air-conditioning</u> and ventilation of over 290 kW. <u>From 1 January 2030, the common Union scheme shall apply to non-residential buildings with an effective rated output of over 70 kW.</u>	act in accordance with Article 29, requiring the application of the common Union scheme for rating the smart readiness of buildings, in accordance with Annex IV, to non-residential buildings with an effective rated output for heating systems, or systems for combined space heating and ventilation of over 290 kW Further to the test phase of the smart readiness indicator, the Commission shall submit a report to the Member States, by 1st January 2026, with a view to assessing the results.	
301a			2a. If the report concludes that the assessment of the smart readiness indicator is positive, the Commission shall, by 31 December 2026, adopt a delegated act in accordance with Article 29, requiring the application of the common Union scheme for rating the smart	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
			readiness of buildings, in accordance with Annex IV, to non-residential buildings with an effective rated output for heating systems, or systems for combined space heating and ventilation of over 290 kW.	
Article 13(3), first subparagraph				
302	3. The Commission shall, after having consulted the relevant stakeholders, adopt an implementing act detailing the technical modalities for the effective implementation of the scheme referred to in paragraph 1 , including a timeline for a non-committal test-phase at national level, and clarifying the complementary relation of the scheme to the energy performance certificates referred to in Article 16.	3. The Commission shall, after having consulted the relevant stakeholders, adopt an implementing act detailing the technical modalities for the effective implementation of the scheme referred to in paragraph 1 , including a timeline for a non-committal test-phase at national level, and clarifying the complementary relation of the scheme to the energy performance certificates referred to in Article 16.	3. The Commission shall,– after having consulted the relevant stakeholders, adopt an implementing act detailing the technical modalities for the effective implementation of the scheme referred to in paragraph 1 , including a timeline for a non-committal test-phase at national level, and clarifying the complementary relation of the scheme to the energy performance certificates referred to in Article 16.	
Article 13(3), second subparagraph				
303	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(3).	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(3).	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(3).	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	Article 13(4), first subparagraph			
R	304	4. The Commission shall, by 31 December 2025, and after having consulted the relevant stakeholders, adopt an implementing act detailing the technical modalities for the effective implementation of the application of the scheme referred to in paragraph 2 to non-residential buildings with an effective rated output for heating systems, or systems for combined heating and ventilation of over 290 kW.	4. The Commission shall, By 31 December 2025, and 2024, the Commission shall, after having consulted the relevant stakeholders, adopt an implementing act detailing the technical modalities for the effective implementation of the application of the scheme referred to in paragraph 2 to non-residential buildings with an effective rated output for heating systems, <u>air-conditioning systems,</u> or systems for combined heating, <u>air-conditioning</u> and ventilation of over 290 kW.	4. Provided that the Commission shall, by 31 December 2025, and after having consulted the relevant stakeholders, has adopted the delegated act referred to in paragraph 2a, the Commission shall, by 31 December 2027 adopt an implementing act detailing the technical modalities for the effective implementation of the application of the scheme referred to in paragraph 2 a to non-residential buildings with an effective rated output for heating systems, or systems for combined heating and ventilation of over 290 kW.
	Article 13(4), second subparagraph			
G	305	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(3).	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(3).	That implementing act shall be adopted in accordance with the examination procedure referred to in Article 30(3).
	Article 20			
G	378			

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	Article 20 Inspections	Article 20 Inspections	Article 20 Inspections	
Article 20(1)				
G	379 1. Member States shall lay down the necessary measures to establish regular inspections of heating , ventilation and air conditioning systems with an effective rated output of over 70 kW. The effective rating of the system shall be based on the sum of the rated output of the heating and air-conditioning generators.	1. Member States shall lay down the necessary measures to establish regular inspections of heating , ventilation and air conditioning systems with an effective rated output of over 70 kW. The effective rating of the system shall be based on the sum of the rated output of the heating and air-conditioning generators.	1. Member States shall lay down the necessary measures to establish regular inspections of the accessible parts of heating -, ventilation and air conditioning systems- with an effective rated output of over 70 kW.- The effective rating of the system shall be based on the sum of the rated output of the heating and air-conditioning cooling generators.	
Article 20(2)				
G	380 2. Member States shall establish separate inspection schemes for the inspections of residential and non-residential systems.	2. Member States shall may establish separate inspection schemes for the inspections of residential and non-residential systems.	2. Member States shall may establish separate inspection schemes for the inspections of residential and non-residential systems.	
Article 20(3)				
R	381 3. Member States may set different inspection frequencies depending on the type and	3. Member States may set different inspection frequencies depending on the type and	3. Member States may set different inspection frequencies depending on the type and	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	effective rated output of the system whilst taking into account the costs of the inspection of the system and the estimated energy cost savings that may result from the inspection. Systems shall be inspected at least every five years. Systems with generators of an effective rated output of more than 290 kW shall be inspected at least every two years.	effective rated output of the system whilst taking into account the costs of the inspection of the system and the estimated energy cost savings that may result from the inspection. Systems shall be inspected at least every five years. Systems with generators of an effective rated output of more than 290 kW <u>and those emitting carbon monoxide</u> shall be inspected at least every two years, <u>for safety reasons</u> .	effective rated output of the system whilst taking into account the costs of the inspection of the system and the estimated energy cost savings that may result from the inspection. Systems shall be inspected at least every five years. Systems with generators of an effective rated output of more than 290 kW shall be inspected at least every two three years.	
Article 20(4), first subparagraph				
382	4. The inspection shall include the assessment of the generator or generators, circulation pumps, fans and control system. Member States may decide to include in the inspection schemes any additional building systems identified under Annex I.	4. The inspection shall include the assessment of the <u>heat and air-conditioning</u> generator or generators, circulation pumps, fans <u>components of ventilation systems, all air and water distribution systems, hydronic balancing systems, where appropriate,</u> and control system. Member States may decide to include in the inspection schemes any additional building systems identified under Annex I.	4. The inspection shall include the assessment of the generator or generators, circulation pumps, fans and control system. Member States may decide to include in the inspection schemes any additional building systems identified under Annex I.	
Article 20(4), second subparagraph				
383				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	<p>The inspection shall include an assessment of the efficiency and sizing of the generator or generators and of its main components compared with the requirements of the building and consider the capabilities of the system to optimise its performance under typical or average operating conditions. Where relevant, the inspection shall assess the feasibility of the system to operate under different and more efficient temperature settings, while ensuring the safe operation of the system.</p>	<p>The inspection shall include an assessment of the efficiency and sizing of the <u>heat and air-conditioning</u> generator or generators and of its main components compared with the requirements of the building and consider the capabilities of the system to optimise its performance under typical or average operating conditions, <u>using available energy saving technologies, and under changing conditions due to use variation</u>. Where relevant, the inspection shall assess the feasibility of the system to operate under different and more efficient temperature settings, <u>such as at low temperature for water-based heating systems, including via the design of thermal power output and temperature and flow requirements</u>, while ensuring the safe operation of the system. <u>The inspection shall also assess the readiness of technical building systems to work with renewable energy sources and, where relevant, be operated on low temperatures.</u></p>	<p>The inspection shall include an assessment of the efficiency and sizing of the generator or generators and of its main components compared with the requirements of the building and consider the capabilities of the system to optimise its performance under typical or average operating conditions. Where relevant, the inspection shall assess the feasibility of the system to operate under different and more efficient temperature settings, while ensuring the safe operation of the system.</p>	
Article 20(4), third subparagraph				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
384	The inspections scheme shall include the assessment of the sizing of the ventilation system compared with the requirements of the building and consider the capabilities of the ventilation system to optimise its performance under typical or average operating conditions.	The inspections scheme shall include the assessment of the sizing of the ventilation system compared with the requirements of the building and consider the capabilities of the ventilation system to optimise its performance under typical or average operating conditions.	The inspections scheme, where relevant , shall include the assessment of the sizing of the ventilation system compared with the requirements of the building and consider the capabilities of the ventilation system to optimise its performance under typical or average operating conditions.	
Article 20(4), fourth subparagraph				
385	Where no changes have been made to the system or to the requirements of the building following an inspection carried out pursuant to this Article, Member States may choose not to require the assessment of the main component sizing or the assessment of operation under different temperatures to be repeated.	Where no changes have been made to the system or to the requirements of the building following an inspection carried out pursuant to this Article, Member States may choose not to require the assessment of the main component sizing or the assessment of operation under different temperatures to be repeated.	Where no changes have been made to the system or to the requirements of the building following an inspection carried out pursuant to this Article, Member States may choose not to require the assessment of the main component sizing or the assessment of operation under different temperatures to be repeated.	
Article 20(4), fifth subparagraph				
385a		<u><i>Member States shall ensure that an assessment of the energy efficiency of electrical installations of non-residential</i></u>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
		<u>buildings is made as part of existing safety inspections schemes, with due regard to the available standard for their optimal design, dimensioning, management and monitoring.</u>		
Article 20(5)				
386	5. Technical building systems that are explicitly covered by an agreed energy performance criterion or a contractual arrangement specifying an agreed level of energy efficiency improvement, such as energy performance contracting, or that are operated by a utility or network operator and therefore subject to performance monitoring measures on the system side, shall be exempt from the requirements laid down in paragraph 1, provided that the overall impact of such an approach is equivalent to that resulting from paragraph 1.	5. Technical building systems that are explicitly covered by an agreed energy performance criterion or a contractual arrangement specifying an agreed level of energy efficiency improvement, such as energy performance contracting, or that are operated by a utility or network operator and therefore subject to performance monitoring measures on the system side, shall be exempt from the requirements laid down in paragraph 1, provided that the overall impact of such an approach is equivalent to that resulting from paragraph 1.	5. Technical building systems that are explicitly covered by an agreed energy performance criterion or a contractual arrangement specifying an agreed level of energy efficiency improvement, such as energy performance contracting, or that are operated by a utility or network operator and therefore subject to performance monitoring measures on the system side, shall be exempt from the requirements laid down in paragraph 1, provided that the overall impact of such an approach is equivalent to that resulting from paragraph 1.	
Article 20(6), first subparagraph				
387	6. rovided that the overall impact is equivalent to that resulting from paragraph 1, Member States may	6. rovided that the overall impact is equivalent to that resulting from paragraph 1, Member States may	6. rovided Provided that the overall impact is equivalent to that resulting from paragraph 1,	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	opt to take measures to ensure the provision of advice to users concerning the replacement of generators, other modifications to the system and alternative solutions to assess the performance, efficiency and appropriate size of those systems.	opt to take measures to ensure the provision of advice to users concerning the replacement of generators, other modifications to the system and alternative solutions to assess the performance , efficiency and appropriate size of those systems.	Member States may opt to take measures to ensure the provision of advice to users concerning the replacement of generators , other modifications to the system and alternative solutions to assess the performance, efficiency and appropriate size of those systems.	
Article 20(6), second subparagraph				
G	388	<i>deleted</i>	Before applying the alternative measures referred to in the first subparagraph of this paragraph, each Member State shall, by means of submitting a report to the Commission, document the equivalence of the impact of those measures to the impact of the measures referred to in paragraph 1.	
Article 20(7), first subparagraph				
Y	389	Comment: Lines 389 and following are covered in EP text, lines 274c and following.	7. Member States shall lay down requirements to ensure that, where technically and economically feasible, non-residential buildings with an effective rated output for heating systems or systems for combined space heating and	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	ventilation of over 290 kW are equipped with building automation and control systems 31 December 2024 by. The threshold for the effective rated output shall be lowered to 70 kW by31 December 2029.		ventilation of over 290 kW are equipped with building automation and control systems– by 31 December 2024–by– by. The threshold for the effective rated output shall be lowered to 70 kW by31 by 31 December 2029.	
Article 20(7), second subparagraph				
Y	390 The building automation and control systems shall be capable of:		The building automation and control systems shall be capable of:	Y
Article 20(7), second subparagraph, point (a)				
Y	391 (a) continuously monitoring, logging, analysing and allowing for adjusting energy use;		(a) continuously monitoring, logging, analysing and allowing for adjusting energy use;	Y
Article 20(7), second subparagraph, point (b)				
Y	392 (b) benchmarking the building's energy efficiency, detecting losses in efficiency of technical building systems, and informing the person responsible for the facilities or technical building management about opportunities for energy efficiency improvement; and		(b) benchmarking the building's energy efficiency, detecting losses in efficiency of technical building systems, and informing the person responsible for the facilities or technical building management about opportunities for energy efficiency improvement; and	Y

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 20(7), second subparagraph, point (c)				
y	393	(c) allowing communication with connected technical building systems and other appliances inside the building, and being interoperable with technical building systems across different types of proprietary technologies, devices and manufacturers.	(c) allowing communication with connected technical building systems and other appliances inside the building, and being interoperable with technical building systems across different types of proprietary technologies, devices and manufacturers.	y
Article 20(7a)(8)				
y	394	8. Member States shall lay down requirements to ensure that from 1 January 2025, new residential buildings and residential buildings undergoing major renovations are equipped with:	8. Member States– shall– lay down requirements to ensure that from 1 January 2025, new residential buildings– and residential buildings undergoing major renovations– are equipped with:	y
Article 20(7a)(8), point (a)				
y	395	(a) the functionality of continuous electronic monitoring that measures systems' efficiency and informs building owners or managers when it has fallen significantly and when system servicing is necessary; and	(a) the functionality of continuous electronic monitoring that measures systems' efficiency and informs building owners or managers when it has fallen significantly and when system servicing is necessary; and	y

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	Article 20(7a)(8), point (b)			
Y	396 (b) effective control functionalities to ensure optimum generation, distribution, storage and use of energy.		(b) effective control functionalities to ensure optimum generation, distribution, storage and use of energy.	Y
	Article 20(7a)(8), point (ba)			
Y	396a			Y
	Article 20(7a), (8) a			
G	396b		Member States may exclude single-family houses undergoing major renovations from the requirements laid down in this paragraph where the costs of installation exceed the benefits.	G
	Article 20(9)			
G	397 9. Buildings that comply with paragraph 7 or 8 shall be exempt from the requirements laid down in paragraph 1.	9. Buildings that comply with paragraph 7 or 8 Article 11(4b) or (4c) shall be exempt from the requirements laid down in paragraph 1 of this Article .	9. Buildings that comply with paragraph 7 or 8 shall be exempt from the requirements laid down in paragraph 1.	G
	Article 20(10)			
Y	398			Y

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	10. Member States shall put in place inspection schemes or alternative measures including digital tools, to certify that the delivered construction and renovation works meet the designed energy performance and are compliant with the minimum energy performance requirements as laid down in by the building codes.	10. Member States shall put in place inspection schemes <u>including digital tools for industry size installations, and checklists, to verify compliance with the capability requirements set out in Article 11(4b) and (4c), and</u> or alternative measures including digital tools, to certify that the delivered construction and renovation works meet the designed energy performance and are compliant with the minimum energy performance requirements <u>operational greenhouse gas emissions, indoor environmental quality, and fire safety requirements</u> as laid down in by the building codes <u>or equivalent regulations</u> .	10. Member States shall put in place inspection schemes or alternative measures including digital tools, to certify that the delivered construction and renovation works meet the designed energy performance and are compliant with the minimum energy performance requirements as laid down in by the building codes.	
Article 20(11)				
399	11. Member States shall include a summarised analysis of the inspection schemes and their results as an annex to the building renovation plan referred to in Article 3. Member States that have chosen the alternative measures indicated in paragraph 6 of this Article shall include a summarised	11. Member States shall include a summarised analysis of the inspection schemes and their results as an annex to the building renovation plan referred to in Article 3. Member States that have chosen the alternative measures indicated in paragraph 6 of this Article shall include a summarised	11. Member States shall include a summarised analysis of the inspection schemes and their results as an annex to the building renovation plan referred to in Article 3. Member States that have chosen the alternative measures indicated in paragraph 6 of this Article shall include a summarised	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	analysis and the results of the alternative measures.	analysis and the results of the alternative measures.	analysis and the results of the alternative measures.	
Article 21				
G	400	Article 21 Reports on the inspection of heating , ventilation and air-conditioning systems	Article 21 Reports on the inspection of heating , ventilation and air-conditioning systems	Article 21 Reports on the inspection of heating-, ventilation- and air-conditioning systems
Article 21(1), first subparagraph				
Y	401	1. An inspection report shall be issued after each inspection of a heating , ventilation or air-conditioning system. The inspection report shall contain the result of the inspection performed in accordance with Article 20 and include recommendations for the cost-effective improvement of the energy performance of the inspected system.	1. An inspection report shall be issued after each inspection of a heating-, ventilation- or , air-conditioning, <u>or building automation and control</u> system. The inspection report shall contain the result of the inspection performed in accordance with Article 20- and include recommendations for the cost-effective <u>cost-optimal</u> improvement of the energy performance <u>and safety</u> of the inspected system.	1. An inspection report shall be issued after each inspection of a heating-, ventilation- or air-conditioning system. The inspection report shall contain the result of the inspection performed in accordance with Article 20- and include recommendations for the cost-effective improvement of the energy performance of the inspected system.
Article 21(1), second subparagraph				
G	402	Those recommendations may be based on a comparison of the	Those- recommendations may be based on a comparison of the	Those- recommendations may be based on a comparison of the

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	energy performance of the system inspected with that of the best available feasible system and a system of similar type for which all relevant components achieve the level of energy performance required by the applicable legislation.	energy performance of the system inspected with that of the best available feasible system, <u>using energy saving technologies</u> , and a system of similar type for which all relevant components achieve the level of energy performance required by the applicable legislation.	energy performance of the system inspected with that of the best available feasible system and a system of similar type for which all relevant components achieve the level of energy performance required by the applicable legislation.	
Article 21(2)				
G	403	2. The inspection report shall be handed over to the owner or tenant of the building.	2. The inspection report shall be handed over to the owner or tenant of the building.	G
Article 21(2a)				
G	403a	<u>2a. In the case of fossil fuel powered technical building systems, the recommendations shall provide for alternative renewables based systems or, for any residual demand, for connections to efficient district heating and cooling systems. The recommendations shall consider the economic lifetime of the current installation.</u>		G
Article 21(3)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
404	3. The inspection report shall be uploaded into the national database for energy performance of buildings pursuant to Article 19.	3. The inspection report shall be uploaded into the national database for energy performance of buildings pursuant to Article 19.	3. The inspection report shall be uploaded into the national database for energy performance of buildings pursuant to Article 19.	
Article 22				
405	Article 22 Independent experts	Article 22 Independent experts	Article 22 Independent experts	
Article 22(1), first subparagraph				
406	1. Member States shall ensure that the energy performance certification of buildings , the establishment of renovation passports, the smart readiness assessment, the inspection of heating systems and air-conditioning systems are carried out in an independent manner by qualified or certified experts, whether operating in a self-employed capacity or employed by public bodies or private enterprises.	1. Member States shall ensure that the energy performance certification of buildings–, the establishment of renovation passports, the smart readiness assessment,—the inspection of heating systems and air-conditioning systems are carried out in an independent manner by qualified or–certified– <u>companies and experts, using test equipment certified in accordance with EN standards,</u> whether operating in a self-employed capacity or employed by public bodies or private enterprises.	1. Member States shall ensure that the energy performance certification of buildings–, the establishment of renovation passports, the smart readiness assessment,— the inspection of heating, ventilation –systems and air-conditioning systems are carried out in an independent manner by qualified or– certified experts, whether operating in a self-employed capacity or employed by public bodies or private enterprises.	
Article 22(1), second subparagraph				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement	
G	407	Experts shall be certified in accordance with Article 26 of Directive (EU) .../... [recast EED] taking into account their competence.	Experts shall be certified in accordance with Article 26 of Directive (EU) .../... [recast EED] taking into account their competence.	Experts shall be certified in accordance with Article 26 of Directive (EU) .../... [recast EED] taking into account their competence.	G
Article 22(2)					
G	408	2. Member States shall make available to the public information on training and certifications . Member States shall ensure that either regularly updated lists of qualified or certified experts or regularly updated lists of certified companies which offer the services of such experts are made available to the public.	2. Member States shall make available to the public information on training and certifications . Member States shall ensure that either regularly updated lists of qualified or certified experts or regularly updated lists of certified companies which offer the services of such experts are made available to the public.	2. Member States shall make available to the public information on training and certifications . Member States shall ensure that either regularly updated lists of qualified or certified experts or regularly updated lists of certified companies which offer the services of such experts are made available to the public.	G
Article 23					
G	409	Article 23 Certification of building professionals	Article 23 Certification of building professionals	Article 23 Certification of building professionals	G
Article 23(1)					
Y	410	1. Member States shall ensure the appropriate level of competence for	1. <u>By .../... [date set out in Article 26(4) [recast EED]]</u> , Member	1. Member States shall ensure the appropriate level of competence for	Y

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	building professionals carrying out integrated renovation works in line with Article 26 [recast EED].	States shall <u>establish a national action plan to provide a sufficient and adequately skilled workforce and</u> ensure the appropriate level of competence for building professionals <u>and construction companies,</u> carrying out integrated renovation works in line with <u>the established targets and measurable progress indicators pursuant to Article 3(1) of this Directive and</u> Article 26 <u>of</u> [recast EED].	building professionals carrying out integrated renovation works in line accordance with Article 26 [recast EED].	
410a		<p><u>1a. To achieve a sufficient number of professionals in accordance with paragraph 1, Member States shall ensure that sufficient training programmes leading to qualification and certification covering integrated works, including the latest innovative solutions therefore, are made available. Member States shall put in place measures to promote participation in such programmes, in particular by microenterprises, SMEs and self-employed persons.</u></p>		

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
Article 23(2)				
411	2. Where appropriate and feasible, Member States shall ensure that certification or equivalent qualification schemes are available for providers of integrated renovation works where this is not covered by Article 18(3) of Directive (EU) 2018/2001 [amended RED] or Article 26 of Directive (EU) .../....[recast EED].	2. Where appropriate and feasible, Member States shall ensure that certification or equivalent qualification schemes are available for providers of integrated renovation works, <u>such as construction companies</u> , -where this is not covered by Article 18(3) of Directive (EU) 2018/2001 [amended RED] or Article 26 of Directive (EU) .../....[recast EED].	2. Where appropriate and feasible, Member States shall ensure that certification or equivalent qualification schemes are available for providers of integrated renovation works where this is not covered by Article 18(3) of Directive (EU) 2018/2001 [amended RED] or Article 26 of Directive (EU) .../....[recast EED].	
Article 24				
412	Article 24 Independent control system	Article 24 Independent control system	Article 24 Independent control system	
Article 24(1)				
413	1. Member States shall ensure that independent control systems for energy performance certificates are established in accordance with Annex VI, and that independent control systems for renovation passports, smart readiness indicators and reports on the inspection of heating and air-conditioning systems are	1. Member States shall ensure that independent control systems for energy performance certificates are established in accordance with Annex VI, and that independent control systems for renovation passports, smart readiness indicators and reports on the inspection of heating and air-conditioning systems are	1. Member States shall ensure that independent control systems for energy performance certificates are established in accordance with Annex VI, and that independent control systems for renovation passports, smart readiness indicators– and reports on the inspection of heating and air-conditioning systems and	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	established . Member States may establish separate systems for the control of energy performance certificates , renovation passports, smart readiness indicators and reports on the inspection of heating and air-conditioning systems.	established . Member States may establish separate systems for the control of energy performance certificates , renovation passports, smart readiness indicators and reports on the inspection of heating and air-conditioning systems.	ventilation are established . Member States may establish separate systems for the control of energy performance certificates–, renovation passports, smart readiness indicators– and and reports on the inspection of heating and air-conditioning systems.	
Article 24(2), first subparagraph				
G 414	2. The Member States may delegate the responsibilities for implementing the independent control systems.	2. The Member States may delegate the responsibilities for implementing the independent control systems.	2. The Member States may delegate the responsibilities for implementing the independent control systems.	
Article 24(2), second subparagraph				
G 415	Where the Member States decide to do so, they shall ensure that the independent control systems are implemented in compliance with Annex VI.	Where the Member States decide to do so, they shall ensure that the independent control systems are implemented in compliance with Annex VI.	Where the Member States decide to do so, they shall ensure that the independent control systems are implemented in compliance with Annex VI.	
Article 24(3)				
G 416	3. Member States shall require the energy performance certificates , the renovation passports, the smart readiness indicators and the	3. Member States shall require the energy performance certificates–, the renovation passports, the smart readiness indicators– and the	3. Member States shall require the energy performance certificates–, the renovation passports, the smart readiness indicators– and the	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	inspection reports referred to in paragraph 1 to be made available to the competent authorities or bodies on request.	inspection reports referred to in paragraph 1 to be made available to the competent authorities or bodies on request.	inspection reports referred to in paragraph 1 to be made available to the competent authorities or bodies on request.	
Annex IV				
569	Annex IV	Annex IV	Annex IV	
Annex IV, first paragraph				
570	COMMON GENERAL FRAMEWORK FOR RATING THE SMART READINESS OF BUILDINGS	COMMON GENERAL FRAMEWORK FOR RATING THE SMART READINESS OF BUILDINGS	COMMON GENERAL FRAMEWORK FOR RATING THE SMART READINESS OF BUILDINGS	
Annex IV, point 1., first subparagraph				
571	1. The Commission shall establish the definition of the smart readiness indicator and a methodology by which it is to be calculated, in order to assess the capabilities of a building or building unit to adapt its operation to the needs of the occupant and of the grid and to improve its energy efficiency and overall performance.	1. The Commission shall establish the definition of the smart readiness indicator and a methodology by which it is to be calculated, in order to assess the capabilities of a building or building unit to adapt its operation to the needs of the occupant and of the grid and to improve its energy efficiency and overall performance.	1. The Commission shall establish the definition of the smart readiness indicator and a methodology by which it is to be calculated, in order to assess the capabilities of a building or building unit to adapt its operation to the needs of the occupant and of the grid and to improve its energy efficiency and overall performance.	
Annex IV, point 1., second subparagraph				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
572	The smart readiness indicator shall cover features for enhanced energy savings, benchmarking and flexibility, enhanced functionalities and capabilities resulting from more interconnected and intelligent devices.	The smart readiness indicator shall cover features for enhanced energy savings, benchmarking and flexibility, enhanced functionalities and capabilities resulting from more interconnected and intelligent devices.	The smart readiness indicator shall cover features for enhanced energy savings, benchmarking and flexibility, enhanced functionalities and capabilities resulting from more interconnected and intelligent devices.	
Annex IV, point 1., second subparagraph a				
572a		<u><i>The methodology shall take into account the existence of a digital twin of the building allowing a better ongoing reporting and management of the building's energy consumption.</i></u>		
Annex IV, point 1., third subparagraph				
573	The methodology shall take into account features such as smart meters, building automation and control systems, self-regulating devices for the regulation of indoor air temperature, built-in home appliances, recharging points for electric vehicles, energy storage and detailed functionalities and the interoperability of those features, as well as benefits for the indoor	The methodology shall take into account features such as smart meters, building automation and control systems, self-regulating devices for the regulation of indoor air temperature, built-in home appliances, recharging points for electric vehicles, energy storage and detailed functionalities and the interoperability of those features, as well as benefits for the indoor	The methodology shall take into account features such as smart meters, building automation and control systems, self-regulating devices for the regulation of indoor air temperature, built-in home appliances, recharging points for electric vehicles, energy storage and detailed functionalities and the interoperability of those features, as well as benefits for the indoor	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	climate condition, energy efficiency, performance levels and enabled flexibility.	climate condition, energy efficiency, performance levels and enabled flexibility.	climate condition, energy efficiency, performance levels and enabled flexibility.	
Annex IV, point 2.				
574	2. The methodology shall rely on three key functionalities relating to the building and its technical building systems:	2. The methodology shall rely on three the following key functionalities relating to the building and its technical building systems:	2. The methodology shall rely on three key functionalities relating to the building and its technical building systems:	
Annex IV, point 2.(a)				
575	(a) the ability to maintain energy performance and operation of the building through the adaptation of energy consumption for example through use of energy from renewable sources;	(a) the ability to maintain energy performance and operation of the building through the adaptation of energy consumption for example through use of energy from renewable sources;	(a) the ability to maintain energy performance and operation of the building through the adaptation of energy consumption for example through use of energy from renewable sources;	
Annex IV, point 2.(b)				
576	(b) the ability to adapt its operation mode in response to the needs of the occupant while paying due attention to the availability of user-friendliness, maintaining healthy indoor climate conditions and the ability to report on energy	(b) the ability to adapt its operation mode in response to the needs of the occupant while paying due attention to the availability of user-friendliness, maintaining healthy indoor climate conditions and the ability to report on energy	(b) the ability to adapt its operation mode in response to the needs of the occupant while paying due attention to the availability of user-friendliness, maintaining healthy indoor climate conditions and the ability to report on energy	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	use; and	use; and	use; and	
Annex IV, point 2.(c)				
577	(c) the flexibility of a building's overall electricity demand, including its ability to enable participation in active and passive as well as implicit and explicit demand response, in relation to the grid, for example through flexibility and load shifting capacities.	(c) the flexibility of a building's overall electricity energy demand, including its ability to enable participation in active and passive as well as implicit and explicit demand response, in relation and <u>through storing and releasing energy back</u> to the grid, for example through flexibility and load shifting capacities- and <u>energy storage;</u>	(c) the flexibility of a building's overall electricity demand, including its ability to enable participation in active and passive as well as implicit and explicit demand response, in relation to the grid, for example through flexibility and load shifting capacities.	
Annex IV, point 2.(ca)				
577a		<u>(ca) the ability to improve its energy efficiency and overall performance through the use of energy saving technologies.</u>		
Annex IV, point 3.				
578	3. The methodology may further take into account:	3. The methodology may further take into account:	3. The methodology may further take into account:	
Annex IV, point 3.(a)				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
579	(a) the interoperability between systems (smart meters, building automation and control systems, built-in home appliances, self-regulating devices for the regulation of indoor air temperature within the building and indoor air quality sensors and ventilations); and	(a) the interoperability between systems (smart meters, building automation and control systems, built-in home appliances, self-regulating devices for the regulation of indoor air temperature within the building and indoor air quality sensors and ventilations); and	(a) the interoperability between systems (smart meters, building automation and control systems, built-in home appliances, self-regulating devices for the regulation of indoor air temperature within the building and indoor air quality sensors and ventilations); and wrong numbering in GA	
Annex IV, point 3.(b)				
580	(b) the positive influence of existing communication networks, in particular the existence of high-speed-ready in-building physical infrastructure, such as the voluntary ‘broadband ready’ label, and the existence of an access point for multi-dwelling buildings, in accordance with Article 8 of Directive 2014/61/EU of the European Parliament and of the Council ¹ . ¹ Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks (OJ L 155,	(b) the positive influence of existing communication networks, in particular the existence of high-speed-ready in-building physical infrastructure, such as the voluntary ‘broadband ready’ label, and the existence of an access point for multi-dwelling buildings, in accordance with Article 8 of Directive 2014/61/EU of the European Parliament and of the Council ¹ . ¹ Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks (OJ L 155,	(b) the positive influence of existing communication networks, in particular the existence of high-speed-ready in-building physical infrastructure, such as the voluntary ‘broadband ready’ label, and the existence of an access point for multi-dwelling buildings, in accordance with Article 8 of Directive 2014/61/EU of the European Parliament and of the Council ¹ . ¹ Directive 2014/61/EU of the European Parliament and of the Council of 15 May 2014 on measures to reduce the cost of deploying high-speed electronic communications networks (OJ L 155,	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	23.5.2014, p. 1).	23.5.2014, p. 1).	23.5.2014, p. 1).	
Annex IV, point 4.				
581	4. The methodology shall not negatively affect existing national energy performance certification schemes and shall build on related initiatives at national level, while taking into account the principle of occupant ownership, data protection, privacy and security, in compliance with relevant Union data protection and privacy law as well as best available techniques for cyber security.	4. The methodology shall not negatively affect existing national energy performance certification schemes and shall build on related initiatives at national level, while taking into account the principle of occupant ownership, data protection, privacy and security, in compliance with relevant Union data protection and privacy law as well as best available techniques for cyber security.	4. The methodology shall not negatively affect existing national energy performance certification schemes and shall build on related initiatives at national level, while taking into account the principle of occupant ownership, data protection, privacy and security, in compliance with relevant Union data protection and privacy law as well as best available techniques for cyber security.	
Annex IV, point 5.				
582	5. The methodology shall set out the most appropriate format of the smart readiness indicator parameter and shall be simple, transparent, and easily understandable for consumers, owners, investors and demand-response market participants.	5. The methodology shall set out the most appropriate format of the smart readiness indicator parameter and shall be simple, transparent, and easily understandable for consumers, owners, investors and demand-response market participants.	5. The methodology shall set out the most appropriate format of the smart readiness indicator parameter and shall be simple, transparent, and easily understandable for consumers, owners, investors and demand-response market participants.	
Annex VI				
620				

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	Annex VI	Annex VI	Annex VI	
Annex VI, first paragraph				
621	Independent control systems for energy performance certificates	Independent control systems for energy performance certificates	Independent control systems for energy performance certificates	
Annex VI, point 1., first subparagraph				
622	1. Definition of quality of energy performance certificate	1. Definition of quality of energy performance certificate	1. Definition of quality of energy performance certificate	
Annex VI, point 1., second subparagraph				
623	Member States shall provide a clear definition of what is considered a valid energy performance certificate.	Member States shall provide a clear definition of what is considered a valid energy performance certificate.	Member States shall provide a clear definition of what is considered a valid energy performance certificate.	
Annex VI, point 1., third subparagraph				
624	The definition of a valid energy performance certificate shall ensure:	The definition of a valid energy performance certificate shall ensure:	The definition of a valid energy performance certificate shall ensure:	
Annex VI, point 1., third subparagraph, point (a)				
625	(a) a validity check of the input	(a) a validity check of the input	(a) a– validity check of the input	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	data (including on-site checks) of the building used to issue the energy performance certificate and the results stated in the certificate;	data (including on-site checks) of the building used to issue the energy performance certificate and the results stated in the certificate;	data– (including on-site checks) of the building used to issue the energy performance certificate and the results stated in the certificate;	
Annex VI, point 1., third subparagraph, point (b)				
626	(b) the validity of the calculations;	(b) the validity of the calculations;	(b) the validity of the calculations;	
Annex VI, point 1., third subparagraph, point (c)				
627	(c) a maximum deviation for the energy performance of a building, preferably expressed by the numeric indicator of primary energy use (kWh/(m ² year));	(c) a maximum deviation for the energy performance of a building, preferably expressed by the numeric indicator of primary energy use (kWh/(m ² year));	(c) a maximum deviation for the energy performance of a building, preferably expressed by the numeric indicator of primary energy use (kWh/(m ² year));	
Annex VI, point 1., third subparagraph, point (d)				
628	(d) a minimum number of elements differing from default or standard values.	(d) a minimum number of elements differing from default or standard values.	(d) a minimum number of elements differing from default or standard values.	
Annex VI, point 1., fourth subparagraph				
629	Member States may include additional elements in the definition of a valid energy performance certificate, such as	Member States may include additional elements in the definition of a valid energy performance certificate, such as	Member States may include additional elements in the definition of a valid energy performance certificate, such as	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	maximum deviation for specific input data values.	maximum deviation for specific input data values.	maximum deviation for specific input data values.	
Annex VI, point 2., first subparagraph				
630	2. Quality of the control system for energy performance certificates	2. Quality of the control system for energy performance certificates	2. Quality of the control system for energy performance certificates	
Annex VI, point 2., second subparagraph				
631	Member States shall provide a clear definition of the quality objectives and the level of statistical confidence that the energy performance certificate framework should achieve. The independent control system shall ensure at least 90% of valid issued energy performance certificates with a statistical confidence of 95% for the evaluated period, which shall not exceed one year.	Member States shall provide a clear definition of the quality objectives and the level of statistical confidence that the energy performance certificate framework should achieve. The independent control system shall ensure at least 90% of valid issued energy performance certificates with a statistical confidence of 95% for the evaluated period, which shall not exceed one year.	Member States shall provide a clear definition of the quality objectives and the level of statistical confidence that the energy performance certificate framework should achieve. The independent control system shall ensure at least 90% of valid issued energy performance certificates with a statistical confidence of 95% for the evaluated period, which shall not exceed one year.	
Annex VI, point 2., third subparagraph				
632	The level of quality and the level of confidence shall be measured using random sampling and shall account for all elements provided in the definition of a valid energy	The level of quality and the level of confidence shall be measured using random sampling and shall account for all elements provided in the definition of a valid energy	The level of quality and the level of confidence shall be measured using random sampling and shall account for all elements provided in the definition of a valid energy	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	performance certificate. Member States shall require third-party verification for the evaluation of at least 25% of the random sample when the independent control systems have been delegated to non-governmental bodies.	performance certificate. Member States shall require third-party verification for the evaluation of at least 25% of the random sample when the independent control systems have been delegated to non-governmental bodies.	performance certificate. Member States shall require third-party verification for the evaluation of at least 25% of the random sample when the independent control systems have been delegated to non-governmental bodies.	
Annex VI, point 2., fourth subparagraph				
633	The validity of the input data shall be verified with information provided by the independent expert. Such information may include product certificates, specifications or building plans that include details on the performance of the different elements included in the energy performance certificate.	The validity of the input data shall be verified with information provided by the independent expert. Such information may include product certificates, specifications or building plans that include details on the performance of the different elements included in the energy performance certificate.	The validity of the input data shall be verified with information provided by the independent expert. Such information may include product certificates, specifications or building plans that include details on the performance of the different elements included in the energy performance certificate.	
Annex VI, point 2., fifth subparagraph				
634	The validity of the input data shall be verified by on-site visits in at least 10% of the energy performance certificates that are part of the random sampling used to assess the overall quality of the scheme.	The validity of the input data shall be verified by on-site visits in at least 10% of the energy performance certificates that are part of the random sampling used to assess the overall quality of the scheme.	The validity of the input data shall be verified by on-site visits, which may be carried out by virtual means, where appropriate in at least 10% of the energy performance certificates that are part of the random sampling used to assess the overall quality of the	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
			scheme.	
Annex VI, point 2., sixth subparagraph				
635	In addition to the minimum random sampling to determine the overall level of quality, Member States may use different strategies to specifically detect and target poor quality in energy performance certificates with the objective to improve the overall quality of the scheme. Such targeted analysis cannot be used as the basis to measure the overall quality of the scheme.	In addition to the minimum random sampling to determine the overall level of quality, Member States may use different strategies to specifically detect and target poor quality in energy performance certificates with the objective to improve the overall quality of the scheme. Such targeted analysis cannot be used as the basis to measure the overall quality of the scheme.	In addition to the minimum random sampling to determine the overall level of quality, Member States may use different strategies to specifically detect and target poor quality in energy performance certificates with the objective to improve the overall quality of the scheme. Such targeted analysis cannot be used as the basis to measure the overall quality of the scheme.	
Annex VI, point 2., seventh subparagraph				
636	Member States shall deploy pre-emptive and reactive measures to ensure the quality of the overall energy performance certificate framework. Those measures may include additional training for independent experts, targeted sampling, obligation to re-submit energy performance certificates, proportional fines and temporary or permanent bans for experts.	Member States shall deploy pre-emptive and reactive measures to ensure the quality of the overall energy performance certificate framework. Those measures may include additional training for independent experts, targeted sampling, obligation to re-submit energy performance certificates, proportional fines and temporary or permanent bans for experts.	Member States shall deploy pre-emptive and reactive measures to ensure the quality of the overall energy performance certificate framework. Those measures may include additional training for independent experts, targeted sampling, obligation to re-submit energy performance certificates, proportional fines and temporary or permanent bans for experts.	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	Annex VI, point 2., eighth subparagraph			
637	Where information is added to a database it shall be possible for national authorities to identify the originator of the addition, for monitoring and verification purposes.	Where information is added to a database it shall be possible for national authorities to identify the originator of the addition, for monitoring and verification purposes.	Where information is added to a database it shall be possible for national authorities to identify the originator of the addition, for monitoring and verification purposes.	
	Annex VI, point 3., first subparagraph			
638	3. Availability of energy performance certificates	3. Availability of energy performance certificates	3. Availability of energy performance certificates	
	Annex VI, point 3., second subparagraph			
639	The independent control system shall verify the availability of energy performance certificates to prospective buyers and tenants in order to ensure that it is possible to consider the energy performance of the building in their decision to buy or rent.	The independent control system shall verify the availability of energy performance certificates to prospective buyers and tenants in order to ensure that it is possible to consider the energy performance of the building in their decision to buy or rent.	The independent control system shall verify the availability of energy performance certificates to prospective buyers and tenants in order to ensure that it is possible to consider the energy performance of the building in their decision to buy or rent.	
	Annex VI, point 3., third subparagraph			
640	The independent control system	The independent control system	The independent control system	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	shall verify the visibility of the energy performance indicator and class in advertising media.	shall verify the visibility of the energy performance indicator and class in advertising media.	shall verify the visibility of the energy performance indicator and class in advertising media.	
Annex VI, point 4., first subparagraph				
641	4. Treatment of building typologies	4. Treatment of building typologies	4. Treatment of building typologies	
Annex VI, point 4., second subparagraph				
642	The independent control system shall account for different building typologies, particularly for those building typologies that are most prevalent in the real estate market, such as single residential, multi-residential, offices or retail.	The independent control system shall account for different building typologies, particularly for those building typologies that are most prevalent in the real estate market, such as single residential, multi-residential, offices or retail.	The independent control system shall account for different building typologies, particularly for those building typologies that are most prevalent in the real estate market, such as single residential, multi-residential, offices or retail.	
Annex VI, point 5., first subparagraph				
643	5. Public disclosure	5. Public disclosure	5. Public disclosure	
Annex VI, point 5., second subparagraph				
644	Member States shall regularly publish, on the national database on energy performance certificates, at least the following information	Member States shall regularly publish, on the national database on energy performance certificates, at least the following information	Member States shall regularly publish, on the national database on energy performance certificates, at least the following information	

	COM Proposal incl. RePowerEU	EP Mandate	Council Mandate	Draft Agreement
	on the quality system:	on the quality system:	on the quality system:	
Annex VI, point 5., second subparagraph, point (a)				
645	(a) the definition of quality in energy performance certificates;	(a) the definition of quality in energy performance certificates;	(a) the definition of quality in energy performance certificates;	
Annex VI, point 5., second subparagraph, point (b)				
646	(b) quality objectives for the energy performance certificate scheme;	(b) quality objectives for the energy performance certificate scheme;	(b) quality objectives for the energy performance certificate scheme;	
Annex VI, point 5., second subparagraph, point (c)				
647	(c) results of the quality assessment, including number of certificates evaluated and relative size to the total number of issued certificates in the given period (per typology);	(c) results of the quality assessment, including number of certificates evaluated and relative size to the total number of issued certificates in the given period (per typology);	(c) results of the quality assessment, including number of certificates evaluated and relative size to the total number of issued certificates in the given period (per typology);	
Annex VI, point 5., second subparagraph, point (d)				
648	(d) contingency measures to improve the overall quality of energy performance certificates.	(d) contingency measures to improve the overall quality of energy performance certificates.	(d) contingency measures to improve the overall quality of energy performance certificates.	

PUBLIC