COMMISSION OF THE EUROPEAN COMMUNITIES

COM(93) 279 final

Brussels, 6 July 1993

Amended proposal for a

COUNCIL DIRECTIVE

relative to the
Council Directive aiming at the limitation
of CO_2 emissions by improving energy efficiency
(presented in the framework of the SAVE programme) COM (92) 182

(presented by the Commission pursuant to Article 149(3)
of the EEC-Treaty)

EXPLANATORY MEMORANDUM

During the session of 27 May 1993 of the European Parliament, the Commission declared itself ready to accept in their entirety amendments 2, 3, 6, 7, 9, 12 and new formulations of amendments 1, 13, 14 and 16.

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A. **Amendment accepted**

Text proposed by the Commission of the European Communities	Modifications made by the Parliament and accepted by the Commission
(Amendment No. 2) Recital 10	
Whereas new buildings will have an impact on long-term energy consumption; whereas they should therefore be fitted with efficient thermal insulation tailored to the local climate;	Whereas new buildings will have an impact on long-term energy consumption; whereas they should therefore be fitted with efficient thermal insulation tailored to the local climate; whereas this applies equally to public-authority buildings, where the public authorities should set an example in taking environmental considerations into account;
(Amendment No. 3) Recital 12a (new)	
	Whereas improving energy efficiency in all regions of the Community will strengthen economic and social cohesion in the Community, as provided for in Article 130a of the EEC Treaty;
(Amendment No. 6) Article 2, first paragraph	
Energy certification of buildings shall consist of a description of their energy characteristics which must provide information for prospective buyers.	Energy certification of buildings shall consist of a description of their energy characteristics which must provide information for prospective buyers concerning a building's energy efficiency in relation to publicly available and comparable reference factors. Significant changes, improvements or deteriorations in the energy characteristics of a building must result in a change to the energy certificate.

* Minutes of the session of 28 May 1993 (EP 171.255).

(Amendment No. 7)
Article 2, fourth paragraph, introductory phrase

Member States shall take the appropriate measures in order progressively to bring into effect:	Member States shall take the appropriate measures in order to bring into effect:

(Amendment No. 9)
Article 3

Member States shall take the measures necessary to ensure the billing of heating, air-conditioning and hot-water costs on the basis of actual consumption in order that the cost of these services can be apportioned between the occupiers of all or part of a building on the basis of the specific quantities of heat, cold and hot water consumed by each occupier. This shall apply to buildings or parts of buildings supplied by a collective heating, air-conditioning or hot-water installation. These measures shall be taken save where technically impossible or where the costs exceed the savings expected.	Member States shall take the measures necessary to ensure the billing of heating, air-conditioning and hot-water costs on the basis of actual consumption in order that the cost of these services can be apportioned between the occupiers of all or part of a building on the basis of the specific quantities of heat, cold and hot water consumed by each occupier. This shall apply to buildings or parts of buildings supplied by a collective heating, air-conditioning or hot-water installation. Occupants of such buildings must be able to regulate their own consumption of heat, cold and hot water. These measures shall be taken save where technically impossible or where the costs exceed the savings expected.

(Amendment No. 12)
Article 8, second paragraph

To this end, Member States shall determine the categories of industrial establishments for which such energy audits are to be gradually introduced, on the basis of their contribution to carbon dioxide emissions, wherever these are high.	To this end, Member States shall determine the categories of industrial establishments for which such energy audits are to be introduced, on the basis of their contribution to carbon dioxide emissions.

B. Amendments accepted on the basis of new formulation

(Amendment No. 1)
Title

Proposal for a Council Directive to limit carbon dioxide emissions by improving energy efficiency (SAVE programme)	Proposal for a Council Directive FIXING A FRAMEWORK to limit carbon dioxide emissions by improving energy efficiency (SAVE programme) *(This amendment to apply throughout the text)*

(Amendment No. 13)
Article 9

Member States shall report to the Commission every two years on the results of the measures taken to implement this Directive.	For the first five years after adoption, Member States shall report to the Commission every year, and after this period every two years, on the results of the measures taken to implement this Framework Directive. In so doing, they shall inform the Commission of the choices they have made in their package of measures.

(Amendment No. 14)
Article 9a (new)

	In the third year the Commission shall evaluate the operation of this Framework Directive and, where necessary, submit more detailed proposals.

(Amendment No. 16)
Article 11(1), first subparagraph

1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Directive not later than [ ].	1. Member States shall bring into force the laws, regulations and administrative provisions necessary to comply with this Framework Directive not later than 1 January 1994. Member States may comply with these requirements by taking any actions having an equivalent effect and which can be objectively assessed.

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