

# Article 7 of the Energy Efficiency Directive: State of Play

Lelde Kiela Vilumsone  
DG ENER.C.3  
5 February 2015, Brussels



## Article 7 of the EED – Energy Efficiency Obligation Schemes (EEOSs) or alternative measures

- By 5 December 2013 Member States had to notify to the Commission their plans for Article 7.
- By 30 April 2014 – Further information could be notified in the NEEAPs.
- By 5 June 2014 – Obligation to notify national measures transposing Article 7 as part of the general transposition deadline.



- The assessment\* of the notified Member States' plans gives the following indications:
  - 17 Member States will use an **EEOS** (in 4 Member States as the only measure: BG, DK, LU and PL).
  - 11 Member States will have the **alternative approach** (BE, CY, CZ, DE, EL, FI, NL, PT, RO, SK, SE).
  - All Member States (but one) have excluded **transport** from the baseline in the calculation of the target.
  - Most of the Member States have used the **exemptions** under paragraph 2 (with max cap of 25%).

\* The assessment was commissioned to the external contractor: Ricardo – AEA/ CE Delft consortium



- Notified baselines/ targets and sum of savings at EU level:

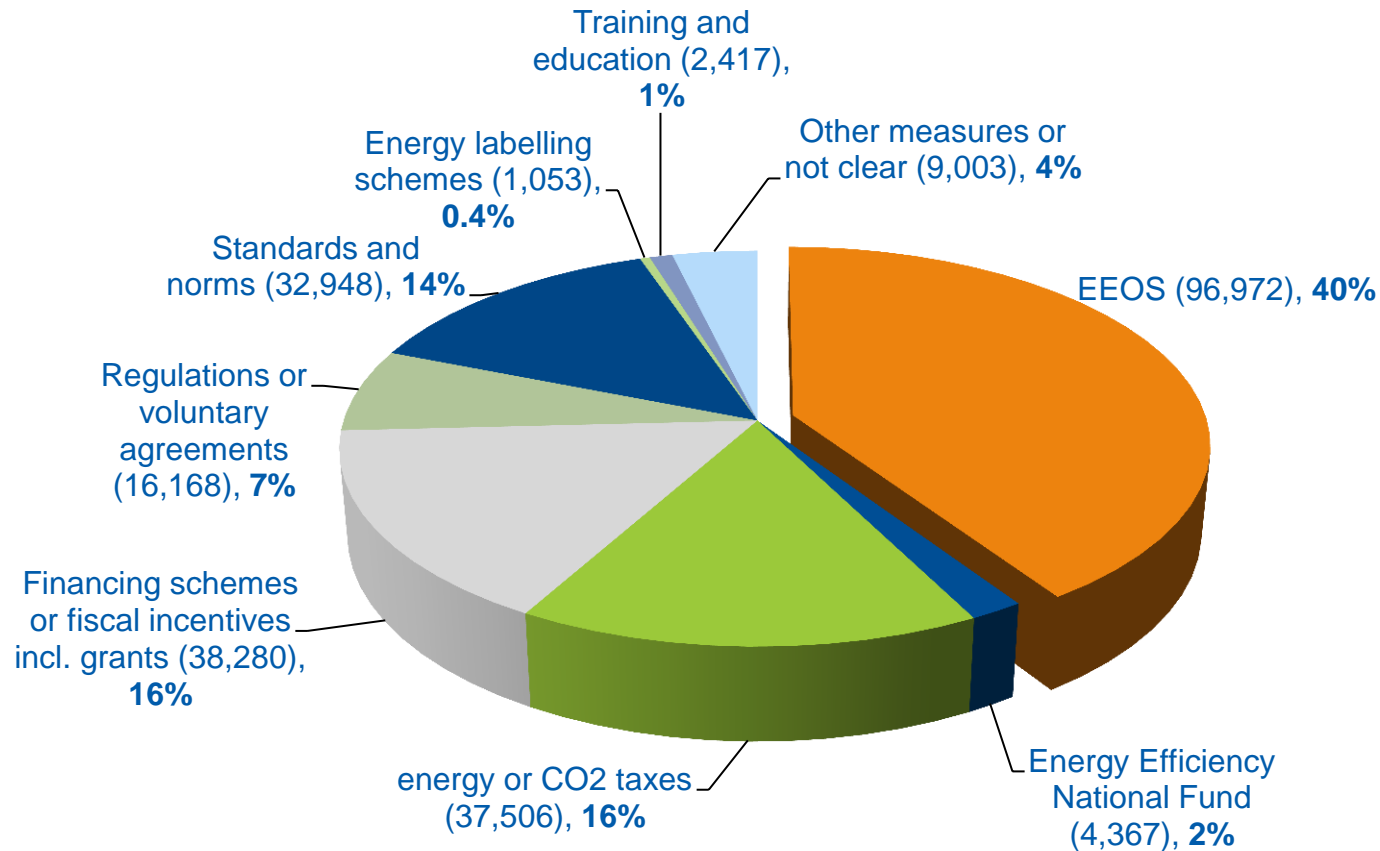
EU-28	Adjusted baseline (ktoe)*	Transport excluded (ktoe)	Energy production for own use (ktoe)	Energy savings target (ktoe)	Sum of expected savings (ktoe)
<b>Total:</b>	<b>697,918</b>	<b>313,231</b>	<b>44,072</b>	<b>234,575</b>	<b>239,846</b>

*\* Energy use by transport and production for own use are already subtracted where relevant*

# Article 7 – Savings I



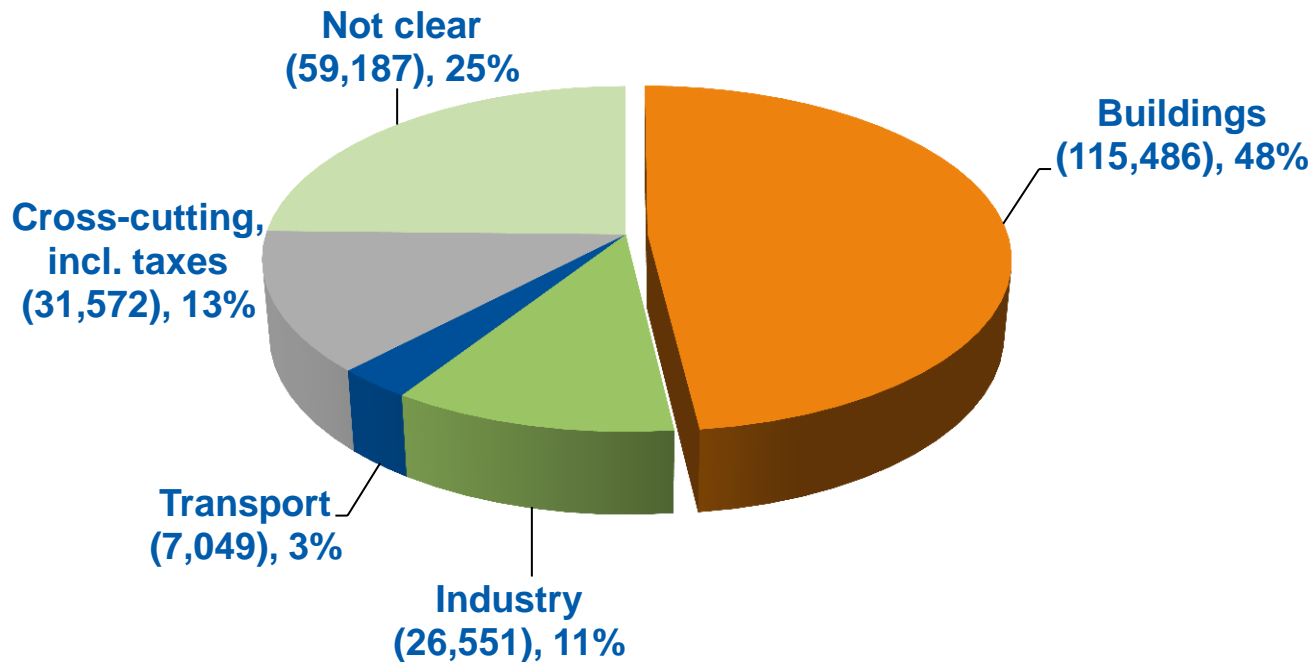
## Breakdown of energy savings based on notified savings by type of policy measure (ktoe)



# Article 7 – Savings II

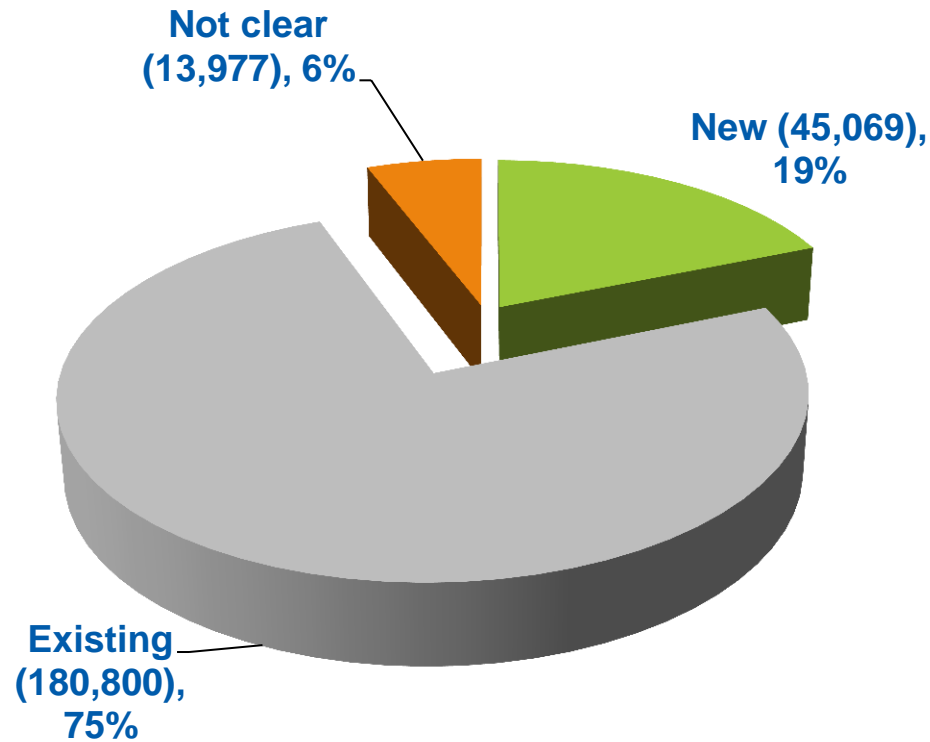


## Breakdown of energy savings by sector (ktoe)





## Breakdown of savings by new and existing policy measures (ktoe)





- Notified measures under Article 7:

Type of measure	Number of Member States
EEOS (default instrument)	17
Energy Efficiency National Fund	7
Energy or CO <sub>2</sub> taxes	12
Financial schemes or fiscal incentives	19
Regulations or voluntary agreements	9
Standards and norms	10
Energy labelling schemes	3
Training and education	10
Other measures	9





## Overview of the application of key principles of Annex V (as notified by Member States):

Requirement	Followed the EED (MS)*	Not enough information (MS)	No information provided (MS)
Eligible measure categories	2	11	16
Measurement methods	1	27	0
Additionality	2	7	10
Materiality	4	8	10
Lifetimes	1	13	12
Double counting	8	5	7

\* Member States have fully followed the EED requirements or have minor issues.



## Overview of monitoring and verification systems under Article 7 as notified by Member States

Requirement	Followed the EED (Member States)*	Not enough information (Member States)	No information provided (Member States)
Audits	1	11	6
Sampling approach	3	15	10
Quality standards	1	12	13
Penalties	4	8	16

*\* Member States have fully followed the EED requirements or have some minor issues and could be considered as having best practice.*

# Areas for improvement



Areas that should be improved or on which further information is needed from the Member States:

- 1) **Calculation of the target** (e.g. deducting own-energy use from the baseline);
- 2) **Eligible policy measures** (e.g. RES, taxation);
- 3) **Methodological aspects** – measurement methods, "additionality" and "materiality", risk of double counting.
- 4) **Monitoring and verification system** - independence, risks of double counting, sampling approach.
- 5) **Penalties.**



- Nine Member States have now declared full transposition: AT, CY, DK, IE, IT, MT, RO, SE, SK.
- Infringement procedure:
  1. "Non-communication" of all measures transposing a Directive:
    - Letter of formal notice sent to Member States on 22 July 2014;
    - Reasoned Opinion (2 months);
    - Referral to the European Court of Justice & possible financial penalty.
  2. "Non-conformity/ incorrect application":
    - EU pilot on Article 7 – request for information;
    - Letter of formal notice (2 months);
    - Reasoned Opinion (2 months);
    - Referral to the European Court of Justice



Thank you!



For further information on Article 7, please consult our website:  
<http://ec.europa.eu/energy/en/topics/energy-efficiency/energy-efficiency-directive/obligation-schemes-and-alternative-measures>

