# Commission Delegated Regulation (EU) 2020/2155 of 14 October 2020 supplementing Directive (EU) 2010/31/EU of the European Parliament and of the Council by establishing an optional common European Union scheme for rating the smart readiness of buildings (Text with EEA relevance)

## COMMISSION DELEGATED REGULATION (EU) 2020/2155

of 14 October 2020

supplementing Directive (EU) 2010/31/EU of the European Parliament and of the Council by establishing an optional common European Union scheme for rating the smart readiness of buildings

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Directive 2010/31/EU of the European Parliament and the Council of 19 May 2010 on the energy performance of buildings[(1)], and in particular Article 8(10) thereof,

Whereas:

(1) Directive 2010/31/EU is the main legislation, together with Directive 2009/125/EC of the European Parliament and of the Council[(2)] and Regulation (EU) 2017/1369 of the European Parliament and of the Council[(3)], addressing energy efficiency in buildings in the context of the 2030 energy efficiency targets. Directive 2010/31/EU has two complementary objectives, namely to accelerate the renovation of existing buildings by 2050 and to support the modernisation of all buildings by using smart technologies, such as those that make use of artificial intelligence and cloud-based services, and having a clearer link to clean mobility.

(2) In order to support a consistent and transparent rating of the smart readiness of buildings in the Union, a common definition of the smart readiness indicator and a common methodology for calculating it should be established.

(3) In order to ensure the acceptability, usability and consistency of the smart readiness indicator scheme, the Commission has developed, in collaboration with a wide range of stakeholders and in liaison with Member States, a methodology for rating smart readiness of buildings in accordance with Article 8(10) of Directive 2010/31/EU and its Annex IA.

(4) That methodology for rating the smart readiness of buildings ensures a degree of consistency and comparability in rating of the smart readiness of buildings across the EU, while leaving enough flexibility to adapt the calculation to specific conditions.

(5) Adequate control mechanisms on the implementation of the smart readiness indicator scheme should be established.

(6) Where relevant, self-assessment of smart readiness by the owner, by the facility manager or any other stakeholder linked to the building, supported by open guidance and tools, should be possible.

(7) In order to avoid the duplication of efforts and costs between the smart readiness indicator scheme and existing mandatory schemes, the methodology for rating the smart readiness of buildings should allow Member States, if they wish, to connect, or integrate, the smart readiness indicator scheme with national energy performance certification schemes and other schemes established under Directive 2010/31/EU.

(8) The smart readiness indicator should be designed to reflect the smart readiness of buildings and their systems and should be used to complement – not to replace – tools that assess other aspects of buildings, for instance energy performance or sustainability.

(9) The smart readiness indicator should not be an indicator for the energy performance of buildings. Building owners should be informed that the smart readiness as reflected in the smart readiness indicator and the energy performance of buildings as expressed by energy performance certificates are different issues, which therefore have to be addressed by different types of measures, though smart readiness should help enhance energy performance.

(10) The benefits for consumers, building users and owners will be maximized when available instruments for rating buildings are used in combination, ensuring that the consumers, building users and owners can gain a comprehensive understanding of their buildings and of how they can improve overall performance.

(11) The smart readiness indicator should be available for both existing buildings and new building projects. Digital models of buildings, including building information models or digital twins, should be allowed to be used to facilitate the calculation of smart readiness scores.

(12) The smart readiness indicator calculation framework should be allowed to be used for all types of buildings and building units covered by Directive 2010/31/EU.

(13) The smart readiness indicator should allow to highlight the additional benefits from advanced smart technologies for building owners and users, for instance in terms of energy savings and preparedness to climate change, or in terms of more inclusiveness and accessibility, comfort and well-being.

(14) The assessment of the smart readiness of buildings and building units as part of the smart readiness indicator scheme for the purpose of issuing a smart readiness indicator certificate should be carried out by qualified or accredited experts.

(15) Where Member States consider it appropriate, experts accredited for the energy performance certification of buildings, or for the inspection of heating, air-conditioning and combined heating or air-conditioning and ventilation systems under Directive 2010/31/EU, or for performing energy audits under Directive 2012/27/EU of the European Parliament and of the Council[(4)], should be allowed to be considered competent also to assess the smart readiness of buildings or building units.

***Changes to legislation:** There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2020/2155. (See end of Document for details)*

(16) Increased digitisation and connectivity in buildings increases cybersecurity and data protection risks and makes buildings and their systems more vulnerable to cyber threats and misuse of personal data. The European Data Protection Supervisor was consulted pursuant to Article 42(1) of Regulation (EU) 2018/1725. The smart readiness indicator should help to inform building owners and users of those risks,

HAS ADOPTED THIS REGULATION:

*Article 1*

**Subject matter and scope**

This Regulation establishes an optional common Union scheme for rating the smart readiness of buildings that is to say the definition of the smart readiness indicator and a common methodology by which it is to be calculated. The methodology consists of calculating smart readiness scores of buildings or building units and deriving smart readiness rating of buildings or building units.

*Article 2*

**Definitions**

For the purposes of this Regulation, the following definitions apply:

(1) ‘smart readiness indicator’ means an indicator that informs on the rating of smart readiness of a building or building unit in line with Article 8(10) of Directive 2010/31/EU;

(2) ‘smart readiness indicator scheme’ means a system of certification of smart readiness of buildings;

(3) ‘economic operator’ means a natural or legal person who owns a building located on the territory of a Member State, or a natural or legal person who owns or occupies a building unit located on the territory of a Member State, and who requests a smart readiness indicator certificate for that building or building unit;

(4) ‘smart readiness rating’ means the rating of the building or building unit in accordance with the methodology set out in this Regulation;

(5) ‘smart readiness score’ means the score obtained by a building or building unit as part of the process for rating smart readiness;

(6) ‘system’ means a system that can be found in a building and that is relevant to the scope of smart readiness rating as set out in Directive 2010/31/EU, including but not limited to technical building systems as defined in Article 2 of Directive 2010/31/EU;

(7) ‘smart readiness key functionality’ means one of the three key functionalities referred to in point 2 of Annex IA of Directive 2010/31/EU;

(8) ‘impact criterion’ means a key impact that smart-ready services are designed to achieve, as set out in this Regulation;

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(9) ‘technical domain’ means a collection of smart-ready services which, together, realise an integrated and consistent part of the services expected from the building or building unit such as heating;

(10) ‘connectivity’ means the ability of systems to exchange data with each other and the ability of the building or building unit to exchange data, with the grid and related entities, such as an aggregator, or other buildings;

(11) ‘interoperability’ is the ability of a system to interact for a common purpose, based on commonly agreed standards, by exchanging information and data;

(12) ‘cybersecurity’ means the activities necessary to protect network and information systems, as well as the users of such systems, and other individuals affected by cyber threat;

(13) ‘smart-ready technology’ means a technological enabler, such as building automation, for one or more smart-ready services;

(14) ‘smart-ready service’ means a function or an aggregation of functions provided by one or more technical components or systems. A smart-ready service makes use of smart-ready technologies and orchestrates them into higher-level functions;

(15) ‘smart readiness indicator certificate’ means a certificate recognised by a Member State or by a legal person designated by a Member State, which indicates the smart readiness of a building or building unit, calculated according to the methodology set out in this Regulation;

(16) ‘functionality level’ means the level of smart readiness of a smart-ready service;

(17) ‘weighting factor’ means a parameter that is used in the calculation of the smart readiness indicator to express the importance of a given technical domain or impact criterion in that calculation;

(18) ‘ventilation’ means a process by which fresh air flow rates are managed to maintain and improve indoor air quality according to applicable requirements;

(19) ‘energy balance’ means an approach by which certain weighting factors may be adapted based on the climate zone of the building.

*Article 3*

**Smart readiness indicator**

1 The smart readiness indicator shall allow for rating and communicating the smart readiness of buildings and building units to economic operators and other stakeholders, in particular planners and building operators.

2 The smart readiness indicator shall allow for the assessment of 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 in-use performance. The smart readiness indicator shall cover features for increased energy savings, benchmarking and flexibility, and enhanced functionalities and capabilities provided by more interconnected and intelligent devices.

3 The smart readiness indicator shall include the smart readiness rating of a building or building unit and a set of smart readiness scores that reflect the smart readiness of buildings,

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building units and systems along predefined key functionalities, impact criteria and technical domains.

4 The smart readiness indicator shall include, where possible, additional information on inclusiveness and connectivity of the building, on interoperability and cybersecurity of systems, and on data protection.

*Article 4*

**Methodology for calculating the smart readiness indicator**

1 The methodology for calculating the smart readiness indicator shall be based on the assessment of smart-ready services present or planned at design stage in a building or building unit, and of smart-ready services that are considered relevant for that building or building unit.

2 The calculation of the smart readiness scores shall be based on a common Union methodological framework set out in Annexes I to VI.

3 The standard calculation methodology set out in Annexes I to VI may be adapted in accordance with Annex VII, in particular by making a link to energy performance calculations in the scope of energy performance certification.

4 The methodology for calculating the smart readiness indicator shall be used in accordance with the conditions set out in this Regulation, in particular regarding the qualification of experts.

*Article 5*

**Smart readiness rating**

The smart readiness rating of a building or building unit shall be based on the smart readiness scores calculated for the building or building unit in accordance with Annex VIII.

*Article 6*

**Optionality of the scheme**

1 The smart readiness indicator scheme shall be an optional common Union scheme.

2 Member States may decide if they implement the smart readiness indicator on their national territory, or parts thereof. They may also choose to implement the scheme only to certain categories of buildings.

3 Member States that implement the smart readiness indicator scheme may choose to apply it on a voluntary or mandatory basis for buildings or building units located on their territory.

4 Member States that decide to implement the smart readiness indicator scheme on their national territory, or parts thereof, shall notify the Commission prior to implementing the scheme.