

Commission Delegated Regulation (EU) 2019/826 of 4 March 2019
amending Annexes VIII and IX to Directive 2012/27/EU of the European
Parliament and of the Council on the contents of comprehensive
assessments of the potential for efficient heating and cooling

COMMISSION DELEGATED REGULATION (EU) 2019/826

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THE EUROPEAN COMMISSION,

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

Having regard to Directive 2012/27/EU of the European Parliament and of the Council of 25 October 2012 on energy efficiency⁽¹⁾, and in particular Article 22 thereof,

Whereas:

- (1) Directive 2012/27/EU establishes the framework and content of the comprehensive assessments by the Member States on the potential for efficiency in heating and cooling.
- (2) Articles 22 and 23(2) of the Directive 2012/27/EU empowers the Commission to adopt delegated acts to adapt the requirements of Annexes VIII and IX.
- (3) The first cycle of comprehensive assessments was analysed by the Commission. Gathering new data, identifying new potentials and exchanging best practices for energy efficiency for heating and cooling confirmed the benefits of the comprehensive assessments and confirmed the need for the Commission to request that Member States update and notify the second cycle of comprehensive assessments.
- (4) The assessments varied in methodology and content, so clearer requirements, technological neutrality and better link to policy were identified as areas for improvement. The requirements on the content of the comprehensive assessments need to be updated before the second cycle in order to increase the usefulness of the gathered information for the Member States and the Commission, to simplify the information to be provided and to better link to other legislation of the energy union, namely Regulation (EU) 2018/1999 of the European Parliament and of the Council⁽²⁾ on the Governance of the Energy Union and Climate Action and Directives (EU) 2018/844 of the European Parliament and of the Council⁽³⁾ amending Directive 2010/31/EU on the energy performance of buildings and Directive 2012/27/EU on energy efficiency, Directive (EU) 2018/2002 of the European Parliament and of the Council⁽⁴⁾ amending Directive 2012/27/EU on energy efficiency, and Directive (EU) 2018/2001 of the European Parliament and of the Council⁽⁵⁾ on the promotion of the use of energy from renewable sources.

Changes to legislation: There are currently no known outstanding effects for the Commission Delegated Regulation (EU) 2019/826. (See end of Document for details)

- (5) In identifying planned heating and cooling supply points and district heating transmission installations, an appropriate tool for Member States to use is data on applications for permits.
- (6) Member States and stakeholders have been consulted on the process of the comprehensive assessments and on a draft working document of the updated Annex VIII at a joint consultation meeting on 25 October 2018.
- (7) The measures provided for in this Regulation were discussed by the Member State experts in accordance with Article 22 of Directive (EU) 2018/2002.
- (8) Annex VIII and Part 1 of Annex IX to Directive 2012/27/EU should therefore be adapted,

HAS ADOPTED THIS REGULATION:

Article 1

Potential for efficiency in heating and cooling

- 1 Annex VIII to Directive 2012/27/EU is replaced by the text in Annex I to this regulation.
- 2 Annex IX to Directive 2012/27/EU is amended as set out in Annex II to this regulation.

Article 2

Entry into force and application

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 4 March 2019.

For the Commission

The President

Jean-Claude JUNCKER

ANNEX I

Amendment to Annex VIII

Annex VIII of Directive 2012/27/EU is replaced as follows:

ANNEX VIII

Potential for efficiency in heating and cooling

The comprehensive assessment of national heating and cooling potentials referred to in Article 14(1) shall include and be based on the following:

Part I

OVERVIEW OF HEATING AND COOLING

1. heating and cooling demand in terms of assessed useful energy⁽⁶⁾ and quantified final energy consumption in GWh per year⁽⁷⁾ by sectors:
 - (a) residential;
 - (b) services;
 - (c) industry;
 - (d) any other sector that individually consumes more than 5 % of total national useful heating and cooling demand;
2. identification, or in the case of point 2(a)(i), identification or estimation, of current heating and cooling supply:
 - (a) by technology, in GWh per year⁽⁸⁾, within sectors mentioned under point 1 where possible, distinguishing between energy derived from fossil and renewable sources:
 - (i) provided on-site in residential and service sites by:
 - heat only boilers;
 - high-efficiency heat and power cogeneration;
 - heat pumps;
 - other on-site technologies and sources;
 - (ii) provided on-site in non-service and non-residential sites by:
 - heat only boilers;
 - high-efficiency heat and power cogeneration;
 - heat pumps;
 - other on-site technologies and sources;
 - (iii) provided off-site by:
 - high-efficiency heat and power cogeneration;
 - waste heat;
 - other off-site technologies and sources;

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- (b) identification of installations that generate waste heat or cold and their potential heating or cooling supply, in GWh per year:
 - (i) thermal power generation installations that can supply or can be retrofitted to supply waste heat with a total thermal input exceeding 50 MW;
 - (ii) heat and power cogeneration installations using technologies referred to in Part II of Annex I with a total thermal input exceeding 20 MW;
 - (iii) waste incineration plants;
 - (iv) renewable energy installations with a total thermal input exceeding 20 MW other than the installations specified under point 2(b)(i) and (ii) generating heating or cooling using the energy from renewable sources;
 - (v) industrial installations with a total thermal input exceeding 20 MW which can provide waste heat;
 - (c) reported share of energy from renewable sources and from waste heat or cold in the final energy consumption of the district heating and cooling⁽⁹⁾ sector over the past 5 years, in line with Directive (EU) 2018/2001;
3. a map covering the entire national territory identifying (while preserving commercially sensitive information):
- (a) heating and cooling demand areas following from the analysis of point 1, while using consistent criteria for focusing on energy dense areas in municipalities and conurbations;
 - (b) existing heating and cooling supply points identified under point 2(b) and district heating transmission installations;
 - (c) planned heating and cooling supply points of the type described under point 2(b) and district heating transmission installations;
4. a forecast of trends in the demand for heating and cooling to maintain a perspective of the next 30 years in GWh and taking into account in particular projections for the next 10 years, the change in demand in buildings and different sectors of the industry, and the impact of policies and strategies related to the demand management, such as long-term building renovation strategies under Directive (EU) 2018/844;

Part II

OBJECTIVES, STRATEGIES AND POLICY MEASURES

5. planned contribution of the Member State to its national objectives, targets and contributions for the five dimensions of the energy union, as laid out in Article 3(2)(b) of Regulation (EU) 2018/1999, delivered through efficiency in heating and cooling, in particular related to points 1 to 4 of Article 4(b) and to paragraph (4)(b) of Article 15, identifying which of these elements is additional compared to integrated national energy and climate plans;
6. general overview of the existing policies and measures as described in the most recent report submitted in accordance with Articles 3, 20, 21 and 27(a) of Regulation (EU) 2018/1999;