

Tuesday 11 September 2012

Energy efficiency ***I

P7_TA(2012)0306

European Parliament legislative resolution of 11 September 2012 on the proposal for a directive of the European Parliament and of the Council on energy efficiency and repealing Directives 2004/8/EC and 2006/32/EC (COM(2011)0370 – C7-0168/2011 – 2011/0172(COD))

(2013/C 353 E/28)

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2011)0370),
- having regard to Article 294(2) and Article 194(2) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C7-0168/2011),
- having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
- having regard to the reasoned opinion submitted, within the framework of the Protocol (No 2) on the application of the principles of subsidiarity and proportionality, by the Swedish Parliament, asserting that the draft legislative act does not comply with the principle of subsidiarity,
- having regard to the opinion of the European Economic and Social Committee of 26 October 2011 ⁽¹⁾,
- having regard to the opinion of the Committee of the Regions of 14 December 2011 ⁽²⁾,
- having regard to the undertaking given by the Council representative by letter of 27 June 2012 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
- having regard to Rule 55 of its Rules of Procedure,
- having regard to the report of the Committee on Industry, Research and Energy and the opinions of the Committee on the Environment, Public Health and Food Safety and the Committee on Women's Rights and Gender Equality (A7-0265/2012),

1. Adopts its position at first reading hereinafter set out;
2. Approves the joint statement by Parliament, the Council and the Commission annexed to this resolution;
3. Takes note of the Commission statements annexed to this resolution;

⁽¹⁾ OJ C 24, 28.1.2012, p. 134.

⁽²⁾ OJ C 54, 23.2.2012, p. 49.

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4. Calls on the Commission to refer the matter to Parliament again if it intends to amend its proposal substantially or replace it with another text;
5. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

P7_TC1-COD(2011)0172

Position of the European Parliament adopted at first reading on 11 September 2012 with a view to the adoption of Directive 2012/.../EU of the European Parliament and of the Council on energy efficiency, amending Directives 2009/125/EC and 2010/30/EU and repealing Directives 2004/8/EC and 2006/32/EC

(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Directive 2012/27/EU.)

Annex to the legislative resolution

Statement by the European Parliament, the Council and the Commission on the exemplary role of their buildings in the context of the Energy Efficiency Directive

The European Parliament, the Council and the Commission declare that, due to the high visibility of their buildings and the leading role they should play with regard to their buildings' energy performance, they will, without prejudice to applicable budgetary and procurement rules, undertake to apply the same requirements to the buildings they own and occupy as those applicable to the buildings of Member States' central government under Articles 5 and 6 of Directive 2012/.../EU of the European Parliament and of the Council on energy efficiency and repealing Directives 2004/8/EC and 2006/32/EC.

Commission statement in relation to energy audits

As explained in its Communication to the European Parliament, the Council, the Economic and Social Committee and the Committee of Regions on EU State Aid Modernisation (COM(2012)0209 of 8 May 2012), the Commission has identified the EU Guidelines on State Aid for Environmental Protection as one of the instruments which can contribute to the Europe 2020 Growth Strategy and objectives and which may be revised by the end of 2013. In such context, the Commission may verify that the future rules on State Aid for Environmental Protection continue to promote in an optimal way sustainable growth, inter alia through promotion of energy efficiency in line with the objectives of the present Directive.

Commission statement in relation to EU ETS

In the light of the need to maintain the incentives in the EU's Emissions Trading System the Commission undertakes:

- to urgently present the first report pursuant to Article 10(5) of Directive 2003/87/EC on the carbon market accompanied by a review of the auction time profile of phase 3
 - to examine in this report options, including among others permanent withholding of the necessary amount of allowances, for action with a view to adopting as soon as possible further appropriate structural measures to strengthen the ETS during phase 3, and make it more effective.
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